

REPORT OF THE
Chief Executive
PART I

1. CONSTITUTIONAL MATTER

- 1.1. By virtue of the Local Authorities (Members' Allowances) (England) Regulations 2003, the County Council is required to establish an Independent Remuneration Panel (IRP) to make recommendations on Members' Allowances. Similarly, by virtue of the Localism Act 2011 the County Council is required to appoint Independent Persons whose views must be sought and taken into account in determination of complaints made under the Members' Code of Conduct.
- 1.2. Appointment of IRP Members and Independent Persons is a County Council function. However assistance in the recruitment of IRP Members and Independent Person and recommendations on appointment is a function delegated in the Constitution to the Conduct Advisory Panel (CAP), a proportional Committee of the County Council.
- 1.3. Recently a recruitment exercise was carried out regarding appointment of new IRP Members. In light of the remit of the IRP and Independent Persons, Membership of the interview panel was open to Members of all Political Groups represented on the CAP. However no Member or Substitute Member from the Liberal Democrat Group represented on the CAP was available to attend for the interviews.
- 1.4. In law membership of a County Council Committee is restricted to Members appointed to the Committee by the County Council in accordance with the proportionality rules. It was not therefore possible for the Liberal Democrat Group to be represented on the interview panel.
- 1.5. Without prejudice to long established provisions in the Constitution regarding Substitute Members which work well and maintain good governance, it is considered that exceptionally provision could be made whereby, in the event no full or Substitute Member of any Political Group represented on the CAP were able to attend a future interview panel for interviews of IRP Members or Independent Persons, then authority could be given to the Monitoring Officer, in consultation with the relevant Group Leader, to vary membership from such Political Group represented on the CAP so as to allow another Member of the Political Group to attend in the place of a full or Substitute Member unable to attend.

RECOMMENDATION

That the County Council:

- a) Delegate authority to the Monitoring Officer, in consultation with the relevant Group Leader of any political group represented on the Conduct Advisory Panel, to vary membership from such group on the Panel for the purpose of interviews and recommendations to the County Council of IRP Members and Independent Persons.