

This Report will be made public on 12 September 2023

Report Number **A/23/13**

**To:** Council  
**Date:** 20 September 2023  
**Status:** Non-executive Decision  
**Responsible Officer:** Susan Priest, Chief Executive

**SUBJECT: MEMBERS' ALLOWANCES – INDEPENDENT REMUNERATION PANEL**

**Summary:** This report recommends that the term of the current three Members of the Independent Remuneration Panel (IRP) be extended a further four years to November 2023, and also that recruitment be commenced to fill the vacant fourth IRP position.

**Recommendations:**

1. To receive and note report A/23/13.
2. To extend the term of the existing IRP Members (Paul Murphy, Judy Williams and Chris Harman) for a further four year term of office from the 2 December 2023.
3. To also extend the term of the Parish Remuneration Panel under the regulations, the members of which shall be identical to the members of the Independent Remuneration Panel.
4. To give delegated authority to the Chief Executive to commence recruitment for a fourth member of the IRP (to fill the vacancy left by Beverley Crouch's resignation in March 2022) and to form a selection panel comprised of the Chair of the Council, the Leader of the Council, the Deputy Leader of the Council and a representative from the Conservative Group.

## **1. BACKGROUND**

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 (S11280) require the Council to appoint an Independent Remuneration Panel (IRP) to consider and advise on the scale of members' remuneration.
- 1.2 In November 2019, Full Council appointed the following members to the IRP following a selection process.
- (a) Beverley Crouch
  - (b) Paul Murphy
  - (c) Judy Williams
  - (d) Chris Harman
- 1.3 In March 2022, Beverley Crouch resigned as an IRP Member.
- 1.4 The term of office of the existing 3 members of the IRP is due to expire on 1 December 2023. All three members have confirmed they are happy to continue for a further four year term of the IRP. Although the legislation requires that there are at least three members on the IRP, it is considered good practice to appoint four members to ensure resilience.
- 1.5 The IRP will need to be convened in November 2023 in order to consider recommendations for a new Members Allowance Scheme in preparation for the move to a committee form of governance in May 2024.

## **2. FOLKESTONE AND HYTHE INDEPENDENT REMUNERATION PANEL / PARISH REMUNERATION PANEL**

- 2.1 A summary of the legislation on the appointment of IRPs is set out below:
- The IRP must have at least three members.
  - Members of the IRP cannot be members of the District Council or of any town or parish council within the district area.
  - Anyone who is disqualified from being an elected member of a local authority is also disqualified from being a member of an IRP.
  - IRP members cannot also be members of a committee or a subcommittee of the District Council, or of any town or parish council within the district area.
- 2.2 The regulations also provide for the establishment of a Parish Remuneration Panel which can make recommendations to town or parish councils on parish basic allowances (no town or parish council in the district presently pays allowances). The Parish Remuneration Panel must be composed of those who form the District Council's IRP. It is recommended that the IRP appointed and the existing IRP be established also as the Parish Remuneration Panel.
- 2.3 The 2003 Regulations do not specify how a local authority may appoint members of its IRP, but the guidance states that the process should command public confidence throughout all the communities in the local authority's area.

- 2.5 With due regard to the guidance, it is suggested that the IRP consist of four members. The three current IRP members have agreed to continue for a further four year term. It is recommended that candidates are sought by advertisement in the local newspapers, the Folkestone Herald and the Kentish Express and via the Council's website for the fourth position on the IRP which is presently vacant. It is also suggested that the Head of Paid Service be authorised to produce a role description. It is recommended that a term of four years is specified to allow any new appointment or reappointment to be considered by the new Council in December 2027.
- 2.6 It is also suggested that a selection panel for the IRP comprising the Chair of the Council, the Leader of the Council, the Deputy Leader of the Council and a representative from the Conservative Group.
- 2.7 The selection panel will consider candidates from a shortlist drawn up by the Chief Executive and the Assistant Director, Governance and Law.

### **3. RISK MANAGEMENT ISSUES**

#### **3.1 A summary of the Perceived Risks Follows:**

<b>Perceived risk</b>	<b>Seriousness</b>	<b>Likelihood</b>	<b>Preventative action</b>
Inability to convene the IRP with the minimum of 3 members	High	Medium	Recruitment of additional IRP member to ensure resilience
Change to council's governance arrangements and need for IRP to consider new Members Allowance scheme in timely manner	High	Medium	Extending the term of the current three members of the IRP ensures they can start work on the review of members allowance in a timely manner, without the delays of a recruitment process.

### **4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

#### **4.1 Legal Officer's Comments (XX)**

All relevant legal issues have been addressed in the Report.

#### **4.2 Finance Officer's Comments (XX)**

Any costs arising from implementation of the recommendations contained in this report can be contained within existing budgets.

#### **4.3 Diversity and Equalities Implications (XX)**

No diversity or equality implications.

## **5. CONTACT OFFICER AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

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The following background documents have been relied upon in the preparation of this report:

None