

CENTRAL SCOTLAND VALUATION JOINT BOARD

**Subject: ELECTION OF CONVENER AND DEPUTE CONVENER AND THE
LOCAL GOVERNANCE (SCOTLAND) ACT 2004
(REMUNERATION) REGULATIONS 2007**
Meeting: CENTRAL SCOTLAND VALUATION JOINT BOARD
Date: 22 JUNE 2012
Author: CLERK TO THE BOARD

1. INTRODUCTION

- 1.1 The purpose of this Report is to outline the process for the selection of a Convener and a Depute Convener for Central Scotland Valuation Joint Board and to advise of the remuneration arrangements permitted under the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 ("the Regulations").

2. APPOINTMENT OF CONVENER AND DEPUTE CONVENER

- 2.1 In terms of part 5 of schedule 2 of the Valuation Joint Boards (Scotland) Order 1995, the Joint Board is required to appoint a Convener and a Depute Convener from its membership. It is not competent for the Convener and Depute Convener to be members of the same authority.
- 2.2 The Convener and Depute Convener each hold office, if they continue to be a member of the Board, from the date of their appointment until the next ordinary appointment of members of the Board unless he/she ceases to be a member of the Board prior to that date.
- 2.3 With reference to Standing Orders 20 (3), (4) and (5), where, in the case of the appointment of a member to any office or position to be filled by the Board, the number of candidates nominated exceeds the number of vacancies, the member to be appointed is to be determined by a vote in which each member can vote for one candidate only, the vote being put to the meeting in the order which the nominations have been proposed and seconded. Where any one candidate has an absolute majority, he/she will be declared as elected. If there is an equality of votes for two or more candidates, the candidate to be elected will be decided by lot, the process of which will be determined and conducted by the Clerk.
- 2.4 On appointment, the Convener will assume the chair.

- 2.5 The procedure for the appointment of the Depute Convener follows that set out in Paragraph 2.3 above, with the newly appointed Convener conducting proceedings.

3. REMUNERATION

- 3.1 The Regulations specify the remuneration levels available to the Convener and to the Depute Convener: £20,294 and £19,279 respectively.
- 3.2 The remuneration of the Board's office holders will be paid by the local authority of which they are members. Those authorities should then make their own administrative arrangements with the Joint Board for recovery of any additional sums paid. Guidance on the Regulations provides that the proportion of remuneration which should be met by the authority is the basic salary of £16,234 or, if the post holder is already a senior councillor, the amount of his/her salary as such. This may, depending on the remuneration level paid by the local authority in respect of the Councillor's role within his/her own authority, result in a nil payment required from the Board.
- 3.3 If the Convener or Depute Convener is already a senior councillor in his/her own authority and would receive a higher salary as a senior councillor than as convener or vice convener of the Joint Board, the higher salary should still be paid.
- 3.4 In terms of the Regulations, appointments to senior roles within a Joint Board i.e. Convener and Depute Convener are additional to the maximum number of senior Councillors any individual Council is authorised to remunerate.

4. ALLOWANCES AND EXPENSES

- 4.1 The Local Government (Allowances and Expenses) (Scotland) Regulations 2007 set out new arrangements for payment of, e.g. mileage allowances and other expenses to councillors. Unlike the Remuneration regulations, the Allowances and Expenses Regulations make no specific provision for arrangements relating to Joint Boards. The Scottish Government has, however, published guidance on the latter Regulations which suggests that "Joint Boards in deciding what expenses and allowances to reimburse, should apply the spirit of these new provisions to claims and reimburse receipted expenditure as appropriate".
- 4.2 The practice of members of the Board has been for any allowances or expenses claimable by a Board member in respect of duties undertaken in that capacity e.g. travel to Board meetings, to be met by the Council to which that Board member belongs. There is a rationale to this approach given that any costs met directly by the Board in the first instance would ultimately be recharged to the constituent Councils giving limited value to the Board making direct payments.

- 4.3 Although new arrangements have been introduced under the Allowances and Expenses Regulations which Councils must adopt, there appears to be no strict requirement to put in place a separate scheme for Joint Boards. Given that the existing practice of expenses and allowances costs being met directly by Board members' own Councils has a number of practical advantages, there does not appear to be a compelling case for moving away from this arrangement. For this reason, it is recommended that any allowances or expenses in respect of Joint Board duties which are claimable under the new Regulations be met by the Council to which that Board member belongs. Such claims would thereby fall into whatever approval and review processes individual Councils have put in place for their own purposes.

5. RECOMMENDATIONS

5.1 Members are requested to:-

- (a) appoint a Convener to the Joint Board;**
- (b) appoint a Depute Convener to the Joint Board, and**
- (c) note the remuneration framework for both positions.**

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Clerk to the Board

Date: 13 June 2012

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LIST OF BACKGROUND PAPERS

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