
Meeting: Council
Date: 24 January 2013
Subject: Special Responsibility Allowances – Minority Group Leaders
Report of: Cllr Maurice Jones , Executive Member for Corporate Resources
Summary: This report recommends the payment of a special responsibility allowance to the Leader of the Independent Group.

Contact Officer: John Atkinson, Head of Legal and Democratic Services

Public/Exempt: Public

Wards Affected: All

Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The provision of a fair scheme of Members' Allowances is essential to the democratic process in ensuring an equal opportunity to all to become a Councillor.

Financial:

The recommendation, if approved, will increase the Members' Allowances budget by around £1,050 in the current year and by £2,506.99 in 2013/14. This can be absorbed from within the Members' Allowances budget because of savings on superannuation.

Legal:

The Local Authorities (Members' Allowances) (England) Regulations 2003 require local authorities to make a scheme of allowances for their members.

Risk Management:

None resulting from this report

Staffing (including Trades Unions):

None resulting from this report

Equalities/Human Rights:

The Members' Allowances Scheme is an essential part of the democratic process in ensuring that Membership of the Council is not limited by reason of financial considerations.

Community Safety

n/a

Sustainability:

n/a

Summary of Overview and Scrutiny Comments:

- Not applicable

RECOMMENDATIONS:

- 1. That the Leader of the Independent Group be paid a special responsibility allowance equal to that of the Leader of the Liberal Democrat Group with effect from 22 November 2012;**
- 2. That the Allowances Scheme in Schedule 1 of the Constitution be amended so that in the event of there being no largest minority group, the Leaders of the minority groups with the largest equal numbers each receive a SRA allowance equivalent to that normally payable to the Leader of the largest minority group;**
- 3. That SRAs for minority group leaders be included in the next review of Members' Allowances.**

Statutory Background

1. Under the Local Authorities (Members' Allowances) (England) Regulations 2003, where one political group is in control, and where an authority has decided to pay special responsibility allowances, the authority must make provision for the payment of a special responsibility allowance to at least one member of a minority group.

The Regulations also require that a local authority must have regard to the advice given by its independent remuneration panel on the Council's scheme and the amounts to be paid.

Minority Group SRA

2. As a consequence of the by-election in November the political balance of the Council has changed. The balance is now Conservatives 48, Liberal Democrat 5, Independent 5 and Labour 1. Prior to the by-election, Liberal Democrats were the largest minority group and the prescribed annual SRA of £2,506.99 was paid to its Leader. We now have a situation where there is no largest minority group as there are two groups with an equal number of members.
3. In November 2011, the IRP set the SRA of the Minority Group Leader at 8% of that of the Leader (£2,506.99). This was subsequently approved by Council. The Council's Constitution provides for the SRA to be paid to the Leader of the largest minority group - a situation that no longer prevails.
4. A suggestion was put to the Leader of the Liberal Democrat Group that the SRA should be shared between the two Leaders but he has objected to this stating that his role has not diminished in any way by the Independents gaining another member. He points out that he will still have to attend the same number of meetings to obtain a broad perspective of developments in Council business and he does not think that it is appropriate to only receive 50% of the allowance.

5. The relevant part of the Council's Constitution relating to the Members' Allowances Scheme states that

'An allowance will be payable to the Leader of any duly constituted minority group that has 7 or more members. In the event of no minority group having 7 or more members, and no other special responsibility allowance being paid to a member of a duly constituted minority group, the allowance shall be paid to the Leader of the largest minority group.'

Views of the IRP

6. Members of the IRP were consulted by email on the issue and were asked to consider whether
- the SRA of £2,506.99 should be divided equally between each minority group Leader or
 - an SRA of £2,506.99 be awarded to each minority group Leader.
7. Panel members make the point that email consultation has not enabled them to conduct face to face discussion and receive input, particularly from the minority group leaders. However, the Panel is concerned that, if the allowance is paid for a responsibility, it should not be withdrawn as a result of a change in the size of another minority group.
8. The Panel recommends that
- both minority leaders receive a SRA of £2506.99;
 - the Allowances Scheme be amended so that in the event of there being no largest minority group, the Leaders of the minority groups with the largest equal numbers each receive a SRA allowance equivalent to that normally payable to the Leader of the largest minority group;
 - the subject of minority group leader allowances is reconsidered at its next review of members allowances, and certainly before the next Council elections.

Background Papers: (open to public inspection) None

Location of papers: Not applicable