HAMBLETON DISTRICT COUNCIL

Report To: Council

16 December 2014

From: Director of Support Services

Subject: MEMBERS' ALLOWANCES SCHEME

All Wards Scrutiny Committees

1.0 PURPOSE AND BACKGROUND:

1.1 The report attached as an Annex sets out the Independent Remuneration Panel's recommendations for a range of basic and special responsibility allowances (SRA's) for Members of the Council.

- 1.2 Acts and Regulations provide the statutory backdrop for the provision of allowances for Members.
- 1.3 The Regulations require each Council to decide its scheme and the amounts to be paid under the scheme. Councils are required to establish and maintain an Independent Remuneration Panel to provide advice on its scheme. Local Authorities must have regard to this advice, but are not bound by it.
- 1.4 The Remuneration Panel comprises:-
 - Michael Holdford
 - Pat Martin
 - Ian Woods

The Panel met on two occasions (3 October and 28 October 2014) to consider the Scheme. Their report is attached as an Annex to this report.

1.5 This report asks Council to consider the report and approve an Allowance Scheme for the 2015/16 Financial Year.

2.0 THE REPORT:

- 2.1 In its deliberations the Panel wished to maintain two principles:
 - a) a reasonable Basic Allowance;
 - b) a weighting scheme for Special Responsibility Allowances (SRAs)

which took account of the additional commitments created by moving from 44 Members to 28 Members in May 2015.

The proposed changes are as follows:

- Increase of the Basic Allowance paid to all Members
- Increase in multipliers for SRAs for Leader, Deputy Leader and Cabinet Members

3.0 CONCLUSIONS

- 3.1 The Independent Remuneration Panel has undertaken a comprehensive review of the current scheme and is satisfied that it has followed a rigorous process.
- 3.2 The Panel has worked within the fixed budget and has given consideration to comments made by Members.

4.0 FINANCIAL IMPLICATIONS

4.1 The cost of this proposal will be funded within existing budgetary provision. Because of the reduction in members there should be a reduction in expenditure on Allowances of approximately £13,500 per annum.

5.0 **LEGAL IMPLICATIONS**

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

6.0 EQUALITIES / DIVERSITY ISSUES

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

7.0 RISK IMPLICATIONS

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

8.0 **RECOMMENDATIONS**

8.1 It is recommended that Council approve the Member Allowance Scheme set out in Appendix 2 of the Report of the Independent Remuneration Panel and that it takes effect on 1 April 2015.

JUSTIN IVES

Background papers: Report to Independent Remuneration Panel

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Corporate Director

Direct Line 01609 767010

161214 Members Allowances Scheme

HAMBLETON DISTRICT COUNCIL

Report of Independent Remuneration Panel

Allowances for Members of Hambleton District Council

Purpose of the Report

1. The purpose of the report is to recommend a range of allowances for Members of Hambleton District Council as part of a Members' Allowances Scheme.

Background

We have been asked to make recommendations to the District Council about a range of allowances for Elected Members of the District Council. The basis of our appointment and work is contained in guidance issued by the Office of the Deputy Prime Minister and the Inland Revenue in 2003. The existing Scheme is attached as Appendix 1 to this report.

Our Work

- 3. We began by noting that the number of Councillors would reduce from 44 to 28 in May 2015. Revised Committee arrangements have been introduced from May 2014, but are likely to continue in 2015/16. We considered the former and the new Committee arrangements and changes to representation on outside bodies.
- 4. We had information on the role of Councillors and we had information on current workloads for Councillors. It was clear to us that the reduction in Councillor numbers would significantly increase the workload of all Councillors. In addition, it was clear that the way the Leader, Deputy Leader and Cabinet operate has changed since the last review in 2011, with a higher profile being taken in the community and particularly with the business community.
- 5. We had information about the median full-time wage in Hambleton in 2013 which was £22,442 or £11.86 per hour for a 37-hour week. The current Basic Allowance for Hambleton Members is £4,297 and has not increased since April 2009.
- 6. We did consider allowances in other North Yorkshire authorities, but felt that the particular circumstances of Hambleton and the responsibilities of its Members was key.
- 7. We interviewed the Leader, a Cabinet Member, a Chairman and other Group Members. We were assisted throughout by the Chief Executive and the Corporate Director.

Basic Allowances

- 8. The Panel used as a starting point the existing allowance of £4,297 paid to Members of the District Council, but noted a potential increase of hours after May 2015. If the median full-time wage rate was applied to the hours expected after May 2015 a figure of £7,116 might be appropriate.
- 9. The guidance from ODPM/Inland Revenue emphasises the 'importance that some elements of the work of Members continues to be voluntary that some hours are not remunerated'. On the other hand, the guidance acknowledges that steps need to be made to ensure that financial loss is not suffered by Elected Members and that people are encouraged to stand as prospective Councillors.
- 10. After careful consideration, we recommend increasing the Basic Allowance to £5,500. We feel this reasonably reflects the increased 'basic' responsibilities of Members and a voluntary contribution of their time on the part of those Members.

Special Responsibility Allowances (SRAs)

- 11. A range of Special Responsibility Allowances are currently paid across the District Council and we have reviewed these.
- 12. We consider that the current Special Responsibility Allowances are still valid.
- 13. The Panel feels that it would be appropriate to continue to link all SRA's to the Basic Allowance and to express these allowances as a multiplier of the Basic Allowance. We continue to believe that Members should be only eligible to claim one SRA in addition to the Basic Allowance.

Leader and Deputy Leader of the Council

- 14. The Council is a multi-million pound business and a significant employer impacting on the lives of residents of the District. The Leader and Deputy Leader of the Council are the key Elected Members in moving the Authority forward.
- 15. We accept that these roles have changed and will change further when the Council reduces to 28 Members with more emphasis falling on these positions. We therefore recommend that the Leader's SRA multiplier increase from 3.75 to 4 and the Deputy Leader's from 1.75 to 2.

Cabinet

16. The Cabinet comprises 5 Members (a reduction from 6 since the last review) including the Leader and Deputy Leader. We recognise that Cabinet roles are still developing and cover a broad range of areas. We expect them to take more responsibility when there are fewer Councillors. We recommend that the Cabinet Member multiplier be increased from 1.25 to 1.5.

Scrutiny Committee

17. We recognised a broad range of work undertaken by the Scrutiny Committee and we noted their responsibilities. However, we did not think that the Chairman's SRA needed to change.

Other Committees

18. The Council has a number of other Committees, namely Planning, Licensing and Audit, Governance and Standards. We saw no evidence of an increased responsibility and therefore feel that the SRAs for these should not change.

Minority Party

19. We remain of the view that allowance should only apply if a minority group has 5 or more Members. The SRA should remain at the same level because there is no evidence that the responsibility has/or will increase.

Dependant Carers' Allowances

20. We consider that this should continue to be paid at the current rate set for the national minimum wage (£6.50), subject to a maximum of 10 hours per week (receipts to be provided).

Independent Persons

21. These are members of the public appointed to assist with the Standards regime. The current allowance was considered appropriate.

Other Allowances and Issues

22. We considered allowances for subsistence, travel and accommodation and recommend that the existing provisions should be rolled forward.

Annual Increases

23. The Council has previously resolved to freeze allowances. This is a matter for the Council, but we feel that it is reasonable to increase the Basic, Special Responsibility, Subsistence, Accommodation and Travel Allowances in accordance with any locally agreed pay increases for staff.

Implementation

24. The Scheme needs to take effect from 1 April 2015. However, the changes within the Council do not take effect until after the election in May 2015. New Councillors will take office from 11 May 2015. We therefore recommend that the existing rates for allowances continue until 10 May 2015 and any revised rates take effect from 11 May 2015.

Conclusion

- 25. Our revised Scheme is set out in Appendix 2 to this report and incorporates our recommendations. We thank the Council for the opportunity to be involved in this process and to those who assisted us.
- 26. We believe our proposals strike the correct balance of encouraging members of the community to be Councillors whilst maintaining the voluntary element of public service. The changes reflect the increased workloads of all Councillors under the new arrangements whilst acknowledging that some key office holders will also have added responsibilities.

November 2014



MEMBERS' ALLOWANCES SCHEME 2014/15

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 2014 until 31 March 2015 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:-
 - 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;
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 - (i) meetings of Parish Councils;
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 - (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 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 PENSIONS:

- 8.1 All elected Members of the Council are entitled to pensions in accordance with the North Yorkshire Superannuation Scheme ("the Pension Scheme").
- 8.2 Both Basic Allowance and Special Responsibility Allowance are to be treated as amounts in respect of which pensions are payable in accordance with the Pension Scheme.

9.0 CLAIMS AND PAYMENTS:

- 9.1 Claims for payment of Allowances shall be made in writing within one month of the date on which entitlement to the Allowances arises.
- 9.2 Payment for Basic, Special Responsibility and Co-optees' Allowances shall be made in equal monthly instalments on the 25th day of the relevant month.
- 9.3 Dependant Carer's Allowance and Travelling, Subsistence and Accommodation Allowance will be paid within one month of receipt of a valid claim.
- 9.4 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.
- 9.5 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.

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	4,297
Leader	3.75	16,114
Deputy Leader - without Delegation Responsibility - with Delegation Responsibility	1.75 2.25	7,519 9,670
Chairman of Council	0.75	3,222
Minority Group Leader (only applicable to a group of 5 or more Members)	0.25	1,075
Chairman of Planning Committee	1	4,297
Chairman of Audit, Governance and Standards Committee	0.25	1,075
Chairmen of Scrutiny Committee	0.75	3,222
Chairman of Licensing Committee	0.25	1,075
Cabinet Member - without Delegation Responsibility - with Delegation Responsibility	1.25 1.75	5,372 7,519
Dependant Carer's Allowance	-	National minimum wage (currently £6.08) A maximum of 10 hours per week
Independent Persons	-	233

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.

Delegation Responsibility means functions delegated to the Cabinet Member under the Council's Constitution.

No Member can receive more than one Special Responsibility Allowance.

SUBSISTENCE RATES

	<u>£</u>
Breakfast	7.07
Lunch	9.75
Tea (absence after 6.30pm)	3.83
Dinner (absence after 8.30pm)	12.08

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 £78
Major Cities	Up to £101
London	Up to £134
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 2015/16

1.0 INTRODUCTION:

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- 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 2015 until 31 March 2016 unless specified otherwise. Those Allowances specified in Part 1 of the Annex will be payable from 1 April 2015 to 10 May 2015 and those Allowances specified in Part 2 of the Annex will be payable from 11 May 2015 until 31 March 2016.
- 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.

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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.
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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.
- 7.1 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 PENSIONS:

- 8.1 All elected Members of the Council are entitled to pensions in accordance with the North Yorkshire Superannuation Scheme ("the Pension Scheme").
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 - (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.
- 9.5 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.

PART 1 (PAYABLE 1 APRIL 2015 TO 10 MAY 2015)

ATTENDANCE ALLOWANCES 2015/16

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	4,297
Leader	3.75	16,114
Deputy Leader - without Delegation Responsibility - with Delegation Responsibility	1.75 2.25	7,519 9,670
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Delegation Responsibility means functions delegated to the Cabinet Member under the Council's Constitution.

No Member can receive more than one Special Responsibility Allowance.

SUBSISTENCE RATES

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Lunch	9.75
Tea (absence after 6.30pm)	3.83
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The Allowance is irrespective of the actual cost of the meal.

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Major Cities	Up to £101
London	Up to £134
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.

PART 2 (PAYABLE 11 MAY 2015 TO 31 MARCH 2016)

ATTENDANCE ALLOWANCES 2015/16

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 <u>£</u>
Basic	N/A	5,500
Leader	4.00	22,000
Deputy Leader	2.00	11,000
Chairman of Council	0.75	4,125
Minority Group Leader (only applicable to a group of 5 or more Members)	0.25	1,375
Chairman of Planning Committee	1	5,500
Chairman of Audit, Governance and Standards Committee	0.25	1,375
Chairman of Scrutiny Committee	0.75	4,125
Chairman of Licensing Committee	0.25	1,375
Cabinet Member	1.50	8,250
Dependant Carer's Allowance	-	National minimum wage (currently £6.50) with a maximum of 10 hours per week
Independent Persons	-	233

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.

Delegation Responsibility means functions delegated to the Cabinet Member under the Council's Constitution.

No Member can receive more than one Special Responsibility Allowance.

SUBSISTENCE RATES

	£
Breakfast	7.07
Lunch	9.75
Tea (absence after 6.30pm)	3.83
Dinner (absence after 8.30pm)	12.08

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 £78
Major Cities	Up to £101
London	Up to £134
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.