



## **THE RUGBY BOROUGH COUNCIL**

You are hereby summoned to attend an ORDINARY MEETING of the Rugby Borough Council, which will be held at the TOWN HALL, RUGBY, on Tuesday 13 November 2018 at 7pm.

### **A G E N D A**

#### **PART 1 – PUBLIC BUSINESS**

1. Apologies for absence.
2. To approve the minutes of the meeting of Council held on 27 September 2018.
3. Declaration of Interests.  
  
To receive declarations of -  
  
(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;  
  
(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and  
  
(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.
4. To receive the Mayor's Announcements.
5. Questions pursuant to Standing Order 10.

6. To receive and consider the Reports of Officers.
  - (a) Audit and Ethics Committee – Change of Membership for 2018/19 - report of the Executive Director.
  - (b) Review of Members' Allowances – report of the Executive Director.
  - (c) Ansty Parish Council – report of the Executive Director.
7. Correspondence.
8. Common Seal

To order the affixing of the Common Seal to the various orders, deeds and documents to be made or entered into for carrying into effect the several decisions, matters and things approved by the Council and more particularly set out in the Committees' Reports adopted at this meeting.

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be transacted.

DATED THIS 2<sup>nd</sup> day of November 2018.



**Executive Director**

To: The Mayor and Members of Rugby Borough Council

## **QUESTIONS AT COUNCIL**

*A Councillor may ask a Question at the meeting by giving notice in writing of the Question to the Executive Director no later than midday on Wednesday 7 November 2018. The rules relating to Questions are set out in Standing Order 10 of Part 3a of the Constitution.*

**Council – 13 November 2018**

**Audit and Ethics Committee – Change of Membership for 2018/19**

**Report of the Executive Director**

**1.1 Introduction**

In accordance with the Council's Constitution, appointments to serve on scrutiny and regulatory committees must be approved by Full Council.

**1.2 Membership of Audit and Ethics Committee**

Further to Councillor Lowe being appointed to Cabinet and becoming the Council's Growth and Investment Portfolio Holder, he can no longer be a member of Audit and Ethics Committee. It is, therefore, necessary to fill the vacant seat on Audit and Ethics Committee to replace him.

Councillor Cranham has been nominated for the remainder of the 2018/19 municipal year.

**1.3 Recommendation**

Councillor Cranham be appointed to the Audit and Ethics Committee for the remainder of the 2018/19 municipal year, to replace Councillor Lowe.

**Council - 13<sup>th</sup> November 2018**

**Review of the Members' Allowances Scheme**

**Report of the Executive Director**

**1. Background**

The current Members' Allowances Scheme was approved by Council in 2011/12 following consideration of recommendations by an independent panel formed for that purpose and as required by legislation. A copy of the levels and allocation of allowances to post holders for the current year is attached as Appendix 1 for information.

In 2011/12 the Independent Remuneration Panel (IRP) recommended that :-

- (i) Subject to Rugby BC confirming its commitment to maintaining a rigorous performance management scheme and development programme for members, the current two tier system of Basic and Special Responsibility Allowances, whereby higher level allowances are conditional on documented personal agreements, should cease, with lower level allowances being deleted.
- (ii) The Basic Allowance be therefore set at £6,556 pa for all elected Members.
- (iii) A Standard Allowance for all Co-opted Members be £519 pa., the definition of co-optees to mean all appointed members on Rugby BC structures including Independent Members and Parish Councillors.
- (iv) The list of Special Responsibility Allowances (SRAs) as agreed by the panel be adopted as the definitive list of SRA's, the implementation of any amended allowances to be backdated to 1 April 2010.
- (v) The revised SRA for Leader/Chair of Cabinet be fixed for 2010/11 only, and subject to review by the Independent Remuneration Panel at the earliest opportunity in 2011 and in conjunction with a review of governance (recommendation (vi) below).
- (vi) The review of the current interim management arrangements be brought forward to early 2011 and that this should entail a cross party review of governance arrangements, to include:-
  - The appropriate level and structure of officer resources
  - The political executive structure, taking account of the requirements of the Local government and Public Involvement in Health Act 2007 to amend executive structures
  - The role of Leader, incorporating the detailed experience of the interim arrangements

- Any governance implications of the developing Coalition Government agenda for Local Government
- (vii) The Dependents' Carers' Allowances (child and adult care) be introduced for elected and co-opted members based on hourly minimum wage rate for child care claims and Warwickshire Social Services hourly rates for adult social/medical care for claims for the care of elderly or disabled adult dependents.
- (viii) Other than for the SRA for the position of Leader/Chair of Cabinet which is recommended to be reviewed in 2011, all allowances for elected and co-opted members be frozen for the period up to 1 April 2012 and thereafter the practice of uprating members' allowances by a percentage equivalent to the annual NJC pay award for local government employees be continued.
- (ix) Provision be included in the Members' Allowances Scheme to allow the authority to withhold allowances - Basic Allowance, Co-optee Allowance, Special Responsibility Allowances, Travel and Subsistence Allowances, as appropriate – from members suspended from their duties. Also that provision is made for the authority to reclaim allowances paid in respect of a period during which a member has been suspended and
- (x) The Rugby BC Members' Allowances Scheme be amended to incorporate the above recommendations.

The review was wide ranging, taking into account changes in the structure of the Council at that time.

Since the last review the Council's structure has been further altered and this together with other issues set out below suggest that it is time to review the Scheme.

## **2. Issues to be Considered as Part of the Review**

Since the last major review of the Scheme there have been changes affecting how the Council works. There have also been further changes to the democratic structure such as the revision of the scrutiny arrangements (which are to be reviewed again as a separate exercise).

Having regard to issues such as the greater use of technology and the increase in expectation and demands it is considered that the review should consider:

- The current structure of the Council's scheme
- What allowances are paid and whether they should continue
- The level of allowances; and
- To whom they should be paid

### **3. Process**

An independent panel should again be appointed to form an objective view on the roles and responsibilities of councillors. Officers have approached a number of people and the following are willing to sit on the panel:

\* Ian Davis - retired Executive Director

\* Garth Murphy - local businessman on the approved list of independent persons for consultation on Monitoring issues

\* Allyson Downes - retired NHS Company Secretary

It is recommended that the panel members be remunerated at a rate of £150 per session. Officers consider that no more than 4 sessions would be needed to complete the review and the costs can be met from the current members' allowances budget.

It is vital that the review of the Scheme is assisted by an experienced and independent individual who has knowledge of these types of review.

The panel, particularly the Chair, needs to have a good awareness of local authorities and the role of the elected Member. Having worked for local authorities for nearly 40 years, Mr Ian Davis has that awareness of the sector in general and Rugby Borough Council in particular. Additionally, for the last 2 years he has been a member of the Remuneration Panel for the Welland Partnership of Councils and has been involved in reviews of Harborough, Melton, South Kesteven and Rutland Councils. Officers therefore consider that he is well placed to advise the other panel members on the review of the scheme.

Once appointed the panel would work with the Officers appointed for the purpose who will undertake an administrative/advisory role. The panel would then make recommendations to Council.

Furthermore a questionnaire is to be forwarded to all Members in order to assist the IRP in its review. Group Leaders will be able to submit their views separately on features of the current scheme in writing to the panel.

It is envisaged that work on the new scheme would take place during the autumn/winter 2018 with a view to implementing the revised scheme in Spring /Summer 2019.

### **4. Recommendation**

- (1) The proposed membership of the panel and rate of remuneration, as detailed in the report, be approved; and
- (2) the independent panel report back to Council on its findings and recommendations in due course.

### Members' Allowances Scheme

#### Basic, Special Responsibility and Standard Allowances 2018/19

##### Basic Allowance

A basic allowance of £6,688 is paid to each councillor.

##### Special Responsibility Allowances

The following are specified as the special responsibilities for which special responsibility allowances are payable in addition to the basic allowance from the date of the last Annual Council Meeting. £

Leader of the Council and Chairman of Cabinet	<b>18,240</b>
Cabinet Member – Communities and Homes Portfolio Holder	<b>5,573</b>
Cabinet Member – Corporate Resources Portfolio Holder	<b>5,573</b>
Cabinet Member – Environment and Public Realm Portfolio Holder	<b>5,573</b>
Cabinet Member – Growth and Investment Portfolio Holder	<b>5,573</b>
Chairman of Planning Committee	<b>3,903</b>
Chairman of Licensing and Safety Committee	<b>3,903</b>
Chairman of Appeals Committee	<b>558</b>
Chairman of Brooke Overview and Scrutiny Committee	<b>3,344</b>
Chairman of Whittle Overview and Scrutiny Committee	<b>3,344</b>
Mayor	<b>2,788</b>
Leaders of major minority groups	<b>2,788</b>
Chairman of Audit and Ethics Committee	<b>3,222</b>
Vice-Chairman of Audit and Ethics Committee	<b>1,373</b>

**Council – 13 November 2018**

**Ansty Parish Council**

**Report of the Monitoring Officer**

**1.1 Introduction**

On the 24 April 2018 Council considered a report on the Borough Council's responsibilities of the Parish Council, and in pursuance of the power conferred on it by Section 91 (1) of the Local Government Act 1972 resolved that Councillors Mrs Garcia, Gillias and Mrs Timms, together with County Councillor Warwick, be appointed to act as members of Ansty Parish Council until elections were held to fill such vacancies and render the Parish Council quorate.

An Order was created and signed on 16 May 2018 for a period of six months and this is now due to expire.

Councillors Mrs Garcia, Gillias, Timms and County Councillor Warwick have been consulted and have agreed to continue to act on a temporary basis. Three calls for election have been carried out to fill the vacancies but no nominations have been received.

As no nominations have been received, it is proposed that this Council starts the process of undertaking a Community Governance Review (CGR). The CGR will consider options such as disbanding the Parish Council or combining it with another Parish Council/Meeting.

**1.2 Recommendation**

(1) The temporary appointment of Councillors Mrs Garcia, Gillias, Mrs Timms and County Councillor Warwick to act as members of Ansty Parish Council be extended for a further period of 12 months from 16 November 2018 and a new Order be produced; and

(2) a Community Governance Review for Ansty Parish be undertaken.