



DERBY CITY COUNCIL

AUDIT AND ACCOUNTS COMMITTEE
12 December 2007

ITEM 5

Report of the Corporate Director of Corporate and Adult Services and
Deputy Chief Executive

Appointment of Independent Remuneration Panel for Members Allowances

RECOMMENDATION

1. To re-appoint the following people to serve on the Independent Remuneration Panel for a three year term ending on 31 December 2010:
 - Ian Samways, Individual Member
 - Martyn Holden, Human Resources Director, University of Derby

SUPPORTING INFORMATION

- 2.1 In accordance with the Council's Scheme of Delegation within Part 3 of the Constitution power is delegated to the Audit and Accounts Committee to carry out all powers and duties in respect of appointments to the Independent Remuneration Panel on Members' Allowances.
- 2.2 The Committee has previously agreed that members of the Independent Remuneration Panel will serve for a three year term and be eligible for re-appointment.
- 2.3 The terms of office of Ian Samways, an Individual Member, and Martyn Holden, Human Resources Director, University of Derby, expire on 31 December 2007. Both have indicated their willingness to continue for a further three year term.
- 2.4 If the appointee resigns or does not wish to continue at the end of his/her term of office, a fresh nomination would be sought from the relevant stakeholder organisation, or from individual members of the community as determined by this Committee. This will ensure that the Council meets the requirements of Government guidance on retaining experience and keeping a degree of continuity in the membership of the Independent Remuneration Panel.

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Background papers: None
List of appendices: Appendix 1 – Implications

IMPLICATIONS

Financial

- 1.1 The cost of any allowances paid to members of the Independent Remuneration Panel can be contained within existing budgets.

Legal

- 2.1 The relevant provisions of The Local Authorities (Members' Allowances) (England) Regulations 2003 require that Council...

- must make a scheme for the payment of members' allowances before 1 April each year
- must have regard to the recommendations of its Independent Remuneration Panel before making a scheme
- may amend its scheme and backdate payments to the beginning of the year (1 April).

- 2.2 There are certain restrictions on who may be a member of an Independent Remuneration Panel. A member of the Panel must not...

1. Be a member of Derby City Council
2. Be a member of any of the Council's committees or sub committees. This includes co-opted members
3. Be disqualified from being a member of a local authority
4. Have connections with a political party
5. Be a relative or friend of a city councillor.

With regard to 3. above, a person is disqualified if he or she is...

- An employee of the local authority or a joint committee of the authority
- The subject of a bankruptcy restrictions order or interim order
- Someone who within the last five years, has been convicted of an offence with a custodial sentence (whether suspended or not) of not less than three months without the option of a fine
- Someone who has been disqualified as a result of a surcharge by a local authority external auditor, or a corrupt or illegal election practice
- Someone who has been disqualified for a breach of a local authority's code of conduct.

Ian Samways and Martyn Holden confirmed that they were not disqualified.

Personnel

3. None.

Equalities impact

4. The recruitment process is conducted in a way which encourages stakeholder organisations to put forward candidates from groups who are underrepresented.

Corporate priorities

5. The existence of the Independent Remuneration Panel and its appointment process, contributes to many of the Council's corporate values and priorities.