

HAMBLETON DISTRICT COUNCIL

Report To: Council
21 February 2017

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 requires the Council to consider its Allowances Scheme before the beginning of each year.

1.2 Councils are required to establish and maintain an Independent Remuneration Panel to provide advice on its scheme and amounts to be paid, amongst other things. Local Authorities must have regard to this advice although are not bound by the recommendations.

1.3 The Independent Remuneration Panel, which was appointed in 2013 for a term of four years, comprises:-

- Michael Holford
- Pat Martin
- Ian Woods

1.4 The Independent Remuneration Panel have carried out a full review of the Members' Allowances Scheme and the report attached at an Appendix A sets out their recommendations for a range of basic and special responsibility allowances (SRA's) for Members of the Council. This report asks Council to consider the report and approve an Allowance Scheme for the 2017/18 Financial Year.

2.0 THE REPORT

2.1 The report seeks consideration of three amendments from the Independent Remuneration Panel to the existing scheme as follows:-

- (1) the quantum for Chair of Scrutiny be reduced from 0.75 to 0.25;
- (2) the quantum for Chair of Planning be increased from 1 to 1.5; and
- (3) 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."

3.0 THE CURRENT SCHEME:

3.1 The current Scheme is attached as Appendix B to this report. In accordance with section 7.1 of the Policy "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." An increase was awarded locally in 2015 which was frozen for the period of the Council, until May 2019.

4.0 THE PROPOSED SCHEME:

4.2 A copy of the proposed scheme for 2017/18 is attached as Appendix C to this report. Although the actual allowances have been frozen, the Travelling, Subsistence and Accommodation Allowances have been increased in line with payments made to staff. This complies with Section 7.2 of the policy.

5.0 CONCLUSIONS

5.1 The Independent Remuneration Panel has undertaken a comprehensive review of the current scheme and is satisfied that it has followed a rigorous process.

5.2 The Panel has worked within the fixed budget and has given consideration to comments made by Members.

6.0 FINANCIAL IMPLICATIONS AND EFFICIENCIES:

6.1 The cost of this proposal will be funded within existing budgetary provision. Carrying forward the existing Scheme is currently budgeted for in the 2017/18 Estimates.

6.2 There are no efficiencies associated with this report.

7.0 LEGAL IMPLICATIONS:

7.1 The Council cannot operate a Members' Allowances Scheme in 2017/18 without considering this report and passing a formal resolution. The Scheme will have to be publicised.

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

8.0 EQUALITIES / DIVERSITY ISSUES

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

9.0 RISK IMPLICATIONS

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

10.0 RECOMMENDATIONS:

10.1 It is recommended that Council approves the Members' Allowances Scheme as attached at Appendix C of the report for the year 2017/18, subject to consideration of the recommendations of the Independent Remuneration Panel.

JUSTIN IVES

Background papers: Report to Independent Remuneration Panel
Author ref: GN
Contact: Gary Nelson
Director of Law and Governance (Monitoring Officer)
Direct Line No: (01609) 767012

Report of the Independent Remuneration Panel

The Independent Remuneration Panel (IRP) was asked to conduct a review of the Members' Allowances Scheme 2016/17. Members of the Panel were Michael Holford, Pat Martin and Ian Woods.

A meeting was held on 27 January 2017 to discuss how to proceed with the review and to consider relevant information in order to inform the review. A meeting was convened on Friday, 27 January 2017 to interview Councillors to help the IRP prepare their recommendations for the biannual review of Allowances for Members of HDC to be presented to Council on 21 February 2017.

Background

In November 2014 the IRP based their recommendations on a scenario whereby the number of Councillors serving HDC would be reducing from 44 to 28 in May 2015. The recommendation at the time increased the base amount from £4297 to £5500, effective from May 2015. The purpose of this recommendation was to acknowledge the extra work that Councillors would be subject to under the new regime whilst at the same time enabling a saving to be shown against the existing allowance scheme.

Following implementation of the new allowance scheme, the basic figure of £5500 was then increased by 10% in July 2015 (effective April 2016) to give a new figure of £6050. The 10% increase was related to a locally agreed pay increase for staff. Although on its face this increase was higher than previous pay increase, which was in the region of 2%-3% the increase was in line with Paragraph 23 of the November 2014 report which covered Annual Increases, and states *'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'*.

However, given that the Council's attempts to implement locally negotiated terms and conditions to staff had been rejected, the IRP believe that Members' Allowances should return to being increased in line with those agreed nationally for staff salaries.

Interviews were conducted on 27 January 2017 with the following Councillors:-

Councillor Mark Robson – Leader of the Council
Councillor John Noone – Chairman of the Council
Councillor David Webster – Chairman of Planning Committee
Councillor Steve Watson – Cabinet Member (Portfolio Holder for Environmental Health, Waste and Recycling)
Councillor Isobel Sanderson – Chairman of Licensing Committee (and Chairman of the Licensing & Appeals Hearings Panel)

The Panel's recommendations are as follows:-

Following meetings of the Independent Remuneration Panel held on 12 December 2016 and 27 January 2017, the Independent Remuneration Panel recommends the following:-

1. The quantum for Chair of Scrutiny to be reduced from 0.75 to 0.25
2. The quantum for Chair of Planning to be increased from 1 to 1.5
3. 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."

MEMBERS' ALLOWANCES SCHEME 2016/17

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 2016 until 31 March 2017 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 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 Independent Persons’ 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.

PAYABLE WITH EFFECT FROM 1 APRIL 2016**ATTENDANCE ALLOWANCES 2016/17**

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 £6.70) 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	7.35
Lunch	10.14
Tea (absence after 6.30pm)	3.99
Dinner (absence after 8.30pm)	12.56

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.

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SUBSISTENCE RATES

	<u>£</u>
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

	<u>£</u>
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.