
Subject: EAST KENT JOINT INDEPENDENT REMUNERATION PANEL

Meeting and Date: EXTRAORDINARY COUNCIL – 29 January 2025

Report of: HEAD OF CORPORATE SERVICES AND DEMOCRACY

Classification: UNRESTRICTED

Purpose of the report: To appoint an Independent Remuneration Panel as required under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).

Recommendation:

- (a) That the Council agree to Folkestone and Hythe District Council joining the East Kent Joint Independent Remuneration Panel, subject to ratification by Canterbury City Council and Thanet District Council.
- (b) That the Head of Corporate Services and Democracy be authorised to agree the arrangements for the administrative support of the East Kent Joint Independent Remuneration Panel.
- (c) That the Head of Corporate Services and Democracy be requested to proceed with continuing to advertise for the vacant second Dover District member on the East Kent Joint Remuneration Panel.

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.

2. Introduction and Background

2.1 Since 2002 the Council has operated a Joint Independent Remuneration Panel with neighbouring authorities. While the initial Joint Independent Remuneration Panel was with Thanet District Council this was expanded in 2007 to become the first East Kent Joint Independent Remuneration Panel (EKJIRP) with Dover District Council, (the then) Shepway District Council and Thanet District Council. Shepway District Council withdrew the following year to be replaced by Canterbury City Council. The current Panel was formed in 2008 and consists of 5 members appointed jointly 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 commenced on 30 November 2023 and runs until 30 November 2027.

2.2 In summer 2024, Folkestone and Hythe District Council approached the Council with a view to joining the East Kent Joint Independent Remuneration Panel during the municipal year 2024/25.

Panel Arrangements

2.3 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.
- 2.4 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.
- 2.5 In addition, the Panel also makes recommendations to Town and Parish Council's in respect of the level of Parish Basic Allowance and Parish Chairman's allowance.
- 2.6 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". This means that the members of the Panel may not be a member of the three district/city councils or any of the towns/parish councils in their administrative areas.
- 2.7 It is proposed that the Panel membership be reappointed on the current five-member basis as follows:
- 1 member appointed by Canterbury City Council
 - 2 members appointed by Dover District Council
 - 2 members appointed by Thanet District Council
 - 2 members appointed by Folkestone and Hythe District Council
- 2.8 The quorum for the Panel is 3 members.
- 2.9 The Local Authorities (Members' Allowances) (England) Regulations 2003 make provision for the members of the Panel to be paid an allowance and expenses for carrying out the Panel's functions at a level the authorities determine.
- 2.10 The current allowance arrangements for the members of the East Kent Joint Independent Remuneration Panel were set in 2007. Each Panel member receives an allowance of £300 per annum plus an attendance fee of £75 per meeting. A further allowance of £250 per annum is paid to the Panel's Chairman. The costs of the Panel members' allowances are split equally between the partner authorities. On average the Panel meets two or three times a year, though this number increases when conducting the four-yearly parish review.

Administration

- 2.11 The Central administrative support for the Panel is currently provided by Dover District Council's Democratic Services team and it is proposed that this will continue. The administrative support for the Panel is charged to each of the partner authorities at £1200 per annum and if Folkestone and Hythe District Council were to join this charge would also be applied to them.
- 2.12 The Head of Corporate Services and Democracy was authorised in November 2023 to agree the arrangements for the administrative support of the East Kent Joint Independent Remuneration Panel and a similar authorisation is requested for the admittance of Folkestone and Hythe District Council to the EKJIRP.

Vacancy

- 2.13 The Council during 2024 went to advertisement to recruit to the vacant position on the East Kent Joint Independent Remuneration Panel. Following advertisement, there were no eligible candidates that applied for the vacancy. It is proposed that the Head of Corporate Services and Democracy should undertake a further attempt to recruit a second Dover District representative for the Panel.

3. Identification of Options

Folkestone and Hythe District Council's Request to Join EKJIRP

- 3.1 To select either Option 1 or 2.
- 3.2 Option 1: To agree to Folkestone and Hythe District Council joining the East Kent Joint Independent Remuneration Panel, subject to ratification by Canterbury City Council and Thanet District Council.
- 3.3 Option 2: To not agree to Folkestone and Hythe District Council joining the East Kent Joint Independent Remuneration Panel.

Recruiting to the Vacancy on EKJIRP

- 3.4 To select either Option 3 or 4.
- 3.5 Option 3: In addition to either Option 1 or 2, to instruct the Head of Corporate Services and Democracy to continue to try to recruit to the vacant Dover District position on the EKJIRP. A further report will be made to the Council advising the outcome of the recruitment process.
- 3.6 Option 4: In addition to either Option 1 or 2, instruct the Head of Corporate Services and Democracy to cease trying to recruit to the vacant Dover District position on the EKJIRP. This will mean that the Council only appoints one representative to the EKJIRP.

4. Evaluation of Options

- 4.1 Option 1, the preferred option out of Options 1 and 2, continues the existing arrangements that have worked successfully since 2008 and bring resilience to the Panel through the pooling of resources and the resultant economies of scale through shared costs.
- 4.2 Option 2, while not the preferred choice, would have minimal operational impact on the Panel but would miss the opportunity to share costs further and forego a small revenue increase.
- 4.3 Options 3 and 4 relate to recruiting to the vacant position on the Panel. The Panel has traditionally had two representatives from the Dover District and while it has operated successfully with a single representative for Dover, for resilience it is recommended that that a further attempt be made to fill the available places for Dover on EKJIRP.
- 4.4 The preferred option would be for Option 1 (to admit Folkestone and Hythe District Council to the EKJIRP) with Option 4 (to continue).

5. Resource Implications

- 5.1 The proposal set out in Option 1 has no additional resource implications. However, if the Council were to choose Options 2 or 3 the resource implications would need to be reassessed as part of a further report.
- 5.2 The administration of the Panel generates a small income for Dover District Council through an agreed administrative fee charged to Canterbury City Council and Thanet District Council. All costs incurred by the Panel are split equally amongst the partner authorities.

6. Corporate Implications

- 6.1 Comment from the Director of Finance (linked to the MTFP): "The Head of Finance & Investment has been consulted on this report and has no further comments to add. (HL)"

- 6.2 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.
- 6.3 Comment from the Equalities Officer: 'This report regarding the appointment of an Independent Remuneration Panel as required under the Local Authorities (Members' Allowances) (England) Regulations 2003 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>'

7. **Appendices**

Appendix 1 – Terms of Reference of the East Kent Joint Independent Remuneration Panel

8. **Background Papers**

Correspondence with Folkestone and Hythe District Council

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