

Report to: Council



Date of Meeting 6 December 2023

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## Recommendations from East Devon District Council Independent Remuneration Panel

### Report summary:

It was agreed in 2022 that new Independent Remuneration Panel members should be appointed to conduct a review of current allowances to ensure that we were engaging with a wide and diverse range of potential Councillors and that the existing Councillors are appropriately remunerated for their voluntary role. The current East Devon Independent Remuneration Panel was appointed in January 2023 with a view to review the allowances paid to EDDC Councillors. This report, sets out the Panel's recommendations and is a direct result of that 2022 agreement and the work of the panel in 2023.

Details of the level of allowances is set out in Appendix 1.

The full report from the Independent Remuneration Panel is set out in Appendix 2.

### Is the proposed decision in accordance with:

Budget Yes  No

Policy Framework Yes  No

### Recommendation:

To approve the recommendations of the EDDC Independent Remuneration Panel, including:

- 1 that the Basic Allowance for East Devon District Councillors should be increased to £5,260, representing the average Basic Allowance from our benchmarked councils.
- 2 that the increase to the Basic Allowance should be backdated to the May 2023 election.
- 3 that an increase to the Special Responsibility Allowance based on the average benchmark for equivalent posts in councils we benchmarked, except;
  - Where a post with a benchmarked increase is higher than the NJC index (5) it will be capped at the NJC increase.
  - Where a post with a benchmark percentage increase would be lower than currently graded or is not replicated within the benchmarked councils (7) it will receive the NJC increase.
- 4 that these increases (set out in 3 above) to the Special Responsibility Allowance should be backdated to the 1st June 2023.
- 5 that if a member, with the agreement of the Leader of the Council, is acting in a capacity of a cabinet or portfolio holder for a significant period due to the incumbent being absent through sickness or extended leave of absence, that individual should, if not in receipt of a Special Responsibility Allowance, be paid the full agreed amount of the incumbent Special Responsibility Allowance. If they are already in receipt of a Special Responsibility Allowance and continue to receive it they should receive 50% of the Special Responsibility Allowance for that new post/responsibility.

- 6 that the Basic Allowance should increase each year on the 1st May beginning May 2024 and Special Responsibility Allowance should increase each year on 1st June beginning in 2024 in line with the average of the agreed National Joint Council Pay Award for staff. This index should be reviewed every 4 years.
- 7 that there are no changes to the current Travel Rates and Subsistence Allowances for Councillors at this time as they are aligned to EDDC staff allowances.
- 8 that there are no changes to the current Child Care and Dependants' Carers' Allowance.
- 9 that all Co-optees on the Housing Review Board should be in receipt of an annual allowance in addition to their travel expense.
- 10 that an annual allowance be introduced in line with the views of Democratic Services and Home Office guidance from 1st May 2024. These allowances should be reviewed after 4 years.

Housing Review Board	£550
Standards Committee	£400
Independent Remuneration Panel	£400

### **Reason for recommendation:**

To enable Council to consider recommendations on the scheme of allowances following a review undertaken by the Independent Remuneration Panel. When setting a scheme of allowances or when making changes to the scheme of allowances, the Council must have regard to the recommendations of the Independent Remuneration Panel.

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities
- Culture, Leisure, Sport and Tourism

### **Equalities impact** Low Impact

The scheme as a whole is intended to assist the objective of overcoming any financial and other disincentive that an individual might experience in being a councillor and encourage persons from all sections of the community to become and remain councillors.

The Panel have given consideration to the subject of equalities in its report.

### **Climate change** Low Impact

**Risk:** Low Risk; It is important that the Council through the Independent Remuneration Panel regularly reviews the allowances payable to elected members.

**Links to background information** [Click here](#) to enter links to background information; appendices online; and previous reports. These must link to an electronic document. Do not include any confidential or exempt information.

## [Link to Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
  - A greener East Devon
  - A resilient economy
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### **1. Background**

1.1 Under the Local Authorities (Members' Allowances) (England) Regulations 2003, Local Authorities must establish and maintain an Independent Remuneration Panel. The purpose of the Panel is to make recommendations to the Local Authority about the allowances to be paid to Members.

### **2. Role and Responsibilities**

2.1 The Independent Remuneration Panel ('IRP') shall advise and make its recommendations to East Devon District Council.

2.2 The 'IRP' shall through the form of a report to East Devon District Council:

- (i) recommend to Council a Members' Allowances Scheme for implementation which sets out recommendations for:-
  - the amount of basic allowance that should be payable to elected members;
  - the roles, responsibilities and duties for which special responsibility allowances should be paid and the amounts for such allowances;
  - whether travelling and subsistence allowances should be paid and if so, the duties to which they should apply and the amount;
  - whether childcare and dependent carers' allowances should be paid and if so, the duties to which they should apply and the amount of these allowances and the means by which they are determined;
  - whether a basic allowance should be paid to co-opted members and if so, the amount;
  - whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated as permitted in law;
  - whether any annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should apply.
- (ii) on a four yearly basis, or if otherwise requested, propose recommendations as to any required amendments to the Members' Allowances Scheme in relation to the following matters:
  - the amount of basic allowance that should be payable to elected members;
  - the roles, responsibilities and duties for which special responsibility allowances should be paid and the amounts for such allowances;
  - whether travelling and subsistence allowances should be paid and if so, the duties to which they should apply and the amount;
  - whether childcare and dependent carers' allowances should be paid and if so, the duties to which they should apply and the amount of these allowances and the means by which they are determined;
  - whether a basic allowance should be paid to co-opted members and if so, the amount;
  - whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated as permitted in law;

- whether any annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should apply.

2.3 In making its recommendations at paragraphs 2.2 (i) and (ii) above, the IRP shall undertake a full review of the Members' Allowance Scheme as well as obtaining the views of officers and members of the Council to which it relates and having regard to the following general principles:

- that members undertake their council work for the sake of public service and not private gain;
- the varying demands placed upon members, dependent upon their roles and responsibilities;
- the need to fairly and equitably compensate members, so far as the panel thinks appropriate, for the time and effort they can reasonably be expected to devote to their work as a member of the council;
- the need for the scheme to be economic, efficient to administer and effective;
- the requirement for their report and recommended changes to the scheme of allowances to be easy to understand and adequately justifiable to the electorate;
- that recommendations should confirm with existing legislation and anticipate likely future legislation so far as possible. The Panel will also have regards to comparative data on the allowances paid by other similar local authorities.

2.4 The IRP shall be required in reporting its recommendations to include guidance on what is to be encompassed by each relevant allowance so as to ensure that the Members' Allowance Scheme is consistently applied.

### **3. Panel Membership and Appointment**

3.1 The Regulations require that an independent panel shall comprise of at least 3 members. ('IRP Members').

3.2 IRP Members will be sought via advert in accordance with the Council's standard recruitment arrangements. Recruitment should be by public advertisement and direct approach to appropriate business and community/voluntary sector organisations who command local respect and public confidence and would be able to nominate persons who should have the necessary skills, integrity, independence and who are recognisable members of the local business and voluntary/community sectors within their respective areas.

3.3 IRP Members were appointed by the Monitoring Officer, in consultation with political group leaders and are: N Arnold; K Bryant and A Cockeram.

3.4 The term of office of IRP Members will be five years. The Council may remove an IRP Member in circumstances where:

- the IRP Member is disqualified from being a member of an authority or is found guilty of any conduct which brings the office into disrepute e.g. being found guilty of a criminal offence, an act of dishonesty or other serious misconduct; or
- the IRP Member is considered to have demonstrated a serious lack of diligence or incompetence; or
- the IRP Member becomes an elected or co-opted member (or an employee) of the authority.

3.5 The IRP shall:

- appoint its own Chair at the first meeting of each municipal year;
- require a quorum of 3 at all meetings;

- meet a minimum of once per municipal year with additional meetings convened as necessary;
- Otherwise devise its own rules for the conduct of meetings in consultation with the Council's Monitoring Officer providing that they are consistent with legislative requirements and general good governance requirements.

#### **4. Panel allowances**

- 4.1 The Regulations provide that the Council is able pay allowances to IRP Members and in the recommendations it is proposed that an annual payment of £400 is paid from 1 May 2024. IRP Members will also be able to claim travel and subsistence at the rate approved by the Council within the limits determined by the Secretary of State.

#### **5. Lead officer and support arrangements for the Panel**

- 5.1 The Council's Monitoring Officer (or Democratic Services Manager) will be the lead officer and principal contact officer for the IRP. The Democratic Services Team will provide support to the Panel.

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#### **Financial implications:**

If approved this will result in a current year overspend against budget of £69k as the recommendation is to back date payments to the beginning of the year; the increase in the Basic Allowances equates to a cost of £45k and the Special Responsibilities Allowance a cost of £24k. It will increase next year's budget by £70.5k in total based on the current 2023/24 budget. As noted in the report the main element of these payments have remained unaltered since 2008 and the recommendation is that they are annually increased in line with national agreed staff pay award going forward until the next review period of 4 years.

#### **Legal implications:**

The legal implications are set out in the report above.