

HAMBLETON DISTRICT COUNCIL

Report To: Council
11 December 2018

From: Chief Executive

Subject: **MEMBERS' ALLOWANCES SCHEME**

All Wards
Scrutiny Committee

1.0 PURPOSE AND BACKGROUND:

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require the Council to consider its Members' Allowances Scheme before the beginning of each financial year.
- 1.2 Councils are required to establish and maintain an Independent Remuneration Panel to provide advice on its scheme and the amounts to be paid, amongst other things. Local Authorities must have regard to this advice although they are not bound by the recommendations.
- 1.3 The Independent Remuneration Panel, which was appointed in 2017 for a term of four years, comprises:-
- Michael Holford
 - Roy Fishwick
 - Stuart Bradnam
- 1.4 The Independent Remuneration Panel has carried out a full review of the Members' Allowances Scheme and the report attached at 'Appendix A' sets out its recommendations for a range of basic and Special Responsibility Allowances for Members of the Council.
- 1.5 This report asks Council to consider the Independent Remuneration Panel's report and to approve a Members' Allowances Scheme for the 2019/20 Financial Year with effect from 1 April 2019.

2.0 THE REPORT

- 2.1 In its report the Independent Remuneration Panel recommended eight amendments to the existing Members' Allowances Scheme. These are set out for Council's consideration below, namely:-
- (1) paragraph 7.1 of the existing policy be amended to read "Subject to 7.2 all Allowances shall be adjusted with effect from April 2019 and from each subsequent 1 April for the following year in line with any increase agreed nationally for staff for that year;
 - (2) the quantum for Leader be increased to 6.0 (or to 5.0 if the following caveat is not approved), caveated with a recommendation that it is reviewed (at least) each year (or as required) by the IRP, with the ability to reset it to 4.00 in the event of change of incumbent;
 - (3) the quantum for Deputy Leader be increased to 3.0 (or 2.5 if the following caveat is not approved), caveated with a recommendation that it is reviewed (at least) each year (or as required) by the IRP, with the ability to reset it to 2.00 in the event of change of incumbent;

- (4) the quantum for the Chair of Planning be increased from 1.0 to 1.5;
- (5) the quantum for deputy Chair of Planning be created at 1.0;
- (6) the quantum for each other member of the Planning Committee be created at 0.25;
- (7) the quantum for Chair of the Scrutiny Committee be reduced from 0.75 to 0.25; and
- (8) all other quantum remain extant as per the 2018/19 scheme.

3.0 THE CURRENT SCHEME:

3.1 The current Scheme is attached at 'Appendix B' to this report.

4.0 THE PROPOSED SCHEME:

4.1 A copy of the proposed scheme for 2019/20 is attached at 'Appendix C' to this report.

5.0 FINANCIAL IMPLICATIONS AND EFFICIENCIES:

5.1 The proposed scheme for 2019/20 is currently budgeted for in the 2019/20 Estimates.

5.2 There are no efficiencies associated with this report.

6.0 LEGAL IMPLICATIONS:

6.1 The Council cannot operate a Members' Allowances Scheme in 2019/20 without considering this report and passing a formal resolution. The Scheme is required to be publicised.

6.2 The Local Authorities (Members' Allowances) (England) Regulations 2003 require the Council to establish and have regard to recommendations of the Independent Remuneration Panel.

7.0 EQUALITIES / DIVERSITY ISSUES

7.1 The Scheme continues to make provision for carers. There are no allowances for other diverse groups.

8.0 RISK IMPLICATIONS

8.1 There are no risk management issues relevant to this report.

9.0 RECOMMENDATIONS:

9.1 It is recommended that, subject to consideration of the recommendations of the Independent Remuneration Panel, Council approves the Members' Allowances Scheme as attached at 'Appendix C' of this report for the year 2019/20.

JUSTIN IVES
CHIEF EXECUTIVE

Background papers: Report to Independent Remuneration Panel
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Report of the 2018 Independent Remuneration Panel

Process

The Independent Remuneration Panel (IRP) was asked to conduct a review of the Members' Allowances Scheme 2018/19. Members of the Panel were Stuart Bradnam, Roy Fishwick and Michael Holford.

A scoping meeting was held on 23 August 2018 to discuss how to proceed and to consider relevant information needed in order to inform the review. A full IRP meeting was convened on Tuesday 30 October 2018 to interview a selection of executives and councillors in order to help the IRP prepare their recommendations for the review of Allowances for Members of HDC which is to be presented to Council on 11 December 2018.

Background

Following implementation of a revised allowance scheme, the baseline figure of £5500 for councillors was increased by 10% in July 2015 (effective April 2016) to give a new (and extant) figure of £6050. The 10% increase was related to a locally agreed pay increase for staff. Going forwards, and in light of discussions in interview, the IRP considers that it is fair and reasonable to increase the Basic, Subsistence, Accommodation and Travel Allowances in accordance with any increase agreed **nationally** for staff in a particular year.

Interviews

Against this background for the Basic Allowance, the IRP was then looking to understand whether the *quantums* currently applied to special responsibilities were appropriate and correct with regard to the demand and workload that those extra responsibilities and roles carry, taking into account interviewees comments and experiences.

Interviews were conducted on 30 October 2018 with the following individuals: -

Dr Justin Ives – HDC Chief Executive
Councillor Mark Robson – Leader of the Council
Councillor Peter Bardon – Chairman of Planning Committee
Councillor Mike Barningham - Chairman of Licensing Committee
Councillor Claire Palmer
Councillor Gareth Dadd (who had formally requested an interview with the IRP).

The IRP found in their interviews, councillors who were fully engaged and supportive of the work of the Council, and its leadership. In recognising the demands, work, achievement and effort of the Leader and Deputy Leader positions, the IRP is recommending an adjustment to the *quantums* for these 2 positions (to 6.00 and 3.0 respectively, recognising the efforts of the current incumbents), explicitly caveated with a recommendation that they are reviewed each year (or as required) by the IRP, with the ability to reset them to 4.00 and 2.00 respectively in the event of changes of incumbent(s). If the IRP is not to be allowed to review and reduce the multipliers for these 2 positions on incumbent change, then our recommendation is to increase the quantum to only to 5.0 and 2.5 respectively.

The lead theme that emerged during all interviews was how heavily tasked and committed the Council's Planning Committee was in executing its day-to-day business; the demands on the Chair, Vice-Chair, and the 10 other members of this committee far outweigh that of any of the other committees, and councillors interviewed agreed (even those not on the Planning Committee) that those *quantums* need adjustment.

Recommendations

The 2018 IRP's recommendations are as follows: -

- Paragraph 7.1 of the existing policy be amended to read "Subject to 7.2 all Allowances shall be adjusted with effect from April 2019 and from each subsequent 1 April for the following year in line with any increase agreed nationally for staff for that year.
- The quantum for Leader be increased to 6.0 (or to 5.0 if the following caveat is not approved), caveated with a recommendation that it is reviewed (at least) each year (or as required) by the IRP, with the ability to reset it to 4.00 in the event of change of incumbent.
- The quantum for Deputy Leader be increased to 3.0 (or 2.5 if the following caveat is not approved), caveated with a recommendation that it is reviewed (at least) each year (or as required) by the IRP, with the ability to reset it to 2.00 in the event of change of incumbent.
- The quantum for the Chair of Planning be increased from 1.0 to 1.5
- The quantum for deputy Chair of Planning be created at 1.0
- The quantum for each other member of the Planning Committee be created at 0.25
- The quantum for Chair of the Scrutiny Committee be reduced from 0.75 to 0.25
- All other quantum remain extant as per the 2018/19 scheme.

MEMBERS' ALLOWANCES SCHEME 2018/19

1.0 INTRODUCTION:

- 1.1 This Scheme has been adopted for the purposes of the Local Authorities (Members' Allowances)(England) Regulations 2003 ("the Regulations").
- 1.2 The Scheme shall continue in force until amended or revoked by the Council.
- 1.3 The Scheme will apply to all Members of the Council.
- 1.4 All Allowances shall be payable for the period from 1 April 2018 until 31 March 2019 unless specified otherwise.
- 1.5 A Member may by notice in writing to the Chief Executive elect to forego his/her entitlement or any part of his/her entitlement to Allowances.

2.0 BASIC ALLOWANCES:

- 2.1 A Basic Allowance as set out in the Annex to this Scheme shall be payable to each elected Member of the Council. The Allowance shall be the same for each elected Member.
- 2.2 Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year his/her entitlement shall be to payment of such part of the Basic Allowance as bears to the whole the same proportion as the number of days during which his term of office as Member subsists bears to the number of days in that year.

3.0 SPECIAL RESPONSIBILITY ALLOWANCE:

- 3.1 The Special Responsibility Allowances set out in the Annex to this Scheme shall be payable to the following elected Members in addition to the Basic Allowance:-

Leader
 Deputy Leader
 Chairman of Council
 Minority Party Leader (only applicable to a group of 5 or more Members)
 Chairman of the Audit, Governance and Standards Committee
 Chairman of Planning Committee
 Chairman of Scrutiny Committee
 Chairman of Licensing Committee
 Cabinet Member

- 3.2 A "Minority Party Leader" is a leader of a political group which is not the controlling group as defined in Regulation 5(2) of the Regulations.
- 3.3 Where a Member does not have throughout the whole of the year any special responsibilities as entitle him/her to a Special Responsibility Allowance, his/her entitlement shall be to payment of such part of the Special Responsibility Allowance as bears to the whole the same proportion as the number of days during which he/she has such special responsibilities bears to the number of days in that year.

4.0 DEPENDANT' CARER'S ALLOWANCE:

4.1 The Dependant Carer's Allowance set out in the Annex to this Scheme shall be payable to all elected Members in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in respect of:-

- (a) the attendance at a meeting of the Council or of any Committee or Sub-Committee of the Council, or of any body to which the Council makes appointments or nominations, or of any Committee or Sub-Committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the Council, or a Committee or Sub-Committee of the Council or a Joint Committee of the Council and one or more Local Authorities within the meaning of Section 270(1) of the Local Government Act 1972, or a Sub-Committee of such a Joint Committee, provided that:-
 - (i) where the Council is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited; or
 - (ii) if the Council is not so divided, it is a meeting to which at least two Members of the Council have been invited;
- (c) the attendance at a meeting of any association of Authorities of which the Council is a member;
- (d) the attendance at a meeting of the Executive or a meeting of any of its Committees;
- (e) the performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises;
- (f) attendance at:-
 - (i) meetings of Parish Councils;
 - (ii) meetings of a public nature where attendance is of value in carrying out the Members' community role;
 - (iii) meetings with constituents;

where the meeting is within the Members' Ward, undertaken as part of the Members' duties and the expenses are not reimbursed from some other source;

- (g) attendance at any meeting arranged by any other body on which the Member represents the Council where that other body is not reimbursing the Member.

4.2 For the purposes of this Section, "Authority" means an Authority of any description specified in sub-paragraphs (a) to (c) of Regulation 3(1) of the Regulations.

5.0 TRAVELLING, SUBSISTENCE AND ACCOMMODATION ALLOWANCE:

5.1 The Travelling, Subsistence and Accommodation Allowance set out in the Annex of this Scheme as amended from time to time by Section 7 of the Scheme shall be payable to all Members and Independent Persons in respect of:-

- (a) the attendance at a meeting of the Council or of any Committee or Sub-Committee of the Council, or of any other body to which the Council makes appointments or nominations, or of any Committee or Sub-Committee of such a body;

- (b) the attendance at any other meeting, the holding of which is authorised by the Council, or a Committee or Sub-Committee of the Council, or a Joint Committee of the Council and one or more Local Authorities within the meaning of Section 270(1) of the Local Government Act 1972, or a Sub-Committee of such a Joint Committee provided that:-
 - (i) where the Council is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited; or
 - (ii) if the Council is not so divided, it is a meeting to which at least two Members of the Council have been invited;
- (c) the attendance at a meeting of any association of Authorities of which the Council is a member;
- (d) the attendance at a meeting of the Executive or a meeting of any of its Committees;
- (e) the performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises;
- (f) attendance at:-
 - (i) meetings of Parish Councils;
 - (ii) meetings of a public nature where attendance is of value in carrying out the Members' community role;
 - (iii) meetings with constituents;where the meeting is within the Members' Ward, undertaken as part of the Members' duties and the expenses are not reimbursed from some other source;
- (g) attendance at any meeting arranged by any other body on which the Member represents the Council where that other body is not reimbursing the Member.

5.2 For the purposes of this Section a Member of a Committee or Sub-Committee of the Council is to be treated as a Member of the Council.

6.0 INDEPENDENT PERSONS:

6.1 An Independent Person's Allowance as set out in the Annex to this Schedule as amended from time to time shall be payable to the Independent Person(s) appointed by the Council.

6.2 Where the appointment of the Independent Person begins or ends otherwise than at the beginning or end of a year his/her entitlement shall be payment of such part of the Independent Person's Allowance as bears to the whole the same proportion as the number of days during which his/her appointment subsists bears to the number of days in that year.

7.0 ADJUSTMENT OF ALLOWANCES:

7.1 Subject to 7.2 all Allowances shall be adjusted with effect from 1 April 2016 and from each subsequent 1 April for the following year in line with any increase agreed locally for staff for that year.

7.2 All Travelling, Subsistence and Accommodation Allowances shall be adjusted from time to time to ensure that they are the same as the equivalent allowance for officers of the Council.

8.0 CLAIMS AND PAYMENTS:

- 8.1 Claims for payment of Allowances shall be made in writing within one month of the date on which entitlement to the Allowances arises.
- 8.2 Payment for Basic, Special Responsibility and Independent Persons' Allowances shall be made in equal monthly instalments on the 25th day of the relevant month.
- 8.3 Dependant Carer's Allowance and Travelling, Subsistence and Accommodation Allowance will be paid within one month of receipt of a valid claim.
- 8.4 Where payment of any Allowance has already been made in respect of any period during which the Member concerned is:-
 - (a) suspended or partially suspended from his responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
 - (b) ceases to be a Member of the Council; or
 - (c) is in any other way not entitled to receive the Allowance in respect of that period such part of the Allowance as relates to any such period shall be repaid to the Council.
- 8.5 Where a Member is also a member of another Authority that Member shall not receive Allowances under this Scheme if he/she is receiving an Allowance from the other Authority in respect of the same duties.

PAYABLE WITH EFFECT FROM 1 APRIL 2018**ATTENDANCE ALLOWANCES 2018/19**

Members are entitled to receive allowances and expenses when undertaking their duties as Councillors.

The Scheme comprises:-

- a basic allowance per Member;
- additional allowances based on the special responsibilities that some Members have;
- travel and subsistence allowances.

The Scheme is as follows:-

	Quantum	Payment £
Basic	N/A	6,050
Leader	4.00	24,200
Deputy Leader	2.00	12,100
Chairman of Council	0.75	4,538
Minority Group Leader (only applicable to a group of 5 or more Members)	0.25	1,512
Chairman of Planning Committee	1	6,050
Chairman of Audit, Governance and Standards Committee	0.25	1,512
Chairman of Scrutiny Committee	0.75	4,538
Chairman of Licensing Committee	0.25	1,512
Cabinet Member	1.50	9,075
Dependant Carer's Allowance	-	National minimum wage (currently £7.83) with a maximum of 10 hours per week
Independent Persons	-	256

All Members will receive the Basic Allowance. Those with special responsibilities will receive the Allowances indicated in addition to the Basic Allowance. The Special Responsibility Allowance will be the Basic Allowance multiplied by the Quantum indicated for that Special Responsibility Allowance.

No Member can receive more than one Special Responsibility Allowance.

SUBSISTENCE RATES

	£
Breakfast	8.00
Lunch	11.00
Tea (absence after 6.30pm)	5.00
Dinner (absence after 8.30pm)	14.00

Notes: Tea or Dinner may be claimed but not both
The Allowance is irrespective of the actual cost of the meal.

ACCOMMODATION RATES

	£
Other	Up to £81
Major Cities	Up to £105
London	Up to £138
Conferences (National Conferences attended by Members and Chief Officers)	Actual Costs

Note: Where not included in the accommodation charge, the cost of all meals will be reimbursed up to £20 per meal upon production of receipts. In the absence of receipts, Subsistence Rates will apply.

TRAVEL RATES**Travel by Member's own private motor vehicle**

Car mileage rate per mile:

Not exceeding 999cc	45p
1000cc – 1199cc	45p
1200cc and above	45p

Motorcycle rate per mile	24.0p
Bicycle rate per mile	20.0p

Carriage of Passengers to whom a Travelling Allowance would otherwise be Payable

In respect of each passenger not exceeding four, an additional 3.0p a mile for the first passenger and 2.0p a mile for the second and subsequent passengers.

MEMBERS' ALLOWANCES SCHEME 2019/20

 The logo for Hambleton District Council, featuring the name 'HAMBLETON' in white capital letters on a green rectangular background, with 'DISTRICT COUNCIL' in white capital letters on a dark blue rectangular background below it.
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 Vice-Chairman of Planning Committee
 Members of Planning Committee
 Chairman of Scrutiny Committee
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 - (a) suspended or partially suspended from his responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
 - (b) ceases to be a Member of the Council; or
 - (c) is in any other way not entitled to receive the Allowance in respect of that period such part of the Allowance as relates to any such period shall be repaid to the Council.
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PAYABLE WITH EFFECT FROM 1 APRIL 2019**ATTENDANCE ALLOWANCES 2019/20**

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The Scheme comprises:-

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- additional allowances based on the special responsibilities that some Members have;
- travel and subsistence allowances.

The Scheme is as follows:-

	Quantum	Payment £
Basic	N/A	6,050
Leader*	6.00	36,300
Deputy Leader*	3.00	18,150
Chairman of Council	0.75	4,538
Minority Group Leader (only applicable to a group of 5 or more Members)	0.25	1,512
Chairman of Planning Committee	1.5	9,075
Vice-Chairman of Planning Committee	1	6,050
Planning Committee Member	0.25	1,512
Chairman of Audit, Governance and Standards Committee	0.25	1,512
Chairman of Scrutiny Committee	0.25	1,512
Chairman of Licensing Committee	0.25	1,512
Cabinet Member	1.50	9,075
Dependant Carer's Allowance	-	National minimum wage (currently £9.00) with a maximum of 10 hours per week
Independent Persons	-	256

*Subject to a review each year (or as required) by the Independent Remuneration Panel, with the ability to reset the Quantum to 4.00 for the Leader and 2.00 for the Deputy Leader in the event of a change of incumbent.

All Members will receive the Basic Allowance. Those with special responsibilities will receive the Allowances indicated in addition to the Basic Allowance. The Special Responsibility Allowance will be the Basic Allowance multiplied by the Quantum indicated for that Special Responsibility Allowance.

No Member can receive more than one Special Responsibility Allowance.

SUBSISTENCE RATES

	£
Breakfast	8.66
Lunch	11.94
Tea (absence after 6.30pm)	5.00
Dinner (absence after 8.30pm)	14.81

Notes: Tea or Dinner may be claimed but not both
The Allowance is irrespective of the actual cost of the meal.

ACCOMMODATION RATES

	£
Other	Up to £81
Major Cities	Up to £105
London	Up to £138
Conferences (National Conferences attended by Members and Chief Officers)	Actual Costs

Note: Where not included in the accommodation charge, the cost of all meals will be reimbursed up to £20 per meal upon production of receipts. In the absence of receipts, Subsistence Rates will apply.

TRAVEL RATES**Travel by Member's own private motor vehicle**

Car mileage rate per mile:

Not exceeding 999cc	45p
1000cc – 1199cc	45p
1200cc and above	45p

Motorcycle rate per mile 24.0p

Bicycle rate per mile 20.0p

Carriage of Passengers to whom a Travelling Allowance would otherwise be Payable

In respect of each passenger not exceeding four, an additional 3.0p a mile for the first passenger and 2.0p a mile for the second and subsequent passengers.