

**FALKIRK COUNCIL**

**Subject: SCRUTINY COMMITTEES and REMUNERATION**  
**Meeting: FALKIRK COUNCIL**  
**Date: 4 March 2009**  
**Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION SERVICES**

**1. PURPOSE OF THE REPORT**

- 1.1 At its meeting on 29 January 2009, Council agreed to amend its Scheme of Delegation, as it refers to scrutiny committees, with effect from the March cycle of meetings. That cycle will commence with a meeting of the Environment and Community Safety Committee on 17 March.
- 1.2 The purpose of this report is to consider those matters which arise as a consequence of the changes agreed in January. In that respect, Council is requested to:
- Confirm membership of the scrutiny committees
  - Appoint Conveners and Depute Conveners of the committees
  - Agree the process for approving minutes
  - Confirm remuneration arrangements
  - Agree changes to the Council's Standing Orders and to the Scheme of Delegation.
- 1.3 The opportunity is also taken to advise members of changes introduced to the various categories of remuneration levels consequent upon the coming into force on 10 February 2009 of The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2008 and to seek decisions with regard to payments to:
- Senior councillors and
  - The Council's civic head.

**2. SCRUTINY COMMITTEES**

- 2.1 Council has agreed that the following five scrutiny committees will replace the existing committees:
- Economic Strategy and Development Committee
  - Education Committee
  - Environment and Community Safety Committee
  - Housing and Social Care Committee
  - Leisure, Tourism and Community Committee
- 2.2 The remit of each committee is attached as appendix 1 to this report for information.

2.3 Scrutiny Committees comprise 12 members. At its meeting on 18 May 2007, Council agreed that the political composition on committees of 12 would be as follows:

- Labour – 5
- SNP – 5
- Conservative or Non-aligned Independent – 1
- Independent – 1

2.4 Council is invited to appoint members to its Scrutiny Committees and, further, to appoint from their membership, a Convener and Depute Convener.

2.5 In October 2008, Council agreed the meetings programme for 2009. A revised programme for the period 10 March to 31 December 2009 showing the names of the new committees is attached as appendix 2 to this report.

### **3. PLANNING COMMITTEE**

3.1 The only change to the Regulatory Committee agreed at the January meeting was to its name, henceforth to be the Planning Committee. Council is asked to confirm that its membership therefore remains unchanged.

### **4. MINUTES**

4.1 In terms of Standing Orders, the minutes of meetings will normally be approved by the next meeting of that Committee. It is proposed that, for the final cycle of meetings in the current structure, the minutes are submitted for approval as follows:-

<b>Committee (Date)</b>	<b>To be approved by</b>
Community Health & Safety 20 January 2009	Environment and Community Safety 17 March 2009
Housing and Social Services 3 February 2008	Housing and Social Care 31 March 2009
Education and Leisure 27 January 2009	Education 24 March 2009
Economic Development 24 February 2009	Economic Strategy and Development 21 April 2009
Environment and Heritage 17 February 2009	Leisure, Tourism and Community 14 April 2009

### **5. REMUNERATION**

5.1 Members will recollect the remuneration arrangements previously reported to Council on 18 May and 27 June 2007, in terms of the The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007. Those Regulations have now been amended by way of The

Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2008 which came into force on 10 February 2009. The 2008 Regulations increase the level of payment due to councillors and to the Leader by 2.5% for the year to 31 March 2009 and a further 2.5% on 1 April 2009. Those payments are accordingly increased as follows:

	To 31 March 2008	To 31 March 2009	From 1 April 2009
Councillor	£15,452	£15,838	£16,234
Leader	£30,905	£31,678	£32,470

5.2 While the payments noted in the previous paragraph are prescribed in the Regulations, there is discretion with regard to payments made to the Council's civic head and to senior councillors. In the 2007 Regulations, if there was a payment made to the civic head then that amount was set at £23,179. The 2008 Regulations now set a maximum figure but leave it to individual Councils to determine what to pay up to that figure. The maximum is now £23,759 to 31 March 2009 and £24,353 thereafter. As with the prescribed payments, this equates to a 2.5% per annum increase.

5.3 For senior councillors, again Councils have discretion with regard to payment levels within certain parameters. In Falkirk, the maximum number of senior councillors is set at 14 (excluding the leader, civic head and joint board positions) and the total "pot" available for senior councillor payments is:

To 31 March 2008	To 31 March 2009	From 1 April 2009
£270,424	£277,176	£284,106

5.4 On 27 June 2007, Council agreed the following payment framework for senior councillors:

Senior Councillors - £20,753	Senior Councillors - £17,400
<ul style="list-style-type: none"> <li>• Depute Provost</li> <li>• Convener of Community Health and Safety Committee</li> <li>• Convener of Economic Development Committee</li> <li>• Convener of Education and Leisure Committee</li> <li>• Convener of Environment and Heritage Committee</li> <li>• Convener of Housing and Social Services Committee</li> <li>• Convener of Licensing Board</li> <li>• Convener of Regulatory Committee</li> </ul>	<ul style="list-style-type: none"> <li>• Depute Convener of Community Health and Safety Committee</li> <li>• Depute Convener of Economic Development Committee</li> <li>• Depute Convener of Environment and Heritage Committee</li> <li>• Depute Convener of Housing and Social Services Committee</li> <li>• Convener of Investment Committee</li> <li>• Leader of the main opposition Group</li> </ul>

5.5 If a 2.5% p.a. increase is applied to those payments, senior councillors holding these positions would be paid £21,272 and £17,833 respectively for the period to 31 March 2009 and £21,803 and £18,280 respectively for the period from 1 April 2009.

- 5.6 The existing payment framework accords conveners of scrutiny committees the higher level of payment, while deputy conveners (with the exception of the Education and Leisure Committee) receive the lower level. If this approach was applied to the new committee structure, the payments would be as follows:

Senior Councillors – level 1	Senior Councillors – level 2
<ul style="list-style-type: none"> <li>• Depute Provost</li> <li>• Convener of Environment and Community Safety Committee</li> <li>• Convener of Economic Strategy and Development Committee</li> <li>• Convener of Education Committee</li> <li>• Convener of Leisure, Tourism and Community Committee</li> <li>• Convener of Housing and Social Care Committee</li> <li>• Convener of Licensing Board</li> <li>• Convener of Planning Committee</li> </ul>	<ul style="list-style-type: none"> <li>• Depute Convener of Environment and Community Safety Committee</li> <li>• Depute Convener of Economic Strategy and Development Committee</li> <li>• Depute Convener of Leisure, Tourism and Community Committee</li> <li>• Depute Convener of Housing and Social Care Committee</li> <li>• Convener of Investment Committee</li> <li>• Leader of the main Opposition Group</li> </ul>

## 6. **STANDING ORDERS**

- 6.1 Changes to the names and remits of the scrutiny committees (and to the name of the Regulatory Committee) require to be reflected in Standing Orders. Appendix 3 shows those pages of Standing Orders on which changes have been made (the changes are highlighted in bold), for approval. The Audit Committee remit agreed by Council on 10 December 2008 is also included.

## 7. **RECOMMENDATIONS**

It is recommended that Council:

- 7.1 **Appoints a convener and deputy convener and members to each of its Scrutiny Committees as follows –**
- **Economic Strategy and Development Committee**
  - **Education Committee**
  - **Environment and Community Safety Committee**
  - **Housing and Social Care Committee**
  - **Leisure, Tourism and Community Committee**
- 7.2 **Confirms the membership of the Planning Committee.**
- 7.3 **Notes the revised programme of meetings from 10 March to 31 December 2009.**
- 7.4 **Approves the arrangements for approval of the minutes of meetings in the final cycle of the current Scrutiny Committees as set out in paragraph 4.1 of the report.**

- 7.5 Notes the 2.5% increase in the levels of remuneration due to councillors and the Leader under The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2008.
- 7.6 Considers whether to apply the 2.5% increase to the posts of senior councillor and civic head.
- 7.7 Approves the changes to Standing Orders shown in Appendix 3.

.....  
Acting Director of Law and Administration Services

Date: 16 February 2009

Contact Officer: Brian Pirie (Tel: 01324 506110)

#### **LIST OF BACKGROUND PAPERS**

Nil.