

---

**Subject:** VACANCY ON THE EAST KENT JOINT INDEPENDENT REMUNERATION PANEL

**Meeting and Date:** COUNCIL – 1 MARCH 2023

**Report of:** STRATEGIC DIRECTOR (CORPORATE AND REGULATORY)

**Classification:** UNRESTRICTED

---

**Purpose of the report:** A vacancy has arisen amongst Dover District Council's two appointees of the East Kent Independent Remuneration Panel and Council is asked to determine whether to fill the vacancy.

---

**Recommendation:** That the vacancy in one of Dover District Council's two appointees on the East Kent Joint Independent Remuneration Panel not be filled for the remainder of the term of appointment.

---

## 1. Summary

- 1.1 The Council is required to appoint an Independent Remuneration Panel under the Local Authorities (Members' Allowances) (England) Regulations 2003 for the purpose of making recommendations to the Council in respect of its Members' Allowances Scheme.
- 1.2 A vacancy has occurred on the Panel following the resignation of one of the two members appointed by Dover District Council. The terms of appointment of all five members of the Panel are due to expire on 30 November 2023.

## 2. Introduction and Background

- 2.1 The Council is required to appoint an Independent Remuneration Panel under the Local Authorities (Members' Allowances) (England) Regulations 2003 for the purpose of making recommendations to the Council in respect of its Members' Allowances Scheme.
- 2.2 Since 2002 the Council has operated a Joint Independent Remuneration Panel with neighbouring authorities. The current East Kent Joint Independent Remuneration Panel ('the Panel') was formed in 2008 and consists of 5 members appointed by Canterbury City Council (1 member), Dover District Council (2 members) and Thanet District Council (2 members). The term of office of the current Panel members expires on 30 November 2023.
- 2.3 The three participating authorities will be asked to indicate whether they wish to continue participating in the Panel for another four-year term after the May 2023 elections. If they do, new members will be appointed and their appointment will run until November 2027.
- 2.4 The Regulations require that the Panel be composed of "at least three members none of whom... is also a member of an authority in respect of which it makes recommendations...or...is disqualified from being or becoming a member of an authority".
- 2.5 The two Dover appointees were former independent members of the Council's Standards Committee prior to being appointed to the Panel. The key responsibilities of the Panel as set out in the Regulations are to make recommendations as to the responsibilities or duties in respect of which the following allowances should be made available and the amount of allowance:

- Basic Allowance;
- Special Responsibility Allowances;
- Member Travel and Subsistence allowances;
- Dependent Carers Allowances; and
- Index linking arrangements for allowances.

2.6 The Council has a duty to have regard to the recommendations of the Panel when making a decision in respect of any of the allowances set out above but does not have to adopt the recommendations of the Panel.

### **The Vacancy on the Panel**

2.7 It is proposed that the Council does not seek to appoint to the vacancy for the remainder of the Panel's current term expiring on 30 November 2023.

2.8 The expiration of the Panel's four-year term of appointment is scheduled to enable the three authorities to make a decision as to whether to continue their participation in the Panel following the local elections.

2.9 The Panel is still able to operate until the end of its term of appointment as the quorum is three members and there are currently four members on the Panel. As the participating local authorities set their Members' Allowances Schemes to operate from 1 April 2023 it is unlikely that the Panel will need to be called upon until later in the year with the potential for any appointee to not be called upon to attend a meeting prior to the expiration of their term of appointment in November 2023. Further, as part of the normal recruitment process, the Council would be seeking to advertise for new Panel members to interview in Summer 2023 with a view to making appointments by full Council in Autumn 2023 for each participating authority.

2.10 Considering the limited time before the Councils are due to begin the process of recruiting again for the Panel's next term and the fact that the Panel is still able to operate above quorum, it is not recommended to fill the vacancy on the Panel until the Panel's entire membership comes up for appointment later in 2023.

2.11 The view of the Chairman of the East Kent Joint Independent Remuneration Panel has been sought and he indicated he would have no objection to the vacant position remaining unfilled for the remainder of its term.

### **3. Identification of Options**

3.1 Option 1: To not fill the Dover vacancy on the East Kent Joint Independent Remuneration Panel for the remainder of the term of appointment. This is the recommended option.

3.2 Option 2: To fill the Dover vacancy on the East Kent Joint Independent Remuneration Panel for the remainder of the term of appointment until 30 November 2023.

### **4. Evaluation of Options**

4.1 Option 1 is the recommended option. The Panel is able to operate at above quorum levels for the remainder of its term and it saves the time and expense of undertaking a recruitment process that would not be potentially filled until the Annual Meeting of Council in May 2023. As there has not traditionally needed to be a meeting of the Panel in the summer period, it is highly likely that the appointee's term would expire before the Panel had met.

4.2 Furthermore, any successful candidate appointed to fill the remainder of the term would need to reapply for the Panel's next term of operation shortly after being appointed with the rest of the Panel.

4.3 Option 2 is not the recommended option for the reasons stated above. There is little difference between recruiting for one position or two positions and due to the timescales for reappointing the Panel, the recruitment process would need to be repeated within two months of it concluding if the vacancy were to be filled.

5. **Resource Implications**

5.1 Option 1 has no adverse resource implications and would result in a small saving (c.£130) to the authority in the fee paid to Panel member for the remainder of the vacant term of appointment.

5.2 Option 2 will incur costs for recruiting to the vacant position on the Panel. The costs of recruitment adverts across a range of media are estimated at c.£300.

6. **Climate Change and Environmental Implications**

6.1 There are no direct climate change and environmental implications arising from the report.

7. **Corporate Implications**

7.1 Comment from the Section 151 Officer: Accountancy has been consulted and has no further comment. (JS)

7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

7.3 Comment from the Equalities Officer: This report regarding a vacancy on the East Kent Joint Independent Remuneration Panel does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

8. **Appendices**

None.

9. **Background Papers**

Local Authorities (Members' Allowances) (England) Regulations 2003

Contact Officer: Rebecca Brough, Democratic and Corporate Services Manager,  
[rebecca.brough@dover.gov.uk](mailto:rebecca.brough@dover.gov.uk)