

COUNCIL – 30 MARCH 2010

ITEM 13 (ADDITIONAL APPENDIX TO REPORT)

**NORWICH CITY COUNCIL**

**INDEPENDENT PANEL**

**INTO SPECIAL RESPONSIBILITY  
ALLOWANCES FOR THE  
IMPLEMENTATION EXECUTIVE OF  
A UNITARY COUNCIL FOR  
NORWICH**

**MARCH 2010**

## **Members of the Independent Panel**

- |                    |   |   |
|--------------------|---|---|
| John Drake         | - | former Chief Executive Officer,<br>Norwich YMCA             |
| Ms Vivien Farrow   | - | Managing Director,<br>Cotman Housing Association            |
| Caroline Jarrold   | - | Chair of the Norwich<br>Economy Round Table                 |
| Bernard Smith      | - | former Chair of the Norwich Tenants<br>City Wide Board      |
| Father James Walsh | - | Dean,<br>Roman Catholic Cathedral of<br>St John the Baptist |
| Mr Steve Wiseman   | - | Manager, Citizens Advice Bureau                             |

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## **Terms of Reference**

1. The Terms of Reference of the Panel were –  
  
“To make recommendations to council on appropriate special responsibility allowances for the implementation executive of the new unitary council for Norwich”
2. The panel was asked to recommend special responsibility allowances which it believes fairly recognises the workload and responsibilities of members of the implementation executive. The question of affordability of the scheme was not a matter for the Panel, which understands that it is up to the Council to consider if and how to implement the recommendations.

## **Background**

3. Paul Spencer, director of transformation, informed the panel that in line with the provisions in the structural change order for a unitary Norwich council, the implementation executive will lead the transition to a new Norwich unitary authority through setting the strategic direction of the implementation and taking the key decisions on the design of the new authority.
4. The panel received the draft terms of reference of the implementation executive which are attached as appendix 1.
5. Paul Spencer informed the panel that this would be the shortest implementation period ever set for the formation of a new unitary council and this meant that vital decisions would need to be made quickly. In view of the very tight timescale, an informal meeting of the IE had been arranged for Wednesday, 31 March and the first formal meeting would be held on Wednesday, 14 April 2010. The draft decisions list for the Norwich unitary council is attached as appendix 2.
6. The panel heard that as well as the IE meetings, IE members would need to spend considerable time receiving training, presentations and undertaking research.
7. He said that a unitary council was a much bigger organisation than a district council and two of the new departments, children's and adult's services, required much sensitivity and a high level of responsibility. All this extra work would need to be undertaken “on top of” IE members continuing roles in the existing Norwich City Council, which would continue to provide services until April 2011.
8. Andy Emms, democratic services manager, said that the Local Authorities (Members Allowances) (England) Regulations, 2003 allowed special responsibility allowances (SRA) to be payable for undertaking a role that had significant levels of responsibility and/or required significant time commitment. This required setting an allowance for the year, which was usually paid monthly until the period of office came to an end. There was no provision to pay allowances in any other way ie as an attendance allowance.

## **Panel's Consideration**

9. Panel members recognised the importance of this role to the future of the new unitary Norwich Council and understood the need for a quick decision. That is why they were pleased to come together at short notice to contribute to this important part of the process.
10. Panel members recognised the need to ensure that an appropriate level of SRA was required to ensure that nobody was prevented from undertaking this vital role for financial reasons.
11. Any SRA would need to be accountable and transparent. The Panel was informed that its recommendations would need to be published and the final decision of council, having been mindful of those recommendations, would be a matter of public record through the council minutes. The meetings of IE would be subject to access to information requirements so minutes of IE meetings would also be publicly available.
12. The panel received comparator information (appendix 3) but recognised that no two implementation exercises had been the same so comparisons were difficult. As well as the headline information received on other councils which had been in a similar position, Paul Spencer told the panel both he and Laura McGillivray, Norwich City Council's chief executive officer, could draw on their own experience of the role of an IE through their involvement in the implementation of the Milton Keynes unitary council a few years ago. More recently, the chief executive officer of Mid Beds District Council, who acted as the lead officer for the implementation of the new central Bedfordshire unitary council, had provided up to date information on her experience.
13. As well as attending the IE meetings, the key tasks for IE members would be preparation (training, research, visits to other councils etc); the service design work; setting priorities; resourcing; handling the media and the recruitment of senior staff. Panel members recognised that behind the list of decisions to be undertaken by the IE up to April 2011 was a very large workload that could easily take up two to three days per week during the busiest periods.
14. Panel members understood, from previous reviews undertaken, that the budget was a consideration for the council, not the panel. The panel's task was to come to an independent assessment of an appropriate level of SRA for the role which reflected the time commitment involved and the level of responsibility, whilst accepting that SRAs were not a 'rate for the job' and a vocational element needed to be accepted. Initial reaction was that the levels being considered could, if anything, be low. However, this was a unique situation and the comparator data that was available could only be a guide.

## **Recommendation**

15. to recommend Council to allocate the following Special Responsibility Allowances for the Implementation Executive of a new unitary council for Norwich; -

Leader - £15,000  
Deputy Leader - £12,000  
Member - £10,000

16. To inform Council that the panel would be prepared to meet again after six months, if in light of the experience of the work of the IE, the chief executive officer considered that consideration needed to be given to amending the above allowance.

## **John Drake**

Chair of the Independent Panel  
into Special Responsibility Allowances for  
the Implementation Executive of the new unitary Norwich council

## **Proposed Terms of Reference for Unitary Norwich Implementation Executive**

### **1.0 ROLE**

1.1 In line with the provisions in the structural change order for a unitary Norwich council the Implementation Executive will lead the transition to a new Norwich unitary authority through setting the strategic direction of the implementation and taking the key decisions on the design of the new authority.

### **2.0 CHAIRPERSON**

2.1 The Leader of the Implementation Executive shall be the Leader of Norwich City Council who shall preside at meetings as Chairperson of the Implementation Executive.

2.2 The Leader of the Implementation Executive may appoint a deputy leader who will preside at the meeting in the absence of the Leader

2.3 In the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote

### **3.0 MAKEUP**

3.1 The makeup of the Implementation Executive is set out in the structural change order for a unitary Norwich council and requires the following:

- Cllr Morphew (Leader)
- 11 nominations from the City Council
- 6 nominations from Norfolk County Council who represent electoral wards within the City area.

3.2 At all times, wherever practicable, there shall be at least one member from the Green Party, Labour Party, Liberal Democrat Party and Conservative Party on the Implementation Executive.

### **4.0 QUORUM AND SUBSTITUTES**

4.1 If less than 50% of members (9) are present business shall not be transacted at the meeting

4.2 Substitutes are not allowed.

### **5.0 MEETINGS**

5.1 The Programme Sponsor and Statutory Lead Officer (Chief Executive of Norwich City Council) shall call the meetings.

- 5.2 Only business which is specified on the Agenda for the meeting shall be considered unless the Leader accepts any business as urgent business and the reason for the urgency shall be identified in the Minutes.

## **6.0 MINUTES**

- 6.1 A copy of the Minutes of the previous meeting of the Implementation Executive shall be circulated with the Agenda (as far as reasonably practicable) and approved as a correct record of the meeting.
- 6.2 The draft minutes shall be published on the website as soon as reasonably practicable after each meeting.

## **7.0 PROPOSALS AND VOTING**

- 7.1 Any Member of the Implementation Executive may make any proposal relating to any item currently under discussion on the Agenda for the Implementation Executive.
- 7.2 Any member may propose an amendment to an original proposal provided that it does not have the effect of negating the original proposal.
- 7.3 A proposal or amendment shall not be voted upon unless it has been seconded.
- 7.4 Any member may speak, with the agreement of the Chair, on a current item on the Agenda and the Chair shall determine the order of speaking.
- 7.5 If on a vote being taken an amendment is lost, other amendments to the original proposal may be proposed. If an amendment is carried, the proposal as amended shall take the place of the original proposal and further amendments may be proposed to it.
- 7.6 Every proposal shall be determined by a show of hands.
- 7.7 A member shall declare personal or prejudicial interests under the Code of Conduct of the authority who is appointing them to the Implementation Executive.

## **8.0 INTERPRETATION OF RULES OF PROCEDURE**

- 8.1 The ruling of the Chair as to the construction or application of any of these rules of procedure shall not be challenged at any meeting of the Implementation Executive.

## **9.0 PUBLIC MEETINGS**

- 9.1 Meetings shall be open to the public, unless a resolution has been passed pursuant to Section 100(A)(4) of the Local Government Act 1972 on the grounds that discussions may involve the likely disclosure of exempt information as defined in the provisions of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served by publishing the information.
- 9.2 Members of the constituent authorities of the proposed boundary for the new authority may attend any meeting of the Implementation Executive and may stay throughout even if a resolution has been passed as above excluding the public from the meeting.

## **10.0 URGENT ACTION PROVISION**

- 10.1 If any matter is of such urgency that it cannot practically wait to be dealt with at the next available Implementation Executive meeting, then the Programme Sponsor and Statutory Lead Officer (Chief Executive of Norwich City Council) may make a decision on the matter after consultation, where possible, with the Leader of the Implementation Executive and the nominated spokesperson for this purpose from each of the other political groups. Any decision made in this manner shall be reported to the next meeting of the Implementation Executive.

## **11. DURATION**

- 11.1 The Implementation Executive shall operate until such time as an election can be held to the new Norwich unitary authority.

## **12. DISPUTE RESOLUTION**

- (1) If these rules do not fully enable the proper conduct of the meeting then the Standing Orders of Norwich City Council (the preparing authority) apply always subject to 6.1 above.



**Norwich Unitary Council - Draft Decisions List**

<b>No</b>	<b>Decision</b>	<b>When</b>
1	Terms of reference for implementation executive	First meeting IE
2	Corporate management structure and recruitment process	First meeting IE
3	Implementation programme structure, plan and formal designation of lead officer	First meeting IE
4	Communications plan	First meeting IE
5	Initial scheme of delegation during implementation programme	First meeting IE
6	HR protocols	April 2010
7	Rewards strategy	April 2010
8	Organisational vision and values	May 2010
9	Corporate brand	June 2010
10	Refreshed LSP delivery structure	July 2010
11	Refreshed sustainable community strategy	July 2010
12	New corporate plan	July 2010
13	Chosen service delivery options signed off	July 2010
14	Asset management strategy	July 2010
15	Accommodation strategy	July 2010
16	ICT strategy	July 2010
17	Risk management strategy	August 2010
18	Procurement strategy	August 2010
19	Refreshed corporate performance mgt framework	August 2010
20	Staff transfer plan	August 2010
21	Refreshed customer contact strategy	August 2010
22	Refreshed council constitution	September 2010

23	Refreshed corporate governance framework	September 2010
24	Committee structure	September 2010
25	Service plans	November 2011
26	Job descriptions and induction, training and development programme for new unitary members	November 2010
27	Forward plan for 2011/12	January 2011
28	New medium term financial strategy 2011/12-2013/14	January 2011
29	Treasury management strategy	January 2011
30	Committee timetable 2011/12	February 2011
31	Budget 2011/12	February 2011
32	Draft scrutiny work programme 2011/12	March 2011

Table showing SRAs in other comparable councils

Appendix 3

Authorities	Population (mid-2008)	Leader	Deputy Leader	Executive / Cabinet member
<b>Existing councils</b>				
Norwich City Council	135,800	£6,504	£0	£4552
Norfolk County Council	832,000	£26,111	£16,972	£13,055
<b>Shadow / implementation executives of split county Unitaries during transition in 2008</b>				
Cheshire East	361,500	£15,000	£10,000	£7,500
Cheshire West	328,600	£15,000	£10,000	£7,500
Central Bedfordshire	255,000	£18,275	£13,706	£10,965
Bedford Borough	155,700	£0	£0	£5,000
<b>Average (Mean)</b>	<b>N/A</b>	<b>£12,068</b>	<b>£8,426</b>	<b>£7,741</b>
<b>Average (Median)</b>	<b>N/A</b>	<b>£15,000</b>	<b>£10,000</b>	<b>£7,500</b>
<b>Established unitary council with comparable population to Norwich</b>				
Torbay	134,000	N/A - elected mayor model (not comparable)		
Poole	138,800	£22,400	£13,440	£11,200
Middlesborough	139,000	N/A - elected mayor model (not comparable)		
Blackpool	141,900	£20,506	£11,717	£5,858
Blackburn	140,700	£19,231	£12,244	£6,816
Reading	145,700	£7,782	£6,358	£4,240
Redcar & Cleveland *	139,500	£12,890	£11,280	£9,680
Windsor & Maidenhead	142,800	£18,596	£11,158	£10,228
Halton	119,800	£20,377	£13,856	£11,411
Slough	121,200	£16,741	£12,555	£9,765
<b>Average (Mean)</b>	<b>N/A</b>	<b>£17,315</b>	<b>£11,576</b>	<b>£8,650</b>
<b>Average (Median)</b>	<b>N/A</b>	<b>£18,914</b>	<b>£11,981</b>	<b>£9,723</b>