

Crawley Borough Council

Minutes of Governance Committee

Tuesday, 22 June 2021 at 7.00 pm

Councillors Present:

K McCarthy (Chair)

T Lunnon (Vice-Chair)

R D Burrett, D Crow, C R Eade, M Flack, G S Jhans, P K Lamb, R A Lanzer and S Malik

Also in Attendance:

Councillor C J Mullins

Officers Present:

Natalie Brahma-Pearl Chief Executive

Siraj Choudhury Head of Legal, Governance and HR

Mez Matthews Democratic Services Officer

Chris Pedlow Democratic Services Manager

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Flack	Further Deliberations of the Independent Remuneration Panel (Mayoral Allowances 2021/22 and 2022/23) (Minute 7)	Disclosable Pecuniary Interest as she is the current Deputy Mayor. Councillor Flack left the room for this item and took no part in the discussion or voting on the matter.
Councillor Lamb	Further Deliberations of the Independent Remuneration Panel (Mayoral Allowances 2021/22 and 2022/23) (Minute 7)	Disclosable Pecuniary Interest as his partner is the current Deputy Mayor. Councillor Lamb left the room for this item and took no part in the discussion or voting on the matter.

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Malik	Further Deliberations of the Independent Remuneration Panel (Mayoral Allowances 2021/22 and 2022/23) (Minute 7)	Disclosable Pecuniary Interest as he is the current Mayor. Councillor Malik left the room for this item and took no part in the discussion or voting on the matter.

2. Minutes

The Head of Legal, Governance and HR addressed the Committee and raised a matter arising from Minute 7 (LGA Councillor Model Code of Conduct) of the meeting held on 15 March 2021. The Committee was reminded that at that meeting the then Chair had requested that an item be brought before this Committee meeting to consider the LGA Councillor Model Code of Conduct. The Head of Legal, Governance and HR advised the Committee that, having only been in post since the end of March 2021, they would like to take some time to review both the current Code of Conduct and the Model Code of Conduct before endeavouring to bring an item to the September meeting of the Committee for its consideration. The matter was noted by the Committee.

The minutes of the meeting of the Governance Committee held on 15 March 2021 were subsequently approved as a correct record and signed by the Chair.

3. Public Question Time

No questions were asked by the public.

4. Annual Governance Statement 2020-2021

The Committee considered report [LDS/170](#) of the Head of Legal, Governance and HR which requested that the Committee consider the Annual Governance Statement and provide any comments for incorporation into the final version which would be included in the Annual Statement of Accounts due to be considered by the Audit Committee in July 2021. The Committee's attention was specifically drawn to the sections which referred to the Council's response to the Covid-19 pandemic and the impact of the pandemic on the Council's work.

A Committee Member requested that the document receive a final proof-read before it was included in the Statement of Accounts to ensure there were no clerical or grammatical errors and no duplication of headings. Following a query raised by a Committee Member regarding the deadline for signing the Statement of Accounts, the Head of Legal, Governance and HR agreed to look into the matter and clarify both the deadline and the Audit Committee meeting at which the Statement of Accounts would be considered.

RESOLVED

That the comments made by the Committee be taken into consideration, and that the final version of the Annual Governance Statement be included in the Annual Statement of Accounts, which is to be approved by the Audit Committee in July 2021.

(NOTE BY THE HEAD OF LEGAL, GOVERNANCE AND HR: The deadline for signing the Statement of Accounts has been moved from 31 July 2021 to 30 September 2021. In light of this, it is confirmed that the Statement of Accounts, along with the Annual Governance Statement, will be considered at the 30 September 2021 meeting of the Audit Committee).

5. Review of Public Written Questions at Full Council and Public Question Time at Committees

The Democratic Services Officer addressed the Committee and drew its attention to the item which was included on the [Agenda](#). The Committee was reminded that the adopted revised Constitution included new provisions which allowed Public Question Time and at meetings of the Audit Committee, Licensing Committee and Governance Committee, as well as public written questions at the Full Council. When adopted, those provisions were subject to a one year trial period with an evaluation report due to be brought back to this meeting of the Committee. However, when the pandemic hit in 2020 all formal meetings of the Council were held virtually and therefore officers were of the opinion that it would not be representative to use the past year to review the uptake of the provisions.

The Committee agreed that, now that the Council had returned to holding in-person meetings, the trial period be extended by a year and that an evaluation report come back to the Committee in approximately one year's time. The Committee expressed hope that the provisions would increase public engagement.

RESOLVED

That the trial period for the provisions set out in the Constitution relating to public written questions to the Full Council (Full Council Procedure Rules) and Public Question Time at the Audit Committee, Governance Committee and Licensing Committee (General Committee Procedure Rules) be extended by one year and that an evaluation report relating to these matters be brought back to the Governance Committee for its consideration circa June 2022.

6. Update on Format of Council Meetings

The Democratic Services Manager addressed the Committee and drew its attention to the item which was included on the [Agenda](#). The Committee noted that the legislation (*The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392*) which allowed formal Council meetings to be held virtually had not been extended and therefore the provision allowing Council meetings to take place virtually had ceased on 7 May 2021.

In light of this, the Council were required to hold all formal meetings in person and until such time as relevant legislation was enacted there would be no option to hold those meetings either virtually or in hybrid format.

The Committee was informed that the [consultation](#) on remote (virtual) meetings and hybrid meetings undertaken by the Ministry of Housing, Communities and Local Government had concluded on 17 June 2021. Should the legislative position change a further report, along with any relevant outcome of the consultation, would be brought before the Committee for its consideration.

Several Committee members expressed their support for virtual and/or webcasting meetings, should that option become viable in the future. Following comments from the Committee, the Democratic Services Manager confirmed that the infrastructure for such meetings would be in place within the new Town Hall building.

RESOLVED

That the Committee note that legislation does not currently allow formal Council meetings to be held virtually or in hybrid format but, should that legislative position change, a report will be brought before the Committee for its consideration.

Having declared an Interest in the next item (Further Deliberations of the Independent Remuneration Panel (Mayoral Allowances 2021/22 and 2022/23) Councillors Flack, Lamb and Malik left the meeting for the remaining duration of the meeting and took no part in the discussion or voting on the report.

7. Further Deliberations of the Independent Remuneration Panel (Mayoral Allowances 2021/22 and 2022/23)

The Committee considered report [LDS/169](#) of the Chair of the Independent Remuneration Panel which set out the Independent Remuneration Panel's (IRP) deliberations and recommendations regarding the mayoral allowances. In presenting the report the Democratic Services Manager highlighted that both the report and the recommendations contained within it were that of the Panel and not officers.

The Committee was reminded that at its meeting on 26 January 2021 it had considered the Final Report of the Independent Remuneration Panel (Councillors' Allowances Scheme 2021/22 and 2022/23) (report [LDS/163](#)) which, as well as providing the IRP's recommendation on the basic allowance for all councillors and special responsibility allowances, gave the IRP's view on the mayoral allowances. In relation to the mayoral allowances, the IRP had recommended that if a clear rationale could not be provided for maintaining the rate of allowance payable to the Mayor, the allowance should be reduced by an amount to be decided by the Governance Committee and in turn the Full Council. The IRP advised that careful consideration be given to what it deemed was a disproportionately high allowance compared to mayoral allowances of other local authorities. That report had also recommended that the Deputy Mayor's allowance be maintained at the current rate, unless a substantial change was made to the Mayor's allowance, in which case, the rate should be altered proportionately to remain at approximately 15% of the Mayor's allowance. With regard to those recommendations the Governance Committee, and in turn the Full Council, had resolved to ask the IRP to reconsider the allowances for both the Mayor and the Deputy Mayor and provide a recommendation to the Governance Committee (and in turn the Full Council) for an exact figure for each.

Following the further review by the IRP, report [LDS/169](#) was now before the Committee for its consideration and provided the IRP's conclusions and recommendations with regard to the Mayor's allowance and Deputy Mayor's

allowance. In presenting the report, the Democratic Services Manager brought the following points to the Committee's attention:

- The IRP had originally asked that Councillors decide the allowances for both the Mayor and the Deputy Mayor.
- In coming to its recommendation the IRP had reconsidered the initial Members' Survey, including the specific feedback on the Mayoral allowance.
- The IRP had considered speaking to the past four Mayors to seek their views on the allowance level, however it had not been possible to do so as they were either no longer a serving Councillor or had sadly passed away.
- The IRP had emphasised that there appeared to be no evidence to explain or justify the current rate, which the IRP considered was disproportionate and had inflated over time. In light of that lack of evidence the IRP had decided that the regional figures provided a sound basis for setting the allowance and had used the average of those comparators as the foundation for its recommendation.
- The IRP agreed that the Deputy Mayor's allowance should reflect their workload, which was approximately 10-15% of that of the Mayor.
- The IRP recommended that the Mayor's allowance be set at £6,361 per annum and the Deputy Mayor's allowance be set at £954 per annum.
- The IRP recommended that the revised Mayor and Deputy Mayor allowances take effect from 1 August 2021.

The majority of the Committee was of the view that the allowance rates recommended by the IRP were correct and justified, and stressed that as the Committee (and in turn the Full Council) had requested that the IRP reconsider the Mayoral allowances, the allowances proposed by the IRP should be adopted. Those Committee members highlighted that, as the issue had been considered by the Full Council, all Councillors were aware of a potential change in the mayoral allowance rates and as such the commencement date of 1 August 2021, as recommended by the Panel, should be supported.

Other Committee members were of the opinion that the allowances proposed were a steep reduction and that a review of the mayoral duties and the costs incurred should be undertaken to ensure that the role was sustainable and brought value. Those Committee members were keen that a Scheme was in place which enabled the mayoral role to be undertaken by both Councillors who worked as well as those who were retired. The view was strongly expressed by those Councillors that, should the Committee be minded to support the allowance rates proposed by IRP, the date of commencement should be delayed until the start of the 2022/23 municipal year as the current Mayor and Deputy Mayor were in post and it would be unfair to alter the allowance rate mid-municipal year.

With the permission of the Chair Councillor Mullins, who had performed the Mayoral role in 2001, addressed the Committee and, in addition to providing details on the level of work and the time commitments involved with the mayoral duties, raised points including:

- Although the Covid-19 pandemic had impacted the number of events attended by the Mayor over the past year, the Mayor had adapted their role accordingly and the level of responsibility had not diminished.
- A full assessment of the Mayoral role should be undertaken once there was a return to 'normality' following the pandemic. That information could then be supplied to the IRP.
- The demands on the Mayor were substantial and required the Councillor in that role to sacrifice a significant amount of their personal time.

In response to issues raised by the Committee the Democratic Services Manager advised the Committee that a Service Level Agreement for the Mayor was in place which had been agreed with both Group Leaders, the IRP had been given a copy of that Agreement. The Democratic Services Manager expressed their willingness to share that Agreement should any Councillor wish to have sight of it. The Committee was advised that any request to review of the responsibilities of the Mayor would need to follow the formal procedure. The Committee was also directed to Paragraph 10 of the Councillors 'Allowances Scheme which referred to in-year changes to the Scheme. The Committee was reminded that the current Allowances Scheme ran until 31 March 2023 and the allowances would be reviewed again towards the end of its term.

Proposed Amendment:

It was moved by Councillor Lunnon (seconded by Councillor Jhans) that the recommendation be amended so the change in the Mayor's allowance and Deputy Mayor's allowance rates took effect from the start of the 2022/23 municipal year.

A vote was taken and the amendment was **LOST**.

With the proposed amendment being lost, it was moved by Councillor Crow (seconded by Councillor Lanzer) that a vote be taken on the recommendation as set out in the report. A vote was therefore taken and the motion was declared to be **CARRIED**.

RESOLVED

That the Full Council be recommended to agree that the Mayor's allowance be set at £6,361 per annum and the Deputy Mayor's allowance be set at £954 per annum for 2021/22 (to commence on 1 August 2021) and 2022/23.

Closure of Meeting

With the business of the Governance Committee concluded, the Chair declared the meeting closed at 8.11 pm

K McCarthy (Chair)