

## Recommendations to the Council

10 October 2013

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### Independent Remuneration Panel Appointment

1. The County Council is required to establish and maintain an Independent Remuneration Panel to provide advice and recommendations to the Council on its Members' Allowances Scheme. Any decisions on the nature and level of allowances are a matter for the full Council, but the Council must have regard to any recommendations submitted by the Independent Remuneration Panel before establishing or amending the Members' Allowances Scheme. The Panel meets each year to consider the recommendations to be made to the Council in respect of the level and nature of the forthcoming year's allowances.

The County Council at its meeting 15 March 2013 extended the period of office for Ray Betteridge, Jane Landick, Gerald Griffin and Ian Starkie as members of the Independent Remuneration Panel for a further period of 12 months to 31 March 2014.

2. **Recommend** – (a) That the Audit and Standards Committee be requested to make the necessary arrangements to advertise the vacancies for the appointment of members of the Independent Remuneration Panel.

(b) That the Audit and Standards Committee be given delegated authority to appoint a special committee of five members to select the preferred candidates to fill the vacancies on the Independent Remuneration Panel.

(c) That the Special Committee consist of five members of the Audit and Standards Committee to be nominated by the Leaders of the Controlling group and the Major Minority group on the Council.

### Staffordshire County Council Constitution – Proposed amendments and additions

3. Any changes proposed to the Constitution have to be considered in the first instance by the Audit and Standards Committee following which their recommendations are submitted to full Council for consideration.

The Audit and Standards Committee has recently received 3 reports on the Constitution – details of which and the Committees recommendations are as follows:

#### **(a) Proposed amendments to the Scheme of Delegation to the Director for Place and Deputy Chief Executive**

The Scheme of Delegation to Officers was approved by Council in May 2011 following its revision to provide for the introduction of the new operating model. Since that time the practical application of the delegations and changes in legislation have necessitated a number of amendments and additions to the

Scheme in so far as it relates to the Director for Place and Deputy Chief Executive. Details are attached at Appendix A

The Audit and Standards Committee recommended that the proposed changes to the Scheme of Delegation be approved.

**(b) Establishment of a Charities and Trusts Committee**

The County Council is a trustee of a wide variety of Charities and Trusts involving funds, land and property or a combination of those 3. Whilst historically the County Council has had a low key role in administering those Trusts and Charities, an increase in activity, most specifically land transactions (eg transfers of land to Academies, sale of surplus assets) has highlighted the need for a formal decision making mechanism for the County Councils Trustee responsibilities.

In line with Charity Commission guidance it is proposed that a Charities and Trusts Committee be established. The suggested membership and terms of reference for the Committee are included in the report shown at Appendix B together with details of the required delegations officers.

Of note is that in recognition of the County Councils overall responsibilities as Trustee of the various Charities and Trusts, it is proposed to present an annual report to Council on the Committees work.

The Audit and Standards Committee recommends approval to the establishment of the Committee

**(c) Changes to the Constitution in relation to the Countryside and Rights of Way Panel and the Quorum for Sub-Committees/Panels**

The Constitution contains a general provision for local members to attend and speak (not vote) at Committees/sub-Committees of which they are not a member on issues which are considered to have significant effect on their division. Contrary to that provision the members of the Countryside and Rights of Way Panel and local members are not allowed to speak at Panel meetings on Rights of Way and Village Green issues. This prohibition stems from the quasi-judicial nature of the Panels role in relation to these issues.

Whilst it is accepted that the prohibition should continue for Village Green items, it is proposed to amend the Constitution in relation to local members addressing the Panel on Rights of Way matters in order to bring it in line with the general provisions.

I had also been asked to report on the possible introduction of a substitute member system. Whilst such a scheme cannot be justified at present my investigations highlighted the absence from the Constitution of a defined quorum for Panels. A quorum of 2 is therefore proposed.

Full details of the changes to the Constitution for the Countryside and Rights of Way Panel and other Panels, as recommended by the Audit and Standards Committee for approval are attached at Appendix C.

**4. Recommended – That:**

- (a) the recommendations of the Audit and Standards Committee meeting on 16 September 2013 in relation to the following be approved:
  - (i) The Scheme of Delegation to the Director for Place and Deputy Chief Executive
  - (ii) The establishment of a Charities and Trusts Committee
  - (iii) Amendments to the Constitution in relation to the Countryside and Rights of Way Panel and the quorum for Sub-Committees/Panels
- (b) That Council appoint 5 members to serve on the Charities and Trust Committee