

AT A MEETING of the Independent Remuneration Panel of HAMPSHIRE COUNTY COUNCIL held at the Castle, Winchester on Thursday, 6th October, 2022

In attendance:

Julia Abbott, David Heck, Pinky Kwok and Rosemary Lynch

Also present with the agreement of the Chairman: Councillors Crawford, Collett, Humby and Tree,

9. APOLOGIES FOR ABSENCE

Apologies were received from Martin James.

10. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

11. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 29 September 2021 were agreed as a correct record and signed by the Chairman.

12. DEPUTATIONS

There were no deputations on this occasion.

13. CHAIRMAN'S ANNOUNCEMENTS

The Chairman noted that despite being unable to attend the meeting, Martin James had contributed his thoughts on the items for consideration and that these would be taken into account.

14. **AMENDMENTS TO THE MEMBERS' ALLOWANCES SCHEME 2022/23**

The IRP considered the report of the Monitoring Officer regarding Special Responsibility Allowances (SRAs) for a number of different roles and the recommendation of potential subsequent updates to the Members' Allowances Scheme.

The Panel acknowledged the information that had been provided to them in respect of all of the SRAs in the report and noted that they had also taken the opportunity of conducting benchmarking comparisons with other Councils to use as a point of reference.

Deputy Leader SRA

With regard to an SRA for the role of Deputy Leader, the Panel heard from the Monitoring Officer who confirmed that this was a statutory position to which one of the Executive Members must be appointed and who is automatically required to act in place of the Leader in the Leader's absence. The Panel also heard from the Chief Executive, who illustrated the Deputy Leader role and in particular the need to be up to speed on all topics in order to be able to represent the Leader through her own knowledge of the multi-faceted ways in which Leader and Deputy Leader work together, as well as through comparison with her own experience of being a Deputy Chief Executive. She noted that the role of Deputy Leader added vital capacity and support to the Leader in their role in charge of a large and complex organisation. The Leader of the Council also addressed the Panel, explaining that he had previously been Deputy Leader for three years, highlighting the importance of a seamless partnership between Deputy Leader and Leader.

The Panel recognised that the scale of the County Council brought significant pressures on the leadership and noted that although the Deputy Leader did not hold any specific additional decision making responsibility, the role should be particularly recognised in terms of Executive responsibility and representing the County Council within the administrative area of the County Council and the wider community, and consequent reputational significance. It was noted that many other Authorities do pay a Deputy Leader SRA. It was proposed and agreed to recommend to the County Council that:

An SRA for the Deputy Leader equivalent to 70% of the Leader's SRA be added to the Members' Allowances Scheme, to be backdated to the 2022 County Council AGM. That this be subject to review in 12 months.

Opposition Group Leader SRA

With regards to the review of the SRA for Opposition Group Leaders and Opposition Spokespersons, the Panel noted that these were longstanding areas of discussion and expressed their ambition of a solution that was inclusive, future proofed and evidence based. Considering the Group Leader SRA first, the Panel heard from the Liberal Democrat Deputy Leader and the Leaders of the Labour and Independent Groups. It was established that there was no formal Leader of the Opposition role – each Group was a separate opposition to the Administration. The Councillors highlighted a number of key elements of their

respective roles and it was noted in particular that the Group Leader role was similar across the board in terms of needing to understand all areas of the Council and represent their Group. Furthermore, the differing sizes of the Group brought both challenges and advantages and could not be easily related to workload as a larger Group resulted in more Members to manage, but also more capacity to draw upon. A fundamental unfairness in having an arbitrary Group size as the cut off point for a Group Leader SRA was therefore identified.

Noting the content of the report and the representations received, the Panel expressed their view that an alternative calculation for an Opposition Group Leader SRA should be implemented that did not rely on a minimum Group size (it was accepted that a Group was two or more Members). It was proposed and agreed to recommend to the County Council that:

The SRA for Opposition Group Leaders should amount to 55% of the SRA for the Leader of the Council, divided proportionally between all Opposition Groups (consisting of two Members or more) according to the number of seats held by that Group on the County Council. That this be backdated to the 2022 County Council AGM, but any detrimental impact should not result in any SRA already paid in 2022/23 by the time of the County Council's decision being subject to repayment. That the SRA for Opposition Group Leaders be subject to review in 12 months.

Opposition Group Spokesperson SRA

With regard to the SRA for Opposition Group Spokespersons, the Panel noted that the current threshold for receipt of an SRA was based on a Group size of eight Members or more. Comparison with other Authorities had revealed that many did not pay an SRA for this role, but it was confirmed that it was permissible to do so in accordance with the legislation. The Panel received representations from each of the Opposition Groups who highlighted that in a similar way to the Group Leaders, the Opposition Spokespersons all carried out a similar function regardless of their Group size and therefore a similar unfairness in the Group size criteria existed.

The Panel were keen to introduce a solution that would remove the need for a minimum Group size, however recognised that small Groups did not always qualify for a seat on all of the six Committees for which an Opposition Spokespersons allowance was payable, due to the application of proportionality rules. Having considered a number of alternatives, it was proposed that to resolve this, and to mirror the solution recommended for Group Leaders it be recommended to the County Council that:

That an SRA for Opposition Group Spokespersons should be paid to Opposition Group Spokespersons on each of the County Council's ordinary Select Committees and the Health and Adult Social Care Committee and the Regulatory Committee. The overall SRA payable should amount to 55% of the SRA for the Chairman of an ordinary Select Committee, divided proportionally between all Opposition Groups represented on each respective Committee (following agreement of the proportionality table and appointments by the County Council). The SRA to be divided according to the number of seats on the County Council held by

each Opposition Group represented on each respective Committee as referred to above. That this be backdated to the 2022 County Council AGM, but any detrimental impact should not result in any SRA already paid in 2022/23 by the time of the County Council's decision being subject to repayment. That the Opposition Group Spokespersons SRA be subject to review in 12 months.

Assistant to the Executive/River Hamble Harbour Board Chairman SRA

The Panel reviewed the SRAs for the roles of Assistant to the Executive – Adult Services and Public Health and Assistant to the Executive – Children's Services and Chairman of the River Hamble Harbour Board. It was noted that there was an error in paragraph 8 of the report as although the agreed SRA for the first two roles was equivalent to 25% of the SRA for an Executive Member, the agreed SRA for the Chairman of the River Hamble Harbour Board was equivalent to 25% of the SRA for a Select Committee Chairman. The Panel acknowledged the supporting evidence relating to each of these roles attached to the report and agreed that they were in line with the size, scale and range of responsibilities of the County Council as originally envisaged. It was therefore proposed and agreed to recommend to the County Council that:

The SRA for the roles of Assistant to the Executive – Adult Services and Public Health and Assistant to the Executive – Children's Services and Chairman of the River Hamble Harbour Board continue at the previously agreed rates.

Chairman,