

**15 October 2021**

**REPORT SUMMARY SHEET**

**REPORT OF THE INDEPENDENT REMUNERATION PANEL**

**Purpose**

To receive and consider the recommendations of the Independent Remuneration Panel in relation to the role of Deputy Mayor.

**Summary**

This report includes the following key information:

The full report of the Independent Remuneration Panel, which is set out at Appendix 1. The Panel was invited to convene in order to give early consideration to the allowance paid for the Deputy Mayor role.

**Recommendations**

Members of the **Combined Authority Committee** are asked to consider the recommendations of the Independent Remuneration Panel, which are as follows:

Recommendation 1: That no allowance be awarded to the role of the Deputy Mayor, and that the Scheme of Allowances be amended to reflect this.

Recommendation 2: That this matter be kept under review by the Independent Remuneration Panel and taken into account in its imminent full review of allowances for the Combined Authority.

**Contact officer:** Shahzia Daya

**Position:** Director of Legal

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**REPORT TO: WEST OF ENGLAND COMBINED AUTHORITY  
COMMITTEE**

**DATE: 15 OCTOBER 2021**

**REPORT TITLE:**

**REPORT OF THE INDEPENDENT REMUNERATION PANEL**

**DIRECTOR: SHAHZIA DAYA, DIRECTOR OF LEGAL SERVICES**

**AUTHOR: SHAHZIA DAYA, DIRECTOR OF LEGAL SERVICES**

### **Purpose of Report**

- 1 To receive and consider the recommendations of the Independent Remuneration Panel in relation to the role of Deputy Mayor.

### **Recommendation**

That the committee consider the recommendations of the Independent Remuneration Panel, which are as follows:

**Recommendation 1: That no allowance be awarded to the role of the Deputy Mayor, and that the Scheme of Allowances be amended to reflect this.**

**Recommendation 2: That this matter be kept under review by the Independent Remuneration Panel and taken into account in its imminent full review of allowances for the Combined Authority.**

### **Background / Issues for Consideration**

2. The full report of the Independent Remuneration Panel is set out at Appendix 1.
3. The Independent Remuneration Panel met to discuss Special Responsibility Allowances payable by the Combined Authority. The Panel is the Panel appointed by Bath & North East Somerset Council and is used by the Combined Authority under those arrangements by virtue of Reg 20(1) of the Local Authorities (Members' Allowances) (England) Regulations 2003.

The purpose of the meeting was to give early consideration to the allowance paid for the Deputy Mayor role.

4. The Panel took account of the following issues:

a. Under the provisions of s107 (c) of the Local Democracy, Economic Development and Construction Act 2009, the Metro Mayor is required to appoint one of the members of the Combined Authority as a Deputy Mayor.

b. The Deputy Mayor is only required to act in place of the Metro Mayor, if the Mayor is unable to act or the office is vacant. The Deputy Mayor will therefore only chair meetings of the Combined Authority in the Metro Mayor's absence. Under the Act, no other member of the authority is authorised to act in the absence of the Mayor.

c. Apart from the above statutory provisions, the Metro Mayor may choose to delegate other Mayoral functions to the Deputy Mayor.

d. In considering this matter, the Panel was informed that the newly elected Metro Mayor (elected in May 2021) recognises the statutory provisions and does not intend at this time to delegate any other specific or general Mayoral responsibilities to the Deputy Mayor role as he wishes to undertake all of the duties of the Mayor personally. The Panel noted that the present situation contrasts with evidence offered previously to the Panel during the former administration where the former Mayor saw the deputy role as playing a significant part in developing Combined Authority projects and in driving service delivery. Based on that evidence, the Deputy Mayor role at that time was allocated an allowance of 20% of that of the Mayor – equivalent to a commitment of 1 working day per week.

e. In the context of the Combined Authority's Scheme of Allowances, the Panel needs to be satisfied that there are significant duties, over and above those expected of a member of the Authority, in order for an allowance to be recommended.

f. It was noted that the Deputy Mayor role would usually be allocated to one of the constituent local authority Leaders, each of whom already receive an allowance from their respective authorities. Leaders will be fully briefed on all relevant key policy issues in any event.

g. Given the current evidence, the Panel felt that there was no justification, at this time, for an allowance to be recommended for the Deputy Mayor role. However, the Panel will wish to monitor this position as appropriate.

## **Consultation**

5. The Panel took account of the views of the newly elected Metro Mayor who determines the duties of the Deputy Mayor if they are to extend further than the bare minimum as set out in the legislation.

## **Public Sector Equality Duties**

6. The public sector equality duty created under the Equality Act 2010 means that

public authorities must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

6.1 The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

6.2 The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected in the design of policies and the delivery of services, including policies, and for these issues to be kept under review.

6.3 There are no specific implications in relation to this report.

### **Finance Implications:**

7 Members allowances are funded through an approved drawdown of the Investment Fund each year as part of the Mayoral budget setting. The withdrawal of the Deputy Mayor allowance will reduce this drawdown by £15,200 per annum.

Advice given by: Malcolm Coe.

### **Legal Implications:**

8 The Panel has undertaken its work in line with the Local Government (Members Allowances) Regulations 2003 and Article 8 of the West of England Combined Authority Order 2017

Advice given by: Shahzia Daya, Director of Legal Services

### **Land/property implications**

9 None.

**Human Resources Implications:**

10 There are no direct impact on human resources in relation to the contents of this report.

Advice given by Alex Holly, Head of People and Assets

**Appendices:**

Appendix 1 – Report of the Independent Remuneration Panel

**Background papers:**

None

**West of England Combined Authority Contact:**

Any person seeking background information relating to this item should seek the assistance of the contact officer for the meeting who is Ian Hird on 07436 600313; email: [democratic.services@westofengland-ca.gov.uk](mailto:democratic.services@westofengland-ca.gov.uk)

# **REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR THE WEST OF ENGLAND COMBINED AUTHORITY**

## Introduction

1. The Independent Remuneration Panel for Bath & North East Somerset Council was invited to convene as a Panel for the Combined Authority, in order to give early consideration to the allowance paid for the Deputy Mayor role.
2. A meeting was convened on 10<sup>th</sup> September, 2021 to consider this matter.

## The Deputy Mayor

3. Under the provisions of s107 (c) of the Local Democracy Economic Development and Construction Act 2009, the Mayor is required to appoint one of the members of the Combined Authority as a Deputy Mayor. This states that  
The Deputy Mayor must act in place of the Mayor if for any reason—  
(a)the Mayor is unable to act, or  
(b)the office of Mayor is vacant.  
If for any reason—  
(a)the Mayor is unable to act or the office of Mayor is vacant, and  
(b)the Deputy Mayor is unable to act or the office of Deputy Mayor is vacant,  
the other members of the combined authority must act together in place of the Mayor, taking decisions by a simple majority.
4. The Deputy Mayor is only required to act in place of the Mayor, if the Mayor is unable to act or the office is vacant. The Deputy Mayor will therefore only chair meetings of the Combined Authority in the Mayor's absence- there are 4 ordinary meetings of the Combined Authority scheduled for this municipal year. Under the Act, no other member of the Authority is authorised to act in the absence of the Mayor.
5. Apart from the above statutory provisions, the Mayor may choose to delegate other Mayoral functions to the Deputy Mayor.
6. The Panel has been informed that the newly elected Mayor (May, 2021) recognises the statutory provisions but does not intend at this time to delegate any other specific or general Mayoral responsibilities to the Deputy Mayor role as he wishes to undertake all of the duties of the Mayor personally.

7. This contrasts with evidence offered previously to the Panel that the then Mayor saw the deputy role as playing a significant part in developing Combined Authority projects and in driving service delivery. Based on that evidence, the Deputy Mayor role was allocated an allowance of 20% of that of the Mayor – equivalent to a commitment of 1 x day per week.

#### The Panel's considerations

8. The Panel was concerned about the extent to which the present Mayor would have the capacity to undertake the full duties of the office, given the robust support given previously by the Deputy Mayor role.
9. It has noted that the Mayor wishes to have a more personal focus on developing key policy issues with a heavier reliance on the Senior Officers in the Authority to address the practical delivery of Combined Authority objectives.
10. In the context of the Combined Authority's Scheme of Allowances, the Panel needs to be satisfied that there are significant duties, over and above those expected of a member of the Authority, in order for an allowance to be recommended.
11. It has noted that the Deputy Mayor role would usually be allocated to one of the constituent local authority Leaders, each of whom already receive an allowance from their respective authorities. Leaders will be fully briefed on all relevant key policy issues in any event.
12. Given the evidence, the Panel feels that there is no justification, at this time, for an allowance to be recommended for the Deputy Mayor role.
13. However, the Panel will wish to monitor this position. It would be willing to reconsider the matter if, in the light of operational experience, it was felt that a change was necessary.
14. The Panel will embark shortly on a full review of the Combined Authority's Scheme of Allowances. For completeness, this review will have regard to the issues raised in this report and any impacts this may have on other aspects of the Scheme.
15. **RECOMMENDATION 1: That no allowance be awarded to the role of the Deputy Mayor, and that the Scheme of Allowances be amended to reflect this;**

- 16. RECOMMENDATION 2: That this matter be kept under review by the Independent Remuneration Panel and taken into account in its imminent full review of allowances for the Combined Authority.**

Graham Russell, Chair