

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 27TH JANUARY 2021
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: MEMBERS' ALLOWANCES SCHEME 2021-22

Purpose of Report

1. To provide Members with information about the outcome of the review of the Members' Allowances Scheme. To allow Members to consider the report prepared by the Independent Reviewer and finalise the draft Members' Allowances Scheme 2021-22. To enable Members to make a recommendation to the Fire Authority about the Members' Allowances Scheme for 2021-22.

Recommended: That Members

- [1] Consider the report of the Independent Reviewer; and
- [2] Finalise the draft Members' Allowances Scheme for 2021-22; and
- [3] Make a recommendation to the Fire Authority about the Members' Allowances Scheme for 2021-22.

Background

2. This Committee approved the process for the review of the Members' Allowances Scheme at its meeting on 29th January 2020. The following paragraphs describe the process:

Personnel

- A member of one of the Independent Remuneration Panels of the constituent authorities to be engaged (referred to as the Independent Reviewer).

Information Gathering

- The Members' Allowances Schemes of the constituent authorities to be checked and all relevant information summarised.
- The Members' Allowances Schemes of a range of fire and rescue authorities to be checked and all relevant information summarised.

- All Members (and independent members) to be asked what their expectations are for the review, e.g. are there specific matters that they believe need to be covered and do they wish to speak directly to the Independent Reviewer.

Meetings

- Officers to present information to the Independent Reviewer.
- Independent Reviewer to meet with Members (and independent members), if necessary, or required.
- Officers and Independent Reviewer agree to draft of new Members' Allowances Scheme.

Information

3. Mrs Mandy Ramsden was engaged to fulfil the role of Independent Reviewer. She facilitated the last review and continues to act as a member of the Independent Remuneration Panel of Cheshire East Borough Council.
4. The following information was considered by the Independent Reviewer:
 - a) The Members' Allowances Schemes of the constituent authorities and recommendations of the respective Independent Remuneration Panels;
 - b) Comparative data relating to the Fire Authority's Audit Family Group and some other fire and rescue authorities;
 - c) Any responses received from Members (and independent members) stating their expectations about the review;
 - d) Information compiled relating to some of the issues raised by Members, e.g. the approach to the payment of special responsibility allowances and the index applied to schemes; and
 - e) Details about the Fire Authority's Member Champions.
5. The Independent Reviewer has prepared a report which summarises her findings. The Independent Reviewer's report is attached as Appendix 1 to this report. Members will see that there will be limited change from the current Members' Allowances Scheme if the conclusions in the Independent Reviewer's report are accepted. However, there is one issue that requires particular attention. At section 5.2 of the Independent Reviewer's report she provides context about the question of whether to allow the payment of more than one Special Responsibility Allowance to an individual Member. At paragraph 5.2.4 she encourages the Fire Authority to determine whether to allow this.
6. There is one other issue that could ultimately impact upon the Members' Allowance Scheme, but this will not have an immediate effect. At paragraph 5.3.3 of the Independent Reviewer's report she states that the Fire Authority

should carry out a further review of the Member Champions to satisfy itself that each is necessary and provides a meaningful benefit. Her rationale is explained in section 5.3.

7. In light of the Independent Reviewer's report and in anticipation of the discussion at this Committee a draft of the new Members' Allowances Scheme for 2021-22 has been prepared by officers and is attached as Appendix 2 to this report. The introduction has been updated and a note has been added. The draft reflects the conclusions contained in the Independent Reviewer's report.

Financial Implications

8. Annual increases based on an index like the NJC can be funded from the Authority's existing budget for Members' allowances.

Legal Implications

9. The provisions governing members' allowances are contained in the Local Authorities (Members' Allowances) (England) Regulations 2003 [the Regulations]. The Regulations do apply to the Fire Authority, but not all elements.
10. Part 2 of the Regulations prescribes the allowances that may be paid and rules relating to such allowances. Part 3 of the Regulations sets out the requirements for members' allowances schemes, e.g. the application of indexation for annual adjustments to schemes. Part 4 of the Regulations is concerned with the role of the independent remuneration panel [IRP]. Local authorities (e.g. district, county and London boroughs) must have regards to recommendations of an IRP before they make or amend their scheme. A combined fire authority has a different obligation: it must have regard to the recommendations made by the IRPs of local authorities that appoint its Members (i.e. the constituent authorities). The Fire Authority is not required to have its own IRP.

Equality and Diversity Implications

11. There are no equality and diversity implications.

Environmental Implications

12. There are no environmental implications.

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