

ADVICE TO CABINET FROM MONITORING OFFICER ON CAB103 MEMBER ALLOWANCES – ITEM 7 CALLED IN MATTERS

Issue

The decision of Cabinet under CAB103, if approved by Full Council, has the effect of setting a Members Allowance Scheme for 2021/2022, however the Local Authorities (Members' Allowances) (England) Regulations 2003 (“the Regulations”) requires that a Scheme be made **before** the beginning of each year, i.e. the Scheme should have been in place before 1 April 2021.

Options

It has been considered whether the proposed inflationary increase for the 2021/2022 allowances should be incorporated into the Scheme applying from 2022/2023 in order to fully regularise this element of the allowance that is yet to be paid.

Advice

1. Following consultation with the Section 151 Officer, it has been agreed that the Cabinet decision made under CAB103 can proceed to Full Council notwithstanding the delay in setting the Scheme, and the Monitoring Officer and Section 151 officer will report the delay to the Council’s external auditors.
2. On the basis that the delay in setting the 2021/2022 Scheme is a technical breach of the Regulations, it is recommended that Cabinet, on consideration of the call-in, does not make any changes to the proposed 2021/2022 Scheme (which applies an inflationary increase only).