

Appendix A – Shadow IRP Report 2019

Shadow Authority of Buckinghamshire Report of the Independent Panel on Members' Remuneration 14 March 2019

1. Background

- 1.1 The draft Buckinghamshire (Structural Changes) Order 2019 requires that the Shadow Buckinghamshire Authority must prepare and adopt a scheme for the payment of allowances to its members. In order to achieve this, the Order applies the Local Authorities (Members' Allowances) (England) Regulations 2003 to the Shadow Buckinghamshire Authority and its members in the same way that the Regulations apply to District and County Councils and their Councillors.
- 1.2 Before the Shadow Authority can make and adopt a Scheme of Allowances it must first have regard to the report and recommendation of the Independent Remuneration Panel.
- 1.3 Members of the Independent Remuneration Panels of the existing Council's in Buckinghamshire were invited to participate in the Panel for the Shadow Authority of Buckinghamshire. The following Panel members attended a meeting on 14 March 2019:

Hazel Bentall
Dr Bill Reid
Mark Tosh
- 1.4 To assist the Panel in forming recommendations for a members' allowances scheme, it was provided with information about the likely composition and role of the Shadow Authority of Buckinghamshire and its committees. It was also provided with the current schemes of allowances for each of the District Councils and County Council in Buckinghamshire, and the agreed schemes of Bournemouth, Poole and Christchurch, and Dorset Shadow Authorities.

2 Recommendations

- 2.1 Following consideration of the information provided, the Independent Remuneration Panel make the following recommendations:

2.2 Basic Allowance

Regulation 4 Local Authorities (Members' Allowances) (England) Regulations 2003 provides as follows:

“Basic allowance

(1) An authority shall-

- (a) Make a scheme in accordance with these Regulations which shall provide for the payment of an allowance in respect of each year to each member of an authority, and the amount of such an allowance shall be the same for each such member (“basic allowance”); ...”

Whilst having regard to the information provided about the role of a Shadow member, the Panel note that the Shadow Authority will not be delivering services, all members of the Shadow Authority are in receipt of a basic allowance from the existing District Councils and County Council in Buckinghamshire of which they are a member and it is anticipated that the Shadow Authority will only meet up to three times during the Shadow Period. The Panel consider that the duties of the Shadow member will be covered by the basic allowance received by their respective District Councils and County Council. It is therefore recommended that the rate of the basic allowance to be paid to members of the Shadow Authority shall be set at nil.

2.3 Special Responsibility Allowances (SRAs)

The Panel was advised that no member of staff of the District Councils and County Council in Buckinghamshire shall receive additional remuneration to reflect the additional workload arising from local government reorganisation. The Panel assessed each of the special responsibilities outlined below.

- (i) Chairman and Vice-Chairman of Shadow Buckinghamshire Authority

It is acknowledged that chairing these meetings will be challenging due to the number of members present and will require preparation in advance. However, it is anticipated that the Shadow Authority will only meet up three times during the Shadow Period, and officer support would be provided. The Chairman will not have a civic role as this would conflict with existing responsibilities of the current Chairmen of the respective Councils. It is therefore recommended that no SRA be paid to the Chairman and Vice-Chairman of the Shadow Authority of Buckinghamshire for the Shadow Period.

(ii) Chairman of Overview and Scrutiny Committee

The importance of overview and scrutiny during the Shadow Period is noted. However, it is anticipated that this Committee will not hold a considerable amount of meetings. It is therefore recommended that no SRA be paid to the Chairman of Overview and Scrutiny for the Shadow Period.

(iii) Leader of Shadow Buckinghamshire Authority (Chairman of Shadow Executive)

It is acknowledged that the Leader of the Shadow Buckinghamshire Authority, in their role as Chairman of the Shadow Executive, will have a significant role, as the member politically accountable for delivering a council fit for purpose as from 1 April 2020, and this is likely to require a significant time commitment. It is recognised that the Leader of the Shadow Authority, as outlined in the draft Structural Changes Order is the Leader of Buckinghamshire County Council, and is in receipt of the largest SRA of each of the District Councils and County Council in Buckinghamshire. It is therefore recommended that no SRA be paid to the Leader of the Shadow Buckinghamshire Council for the Shadow Period.

(iv) Members of Shadow Executive

It is noted that the Shadow Executive will have no executive responsibility for service delivery during the Shadow Period and the members will act as a collective with potential individual executive responsibility. As it is likely that the members of the Shadow Executive will be leading members nominated by the District Councils and County Council in Buckinghamshire who are currently in receipt of an SRA, it is not considered to be appropriate to recommend that an SRA be paid.

However, in the event that a Member of the Shadow Executive is not in receipt of an SRA from the Council by whom they have been nominated, it is recommended that they should receive an SRA from their respective Council equivalent to that paid to a Cabinet Member or Portfolio Holder of the nominating Council.

(v) Substitute Members of the Shadow Executive

Further, the Panel considered whether an SRA would be appropriate in the situation that a substitute member is not already in receipt of an SRA from the Council by whom they had been nominated. It is noted that the

responsibility of a substitute member is significantly less than that of the designated member of the Shadow Executive and the substitute member is not expected to attend a significant number of meetings. As such, no SRA is recommended.

- (vi) Deputy Leader of Shadow Buckinghamshire Authority
For reasons outlined above, it is recommended that no SRA is paid to the Deputy Leader of the Shadow Dorset Council.
- (vii) Leaders of political groups
It is recognised that Political Group Leaders would likely be in receipt of an SRA from their existing Council. It is recommended that no SRA is paid to leaders of political groups.

2.4 Travel, subsistence and dependent carer's allowances

It is recommended that travel, subsistence and dependent carers' claims be made in accordance with the schemes operated by each of the District Councils and the County Council in Buckinghamshire, and claims will be made by members to their respective Council.

2.5 Co-opted members and independent persons

There will be no co-opted members of committees appointed to sit on panels and for a constituted meeting by the Shadow Authority so no allowance is required.

During the Shadow Period, the independent person to be consulted on any complaints about councillors' conduct will be drawn from the independent persons appointed by the existing Buckinghamshire Councils. No allowance is required.