

**FALKIRK COUNCIL**

**Subject: LOCAL GOVERNANCE (SCOTLAND) ACT 2004 –  
REMUNERATION, ALLOWANCES AND EXPENSES**  
**Meeting: FALKIRK COUNCIL**  
**Date: 27 JUNE 2007**  
**Author: ACTING DIRECTOR OF LAW AND ADMINISTRATION**

**1. INTRODUCTION**

- 1.1 I have reported to members on 2 previous occasions regarding the remuneration, allowances and expenses regime introduced under the Local Governance (Scotland) Act 2004.
- 1.2 On 16 January 2007, I reported to the Policy and Resources Committee summarising the terms of two draft Statutory Instruments (SI's) which had been issued for consultation at that time, namely:-
  - The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007, and
  - The Local Governance (Scotland) Act 2004 (Allowances and Expenses) Regulations 2007.
- 1.3 At the statutory meeting of Council on 18 May 2007 I reported on the finalised Statutory Instruments and advised that a further SI had been brought in to force which introduced the right for members to join the local government pension scheme.
- 1.4 When considering my report to Council on 18 May 2007, Council agreed its remuneration framework based on 14 Senior Councillor positions, with 8 of the positions to receive remuneration of £20,753 and the remaining 6 to receive remuneration of £17,400. The detail of these positions has now been received from the Leader of the Council and is set out at paragraph 2.2 below for approval.

**2. REMUNERATION FRAMEWORK**

- 2.1 The remuneration Regulations provide for maximum payments of up to £23,179 per annum for senior councillors of which the Council is restricted to a maximum of 14 provided that the total amount paid to all senior councillors does not exceed £270,424.
- 2.2 The decision of Council was to introduce 8 senior councillor positions with remuneration at a rate of £20,753 p.a. and 6 senior councillor positions with remuneration at a rate of £17,400 p.a. The Leader of the Council has subsequently confirmed the following allocation of salaries which is presented for Members' approval.

| 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> |

### 3. ALLOWANCES AND EXPENSES – APPROVED DUTIES

- 3.1 The Local Government (Allowances and Expenses) (Scotland) Regulations 2007 were introduced on 3 May 2007. Members will be familiar with guidance on the Regulations that was issued after the elections. This was based on guidance issued by the Scottish Executive following the report by the Scottish Local Authority Remuneration Committee (SLARC) 'Review of Remuneration Arrangements for Local Authority Councillors'.
- 3.2 The guidance relates only to the reimbursement of expenses incurred by councillors in carrying out Council business. Travel and subsistence expenses may be claimed for 'approved duties', as defined in Section 49 of the Local Government (Scotland) Act 1973.
- 3.3 The Council last approved its list of approved duties at the time of local government reorganisation in 1996. The opportunity has now been taken to review the list of approved duties and an amended list is detailed at Appendix 1.
- 3.4 Reference is made at paragraph 4 of the Appendix to attendance at conferences and seminars. In this regard, it should be noted that work is currently in progress to develop a protocol that will clarify the approval process for requests from members for attendance at appropriate events under this category of approved duties. It is anticipated that this will be presented to a meeting of the Policy and Resources Committee after the summer recess for consideration by members.

#### **4. RECOMMENDATION**

##### **4.1 It is recommended that Council:-**

- i) approves the remuneration framework detailed at paragraph 2.2,**
- ii) adopts the list of approved duties as detailed in the Appendix to the Report, and**
- iii) notes that a draft protocol with regard to attendance at conferences and seminars is in preparation.**

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**Acting Director of Law and Administration**

**Date: 13 June 2007**

**Contact Officers: Rose Mary Glackin Tel. 01324 506076**  
**Iain Tough Tel. 01324 506110**

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

Nil

## APPROVED DUTIES

### 1. INTRODUCTION

- 1.1 Allowances are payable for the purpose of an approved duty and in terms of the 1973 Act, approved duty denotes the following:
- Attendance at meetings of the Council
  - Attendance at meetings of any committee or sub committee of the Council, provided such attendance is:
    - (a) as a member of the committee or sub committee; or
    - (b) at the invitation of the committee or sub committee; or
    - (c) expressly authorised by the committee or sub committee or the Council itself
  - The doing of any other thing approved by the Council, or anything of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Council, or any of its committees or sub committees.

### 2. Council Meetings

- 2.1 Attendance at meetings of the Council and its Committees or Panels (Sub Committees) to which a Member has been appointed or is otherwise authorised to attend in terms of the Council's Standing Orders.
- 2.2 Attendance at meetings of any advisory or working group established by the Council to which a Member has been appointed for the purposes of, or in connection with, the discharge of any of the Council's functions.
- 2.3 Attendance at meetings of any of the Area Forums set out in the Council's Scheme of Decentralisation.

### 3. Meetings of other Bodies

- 3.1 Attendance at any meeting of another body to which the Council has appointed the Member or at a meeting associated with that body where the body has authorised the Member's attendance.

### 4. Conferences, Seminars etc

- 4.1 Attendance at any meeting, conference, delegation, study course or visit where attendance had been authorised in relation to any of the Council's functions or to discuss any matter which relates to the interests of or the inhabitants of the Council's area (or any part of it); subject always to the appropriate approval.

### 5. Visits, Functions and Ceremonies

- 5.1 Attendance at any meeting, ceremony or function or on a visit to which a formal invitation has been extended by or on behalf of the Council, or to the Council by another public body for the purpose of or in connection with the discharge of any of the Council's functions.

## **6. Constituency and Community Meetings**

- 6.1 Attendance at Constituency Surgeries provided that public notice has been given.
- 6.2 Attendance at meetings of community councils, school boards (parent councils) or college councils, community hall committees or trusts covering part or all of the electoral division of a Councillor.

## **7. Meetings with Officers of the Council and other Business Meetings**

- 7.1 Attendance at meetings held at the workplace of any officer of the Council for the purpose of consultation with that officer in connection with the discharge of any of the Council's functions. In the case of such claims, Councillors will be required to state the venue of the meeting and the name of the most Senior Officer present.
- 7.2 Attendance at Court, Tribunals, Inquiries or other meetings in connection with legal proceedings where a Member is acting as a witness on behalf of the Council.
- 7.3 Attendance at meetings arranged for the purpose of accepting tenders, signing deeds or other legal documents.

## **8. Group Meetings**

- 8.1 Attendance at meetings of members of individual political groups represented on the Council for the purpose of discussing any matter in connection with the discharge of any of the Council's functions and, in addition, on any other occasion when that may be required arising from any business which may exceptionally be required to be considered by the Council or any of its committees or sub-committees.