

| Report of | Meeting | Date |
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| Chief Executive | Council | 16 July 2013 |

PROPOSED CHANGES TO THE MEMBERS ALLOWANCES SCHEME AND CONSTITUTION

PURPOSE OF REPORT

- To make recommendations to Council from the Independent Remuneration Panel about the Members Allowances Scheme and some consequential changes required to the Constitution.

RECOMMENDATION(S)

- The Independent Member of Governance Committee be paid £500 per annum and this be reviewed after two years and if a second Independent Member of Governance Committee is appointed they also be paid £500 per annum, also to be reviewed after two years.
- To confirm the allowance paid to Portfolio Champions (formally Lead Members) at £707.20.
- To agree that the definition of a Lead Member be maintained and renamed as Portfolio Champion and the consequential Constitutional changes be approved.

| Confidential report Please bold as appropriate | Yes | No |
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CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

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| Involving residents in improving their local area and equality of access for all | | A strong local economy | |
| Clean, safe and healthy communities | | An ambitious council that does more to meet the needs of residents and the local area | ✓ |

BACKGROUND

- In line with the requirements of the Local Authorities (Members Allowances) (England) Regulations 2003 the Council is required to request the Independent Remuneration Panel make recommendations on any changes to the Members Allowances Scheme for determination by a full Council meeting.
- The Independent Remuneration Panel met on 4 June 2013 to consider two items and this report contains their recommendations. The Council do not necessarily need to accept their findings as long as they have given them appropriate consideration.

INDEPENDENT MEMBER OF GOVERNANCE COMMITTEE

8. A request had been made by the Council's Governance Committee for the Panel to consider whether an allowance ought to be paid to the Independent Member. This role works with Monitoring Officer and the Governance Committee on Code of Conduct complaints.
9. The Localism Act 2011 revoked the existing standards regime and replaced it with a lighter touch more localist scheme. The procedures followed when a complaint is made now include consultation with the Independent Member.
10. The Panel noted that since 2012 the Monitoring Officer had consulted with the Independent Member on five occasions concerning seven separate complaints which had either been referred for investigation or been dismissed.
11. The role had been appointed on the basis of no allowance being paid, but the Governance Committee recognised the value of the post, and therefore, had made the request for an allowance to be considered. The current post holder was a retired Local Government officer. He produced detailed responses to queries, was available at short notice and made recommendations on potential updates to procedures.
12. The Panel recognised that the role needed to be independent of the Council and that the Monitoring Officer and Governance Committee needed to take heed of their advice. The Panel noted that the Governance Committee felt that the Independent Member added value to the process of dealing with complaints made against Borough and Parish Councillors and appreciated their proactive advice. They therefore recommended a small annual allowance of £500. Some authorities have more than one Independent Member and should it be necessary to recruit another then a similar allowance should apply.

PORTFOLIO CHAMPIONS

13. At the Annual Meeting a proposal had been made to change the current "Lead Member" post to become a "Portfolio Champion" post.
14. The aim was to give more Councillors the opportunity to work within Portfolios, some of which were quite large, and be more involved in decision-making. This would also build knowledge, experience and be a development opportunity for Councillors who aspired to become an Executive Member. The increase in number reflected a reduction in service area from the Lead Member role.
15. The Panel commented on this positive proposal as it gave Members development opportunities and noted that the Portfolio Champions were appointed by the Executive Leader.

ROLE OF LEAD MEMBERS/PORTFOLIO CHAMPIONS

16. The Constitution (Appendix 2 – Responsibility for Functions) sets out the following duties for the position of lead member.

"In relation to a portfolio of functions and/or matters assigned to them by the Executive Leader, Lead Members where they are appointed are assigned special responsibilities to the Council for:

1. Maintaining knowledge and awareness of those functions or matters and of current activities and developments in relation to them;
2. Liaising with the corresponding Executive Member and the responsible Chief Officer;

3. Communicating and representing to the Executive the views of non-Executive Councillors on all matters relating to the Portfolio;
4. Assisting the Executive Member in promoting the efficient and effective delivery of the relevant services and the achievement of all relevant Council policy objectives in compliance with the approved budgets and providing all such other assistance, advice and support as the Executive Member may from time to time require;
5. Responding to and assisting the Overview and Scrutiny Committee or an overview and scrutiny panel as required;
6. In the absence of the Executive Member, deputising for him or her at meetings of the Council and responding to questions; and
7. In the absence of the Executive Member, or when otherwise requested by the Executive Member, representing the Executive Member and leading for the Council politically and publicly in external dealings and relationships, including with the media”.

17. In summary, Lead Members do not have the decision making powers of an Executive Member and cannot sit on Executive Cabinet even in a substitute capacity but they can attend meetings to deputise for Executive Members in an advisory capacity. The expectation is that they will stay informed about the work and responsibilities of the portfolio. The change from Lead Members to Portfolio Champions does not reduce these responsibilities but narrows the area of responsibility to a specific subject/area within a portfolio. How far a portfolio champion undertakes the role depends on the Executive Member’s wish to delegate responsibility and an effective working relationship between the two Members.

IMPLICATIONS OF REPORT

18. This report has implications in the following areas and the relevant Directors’ comments are included:

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| Finance | ✓ | Customer Services | |
| Human Resources | | Equality and Diversity | |
| Legal | ✓ | Integrated Impact Assessment required? | |
| No significant implications in this area | | Policy and Communications | |

COMMENTS OF THE STATUTORY FINANCE OFFICER

19. The financial implications outlined in this report can be contained within the existing approved budget resources for Members in 2013/14.

COMMENTS OF THE MONITORING OFFICER

20. Executive Members may delegate functions within their role but may not delegate decision making functions which are Executive functions. There are no legal restrictions upon this arrangement. The appointment of Portfolio Champions is a function of the Executive Leader, pursuant to the Constitution.

GARY HALL
CHIEF EXECUTIVE

| Background Papers | | | |
|---------------------------|---------------|-------------|---|
| Document | Date | File | Place of Inspection |
| Members Allowances Scheme | December 2012 | Online | http://chorley.gov.uk/Documents/Democratic%20Services/Information/App |

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|--|------|--------|---|
| | | | endix%209%20(Member s%20Allowances%20Scheme)%20v1.pdf |
| The Local Authorities (Members' Allowances) (England) Regulations 2003 | 2003 | Online | http://www.legislation.gov.uk/uksi/2003/1021/contents/made |

| Report Author | Ext | Date | Doc ID |
|-------------------------------|------------|-------------|---------------|
| Ruth Rimmington/Carol Russell | 515118 | 1 July 2013 | IRP report |