

Report to Council

Ward(s) affected: n/a

Report of Director of Finance

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Councillors' Allowances: Allocation of Shadow Leader's Special Responsibility Allowance 2019-20

Executive Summary

Under the Council's adopted scheme of allowances for councillors, there are a number of special responsibility allowances (SRAs) which are paid in addition to the basic allowance and given, as the name suggests, to those councillors undertaking additional duties that carry special responsibility, for example as Leader or Deputy Leader of the Council, lead councillor, or committee chairman. Following the local elections in May, the Annual Meeting and Selection Meeting, and subsequently the appointment by the Leader of her Executive, the councillors who, under the scheme of allowances, have been appointed to positions of special responsibility have been allocated the relevant SRAs.

However, it has not been possible for officers to identify the appropriate recipient in respect of one of the SRAs – namely the Shadow Leader's Allowance. The amount of that allowance is currently £5,601 p.a.

The current scheme of allowances states that the Shadow Leader "refers to the leader of the majority opposition group". The term "majority opposition group" is not defined, either in the scheme of allowances, or elsewhere in the Constitution. When the Council adopted the scheme of allowances in February 2016, there were three political groups on the Council – the Conservative group had 35 councillors and control of the Executive, and the two opposition groups comprised the Liberal Democrat group and Guildford Greenbelt Group (with nine and three councillors respectively). It was clear then, at that time, which group was the "majority opposition group".

However, since the local elections on 2 May 2019, the position has become less clear with the political balance changing with five formally constituted political groups, with no group having overall political control of the Council, as follows:

Guildford Liberal Democrats	17
Residents for Guildford & Villages	16
Conservatives	9
Guildford Greenbelt Group	4
Labour	2
Total	48

In view of the current circumstances, it could be argued that the majority opposition group is the Residents for Guildford and Villages group, but given that the leader of that group, Councillor Bigmore, has been appointed to the Executive as Lead Councillor for Finance, Asset Management and Customer Service, it might appear incongruous to allocate the Shadow Leader's SRA to him. However, it is noted that Councillor Bigmore's group remains the second largest group within the Council and that whilst Councillor Bigmore is a member of the Executive, the group which he leads remains separate to the Liberal Democrat group, in the same way that the Conservative, Guildford Greenbelt Group, and Labour groups are.

It could also be argued that the largest political group not represented on the Executive (the Conservative group), should be deemed to be the majority opposition group, with the Shadow Leader's SRA allocated to Councillor Spooner as the leader of that group.

If the Council decides to allocate the Shadow Leader's SRA for 2019-20 to a particular councillor, the payment could be backdated to 15 May 2019.

Alternatively, the Council could decide not to allocate the Shadow Leader's SRA in 2019-20, in which case the money would remain unspent within the General Fund.

Importantly, the Independent Remuneration Panel will be empowered to examine and propose an allowance scheme, which fits the prevailing circumstances at the Council. It is due to convene shortly, and to report to Council with its recommendations on 3 December 2019.

Recommendation to Council

The Council is asked to:

- (1) consider whether the Shadow Leader's Special Responsibility Allowance should be allocated in 2019-20 and, if so, to whom and to agree that it be backdated to 15 May 2019; and
- (2) request the Independent Remuneration Panel as part of its forthcoming review of the Scheme of Councillors' Allowances to examine the suitability of the Shadow Leader's Special Responsibility Allowance in the context of the prevailing circumstances at the Council and to consider and report on possible alternatives.

Reason for Recommendation:

To determine how the Shadow Leader's Special Responsibility Allowance should be allocated in the 2019-20 municipal year.

1. Purpose of Report

- 1.1 To consider whether the Council should allocate the Shadow Leader's Special Responsibility Allowance in 2019-20; and, if so, to identify the recipient for payment of this allowance.

2. Strategic Priorities

- 2.1 Dealing with this matter in public at a full Council meeting helps the Council deliver on its commitment to residents to be open and transparent.

3. Background

- 3.1 Under the Council's adopted scheme of allowances for councillors, there are a number of special responsibility allowances (SRAs) which are paid in addition to the basic allowance and given, as the name suggests, to those councillors undertaking additional duties that carry special responsibility, for example as Leader or Deputy Leader of the Council, lead councillor, or committee chairman. Following the local elections in May, the Annual Meeting and Selection Meeting, and subsequently the appointment by the Leader of her Executive, the councillors who, under the scheme of allowances, have been appointed to positions of special responsibility have been allocated the relevant SRAs.

- 3.2 However, it has not been possible for officers to identify the appropriate recipient in respect of one of the SRAs – namely the Shadow Leader's Allowance. The amount of that allowance is currently £5,601 p.a.

- 3.3 The current scheme of allowances states that the Shadow Leader "refers to the leader of the majority opposition group". The term "majority opposition group" is not defined, either in the scheme of allowances, or elsewhere in the Constitution. When the Council adopted the scheme of allowances in February 2016, there were three political groups on the Council – the Conservative group had 35 councillors and control of the Executive, and the two opposition groups comprised the Liberal Democrat group and Guildford Greenbelt Group (with nine and three councillors respectively). It was clear then, at that time, which group was the "majority opposition group".

- 3.4 However, since the local elections on 2 May 2019, the position has become less clear with the political balance changing with five formally constituted political groups, with no group having overall political control of the Council, as follows:

Guildford Liberal Democrats	17
Residents for Guildford & Villages	16
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- 3.5 In view of the current circumstances, it could be argued that the majority opposition group is the Residents for Guildford and Villages group, but given that the leader of that group, Councillor Bigmore, has been appointed to the Executive as Lead Councillor for Finance, Asset Management and Customer

Service, it might appear incongruous to allocate the Shadow Leader's SRA to him. However, it is noted that Councillor Bigmore's group remains the second largest group within the Council and that while Cllr Bigmore is a member of the Executive, the group which he leads remains separate to the majority Liberal Democrat group, in the same way that the Conservative, Guildford Greenbelt Group, and Labour groups are.

- 3.6 It could also be argued that the largest political group not represented on the Executive (the Conservative group), should be deemed to be the majority opposition group, with the Shadow Leader's SRA allocated to Councillor Spooner as the leader of that group.
- 3.7 If the Council decides to allocate the Shadow Leader's SRA for 2019-20 to a particular councillor, the payment could be backdated to 15 May 2019.
- 3.8 Alternatively, the Council could decide not to allocate the Shadow Leader's SRA in 2019-20, in which case the money would remain unspent within the General Fund.
- 3.9 Importantly, the Independent Remuneration Panel as part of its full review of councillors' allowances this year, will be proposing a new scheme of allowances, which fits the prevailing circumstances at the Council. It is due to convene shortly, and to report to Council with its recommendations on 3 December 2019.

4. Financial Implications

- 4.1 The Shadow Leader's SRA is currently £5,601 p.a. There are no other financial implications arising from this report.

5. Legal Implications

- 5.1 As the term "majority opposition group" is not defined, either in the adopted scheme of allowances, or elsewhere in the Constitution, it is appropriate for any decision as to the allocation of the Shadow Leader's SRA to be referred to full Council.

6. Human Resource Implications

- 6.1 There are no human resources implications arising from this report

7. Summary of Options

- 7.1 The Council has two options to consider: to either allocate the Shadow Leader's SRA to a particular councillor in 2019-20 on the basis that the councillor is deemed to be the leader of the majority opposition group; or to not allocate the SRA.
- 7.2 Whichever option is preferred, it is also recommended that the Council asks the Independent Remuneration Panel, when it conducts the full review of allowances this year, to examine the suitability of the Shadow Leader's Special Responsibility Allowance in the context of the prevailing circumstances at the Council and to consider and report on possible alternatives.

8. Background Papers

[Councillors' Allowances Scheme adopted by the Council on 10 February 2016](#)

9. Appendices

None