

Report to the Independent Remuneration Panel



Date of meeting: 13 October 2005

Portfolio: People First

Subject: Member Remuneration Scheme – Review 2006/7

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Recommendations/Decisions Required:

- (1) To note that the Panel has been asked to review the Council's Member Remuneration Scheme in relation to the following:**
 - (a) Licensing Committee;**
 - (b) Overview and Scrutiny Committee; and**
 - (c) Cabinet; and**
- (2) To consider how to deal with these three items.**

Report:

1. Following a discussion among Group Leaders, the Cabinet at its meeting on 11 July 2005 asked the Panel to review certain aspects of the Member Remuneration Scheme. A copy of the statement on implementation is attached as Appendix 1 to this Report together with a schedule (Appendix 2) of the various implementation levels which the Panel recommended some years ago.
2. Currently, the Council has implemented basic allowance at 80% and special responsibility at 40% of the figures shown in the Table. It should be borne in mind that it is for the District Council to consider questions of implementation but the District Council cannot make changes to its Remuneration Scheme without first having considered a report from this Panel.

Licensing Committee

3. In February 2005, the Council began to assume responsibility for the licensing of persons, premises and events involving the sale of alcohol. This includes off-licences, public houses, clubs, restaurants, supermarkets and the proprietors of those premises. The licensing provisions also cover special events held which involve the sale of alcohol.

Over the period 7 February to 24 November 2005, all licence holders were required to apply for the transfer of the licence to the District Council from the Magistrates' Court. Following 24 November 2005, all licences will in future be issued by the District Council.

4. Prior to these changes in the law, the Council was responsible for entertainments licensing (public and private), hackney carriage licensing and hire car vehicles together with a very wide variety of other licences of various sorts. These original licensing functions remain with the District Council.
5. In the light of these changes, the Council has altered its arrangements for dealing with licensing applications and renewals. A new Licensing Committee (replacing the former Licensing Panel) was appointed. The Committee comprises 15 members including a Chairman and Vice-Chairman and has decided that any three Councillors drawn in alphabetical order from the main committee should constitute a sub-committee to hear and rule on applications. Some other aspects of the new licensing regime were delegated to the Head of Environmental Services and there are provisions whereby objections to decisions made by him under delegated authority may be aired before the Panel. A similar arrangement applies to those licensing functions for which the Council has always been responsible.
- ... 6. Copies of the Licensing Committee's Terms of Reference and the list of functions and delegated authorities extracted from the Council's Constitution (Appendix 3) are also enclosed together with the Council's Statement of Licensing Policy (Appendix 4).
7. The period from February to November 2005 can be seen as a transitional phase. The Council has had to process a large number of licence transfers in a relatively short period. Currently a Licensing Sub-Committee is meeting weekly to deal with batches of these applications and this process will continue until November next. After November, it is not clear whether meetings of the Licensing Sub-Committee will need to continue at the same frequency.
8. The Cabinet has asked the Panel to look at the question of Special Responsibility Allowances in respect of licensing Committee Members. Currently the scheme provides for a payment of £630 per annum (40% of the full amount) to the Chairman of the Licensing Committee. There is no specific provision for other members of the Licensing Committee to receive additional payments to reflect special responsibilities. The special responsibility allowance is only payable to Councillors who have duties or positions which cannot be reflected through the basic allowance.
9. The Panel may wish to consider the following matters:
 - (a) whether the range of licensing responsibilities of the Council warrants a different level of special responsibility allowance;
 - (b) whether this allowance should be extended to all members of the Licensing Committee bearing in mind that the Chairman of the Licensing Committee does not necessarily chair every meeting of a Sub-Committee; and
 - (c) whether this sets a precedent for the Area Plans Sub-Committees (meeting monthly) which carry out an equivalent function within the Council, as do the Complaints Panel (meeting infrequently), Staff Appeals Panel (meeting infrequently) and the Housing Appeals Panel (meeting monthly).

Overview and Scrutiny – New Committee Structure

10. With effect from May 2005, the Council has altered its Overview and Scrutiny Committee structure. Previously there were three Overview and Scrutiny Committees and three Standing Working Groups called Policy Advisory Working Groups. The three Overview and Scrutiny Committees and their Policy Working Groups were specifically linked to groups of Cabinet Portfolios. Membership of the three committees was set at 17 each and the Policy Working Groups 11 each. The Committees had a Chairman and Vice-Chairman each of whom received a separate special responsibility allowance which up to the current financial year was set at a minimal level. Had there been three Committees in the current year, each would have received 40% special responsibility allowance (currently £2,520 per annum).
11. The changes made by the Council in May 2005 were as follows:
 - (a) the three Overview and Scrutiny Committees were disbanded;
 - (b) the three Policy Working Groups were disbanded;
 - (c) a new Overview and Scrutiny Co-ordinating Committee comprising 11 members was appointed, with a Chairman and Vice-Chairman;
 - (d) In place of the former Policy Working Groups, a new system of panels was introduced, some of these (known as Standing Panels) will continue in being as their work concerns recurring functions of the Council. Each of these Standing Panels comprises 10/11 members and has a Chairman and Vice-Chairman appointed by the Council. The remaining Panels are called "Task and Finish" Panels and are designed to carry out reviews and then disband. There have been many other procedural changes in the way in which the Overview and Scrutiny process functions and these were designed to move away from a traditional committee/working group format and towards more informal meetings offering more direct involvement by Councillors.
12. The Cabinet has asked the Panel to examine the level of special responsibility allowance for the Chairman and Vice-Chairman of the Overview and Scrutiny Committee. This is because the Council's rules now envisage that the Chairman of the Overview and Scrutiny Committee will effectively be the lead member on the whole Overview and Scrutiny process. This role is akin to that of the Council Leader in respect of Cabinet business. Previously the role was split between three separate members but the scheme equated the roles of Leader and the three Overview and Scrutiny Chairmen in that they received the same special responsibility allowance.
13. Task and Finish and Standing Scrutiny Panels occupy an equivalent place in the structure to the former Policy Working Groups although they operate in a different way. Previously the Panel did not recommend special responsibility payments to Policy Working Group members or their Chairmen.

Cabinet

14. The Panel will be aware that when the Cabinet was first established it comprised 10 members with discrete portfolios. In May 2004, this number was reduced to 9 with the portfolios for Corporate Support Services and ICT being combined. This means that during the current year one less special responsibility allowance is being paid compared to previous years. The Cabinet asked the Panel to look specifically at the issue of

special responsibility allowance for Cabinet members bearing in mind that the responsibilities have been spread over fewer members.

15. It is worth bearing in mind that the law sets a limit of 10 Cabinet members and the Authority therefore has freedom to decide how many Portfolio Holders there should be at any one time. In terms of framing a policy for special responsibility allowance, it may be useful to think about what the Remuneration Scheme should say about potential changes in the number of Cabinet members. It may be as simple as if the number of Portfolio Holders is reduced, for instance, the SRA could remain the same but simply be paid to fewer members. Alternatively, there could be provision for an increase to SRA's to be divided equally between the current number of Cabinet members thus reflecting greater individual responsibilities.

Further Evidence

16. If the Panel feel that they would benefit from further discussion with the Chairman of the Licensing Committee, with the Leader of the Council and the Chairman of the Overview and Scrutiny Committee, this can be arranged.