

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Councillors Commission** held virtually by Teams on Wednesday, 23 February 2022 at 5.00 pm.

PRESENT: Councillor R Blaney (Chairman)

Councillor Mrs R Crowe, Councillor Mrs L Dales, Councillor P Harris,
Councillor J Kellas and Councillor P Peacock

53 MINUTES OF MEETING HELD ON 2 DECEMBER 2021

AGREED that the Minutes of the meeting held on 2 December 2021 be approved as a correct record and signed by the Chairman.

54 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

55 MEMBERS TRAVEL ALLOWANCES

The Business Manager – Elections & Democratic Services presented a report which sought to clarify the circumstances in which Members could claim mileage allowance for undertaking Council business, in particular whether that included ward/constituency matters and political group meetings. Contained within the report were the relevant extracts of the Members' Allowances Regulations together with explanatory comments to assist Members with their considerations.

The report also provided details of how neighbouring authorities treated claims for ward / constituency business and attending political group meetings. The allowances paid by neighbouring authorities were also provided.

In considering the report the Commission debated what, if any, changes should be made to the current arrangements. The Commission considered that attending political group meetings should be defined as an approved duty, but ward / constituency matters should not. In addition, it was considered that the current provisions in respect of attending parish council meetings, as detailed in the report, should remain unchanged.

The Commission also noted that the current mileage rate of 45pence per mile as set by the Local Government Association was due for a review given the rise in the price of fuel.

AGREED (unanimously) that it be recommended to the Full Council on 8 March 2022 that attending political group meetings be defined as an approved duty for the purposes of Members' Allowances where these have been convened for District Council business (dates to be supplied to Democratic Services) and are held at Castle House or elsewhere in the District.

56 REPORT OF THE INDEPENDENT REMUNERATION PANEL

The Commission considered the Draft Report of the Independent Remuneration Panel which had been undertaken in the context of the proposed new governance arrangements which are due to be implemented as from May 2022.

In considering the content of the Draft Report of the Panel, the Commission expressed concerns in relation to anomalies between this Report and the previous one approved, but not implemented, by full Council on 9 March 2021. A number of practical examples were highlighted, with specific reference being made to the Special Responsibility Allowances (SRA) for the Leader & Deputy Leader of the Council and the Leader of the Main Opposition Group. Reference was also made to Vice-Chairmen receiving a SRA of 20% of the Chairmen which had not been carried forward into the latest proposals.

Given the concerns about the proposals it was considered that the consideration of the Independent Remuneration Panel Report should be deferred to the Annual Council Meeting to be held on 17 May 2022, which would still enable the new Scheme to be implemented in time for the new governance arrangements.

AGREED (unanimously) that:

- (a) the report of the Independent Remuneration Panel be noted;
- (b) the Independent Remuneration Panel be asked to review its Report for consistency and in the context of its previous recommendations in 2021; and
- (c) a meeting of the Councillors' Commission be convened to reconsider the Independent Remuneration Panel's revised report, prior to its consideration by the Full Council at the Annual Meeting to be held on 17 May 2022.

57 PROPOSED NEW GOVERNANCE ARRANGEMENTS

The Assistant Director – Legal & Democratic Services presented a report which updated Members on the progress made by the Governance Review Working Party (GRWP) on the design of the new governance arrangements for implementation from May 2022.

The Commission were invited to provide comments on draft parts of the Council's revised Constitution prior to initial presentation to full Council on 8 March 2022. The extracts covered: Summary and Introduction; Responsibility for Functions; Protocol for Decision Making; and Call-In Procedure.

In considering the draft extracts, the following specific points were raised:

RESPONSIBILITY FOR FUNCTIONS

The Commission referred to the role of the Leader of the Main Opposition Group given that post was to be effectively a Cabinet Member without portfolio. It was felt that the role for this position should be defined in the Constitution.

The Commission highlighted text which referred to 'Deputy Cabinet Members' which was not something which had been considered, and therefore required removal.

Committees – Paragraph 6.2 v – it was noted that the statutory staffing committee required further consideration.

Joint Arrangements – Paragraph 9.4.5 ii – it was noted that these required further review, particularly in respect of the reference to the Leader of Nottinghamshire County Council.

Planning Committee – Paragraph 15 - The Commission stated they were opposed to the appointment of substitute Members on the Committee and were not in favour of the introduction of public speaking. It was noted that both District and Parish Councillors were elected to take decisions and to represent their constituents.

Cabinet Scheme of Delegation – Paragraph 10.5 – It was noted that the approval of in-year budget allocations were still to be finalised and would be consistent with the new Financial Procedure Rules.

Councillor P. Harris joined the meeting at this point (5.40pm).

PROTOCOL FOR INDIVIDUAL CABINET MEMBER/OFFICER DECISION MAKING

Paragraphs 2.4 and 2.5 – the Commission expressed concerns that the process as drafted was overly bureaucratic and may result in a delay in decision making. It was noted that the process would likely be streamlined but the purpose was to reduce the potential for the call-in of decisions. It was also noted that the wording would be cross-referenced with administrative decision making to ensure consistency.

The Assistant Director advised that following the meeting of the GRWP the following day, the constitution would be further refined with a draft being presented to full Council on 8 March 2022 with the final document being presented on 17 May 2022.

The Commission also considered draft proposals for a Community Grant Scheme Guidance. This was fully supported by the Commission who noted that this would be referred through to Full Council for adoption.

AGREED (unanimously) that:

- (a) the progress on the design of the new governance arrangements be noted; and

- (b) the comments of the Commission on the Constitution extracts be reported to the Governance Review Working Party for their consideration, ahead of these being presented to the Full Council at their meeting on 8 March 2022 for further consideration.

Meeting closed at 5.50 pm.

Chairman