
NORTH AYRSHIRE COUNCIL

18 May 2022

North Ayrshire Council

Title: Councillors' Remuneration : Senior Councillors

Purpose: To advise Council of the Councillor remuneration levels, and to seek confirmation of those posts appointed as Senior Councillor.

Recommendation: That the Council agrees (a) to note the recommended remuneration and expenses outlined in the Regulations; and (b) to consider the appointment of the following posts, in addition to the Leader and Provost, as Senior Councillors:

- Depute Leader (75% of Leader's salary) £29,361
- The Leader of the Main Opposition (75% of Leader's salary) £29,361
- Depute Provost £24,466
- Those Cabinet Members with portfolio responsibility for services (total 5 posts) £24,466
- The Chair of the Audit and Scrutiny Committee £24,466
- The Chair of the Licensing Committee/Board £24,466
- The Chair of the Planning Committee £24,466

1. Executive Summary

- 1.1 This report summarises the remuneration for all Councillors and seeks confirmation of those posts of significant responsibility which are entitled to a Senior Councillor salary.

2. Background

Current Regulations

- 2.1 Remuneration levels for Councillors is set out in the Local Government (Scotland) Act 2004 (Remuneration) Amendment Regulations 2022. The guidance classifies councils into one of four bands, linked to size, with North Ayrshire sitting within band B.
- 2.2 Under the Regulations the remuneration of the Leader of North Ayrshire Council is set at £39,148.
- 2.3 The Regulations also allow the Council to appoint one Civic Head, the Provost, at a salary of 75% of the Leader's salary (£29,361).

- 2.4 In addition to the Leader and the Civic Head, each local authority may have a number of Senior Councillors. These are councillors who hold a significant position of responsibility in the Council's political management structure, for example, a chair of a major committee, Portfolio Holder or the leader of the main opposition group. Senior Councillors attract higher salaries due to their significant additional responsibilities. Subject to the restrictions set out in 2.5, individual local authorities have the flexibility to determine which positions should be considered Senior Councillors and the number of such positions. Senior Councillors should be paid according to the level of responsibility they hold and this can result in differing levels of salary.
- 2.5 The three restrictions that apply are:
- The limit on the number of Senior Councillor posts the Council may have is 14;
 - The total budget for paying Senior Councillors is £342,524; and
 - The maximum salary for any Senior Councillor cannot be more than 75% of the remuneration paid to the Leader - £29,361.
- 2.6 If the Council decides to appoint the maximum number of Senior Councillors, based on the total budget available, this would result in a salary of £24,466. The potential salary range for Senior Councillors is £19,571 to £29,361. However, Councils can decide the level of remuneration to be paid to each of the Senior Councillors within the overall budget limit set for that purpose. Senior Councillors should be paid according to the level of responsibility they hold and this may result in different levels of salary.
- 2.7 North Ayrshire Council has produced Guidance on Members' Salaries, Allowances and Expenses which provides further information on all payments to Members.
- 2.8 The roles of the Leader, Provost, Senior Councillor and Councillors are attached at appendices 1 to 4.

Previous Senior Councillor Roles and Remuneration

- 2.9 Previously, the Councillors who held Senior Councillor positions were those who held significant positions of responsibility in the Council's political management structure. These were, in addition to the Leader and Provost, the following posts:-
- Depute Leader
 - The Leader of the Main Opposition
 - Depute Provost
 - Those Cabinet Members with portfolio responsibility for services
 - The Chair of the Audit and Scrutiny Committee,
 - The Chair of the Licensing Committee/Board and
 - The Chair of the Planning Committee.

If 5 Cabinet Members held portfolio responsibility for services, a total of 11 Members in addition to the Provost and Leader would be appointed as Senior Councillors.

Proposed Senior Councillor Roles and Remuneration

- 2.10 Council previously set two levels of remuneration for Senior Councillors according to the level of responsibility they hold. The salary structure was as follows:

At 75% of Leader's Salary equivalent to a salary of £ 29,361;

- Depute Leader
- Leader of the Largest Minority Party.

Senior Councillors at a salary of £24,466;

- Depute Provost
- Chair of Audit and Scrutiny Committee
- Chair of Planning Committee
- Chair of Licensing Committee and Licensing Board
- Cabinet Portfolio Holders

- 2.11 While it is normal for portfolio holders to sit on Cabinet, other Members can also serve on Cabinet, albeit at a basic Councillor salary in line with our Scheme of Administration. Where a Member holds more than one Senior Councillor position, and where these have different salaries, only one salary, the highest, is paid.
- 2.12 Based on the foregoing, and assuming that no Member holds more than one Senior Councillor position the cost of Senior Councillors' remuneration would be £278,916. This would be less than the value of £342,524 outlined in the Regulations.

3. Proposals

- 3.1 Council is requested to consider the appointment of the following posts, in addition to the Leader and Provost, as Senior Councillors, at the salaries proposed:
- Depute Leader (75% of Leader's salary) £29,361
 - The Leader of the Main Opposition (75% of Leader's salary) £29,361
 - Depute Provost £24,466
 - Those Cabinet Members with portfolio responsibility for services (total 5 posts) £24,466
 - The Chair of the Audit and Scrutiny Committee £24,466
 - The Chair of the Licensing Committee/Board £24,466
 - The Chair of the Planning Committee £24,466

4. Implications/Socio-economic Duty

Financial

- 4.1 Total remuneration and component parts require to align with the relevant legislation and regulations. The total cost associated with the proposed senior councillors is £278,916 and available budget provision is in place to support this.

Human Resources

- 4.2 None.

Legal

4.3 Appointment to key positions require to comply with relevant legislation and regulations.

Equality/Socio-economic

4.4 None.

Climate Change and Carbon

4.5 None.

Key Priorities

4.6 The appointment of Senior Councillors will enable the authority to undertake the strategic roles in the Administration of the Council and satisfy the criteria for the Senior Councillors.

Community Wealth Building

4.7 None.

5. Consultation

5.1 Consultation has been undertaken with the Chief Executive and the Monitoring Officer on the report.

Mark Boyd
Head of Service (Finance)

For further information please contact **Mark Boyd, Head of Service (Finance)**, on **01294 324560**.

Background Papers

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Councillor Role Description

Key Purpose

- To represent the views and interests of your ward and its individual constituents and deal with their enquiries and representations fairly and without prejudice.
- To contribute to open government and the development of local democracy through actively encouraging community engagement and involvement in decision making.
- To contribute actively to the formulation and scrutiny of the Council's policies, budgets, strategies and service delivery.
- To champion the best interests of the Council and the community as they relate to the improvement of the quality of life, social, economic and environmental wellbeing of the community and its citizens.
- To work in partnership with others, through Community and Locality Planning Partnerships and otherwise, to help to achieve the above.
- To participate in the decision making processes of the Council having regard to statutory and regulatory requirements and the Councillors' Code of Conduct.
- To work in the interests of North Ayrshire as a whole

What the public is entitled to expect of you

- Reasonable access to you either by surgeries, telephone, mail or e-mail or through the Council to enable them to raise issues and complaints.
- Ensuring that their interests are effectively represented and their complaints fairly addressed.
- Being clear to them about your responsibilities as a member of the Planning Board, Licensing Board or other regulatory body.
- Attendance at meetings of Locality Partnerships, parent councils, community councils and other community groups to which councillors are invited or expected to attend.
- Using your best endeavours to represent your constituent's interests in relation to other public bodies or national service providers, eg Scottish Water and utility companies.
- Adhering to the Councillors' Code of Conduct and to North Ayrshire Council's member/officer protocol.

- Working constructively with other councillors representing the ward to make arrangements to ensure the interests, issues and complaints of constituents are effectively addressed.

What the Council is entitled to expect of you

- Regular attendance at meetings of the Council, Boards, Committees, Locality Partnerships and Working Groups of which you are a member.
- Reading the relevant reports and papers prior to such meetings and keeping up to date with issues affecting local government.
- Treating other councillors and all employees of the Council with respect and dignity.
- Respecting the authority of the Chair at any meeting of the Council, its Boards or other meetings and complying with his or her rulings.
- Respecting the confidentiality of information which has not been made public; not breaching any such confidence; and adhering to any embargoed agreements on confidential or sensitive issues.
- Respecting the limitations on the disclosure of information where there is a requirement of confidentiality placed on some employees of the Council.
- Undertaking training necessary to equip you to fulfil your responsibilities as a councillor.
- Understanding the different responsibilities and roles of councillors and officers.
- Your role is to determine policy and to participate in decisions on matters placed before you, not to engage in direct operational management of the Council's services;
- Accepting your responsibility not to raise matters relating to the conduct or capability of employees in public.
- Regular attendances as a representative of the Council at meetings of a body to which you have been appointed.
- Understanding and accepting your responsibilities when performing duties as the Chair of a body, to apply all Standing Orders impartially and to refrain from actions or statements that might bring your impartiality into question.
- Understanding and accepting responsibility where you have been appointed as a member of a trust, a company, joint board or joint committee.

- Adhering to the Councillors' Code of Conduct and to North Ayrshire Council's member/officer protocol.

What you are entitled to expect of the Council

- You have right to be consulted by officers on specific matters of interest to you as local councillor e.g.
 - Whenever a meeting is organised by the Council to consider local issues, all councillors representing the wards effected should normally be invited to attend. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue the local councillors should be notified at the outset;
 - To be consulted on all significant new projects and initiatives in their ward at the planning stage in order that their views may be taken into account;
 - To be advised of any significant work being undertaken by the Council in their ward and where it is known by any other statutory undertaker, eg Scottish Water, which is likely to inconvenience the public for any significant length of time;
 - To be consulted on any other issues which are likely to be of significant interest to the local community in their ward.
- You have the right, as a matter of courtesy, to be informed of visits to your ward by Ministers of the Scottish Government or UK Parliament, where the visit is in connection with one of the Council's responsibilities.

Senior Councillors' Role Description

The following additional key purposes/roles are expected of Senior Councillors:

Key Purpose/roles

- To provide leadership in relation to policy formulation, implementation and monitoring of the Council's policies, budgets, strategies and service delivery in relation to your specific area of responsibility and to contribute to the effective governance of the Council.
- To ensure that your area of responsibility contributes to promoting the best interests of the Council and the community, and improves the quality of life, social, economic and environmental well-being of the community and its citizens.

Key tasks/accountabilities

For your area of responsibility:

- To facilitate policy development through appropriate mechanisms –committees, Locality Partnerships, working groups, working with officers and working in partnership with partner organisations;
- To give political direction to senior officers of the Council in your area of responsibility;
- To chair effectively, relevant committees and working groups;
- To take responsibility for decisions taken within these committees or other forums;
- To support and encourage participation and debate by all councillors in relevant forums including committees and working groups and respond to scrutiny of decisions and service delivery/performance;
- To ensure that effective working relationships with all councillors, officers and relevant partner organisations are developed and maintained;
- To represent and communicate the views and best interests of the Council in relevant forums including the community, the media, partnership organisations and national bodies;
- To monitor, review and comment on performance and budget to ensure that Council policies are implemented and where necessary initiate relevant action;
- To be fully aware of relevant legislative and national and local policy frameworks.

Leader's Role Description

The following additional key purposes/roles are expected of the Leader of the Council:

Key Purpose

- To lead the political administration of the Council;
- To provide leadership in relation to policy formulation, implementation and monitoring of the Council's policies, budgets, strategies and service delivery and to contribute to the effective governance of the Council;
- To provide strategic leadership and clear political direction and guidance to promote the best interests of the Council and the community and improve the quality of life, social, economic and environmental well-being of the community and its citizens.
- To ensure that through Community and Locality Planning, effective working relations are developed throughout the Council and between the Council and external partners in order to promote the best interests of all its communities.

Key tasks/accountabilities

- To provide strategic, political and cultural leadership for the Council in partnership with the Chief Executive;
- To give direction to the Chief Executive on political matters and participate in the performance review and development of the Chief Executive;
- To have an overview and facilitate corporate and cross cutting policy formulation, strategy development and financial planning;
- To promote partnership working with the community, partner organisations and other service providers, through community and locality planning arrangements;
- To act as the principal Council representative in discussions and negotiations with national bodies;
- To ensure that the political decision making structures of the Council operate effectively;
- To take responsibility for, and promote the Council's policy and political decisions;
- To be the political figurehead and provide an external focus for the Council including handling media and press enquiries;
- To develop and maintain effective working relationships with councillors and senior officials.

Provost's Role Description

The following additional key purposes/roles are expected of the Provost of the Council:

Key Purpose

- To be the civic head of the Council;
- To impartially chair meetings of Council

Key tasks/accountabilities

The Provost is expected to

- Act as civic head hosting Council events and attending other events as civic leader and representative of the Council and the North Ayrshire communities;
- Promote North Ayrshire's profile to the wider community through public appearances at social, community, cultural and business events and through the media.
- Foster networks with other organisations in both the business and public sectors to support and enhance the development of North Ayrshire and its communities.
- Chair meetings of the full Council and ensure the proper and effective conduct of business in terms of the Council's Standing Orders
- When performing duties as the Chair of Council, to apply all Standing Orders impartially and to refrain from actions or statements that might bring your impartiality into question.
- Foster town twinning and promote good relations with authorities with whom the Council is twinned
- Liaise closely with the Leader of the Council and Chief Executive in terms of the civic roles and functions of the Council.