

2020 No. 26

LOCAL GOVERNMENT

**The Local Governance (Scotland) Act 2004 (Remuneration)
Amendment Regulations 2020**

Made - - - - *11th February 2020*

Laid before the Scottish Parliament *13th February 2020*

Coming into force - - *1st April 2020*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 11 and 16(2) of the Local Governance (Scotland) Act 2004(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2020 and come into force on 1 April 2020.

Amendment of the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007

2.—(1) The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007(b) are amended as follows.

(2) In regulation 3 (new remuneration arrangements for councillors)—

- (a) in paragraph (2), for “paragraph (4)” substitute “paragraphs (4) or (8)”,
- (b) after paragraph (6) insert—

“(7) Paragraph (8) applies where a local authority has agreed that any of its councillors can take leave of absence, being a period during which the councillor is not expected by the authority to undertake official duties.

(8) Nothing in the regulations listed in paragraph (9) limits the ability of a local authority to pay such remuneration as it considers appropriate to any councillor taking leave of absence (“councillor A”) and if remuneration is paid to another councillor (“councillor B”) for undertaking any of the duties of councillor A during the period of that leave then for the purposes of those regulations regard is to be had the remuneration paid to councillor B, but no regard is to be had to the remuneration paid to councillor A.

(9) The regulations are—

- (a) regulation 6(1) (remuneration to be paid to only one Leader of the Council),
- (b) regulation 7(1) (remuneration to be paid to only one Civic Head),

(a) 2004 asp 9.

(b) S.S.I. 2007/183; relevant amending instruments are S.S.I. 2008/415, S.S.I. 2013/119, S.S.I. 2013/351, S.S.I. 2015/7, S.S.I. 2016/6, S.S.I. 2017/66, S.S.I. 2018/38 and S.S.I. 2019/23.

- (c) regulation 8(2) (maximum number of senior councillors for payment of remuneration),
 - (d) regulation 9(4) (maximum total yearly amount of remuneration payable for all senior councillors) and
 - (e) regulation 12(2) (remuneration to be paid to not more than one convener and not more than two vice conveners of each joint board).”.
- (3) For the table in regulation 6(2) (remuneration of the Leader of the Council) substitute—
- “(a) Band A – £29,760,
 - (b) Band B – £35,713,
 - (c) Band C – £41,662,
 - (d) Band D – £53,567.”.
- (4) For the table in regulation 7(2) (remuneration of the Civic Head) substitute—
- “(a) Band A – £22,320,
 - (b) Band B – £26,785,
 - (c) Band C – £31,248,
 - (d) Band D – £40,175.”.
- (5) In regulation 10 (councillors’ remuneration) for “£17,470” substitute “£17,854”.
- (6) In regulation 12 (joint boards)—
- (a) in paragraph (8) (payment to conveners) for “£21,840” substitute “£22,320”, and
 - (b) in paragraph (9) (payment to vice-conveners) for “£20,748” substitute “£21,204”.

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A member of the Scottish Government

St Andrew’s House,
Edinburgh
11th February 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007. They substitute increased annual amounts for different categories of local authority remuneration to their members. These changes are effective from 1 April 2020.

Regulation 2(2) makes provision for councillors who are granted a period of leave of absence by their local authority. It disappplies such councillors from the limits on the number of councillors who can receive certain types of remuneration. The effect is that if, for example, an authority agrees that its Civic Head can be absent from duties for a period (such as for maternity or paternity reasons), the authority can continue to remunerate the councillor who has been granted leave, but also pay that type of remuneration to another councillor for undertaking the duties to which it relates.

Regulation 2(3) makes provision for Council Leaders' remuneration.

Regulation 2(4) provides new maximum levels for remuneration of Civic Heads. It is for each local authority to determine whether and to what extent such remuneration should be paid.

Regulation 2(5) sets new levels for councillors' remuneration.

Regulation 2(6) sets new levels of remuneration for councillors who perform the role of convener or vice-convener of a joint board.

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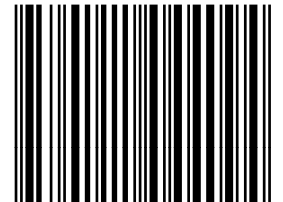
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