



East Suffolk House, Riduna Park, Station Road,
Melton, Woodbridge, Suffolk, IP12 1RT

Full Council

Members: All Councillors

Members are invited to **the Annual Meeting of the Full Council**
to be held in the Deben Conference Room, East Suffolk House,
on **Wednesday, 22 May 2019 at 6:30pm**

An Agenda is set out below.

Part One – Open to the Public

Pages

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|----------|---|--|
| 1 | Election of a Chairman
To elect a Chairman for the 2019/20 Municipal Year | |
| 2 | Election of a Vice-Chairman
To elect a Vice-Chairman for the 2019/20 Municipal Year | |
| 3 | Apologies for Absence
To receive apologies for absence, if any. | |

4	Declarations of Interest Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
5	Announcements To receive any announcements from the Chairman and the Chief Executive.	
6	Report of the Returning Officer ES/0001 Report of the Chief Executive. To note the outcome of the election to the new East Suffolk Council.	1 - 3
7	Election of a Leader of the Council To elect the Leader of the Council for the four-year term May 2019 to May 2023.	
8	Adoption of a Member Development Charter for East Suffolk Council ES/0003 Report of the Leader of the Council	4 - 8
9	Political Balance and Allocation of Seats on Committees 2019/20 ES/0004 Report of the Leader of the Council (Appendix to Follow)	9 - 14
10	Appointments to Outside Bodies for 2019/20 (Non-Executive) ES/0006 Report of the Leader of the Council (Appendix to Follow)	15 - 17
11	Appointment of Independent Persons ES/0009 Report of the Leader of the Council	18 - 21
12	Appointment of Political Assistants ES/0010 Report of the Leader of the Council	22 - 25
13	Adoption of the Member Allowances Scheme approved by the Shadow Council on 28.02.2019 ES/0011 Report of the Leader of the Council	26 - 35

14 Date of the next Annual Council

The following motion to be considered:

"That the next Annual Meeting of the Council be held on 20 May 2020."

Part Two – Exempt/Confidential

There are no Exempt or Confidential items for this Agenda.

Close

A handwritten signature in dark ink, appearing to read "Stephen Baker", with a long horizontal flourish extending to the right.

Stephen Baker, Chief Executive

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The national Charter and Charter Plus Awards for Elected Member Development
East Suffolk Council is committed to achieving excellence in elected member development
www.local.gov.uk/Community-Leadership

RETURN OF MEMBERS

EAST SUFFOLK COUNCIL

**Report of the Returning Officer on the Result of the
District Council Elections held on 2 May 2019**

- (1) Contests were held in 29 wards and the successful candidates were as follows:-

<u>WARD</u>	<u>CANDIDATE(S) RETURNED</u>
ALDEBURGH & LEISTON (Aldeburgh, Aldringham Cum Thorpe, Benhall, Friston, Knodishall, Leiston, Middleton, Snape, Sternfield, Theberton)	Jocelyn BOND (C) Tony COOPER (I) T-J HAWORTH-CULF (C)
BECCLES & WORLINGHAM (Barnby, Beccles, North Cove, Worlingham)	Elfrede BRAMBLEY- CRAWSHAW (G) Graham ELLIOTT (G) Caroline TOPPING (G)
BUNGAY & WAINFORD (Barsham, Bungay, Ellough, Flixton (West), Homersfield, Ilketshall St. Andrew, Ilketshall St. John, Ilketshall St. Lawrence, Ilketshall St. Margaret, Mettingham, Redisham, Ringsfield, Rumburgh, Shadingfield, Shipmeadow, Sotterley, South Elmham All Saints, South)	Judith CLOKE (C) David RITCHIE (C)
CARLFORD & FYNN VALLEY (Boulge, Bredfield, Burgh, Charsfield, Clopton, Culpho, Dallinghoo, Debach, Great Bealings, Grundisburgh, Hasketon, Little Bealings, Otley, Playford, Rushmere St Andrew, Tuddenham St Martin, Westerfield, Witnesham)	Tony FRYATT (C) Colin HEDGLEY (C)
CARLTON & WHITTON (Lowestoft, Oulton Broad)	Frank MORTIMER (C) Patricia MORTIMER (C)
CARLTON COLVILLE (Carlton Colville, Gisleham, Mutford)	Jenny CERESA (C) Craig RIVETT (C)
DEBEN (Alderton, Bawdsey, Boyton, Bromeswell, Butley, Capel St Andrew, Eyke, Hollesley, Ramsholt, Shottisham, Sutton, Sutton Heath)	James MALLINDER (C)
EASTERN FELIXSTOWE	Steve GALLANT (C) Mark JEPSON (C) Steve WILES (C)
FRAMLINGHAM (Badingham, Brandeston, Bruisyard, Cransford, Cretingham, Dennington, Earl Soham, Easton, Framlingham, Great Glemham, Hoo, Kettleburgh, Letheringham, Monewden, Parham, Rendham, Saxtead, Sweffling)	Maurice COOK (C) William TAYLOR (C)
GUNTON & ST MARGARETS (Lowestoft, Oulton)	Linda COULAM (C) Mary RUDD (C)

HALESWORTH & BLYTHING (Blyford, Brampton with Stoven, Halesworth, Holton, Sotherton, Spexhall, Wenhaston with Mells Hamlet, Westhall, Wissett)	Alison CACKETT (C) Tony GOLDSON (C)
HARBOUR & NORMANSTON (Lowestoft)	Janet CRAIG (L) Tess GANDY (L) Keith PATIENCE (L)
KELSALE & YOXFORD (Chediston, Cookley, Cratfield, Heveningham, Huntingfield, Kelsale-cum-Carlton, Linstead Magna, Linstead Parva, Peasenhall, Sibton, Ubbeston, Walpole, Yoxford)	Stephen BURROUGHES (C)
KESGRAVE	Stuart LAWSON (C) Geoff LYNCH (C) Debbie McCALLUM (C)
KESSINGLAND	Letitia SMITH (C)
KIRKLEY & PAKEFIELD (Lowestoft)	Peter BYATT (L) Louise GOOCH (L) Malcolm PITCHERS (L)
LOTHINGLAND (Blundeston, Corton, Flixton (East), Lound, Ashby Herringfleet & Somerleyton)	Paul ASHDOWN (C)
MARTLESHAM & PURDIS FARM (Brightwell, Foxhall, Martlesham, Purdis Farm)	Chris BLUNDELL (C) Edward THOMPSON (LD)
MELTON	Rachel SMITH-LYTE (G)
ORWELL & VILLAGES (Bucklesham, Falkenham, Hemley, Kirton, Levington, Nacton, Newbourne, Stratton Hall, Trimley St Martin, Trimley St Mary, Waldringfield)	Richard KERRY (C) Melissa ALLEN (C)
OULTON BROAD (Lowestoft, Oulton, Oulton Broad)	Edward BACK (C) Andrée GEE (C) Keith ROBINSON (C)
RENDLESHAM & ORFORD (Blaxhall, Chillesford, Gedgrave, Iken, Orford, Rendlesham, Sudbourne, Tunstall, Wantisden)	Ray HERRING (C)
RUSHMERE ST ANDREW	Mark NEWTON (C)
SAXMUNDHAM	John FISHER (I)
SOUTHWOLD (Reydon, Southwold, Walberswick)	David BEAVAN (LD)
WESTERN FELIXSTOWE	Stuart BIRD (C) Mike DEACON (L) Tracey GREEN (C)
WICKHAM MARKET (Campsea Ashe, Farnham, Hacheston, Little Glemham, Marlesford, Pettistree, Stratford St Andrew, Ufford, Wickham Market)	Carol POULTER (C)

WOODBIDGE	Chris MAPEY (C) Kay YULE (LD)
WRENTHAM, WANGFORD & WESTLETON (Benacre, Blythburgh with Bulcamp and Hinton, Bramfield, Covehithe, Darsham, Dunwich, Frostenden, Henstead with Hulver Street, Rushmere, South Cove, Thorington, Uggeshall, Wangford and Henham, Westleton, Wrentham)	Norman BROOKS (C)

KEY:

C – Conservative

L – Labour

G – Green

LD – Liberal Democrat

I – Independent

(2) Unopposed: None

S BAKER

Returning Officer

May 2019



COUNCIL

Wednesday, 22 May 2019

ADOPTION OF A MEMBER DEVELOPMENT CHARTER FOR EAST SUFFOLK COUNCIL

EXECUTIVE SUMMARY

1. The former Waveney District Council (WDC) was first accredited with the 'Charter Mark' for Member Development in February 2009 and it was subsequently awarded 'Charter Plus' status in November 2009. Successful re-assessments were undertaken in 2011, 2014 and 2017.
2. At the end of the re-assessment day in 2017, the assessors advised WDC that, subject to agreement, the Charter Plus status would transfer to the new East Suffolk Council (ESC) which was to be formed in 2019. This would be valid for one year, following which a re-assessment for the ESC would be required, in mid 2020.
3. In June 2018, the Member Programme Board, which was formed as part of the One Council Programme, to oversee the creation of the ESC, confirmed that it would be beneficial for the ESC to retain the Charter Plus Award for Elected Member Development.
4. Members are asked to confirm that they wish to adopt the Member Development Charter for ESC.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in the District
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Cabinet Member:	To be confirmed
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Supporting Officer:	Hilary Slater Head of Legal & Democratic Services and Monitoring Officer 01394 444336 hilary.slater@eastsuffolk.gov.uk
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1 INTRODUCTION

- 1.1 Formal assessment for the 'Charter Mark' and 'Charter Plus' for Member Development is undertaken by the South East Employers Association (SEEMP). To pass the assessment, the Council must show a strategic approach to Member Development and a constant commitment to learning.
- 1.2 The re-assessment was undertaken on 21 June 2017 and WDC was informed that it had been successful in re-achieving Charter Plus status for a further three years.
- 1.3 The re-assessment involved interviews with Members, officers and partner organisations including the Leader of the Council, the Member Development Steering Group (MDSG) and Leaders of the Minority Groups, the Chief Executive, lead officers for Member Development and the Lead Member for Member Development.
- 1.4 The re-assessment was extremely positive and highlighted a number of priorities for the future, many of which have subsequently been completed:
 - A shadow Member Development Steering Group should be established by September 2018 to lead the member development element of the transition to the new organisation. They should focus on preparation for the induction and new roles.
 - A Be a Councillor Event should take place in 2018 to encourage people to stand on the new Council and this should be followed by a candidate event in March 2019.
 - New role descriptions for all SRA roles should be developed as well as the role of a community councillor, giving consideration to the new ward areas and working arrangements.
 - Further development to support new locality arrangements is required particularly in areas recently parished.
 - PDPs should be refreshed for all councillors by September 2019 onward.
 - The establishment of a change management programme to support members in the transition will be vital.
 - To develop a member mentor programme with trained mentors who will be able to support new councillors from May 2019.
 - Councillors should be more outward looking; member involvement in peer reviews should be encouraged.
 - An enhanced Leadership offer for the new Council and those in new roles should be developed.

2 ADOPTION OF THE MEMBER DEVELOPMENT CHARTER

- 2.1 Subject to agreement, the Charter Plus status will transfer to the ESC and will be valid for one year. A further re-assessment for ESC will be required in mid 2020.
- 2.2 Members are therefore asked to confirm that they wish to adopt the Member Development Charter for the ESC and undertake the re-assessment for Charter Plus in 2020.

3 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 3.1 The Member Development Strategy acknowledges that Councillors have a key role in achieving the vision set out in the East Suffolk Business Plan. The Council is committed to supporting Councillor's learning and development needs, ensuring that all Members have the necessary skills and knowledge to enable them to effectively carry out their community leadership roles. This commitment supports the Business Plan objectives of Enabling Communities, Financial Self Sufficiency and Economic Growth, to the benefit of everyone in East Suffolk.

4 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 4.1 The Member Development Steering Group oversees a budget of £50,000 over a four year period for Member Development activity. In order to make the best use of funds at the appropriate times, the budget has been profiled over a four year period. Greater funds are made available in the municipal year immediately after the District Council elections, and less funding in the years leading up to the elections.
- 4.2 There are also funds set aside within the Democratic Services budget to cover the costs of the Charter Plus Award Membership and the Inspection. There is also sufficient capacity within the Democratic Services Team to support Member Development and the Member Development Steering Group.

5 OTHER KEY ISSUES

- 5.1 Member Development is a key element in ensuring that Councillors are offered the necessary support, guidance and training to enable them to carry out their roles effectively in accordance with good governance and to the benefit of the community.

6 CONSULTATION

- 6.1 Consultation was undertaken with the Member Programme Board, to seek their views on whether or not ESC would retain the Charter Plus Award for Member Development.
- 6.2 The ESC Members are now asked to confirm that they wish to retain the Charter Plus Award for Member Development.

7 OTHER OPTIONS CONSIDERED

- 7.1 The option not to provide a Member Development Programme was rejected. The Member Programme Board, the Shadow Authority and the Shadow Member Development Steering Group recognised the benefits of having the Member Development Charter, and the commitment which it provides to on-going learning and development. This, in turn, may enhance the skills which councillors bring to their role, and assist them in terms of community leadership. This will be particularly important in the early years of the new Council, when Members will be familiarising themselves with the social, economic and demographic issues of ESC, and the challenges that they bring.

8 REASON FOR RECOMMENDATIONS

- 8.1 To ensure the continuing commitment to Member Development and to provide Councillors with the support, training and development which they may need to carry out their roles effectively.

RECOMMENDATIONS

1. That the East Suffolk Council

- A) adopts the Charter Plus Award for Member Development and will undertake the outstanding recommendations made by SEEMP during the last re-assessment in 2017.
- B) will undertake a re-assessment for the Charter Plus Award for Member Development in mid 2020.
- C) will appoint a Member Development Steering Group (MDSG) to oversee the Member Development training programme and the Charter Plus re-assessment. The Membership of the MDSG will consist of representation from the different political parties on the Council and they will meet on a regular basis.

APPENDICES

Appendix A

Member Development Programme 2019-23

BACKGROUND PAPERS – None

DATES FOR MEMBER INDUCTION & TRAINING/BRIEFING SESSIONS MAY – DECEMBER 2019

APPENDIX A

KEY: Dates highlighted in **yellow** are Induction Sessions that all Members are encouraged to attend.

May	7, 8 & 9 Initial Induction Sessions	16 East Suffolk Council: A New Beginning Induction Workshop	20 myHR Training	24 myHR Training			
June	3 An Overview of Planning at East Suffolk Council	5 An Understanding of Planning (for Planning Committee Members and nominated Substitutes only)	6 General Licensing Overview Determining Applications as a Member of a Licensing Sub- Committee	13 How to be an Effective Audit & Governance Committee Chairman/Vice- Chairman How to be an Effective Audit & Governance Committee Member	21 Speaking in a Webcast Meeting Environment	24 Seminar for Licensees & Licensing Committee Members	27 Introduction to Health & Safety Seminar for Licensees & Licensing Committee Members
July	3 Anti-Fraud Culture	4 Introduction to Communications	11 Order, Order, Order!!! - How to Conduct a Debate!	18 Social Media	22 Working with East Suffolk Communities Induction Workshop		
August							
September	12 Elected Member Corporate Responsibilities: Equality and Diversity, Safeguarding & PREVENT	19 Introduction to Housing Services within East Suffolk Council					
October	3 Introduction to East Suffolk Council's Finances	10 Contracts and Partnerships	14 Growing the East Suffolk Economy Induction Workshop	24 Emergency Preparedness			
November							
December							



COUNCIL

Wednesday, 22 May 2019

POLITICAL BALANCE AND ALLOCATION OF SEATS ON COMMITTEES 2019/20

EXECUTIVE SUMMARY

1. Membership of Committees and Sub-Committees of East Suffolk Council is determined under the terms of the Local Government (Committees and Political Groups) Regulations 1990.
2. Those provisions require the Authority to review the representation of political groups and individuals on the Committees, Sub-Committees, and other appropriate bodies in order to ensure that the seats on Committees are allocated by Group Leaders in proportion to the political groups' membership of the Council.
3. This report contains my recommendations on the allocation of seats on the Council's Committees and Sub-Committees, following the recent local government elections.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in the District
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Cabinet Member:	Leader of the Council
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Supporting Officer:	<p>Hilary Slater</p> <p>Head of Legal and Democratic Services</p> <p>01394 444336</p> <p>hilary.slater@eastsuffolk.gov.uk</p>
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1 INTRODUCTION

- 1.1 Membership of Committees and Sub-Committees of East Suffolk Council is determined under the terms of the Local Government (Committees and Political Groups) Regulations 1990.
- 1.2 Those provisions require the Council to review the representation of political groups and individuals on Committees, Sub-Committees, and other appropriate bodies in order to ensure that:
- (1) No single political group has all seats on a Committee;
 - (2) The majority of seats on a Committee is allocated to the majority party;
 - (3) The total number of seats on a Council's Committees is allocated in proportion to political groups' membership of the Council;
 - (4) The seats on Committees are allocated in proportion to the political groups' membership of the Council.
- 1.3 This report contains my recommendations on the allocation of seats on the Council's Committees and Sub-Committees, reviewed to reflect the Council's current political balance following the recent local government elections. The number of Conservative Members on the Council is 39, there are 7 Labour Members, 4 Green Members, 3 Liberal Democrat Members and 2 Independent Members.

2 MANDATORY PRINCIPLES OF ALLOCATION

- 2.1 I have carried out the necessary calculation to enable me to suggest an apportionment of seats in a manner which, in my opinion, best meets the statutory requirements.
- 2.2 The Regulations require that the total number of seats for each group equates to the number of places on each Committee to which political balance requirements apply.
- 2.3 Under the Council's current structure, there are 61 seats available on Committees to which the Regulations apply:
- Audit and Governance Committee: 9 seats
 - Licensing Committee: 15 seats
 - Planning Committee (North Area): 9 seats
 - Planning Committee (South Area): 9 seats
 - Scrutiny Committee: 13 seats
 - Appointments Committee: 6 seats
- 2.4 The Council also has a Strategic Planning Committee, which is made up of the Members of the North and South Planning Committees and the Cabinet Member who is the Portfolio Holder for Planning. Therefore, the 18 seats on the Strategic Planning Committee have not been included within the information in paragraph 2.3, as the Membership is already prescribed.
- 2.5 Applying the relevant rules to the membership of the Council means that the Conservatives are entitled to 43 Committee places, the Labour Group are entitled to 8 places, the Green Party are entitled to 5 places, the Liberal Democrats are entitled to 3 places and the Independents are entitled to 2 places.
- 2.6 The table below provides the proposed distribution of seats, for consideration:

	Total	Conservatives	Labour	Green	Liberal Democrats	Independents
District Councillors	55	39	7	4	3	2
Audit and Governance Committee	9	6	1	1	1	0
Licensing Committee	15	10	2	1	1	1
Planning Committee (North Area)	9	7	1	1	0	0
Planning Committee (South Area)	9	7	1	0	1	0
Scrutiny Committee	13	9	2	1	0	1
Appointments Committee	6	4	1	1	0	0
Total Proportional Allocations	61	43	8	5	3	2

3 THE COUNCIL'S DEMOCRATIC STRUCTURE

Cabinet

- 3.1 The Full Council appoints the Leader of the Council for a four year term of office and it then rests for the newly appointed Leader to appoint his / her Cabinet, including the Deputy Leader.
- 3.2 The Leader of the Council has been appointed earlier at this meeting.
- 3.3 The Cabinet (including the Deputy Leader) can be comprised of up to 10 Members and is exempt from the political proportionality rules under the Local Government Act 2000. It does not therefore form part of the Council's Committees. The Leader will determine the nature of the different portfolios that the Cabinet Members will be responsible for.

Audit & Governance Committee

- 3.4 The Audit & Governance Committee is comprised of 9 Members and the political proportionality rules apply.
- 3.5 Members of the Cabinet are not able to sit on the Audit & Governance Committee.

Scrutiny Committee

- 3.6 The Scrutiny Committee is comprised of 13 Members and the political proportionality rules apply.
- 3.7 Scrutiny activity is undertaken by one Committee. The Committee will carry out detailed reviews, policy development and may call-in Cabinet decisions. It may appoint task and finish groups, which will be established for a specific purpose and be time bound. It may also undertake joint reviews or those involving the Council's partners.

Planning Committee (North)

- 3.8 The Planning Committee has 9 seats, which are allocated on a politically proportionate basis. This Committee considers planning applications which relate to the North of the District.
- 3.9 All Members and Substitute Members are required to have undertaken recent and relevant training on planning matters before they are able to serve on this Committee or instigate the Call-in process for planning applications.
- 3.10 All Members of the Planning Committee (North) also sit on the Strategic Planning Committee, along with the Members of the Planning Committee (South) and they provide high level, strategic direction regarding planning matters.

Planning Committee (South)

- 3.11 The Planning Committee has 9 seats, which are allocated on a politically proportionate basis. This Committee considers planning applications which relate to the South of the District.
- 3.12 All Members and Substitute Members are required to have undertaken recent and relevant training on planning matters before they are able to serve on this Committee or instigate the Call-in process for planning applications.
- 3.13 All Members of the Planning Committee (South) also sit on the Strategic Planning Committee, along with the Members of the Planning Committee (North) and they provide high level, strategic direction regarding planning matters.

Strategic Planning Committee

- 3.14 As mentioned previously in paragraph 2.4, the Strategic Planning Committee is made up of the Members of the North and South Planning Committees and the Cabinet Member who is the Portfolio Holder for Planning.

Licensing

- 3.15 The Licensing Committee is comprises of 15 seats.
- 3.16 The size of the Committee reflects both the statutory licensing responsibilities and the need to appoint Members to Licensing Sub-Committees (3 Members plus a Substitute) and to hear licensing appeals. All Members serving on the Licensing Committee are required to have received appropriate training before they undertake their role on the main Committee or serve on a Licensing Sub-Committee given their quasi-judicial nature.

Appointments Committee

- 3.17 The Appointments Committee has 6 seats.
- 3.18 The Committee must comprise of the Leader of the Council, or the Deputy Leader in their absence, the Cabinet Member for the Service Area concerned or another Cabinet Member in their absence and one Member of the opposition. The Appointments Committee is politically balanced.
- 3.19 The purpose of the Committee is to appoint the Heads of Service for the Council. The Committee can also consider the dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer. When considering such a dismissal, the Appointments Committee will co-opt two independent persons for this panel and they will act in accordance with the Local Authorities (Standing Orders) (England) Regulations 2015.

4 IMPLEMENTATION

- 4.1 The Political Groups will nominate the members of the Council whom they wish to see occupy those seats.
- 4.2 Appendix A to this report shows the list of nominations which we have received from each Group Leader, setting out their allocation of Members to each Committee.

5 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 5.1 The Local Government & Housing Act 1989 requires that the overall political balance of the Council to be reflected, where possible, in the appointment of Members to Committees and Sub-Committees of the Council (known informally as the political balance rules).
- 5.2 Councillors are able to claim expenses for attending Council meetings which will be met from within the Council's agreed Scheme of Members' Allowances budget for 2019 /20. In addition, positions such as Chairmen of Committees are awarded a Special Responsibility Allowance recognising the additional responsibilities that these positions have.
- 5.3 The appointment of Committees forms the democratic framework by which some Council decisions are made. Specific legislation applies to the regulatory committees that exercise quasi-judicial powers and separate legislation is in place for the Cabinet.
- 5.4 The appointment to Committees / Sub-Committees enables the work of the Council to be shared across all Council Members (where appropriate) and enables Councillors to undertake a range of duties that collectively underpin or deliver the democratic decision-making process within the Council.

6 OTHER KEY ISSUES

- 6.1 Decisions are implemented in accordance with the Council's Constitution and statutory legislation. Appointments to Committees enable Members to carry out their community leadership role and in considering the issues before them, help build a stronger, healthier and just society.
- 6.2 The decision to constitute and appoint to Committees will not in itself lead to the tackling of inequality, disadvantage and discrimination (particularly for the most vulnerable) but they will provide the framework for those issues to be addressed when making decisions or reviewing policies / services.

7 OTHER OPTIONS CONSIDERED

- 7.1 None. The Council needs to appoint to Committees / Sub-Committees in order to carry out its business effectively. Appointment to these bodies gives Members an opportunity to carry out their community leadership role and enables cross party views to be given on specific issues which is healthy for democracy and good decision-making.

8 REASON FOR RECOMMENDATION

- 8.1 To ensure that Members are appointed to Committees for the 2019 / 20 municipal year in accordance with the politically proportionality rules and that decision-making is undertaken in a democratic way.

RECOMMENDATION

That, with effect from 22 May 2019, in order meet statutory requirements, seats on Committees and Sub-Committees of the Council be allocated in accordance with the table in paragraph 2.6 above.

APPENDICES**Appendix A**

List of Nominations received from each Group Leader - To Follow

BACKGROUND PAPERS – None



COUNCIL

Thursday 22 May 2019

APPOINTMENTS TO OUTSIDE BODIES FOR 2019/20 (NON-EXECUTIVE)

EXECUTIVE SUMMARY

Council is asked to consider the appointments to Outside Bodies (Non-Executive) for the 2019/20 Municipal Year, as outlined at Appendix A of this report.

Is the report Open or Exempt?	Open
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Wards Affected:	Some Outside Body appointments are of a strategic nature, whilst others are directly related to a particular area or Ward.
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Cabinet Member:	Leader of the Council
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Supporting Officer:	Hilary Slater Head of Legal and Democratic Services 01394 444336 hilary.slater@eastsuffolk.gov.uk
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1 INTRODUCTION

- 1.1 In accordance with Part 2 (Section B) of the Council's Constitution, the Council will be appointing Councillor representatives to Outside Bodies where the role relates to a Non-Executive function, as outlined in Appendix A to this report.
- 1.2 The Cabinet, at its meeting on 4 June 2019, will consider representation on Outside Bodies where the role relates to an Executive function.
- 1.3 Appointment of Councillors to Outside Bodies provides support to the organisation concerned, enables Councillors to fulfil their community leadership roles, and enables appropriate monitoring of performance/budgets in line with best practice.
- 1.4 Appointments made to Outside Bodies should be sensitive to the need to represent, as far as possible, the diverse nature of the local community.

2 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 2.1 Councillors appointed to Outside Bodies are able to work with and alongside local communities, helping to empower them in terms of addressing local issues to achieve sustainable solutions.
- 2.2 Councillors appointed to Outside Bodies will also work with local communities to deliver a strong and sustainable local economy and help them to feel engaged, value, and empowered to improve the quality of life for everyone living and working in the District.

3 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 3.1 Those Councillors formally appointed to external organisations as the Council's representative are able to claim expenses in accordance with the Members' Allowance Scheme. These costs can be met from existing resources.
- 3.2 Councillors appointed to Outside Bodies have the opportunity to positively impact on the effectiveness of the organisation and the wider community.
- 3.3 Appointments to Outside Bodies may be made under the general power in Section 2 of the Local Government Act 2000 – to do anything which is likely to promote the economic, social, or environmental wellbeing of the area, unless specifically prohibited.
- 3.4 The process of Council approving appointments to Outside Bodies, where the role relates to a Non-Executive function of the Council, adheres to the articles within the Council's Constitution.
- 3.5 Details of the Council's representation on Outside Bodies are included on the Council's website, along with the representation on Committees, Sub-Committees, and Task Groups.

4 OTHER KEY ISSUES

- 4.1 None. The Council needs to appoint to Outside Bodies in order to carry out its business effectively and enables Members the opportunity to carry out their community leadership role.

5 CONSULTATION

- 5.1 Key partners have been consulted where appropriate.

6 OTHER OPTIONS CONSIDERED

- 6.1 None – the Council needs to engage and work with external organisations, including the Outside Bodies listed at Appendix A, to continue to deliver the priorities identified in the East Suffolk Business Plan.

7 REASON FOR RECOMMENDATION

- 7.1 To consider appropriate Council representation on Outside Bodies as deemed relevant to the Council's community and business interests.

RECOMMENDATIONS

1. That Councillors be appointed to those Outside Bodies outlined in Appendix A for the 2019/20 Municipal Year.
2. That, unless otherwise stated, the Leader of the Council be authorised to fill any outstanding vacancies left unfilled by Council.

APPENDICES

Appendix A	List of Outside Bodies for 2018/19 (Non-Executive)
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BACKGROUND PAPERS - None



COUNCIL

Wednesday, 22 May 2019

APPOINTMENT OF INDEPENDENT PERSONS

EXECUTIVE SUMMARY

1. The Council is required to appoint at least one Independent Person to deal with complaints made under the Suffolk Code of Conduct. Dr Peck was appointed as an Independent Person in 2012 following a recruitment process, together with a Mr Keys. They were appointed for two yearly terms. Mr Keys retired in 2016 and Mr Urey was appointed to replace him following a recruitment process.
2. Both Dr Peck and Mr Urey's terms of office were extended from July 2018 until Suffolk Coastal District Council (SCDC) and Waveney District Council (WDC) ceased to exist on 1.4.19. Dr Peck and Mr Urey were each then appointed as Independent Persons for the East Suffolk Shadow Authority in June 2018 (Paper REP1 (SH) refers).
3. It is proposed that Dr Peck and Mr Urey's appointments be continued, and that they be the Independent Persons for East Suffolk Council, to deal with complaints made under the Suffolk Code of Conduct, for a 2 year period, until the end of May 2021.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in the District
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Cabinet Member:	Leader of the Council
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Supporting Officer:	Hilary Slater Monitoring Officer 01394 444336 hilary.slater@eastssuffolk.gov.uk
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1 INTRODUCTION

- 1.1 The revised provisions with regard to the regulation of standards of conduct for elected and co-opted Councillors, under the Localism Act 2011 ('the Act') came into effect on 1 July 2012.
- 1.2 The Suffolk Code of Conduct came into force on 1 July 2012 and it had been previously adopted by the former Suffolk Coastal District Council and Waveney District Council (the Councils), during May 2012.
- 1.3 The Council's previous Standards Committees ceased to exist from 1 July 2012, therefore all of the Standards Committees residual relevant functions and the Council's new responsibilities under sections 26 to 37 of the Localism Act 2011 were transferred to the Audit & Governance Committees. "Arrangements" for dealing with complaints made under the Suffolk Code of Conduct were put in place and are described in more detail below.

2 INDEPENDENT PERSONS

- 2.1 The "arrangements" adopted by the Councils for dealing with complaints under the Suffolk Code must include provision for the appointment by Council of at least one Independent Person.
- 2.2 The Independent Person must be appointed through a process of public advertisement, application and appointment by a positive vote of a majority of all members of the Council (not just of those present and voting). There are statutory criteria in the Act which set out those who cannot be considered to be "independent". For example, those who have been an elected or co-opted member or an officer of the District Council or of any of the Parish / Town Councils within this Council's area, within the last five years, cannot be classed as "independent".

3 ROLE OF THE INDEPENDENT PERSON

- 3.1 The functions of the Independent Person(s) are:-
 - (i) They must be consulted by the authority before it makes a finding as to whether a Member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that Member; this means on a decision to take no action where the investigation finds no evidence of breach or, where the investigation finds evidence that there has been a breach, on any local resolution of the complaint, or on any finding of breach and on any decision on action as a result of that finding;
 - (ii) They may be consulted by the authority in respect of a standards complaint at any other stage; and
 - (iii) They may be consulted by a member or co-opted member of the District Council or of a Parish / Town Council against whom a complaint has been made.
- 3.2 When the Act was first introduced, it was agreed that the remuneration for Independent Persons should be an annual allowance of £300, and a fee of £50 for each investigation report that an Independent Person considered.
- 3.3 In 2012, following advertisements and a full recruitment process, Dr Peck was appointed as an Independent Person for both Suffolk Coastal District Council (SCDC) and Waveney District Council(WDC), along with Mr Keys. Mr Keys retired in 2016 and Dr Peck's appointment was extended until July 2018. In 2016, a full recruitment process was undertaken and Mr Urey was duly appointed, also until July 2018. Training was provided to Mr Urey, and he has proved to be a very conscientious, able, and wise Independent Person, as is Dr Peck.

- 3.4 In July 2018, the terms of office of both Dr Peck and Mr Urey were extended until SCDC and WDC ceased to exist, on 1.4.19. Mr Urey and Dr Peck were then appointed as the Independent Persons for the Shadow Authority for the East Suffolk Council (Report REP1 (SH) to the Shadow Authority meeting held on 4 June and relevant minute refer). The Shadow Authority was in existence for the Shadow Period, which ran until the fourth day after the local government elections on 2 May 2019, that is, until 6 May 2019.
- 3.5 Therefore, the purpose of this report is to recommend that the Council reappoints both Mr Urey and Dr Peck to be its Independent Persons, for a further 2 year period, until the end of May 2021.

4 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 4.1 The East Suffolk Business Plan (ESBP) contains a “Vision” for the future of the district, which is to maintain and sustainably improve the quality of life for everyone growing up in, and living in the district. In order to deliver this Vision, a three-pronged strategy has been adopted around “Enabling Communities”, promoting “Economic Growth” and becoming “Financially Self-Sufficient”.
- 4.2 The ESBP underpins the Council’s activities and its decision-making. The Code regulates how members of this Council behave and how they go about the exercise of the Council’s business. The Code ensures that members of other Councils in the district also behave properly and it helps promote and maintain high standards of conduct across the district and parish tiers of local government. The Council must maintain arrangements whereby complaints that the Code has been breached can be made. The Council must appoint at least one Independent Person and they play an integral role in the arrangements for dealing with complaints.
- 4.3 The appointment of the Independent Persons, Dr Peck and Mr Urey, will ensure that the Council, and its Councillors, comply with the requirements of the Act, and helps to promote and maintain high standards of conduct.

5 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 5.1 Under the Act, the Council must appoint at least one Independent Person. The Council has appointed two Independent Persons, who provide resilience and enable the effective management of complaints, across East Suffolk. It is considered appropriate that Dr Peck and Mr Urey continue in this role for a further 2 years, until the end of May 2021.
- 5.2 The annual allowance of £300 to the Independent Persons and a fee of £50 for each investigation report that the Independent Person considers on behalf of the Council can be met from existing budgets.

6 OTHER KEY ISSUES

- 6.1 None.

7 CONSULTATION

- 7.1 None.

8 OTHER OPTIONS CONSIDERED

- 8.1 Not to extend the terms of office of Mr Urey and Dr Peck at this time and to go out to recruitment. This has been rejected. The Council has two experienced and able Independent Persons who are willing to take on this role for a further 2 year period. There would be additional costs in carrying out a recruitment process, for advertising and

in Officer time. Dr Peck and Mr Urey were both appointed following a full recruitment process and there would appear to be no need to repeat that, given the costs and the suitability of both Independent Persons to their roles.

9 REASON FOR RECOMMENDATION

- 9.1 To comply with the requirements of the Act, which took effect from 1 July 2012, and to have Independent Persons to whom the Monitoring Office may refer complaints.

RECOMMENDATIONS

1. That the terms of office of Dr Peck and Mr Urey be extended for a further 2 years, until the end of May 2021.
2. That the Council pays an annual allowance of £300 to the Independent Persons, and agrees to pay a fee of £50 for each investigation report that the Independent Person considers on behalf of the Council

APPENDICES – There are none

BACKGROUND PAPERS – There are none



COUNCIL

Wednesday, 22 May 2019

APPOINTMENT OF POLITICAL ASSISTANTS

EXECUTIVE SUMMARY

1. The Local Government and Housing Act 1989 governs the appointment of Political Assistants to provide assistance to political groups represented on the Council. Political Groups which have at least 10% of the total number of seats on the Council ($55 \times 10\% = 5.5$ rounded up to 6) qualify for a Political Assistant. Following the Local Elections on 2 May 2019, the Conservative Group has 39 Members and the Labour Group has 7. Therefore, both meet the qualifying criteria for the allocation of a Political Assistant.
2. Therefore, the Council is invited to consider the allocation of Political Assistants to these Groups on the Council.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in the District
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Cabinet Member:	Leader of the Council
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Supporting Officer:	<p>Hilary Slater</p> <p>Head of Legal and Democratic Services</p> <p>01394 444336</p> <p>hilary.slater@eastsuffolk.gov.uk</p>
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1 INTRODUCTION

- 1.1 The Local Government and Housing Act 1989 (LGHA) governs the appointment of Political Assistants to provide assistance to political groups represented on the Council.
- 1.2 Under s9 of LGHA, the Council may appoint staff for the purpose of providing assistance to the members of any political group to which the members of the authority belong. The terms of the appointment must comply with some qualifying criteria (see below).

2 BACKGROUND

- 2.1 The Widdicombe Committee, which sat in 1986, found that political advisers were appointed by some authorities, and that they were a useful means of broadening the basis for advice to councillors, in a way which could positively promote, rather than damage, the role of the main officer hierarchy. The Committee went on to recommend to the Government of the day that the law should be made clear, to allow for such appointments. However, they felt that political advisers should be differentiated from other officers, should not enjoy delegated powers and should advise members directly, rather than through the chief executive. Also, that they should be limited in number and seniority, and the facility should be made available, according to the political balance, to all the parties on the Council which qualify. The Government at the time accepted this rationale, and made provision in the LGHA for the appointment of political assistants-see below.
- 2.2 Also, the posts would need to be employed at a certain grade, and salaried accordingly, within the limit set by the relevant Order-see the relevant amount, below.
- 2.3 Under Section 9 of the LGHA, a local authority may appoint assistants for political groups, subject to specific conditions including their remuneration. The key features of these statutory provisions are as follows;
 - A) the appointments are described as being made “for the purpose of providing assistance, in the discharge of any of their functions as members of a relevant authority, to members of any political group to which members of the authority belong”.
 - B) any Council may have only three such posts at any given time, but appointments can only be made if posts are allocated to all of the groups who qualify.
 - C) to qualify, a group must have at least one tenth of the total membership of the authority. In East Suffolk’s case, with 55 Members, this is 5.5, rounded up to 6 Members.
 - D) Where the members of a relevant authority are divided into political groups only one of which has a membership that comprises one tenth or more of the membership of the authority, the groups qualifying for a post shall be that group and one other group, and the other group shall be the one with the next largest membership or, in a case in which there is more than one group with the next largest membership, such one of those groups as may be determined by the authority.
 - E) the posts are fixed term and run until the Annual meeting following the local government elections (i.e. approximately four years) - to 2023.
 - F) the level of remuneration is controlled by law.
 - G) The Council cannot confer delegated powers, whether from Council or Cabinet, on a political assistant to discharge any of the authority’s functions (s9(8) and (8A) of the LGHA).
 - H) The appointment is at the selection of the political group to whom the post has been allocated.

- l) The terms on which any person is appointed to the role of Political Assistant must be such that the annual rate of remuneration for the post is less than the “relevant amount” which has been specified by the Secretary of State in the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2006 (the Order). The Order specifies £34,986 as the relevant amount. County, district and London borough councils are relevant authorities for these purposes.

3 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 3.1 The Council’s Business Plan promotes a three-pronged strategy, aimed to develop financial self sufficiency, growth and the enabling of communities. To have political assistants for the qualifying political groups on the Council will broaden the range of advice available to Members, which, in turn, has a positive impact on the community leadership role of councillors, and will assist them to achieve the aims of the Business Plan.
- 3.2 It is also recognised that the East Suffolk Council (ESC) covers a large area, geographically, and is the same as the areas previously covered by both Suffolk Coastal District Council (SCDC) and Waveney District Council (WDC). However, with 55 Members, rather than 90 previously in office at both SCDC and WDC, Members of ESC will have much larger wards, and greater numbers of residents to serve. The need for Members to be aware of a greater range of social, economic and financial issues, given the larger area, will be significant to how the new Council works. Political assistance will be of great benefit, in this respect.
- 3.3 Also, Political Assistants may help with local and political issues, so that Members are always well informed, and up to date. This will serve to improve the community leadership offered by Members and the ESC as a whole.

4 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 4.1 The appointment of Political Assistants is governed by the LGHA, the Local Authorities (Standing Order) (England) Regulations 2001 and the Order.
- 4.2 The maximum salary of £34,986 for each post is determined by the Order. This is paid from the Members’ Expenses budget. A budget of £40,000 is currently in place to cover all political parties’ requirements for the 2019/20 financial year. Any additional financial requirements can be met from savings already identified within the 2019/20 budget by way of the Council’s virement process which allows budgets to be moved, internally.
- 4.3 The Conservative Group and the Labour Group are entitled to a Political Assistant each in accordance with s9 (5) (c) Local Government and Housing Act 1989.

5 OTHER KEY ISSUES

- 5.1 There are no specific equalities issues associated with the report.

6 CONSULTATION

- 6.1 Consultation and Engagement. Not applicable in the context of this report.

7 OTHER OPTIONS CONSIDERED

- 7.1 None.

8 REASON FOR RECOMMENDATION

- 8.1 Following the outcome of the local election results, both the Conservative Group and the Labour Group meet the qualifying criteria for the allocation of a Political Assistant. There are

no other alternative recommendations to consider. The relevant Group Leader will formally advise the Head of Legal and Democratic Services that their Group wishes to appoint a Political Assistant.

RECOMMENDATIONS

1. That the posts of Political Assistants be established under the terms of the Local Government Act 1989 with effect from this Annual Council until the next Annual Council meeting following full council election in 2023, and are allocated to the Conservative and the Labour Group.
2. That the Leaders of the Conservative Group and the Labour Group be requested to advise the Head of Legal and Democratic Services of their wishes about the filling of those posts.
3. That the Chief Finance Officer be given delegated authority to vire additional budget from identified savings to fund this, if the allocated budget is insufficient.

APPENDICES – None

BACKGROUND PAPERS – None



COUNCIL

Wednesday, 22 May 2019

ADOPTION OF THE MEMBERS' ALLOWANCE SCHEME APPROVED BY THE SHADOW COUNCIL ON 28.2.19

EXECUTIVE SUMMARY

1. The East Suffolk Shadow Council (SC) was established under the East Suffolk (Local Government Changes) Order 2018 (the Order). The SC was responsible for the implementation of the East Suffolk Council (ESC) which came into existence on 1 April 2019, on the abolition of Suffolk Coastal District Council (SCDC) and Waveney District Council (WDC). The SC was required under Article 10 of the Order to formulate proposals for a Members' Allowances Scheme (MAS) for the ESC to adopt.
2. At its meeting on 28 February 2019, the SC formulated proposals for a MAS and approved the recommendations made by an Independent Remuneration Panel (IRP) to it, for a MAS for the ESC to adopt. This was so that the ESC would have a MAS in place on 6 May 2019, when the newly elected Members came into office and could be paid their allowances from that date.
3. The Members of ESC are now asked to adopt the MAS, in accordance with the wording of the Order and the resolution of the SC. It is planned that the MAS will be reviewed again in approximately 6 months time, to ensure that it fully meets the needs of the Council and its Members.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in the District
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Cabinet Member:	Leader of the Council
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Supporting Officer:	Hilary Slater Head of Legal & Democratic Services and Monitoring Officer 01394 444336 hilary.slater@eastsuffolk.gov.uk
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1 INTRODUCTION

- 1.1 On 24 May 2018, the Government made the Order which came into force on 25 May 2018. It made provision for the abolition of SCDC and WDC from 1 April 2019. It provided for the creation of the ESC on 1 April 2019, in place of both SCDC and WDC. The ESC consists of 55 Councillors, who took office on the fourth day after their election, on 6 May 2019.
- 1.2 During the period from 25 May 2018 until 6 May 2019, known as the “Shadow Period”, the SC for the ESC was created by the Order. The SC consisted of all of the Members of SCDC (42) and all of the Members of WDC (48) (90 total), notwithstanding the abolition of each Council, on 1 April 2019. The SC was responsible for the implementation of the ESC.
- 1.3 Article 10 of the Order says that the SC must formulate proposals for a MAS for adoption by the ESC. This was considered by the SC at its first meeting, on 4 June 2018. Item 6 and Paper REP1 (SH) on the agenda of the SC meeting of that date, entitled “Creation of a Shadow Authority”, refers to the need for a MAS to be formulated for the ESC to adopt.
- 1.4 The Local Government (Members’ Allowances) (England) Regulations 2003 (the 2003 Regulations) usually apply in the formulation of such a scheme. The 2003 Regulations require the appointment of an IRP to make recommendations as to the contents of any such MAS to be adopted.
- 1.5 In formulating proposals for the ESC to adopt as a MAS, the SC decided that it would be of assistance if an IRP was asked to consider this. If an IRP was to put forward proposals to the SC, it would provide some element of independence and review, before those proposals, if acceptable, were then put to the ESC. The Local Authorities (Members Allowances) (England) Regulations 2003 (the Regulations) require local authorities to have an approved MAS in place for the payment of allowances to Elected Members.
- 1.6 The IRP consisted of three independent lay people drawn from a pool which SCDC and WDC had jointly recruited to, in 2014. The IRP were asked to carry out a light touch review of the existing MAS for both SCDC and WDC, in order to formulate proposals for a MAS for the SC to consider.

2 ADOPTION OF A MEMBERS ALLOWANCE SCHEME

- 2.1 The SC considered Report REP 39 (SH) at its meeting of 28 February 2019 and resolved that “the report of the Independent Remuneration Panel, containing recommendations for a Scheme of Members’ Allowances for the East Suffolk Council to adopt, be approved”.
- 2.2 The SC has formulated proposals for a MAS for the ESC to adopt. This was so that newly elected Members of the ESC could be paid their allowances from when they took office on 6 May 2019. Also, the Regulations require that the ESC must have a MAS. The MAS which was approved by the SC has been included in the ESC’s Constitution- see Part 5 of this document. It is a requirement of the Order that the ESC formally adopt the MAS.

3 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

- 3.1 It is important that all of the policies and procedures in place to support Councillors to undertake their role are regularly reviewed to ensure that they continue to be appropriate and meet the needs of the ESC. The formulation of proposals for a MAS for the ESC to adopt is a statutory requirement of the Order. It will ensure that ES Councillors are paid an appropriate allowance for the roles which they undertake for the ESC, the establishment of which will bring about significant efficiency savings, as set out in the East Suffolk Business Plan.

4 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 4.1 The SC had regard to the recommendations in the IRP report prior to agreeing to these proposals for a MAS for the ESC to adopt. The proposals agreed by the SC are set out in 4.5 below, subject to two points of clarification which are provided in paragraph 4.7 and 4.8.
- 4.2 The budget for BAs from SCDC and WDC was £517,000 and this has been maintained within the first ESC budget. The proposals from the IRP were that all 55 Members receive a basic allowance of £4,883.40, which will cost £268,587 (see Table 1 below), a reduction of £248,413. The budget for BAs will be revised as part of the 2020/21 budget setting process, following the further, more in depth, review of Members' Allowances which is to happen during the second part of 2019/20 financial year.
- 4.3 The budget for SRAs from SCDC and WDC was £228,200 and this also has been maintained within the first ESC budget. The proposals from the IRP are shown below in Table 1 and total £124,692.72, which is a reduction of £103,507.28.
- 4.4 It was assumed by the IRP that the Cabinet would consist of 10 members (Leader, Deputy Leader and eight Cabinet Members), there would be six Chairmen and Vice-Chairman of Committees (Scrutiny, Audit & Governance, Licensing, Strategic Planning, North Planning and South Planning).
- 4.5 It will be for the new Leader of ESC to determine the exact number of members in the Cabinet and whether there will be Assistant Cabinet Members. The budget for SRAs will be revised as part of the 2020/21 budget setting process, following the further, more in depth, review of Members' Allowances which is to happen during the second part of 2019/20 financial year.

Table 1 - Basic and Special Responsibility Allowances

Description of Allowance	Amount	No. of Members	Total Cost
Basic Allowance	4,883.40	55.00	268,587.00
Special Responsibility:			
- Leader of the Council	14,650.20	1.00	14,650.20
- Deputy Leader of the Council	9,766.80	1.00	9,766.80
- Cabinet Members	5,695.08	8.00	45,560.64
- Assistant Cabinet Members	2,441.76	0.00	0.00
- Committee Chairman	5,049.60	6.00	30,297.60
- Vice Chair of Committees	2,441.76	6.00	14,650.56
- Chairman of the Council	7,325.16	1.00	7,325.16
- Vice Chairman of the Council	2,441.76	1.00	2,441.76
- Planning Committee Members	1,220.85	18.00	21,975.30
			<u>146,668.02</u>

- 4.6 There are also SRAs for Leaders of the Opposition Parties/Groups and this is based on the Leader's Allowance divided by 55, which gives an allowance of £266.40. To receive this allowance, there needs to be at least three Opposition Members in the same Political Party and if this was the case, the Opposition Leader would receive an allowance of £799.20. The allowance would then increase by £266.40 for each extra Member in that Opposition Party.
- 4.7 At the SC, the MAS was approved, subject to two points which were referred to the Monitoring Officer for clarification and resolution. The first point is about payments to co-opted members. There was a line in the IRP report to the SC about the proposed payment being the BA plus 0.1%-0.4%. The Monitoring Officer clarified this with the IRP and they have confirmed that they intended the payment to be between 1-4% of the Basic Allowance, per meeting, the amount to be determined at the discretion of the Chairman of the Committee on which the co-opted Member might sit. This has been included in the MAS, attached.

- 4.8 The other point for clarification related to the Planning Committee Members. Previously, at Suffolk Coastal District Council (SCDC), members of the Planning Committee received a payment of 25% of the BA. At Waveney District Council (WDC), the Planning Committee Members did not receive a BA. When the IRP formulated their proposals to equalise the two existing schemes, it was on the proviso that “where there were differences between the SCDC scheme and the WDC scheme in terms of which offices attracted an allowance, and which did not, all offices which attracted an allowance have continued to receive one under the equalised scheme.” The Chairman of the IRP confirmed, at the meeting of the SC, that the payment of a SRA for the Planning Committee members had been omitted from their proposals, and that, for clarification, the IRP confirmed to the Monitoring Officer that their intention was “that the Planning Committee Members of the ESC could claim to be entitled to a SRA as part of their membership of the Planning Committee, North or South, because such an allowance was paid previously”. This has been included in the MAS, attached.
- 4.9 The payment of a SRA to the Members of the Planning Committee (N) and the Planning Committee (S) of £1,220.85 (x18) will add £21, 975.30 to the total costs shown in paragraph 4.5 above, giving an overall total of £146, 668.02.

5 CONSULTATION

- 5.1 The IRP members were appointed following a formal recruitment process to ensure equality, openness and transparency. Specific exclusions applied but these were clearly laid out in the application form and person specification.
- 5.2 The IRP met with both the Leader of SCDC and the Leader of WDC, in formulating their proposals. They also heard from the Head of ICT about what computer hardware and software would be made available to the members of the ESC.

6 OTHER OPTIONS CONSIDERED

- 6.1 None. The Order required the SC to formulate proposals for a MAS for the ESC to adopt.

7 REASON FOR RECOMMENDATION

- 7.1 The Order required the SC to formulate proposals for a MAS for the ESC to adopt. The SC formulated these proposals which were approved by the SC at its meeting on 28 February 2019, subject to the two points of clarification provided in 4.7 and 4.8 above. The ESC is required to adopt the MAS.

RECOMMENDATION

That the East Suffolk Council adopts the Scheme of Members’ Allowances approved by the Shadow Council at its meeting on 28 February 2019, and attached as Appendix A to this report, in accordance with Article 10 of the East Suffolk (Local Government Changes) Order 2018.

APPENDICES

Appendix A

Scheme of Members’ Allowances approved by the Shadow Council on 28 February 2019

BACKGROUND PAPERS – None

Part 5 – MEMBERS’ SCHEME OF ALLOWANCES

SCHEME OF MEMBERS’ ALLOWANCES FOR EAST SUFFOLK COUNCIL FROM 6.5.2019.

1. Basic and Special Responsibility Allowances

- 1.1 A basic allowance is payable to all Councillors as set out in the Table below. No claim is required.
- 1.2 In addition, Special Responsibility Allowances are payable to those Councillors holding the offices set out in the Table below. These are paid monthly and no claims are required.
- 1.3 A Councillor who does not wish to receive basic and/or Special Responsibility Allowances may give notice in writing to the Chief Executive. The notice can be withdrawn (in writing) at any time and the Allowances will be reinstated from the date of that second notice.
- 1.4 Basic and Special Responsibility Allowances accrue on a daily basis and are payable from the date on which the Councillor takes office and will cease on the date on which the office ceases.
- 1.5 These Allowances count as earnings for Income Tax and National Insurance and the appropriate deductions will be made.
- 1.6 The link between increases in officers’ pay and increases in Members’ Allowances is to be maintained so that any inflation increases applied to officers’ pay will be similarly applied to Members’ Allowances (including to the Basic Allowance and Special Responsibility Allowances).
- 1.7 Only one Special Responsibility Allowance will be paid to each Member (whichever is the higher allowance).

Table of Member Allowances	Amount
Basic Allowance	£4,883.40
Leader of the Council	£14,650.20
Deputy Leader of the Council	£9,766.80
Cabinet Members	£5,695.08
Assistant Cabinet Members	£2,441.76
Committee Chairman	£5,049.60
Vice Chairman of Committees	£2,441.76
Chairman of the Council	£7,325.16
Vice Chairman of the Council	£2,441.76
Leaders of Opposition Parties/Groups (based on minimum of 3 in opposition group x number in opposition group)	£266.40 (Leader ÷ 55)
Planning Committee Members (N) or (S)	£1, 220.85

1 Travelling and Subsistence Allowances for Members and Independent Persons

- 1.1 Travelling and subsistence allowances may be claimed by Councillors, Co-opted Members and Independent Persons to reimburse expenses that they have necessarily incurred in the performance of an approved duty.
- 1.2 Claims must be made via the online MyHR system accessible from the Council’s Intranet. Guidance on using the system may be obtained from the Democratic Services Team. The claims must provide full and clear details of the duties to which they relate.

Claims should be made regularly and not allowed to accrue for several months, and will only be paid a maximum of 3 months following the date of the duty.

- 1.3 The current rates of these Allowances are shown below.
- 1.4 The definition of an approved duty for this purpose is shown below. An essential consideration is that the duty must be approved in advance of its performance. All formal meetings of the Council, Cabinet and Committees are so approved.
- 1.5 A profit element may occur; a P11D will be used if applicable in the following June. Subsistence Allowances will be taxed where receipts are not produced.
- 1.6 Payments are made on the twenty-third day of each month and will normally include claims received by the fifth day of the relevant month. Late claims will be paid in the following month. Payment is by bank credit and an advice slip will be issued in respect of each payment made.

Travelling Allowances

- (a) Public service transport — the actual costs incurred. The Council has determined that travel by rail should be by standard class. Travel warrants may be obtained for rail journeys. Payment will be made on production of a receipt.
- (b) Taxi fares - in cases of urgency or where no public transport is reasonably available, the actual fare and any reasonable gratuity paid, on the production of a receipt. Otherwise, payment will be limited to the appropriate fare for travel by public transport.
- (c) Members' own vehicles - a single payment irrespective of engine capacity of 45p per mile for cars (this rate does not attract tax up to a maximum of 10,000 miles and the Council has previously determined that no lump sum payment will be made); 24p per mile for mopeds; 24p per mile for motor cycles and 20.0p per mile for bicycles. The above rates are equal to those currently approved by the HMRC, and as of 6 April 2016 are exempted from tax and National Insurance contributions for all miles travelled in Members' own vehicles. Travel allowance rates will be varied in line with future revisions to HMRC statutory mileage rates.
- (d) Carriage of passengers - the rates specified in (c) above may be increased in respect of the carriage of passengers, not exceeding four, to whom a travelling allowance would otherwise be payable under any enactment, by 5p per mile per passenger.
- (e) Tolls, ferries and parking fees — the actual fees paid, and payment will be made on production of a receipt.
- (f) Other modes of travel - prior approval from the Proper Officer is required for travel by air. Payment will be made on production of a receipt.

2 Subsistence Allowances

- 3.1 No subsistence will be paid for breakfast, lunch or tea. However, an evening meal allowance will be paid where purchased outside of the District for the actual cost of an evening meal up to a maximum of £25.00 on the production of a receipt where an overnight stay is required (except that the Monitoring Officer is able to approve greater amounts in exceptional circumstances, examples of which would be the need to purchase a meal in Central London or if attending a meeting at a rural conference where it was not possible to find alternative provision). An evening meal allowance will only be paid on the production of a receipt. No overnight subsistence allowances will be payable.

- 3.2 The booking of Conferences, accommodation and travel arrangements for Members which have been approved will continue to be coordinated by Council Officers, where possible, to maximise any discounts that can be achieved.

3 Dependent Carers Allowances

- 4.1 The Allowance for specialist care of dependents (in circumstances previously approved by the Council's Monitoring Officer) is set at a maximum of £20.00 per hour, per carer/nurse, for actual costs incurred.
- 4.1 The Allowance for care of child dependents (in circumstances previously approved by the Council's Monitoring Officer) is set at:
Babysitting – up to a maximum of £10 per hour.
Child minding – up to a maximum of £10 per hour, unless provided free of charge under a government scheme, for actual costs incurred.
- 4.2 Payment of the Dependant Carers Allowance is subject to the production of a receipt and should not be provided by a family member. Payment made on the production of receipts.

5 Co-Opted Members of the Council

- 5.1 To be paid an amount per meeting, the amount being the Basic Allowance multiplied by between 1% to 4%, the % to be determined at the discretion of the Chairman of the Committee on which the co-opted Member sits.

6 Additional notes

- 6.1 Basic and Special Responsibility Allowances and Co-optee Allowances are subject to Income Tax under the PAYE system and to National Insurance deductions.
- 6.2 HMRC may consider claims for tax relief for expenses incurred as a Councillor or Co-optee and may require reasonable proof of those expenses. For further information please visit the HMRC website.
- 6.3 National Insurance contributions will be deducted when the Allowances payable in any month exceed the prescribed threshold. You will be exempt from paying National Insurance once you have reached the state pension age.
- 6.4 The receipt of these Allowances can affect entitlements to Benefits and they must be disclosed as income when claiming Housing Benefit and other means tested benefits.
- 6.5 A record of all claims and payments is maintained and is open to public inspection. A record of the payments made to each Councillor and Co-opted Member must be published annually.
- 6.6 Councillors and Co-opted Member must remain responsible for the accuracy of their own claims.

7 Approved duties

- 7.1 The duties for which travelling and subsistence allowances may be claimed are set out below. Effectively, the rules are designed to allow claims for travel and subsistence where appropriate for any formal duty carried out on behalf of the District Council:
- 7.2 Attendance at any meeting of the Council and its Committees, Joint Committees, Sub-Committees, Panels and Working Parties, where a Councillor is a Member of that Committee or acting as a Substitute Member, provided that the meeting is formally established and arranged in advance and is open to at least two Councillors. (The exception to this would be where the Chairman of the relevant Committee, Joint

Committee etc. has specifically extended an invitation to non-Members of the Committee to attend).

- 7.3 Attendance at meetings of any outside bodies, or committees and sub-committees of those bodies, provided the member has been appointed as the Council's representative, either ad hoc or on a continuing basis and no other arrangements exist for the payment of expenses to the Members of that body.
- 7.4 Meetings and engagements undertaken by the Leader of the Council, Deputy Leader or Cabinet Members through the course of their duties and as part of their specific roles and responsibilities.
- 7.5 Leader/Deputy Leader of the Opposition Groups where meetings have been called by the District Council/officers and where the Opposition Leader(s) have been invited to attend for specific meetings for consultation purposes.
- 7.6 Attendance at meetings of Town and Parish Councils within a member's Ward, which the member attends as a representative of the District Council.
- 7.7 Attendance at any meeting or event, including site visits, at the invitation of the Chief Executive or an Officer authorised by the Chief Executive to assist with the functions of the Council.
- 7.8 Attendance at official and courtesy visits of a civic nature within the United Kingdom at the request of the Chief Executive or an Officer authorised by the Chief Executive.
- 7.9 Attendance at conferences, seminars and meetings which relate to the interests of the district or any section of the local community and for which the Council has appointed the member as a delegate or where the conference fees are paid under a general authorisation.
- 7.10 Attendance at any training courses/Member briefings at the invitation of the Chief Executive or an officer authorised by the Chief Executive or where such training is arranged by the Council, a Committee or Sub-Committee.
- 7.11 Attendance at consultative and/or informative meetings approved by the Council, a committee or sub-committee with groups or local tax payers to discuss Council business.
- 7.12 Attendance at Court, Inquiries or Tribunal hearings on behalf of the Council where attendance is requested by the Chief Executive or an Officer authorised by the Chief Executive.
- 7.13 Attendance at meetings, forums, panels and task groups of the Local Government Association. (Note: where a member has been appointed in a representative role on behalf of the LGA such claims will be reimbursed by the LGA).

NOTE: Party political meetings and attendance at Member/Ward Surgeries are specifically excluded from this Scheme, and travel expenses will not be paid under the East Suffolk Council Members' Allowances Scheme for these meetings.