

Crawley Borough Council

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Report to Executive

14 June 2006

Report to General Purposes Committee

27 June 2006

Members' Allowances Scheme 2006/07– Supplementary Report of Independent Review Panel and Appointment of New Panel Members for 2007/08

1. Summary

- 1.1 This report relates to a supplementary report from the Members' Allowances Independent Review Panel, following a request from the Council on 12 April for the Panel to reconvene.
- 1.2 The report recommends increases to Members' allowances (including the basic allowance, the Special Responsibility Allowance and the Dependent Care Allowance), in line with inflation. The report also proposes a Special Responsibility Allowance for the Vice-Chair of Development Control Committee and for the Chair of the Service Priority Working Group.
- 1.3. Full details of research undertaken by the Panel, its conclusions and recommendations are set out in the Panel's Final report, which was circulated separately to all Members of the Council in March and in the supplementary report which has just been circulated to all Members. Both documents are available on request to Democratic Services (tel 01293 438293) or on the Council's website.
- 1.4 The Members' Allowances Regulations require that before the Council can determine its Members' Allowances scheme for the ensuing year, it must consider a report from an Independent Panel.

2. Recommendations

To the Executive

- 2.1 That, subject to the General Purposes Committee deciding to accept the Panel's recommendations in relation to Special Responsibility Allowances for the Vice-Chair of Development Control Committee and the Chair of the Service Priority Working Group, the Executive is requested to approve a supplementary estimate of £5,020 for the increased allowances recommended.

To the General Purposes Committee

- 2.2 That the Committee considers the supplementary report of the Members' Allowances Independent Review Panel (circulated separately to all Members of the Council) and decides whether it wishes to recommend to full Council any amendments to the scheme approved on 12 April and, if so, whether those changes should be backdated to 1 April 2006;
- 2.3 That the Panel be thanked for their work in undertaking the review; and
- 2.4 That the Council be recommended to enlarge the panel to five members (with a quorum of three) for 2006/07 and appoint the new members as detailed in paragraph 4.1 of the report.

PAT TINSLEY
Head of Democratic Services

3. Background

- 3.1 The Council at its meeting on 12 April considered the recommendation of the General Purposes Committee of 20 March in relation to the Members' Allowances Scheme for 2006/07 in the light of the report the Committee had received from the Members' Allowances Independent Review Panel.
- 3.2 The Council expressed its concern that only two Members of the Independent Review Panel were able to attend its meetings and that due to sickness, the final meeting had to be conducted by way of a telephone conference. The Council therefore agreed to ask the Panel to reconvene and to reconsider its recommendations, after having invited further comments from all Members of the Council. In the meantime, the Council agreed to continue with the Members' Allowances Scheme that was in place for 2005/06, noting that following further consideration by the Independent Panel and by the Council, the Council could agree to backdate any changes to the scheme for 2006/07 to 1 April 2006.
- 3.3 Following the Council meeting, the Head of Democratic Services arranged a further meeting of the Panel and invited Members to submit any further comments. The Panel, with all three members present met again on 16 May and considered further comments submitted by Members in relation to the possibility of allocating a Special Responsibility Allowance Payment to the Chair of the Service Priority Working Group (not originally proposed by the Panel) and in relation to the Panel's recommendation to allocate a Special Responsibility Allowance to Shadow Portfolio Holders and to the Vice-Chair of the Development Control Committee.

4. Composition of the Panel's for 2007/08

- 4.1 In the light of the difficulties experienced this year with ensuring a quorum at Panel meetings, it is proposed that the panel be enlarged and that in addition to the three existing members two additional members be appointed to the Panel, each for a four year term of office:-

Name	Nominated by	Remaining period of Office	Notes
Peter Mansfield-Clarke	Crawley Open House	1 year	Existing Panel Member
Janet Haynes	BAA Gatwick Ltd	2 years	Existing Panel Member
Alison Skinner	Crawley Primary Care Trust	4 years	Alison Skinner, an existing panel member has agreed to serve another 4 year term of office

Roy Rose	CADIA	4 years	New panel member
*	Crawley College	4 years	New panel member

*Note to Executive – still in process of finding 2 new Panel members. This is expected to be finalised in advance of despatching the agenda for the General Purposes Committee.

5. Panel's Conclusions and Recommendations

- 5.1 The Panel's deliberations, conclusions and recommendations are set out in its supplementary report. The Panel is recommending that, in general, allowances should be increased in line with inflation and additionally that the Vice-Chair of Development Control Committee and the Chair of the Service Priority Working Group should each receive an allowance of £2,226 per annum, provided in the case of the Chair of the Service Priority Working Group that the post-holder is not an Executive Member. The Executive is therefore asked to approve a supplementary revenue estimate to cover the additional cost.
- 5.2 The General Purposes Committee also needs to decide whether it wishes to recommend that any changes to the scheme approved by the Council on 12 April 2006, be backdated to 1 April 2006.
- 5.3 The Members' Allowances Scheme set out in Appendix 1 (for General Purposes Committee only) to this report would give effect to the recommendations contained in the supplementary report of the Independent Review Panel, backdated to 1 April 2006.

6. Staffing, Financial and Legal Implications/Powers

- 6.1 The cost of the revised Members' Allowances Scheme recommended by the Independent Review Panel will be around £345,690 in a full year, plus an estimated £1,200 for travel and dependent care payments. These figures include national insurance and pension contributions payable by the Council as employer, and exceed the existing budget provision by £5,020 as shown in the table below. Equivalent savings would need to be found in the Council's budget to fund this extra cost. Or, if this cannot be achieved a supplementary estimate would be required before the new allowance could be paid.

	Item	Cost per annum £
(a)	Scheme (based on 37 members) and 8 Scrutiny panels Inflationary increase of 2.95% on present cost of allowances	£342,430
(b)	Increase re payment of SRA to Chair of Service Priority Working Group	£2,230

(c)	Increase re payment of SRA to Vice Chair of Development Control Committee	£2,230
	Total proposed cost	£346,890
	Existing provision for 37 members and 10 Scrutiny panels (estimate)	£341,870
	Overall increase (supplementary estimate required)	£5,020

7. Links to the Community Strategy and Corporate Plan

7.1 The proposals contained in this report relate to the following key areas of the Community Strategy

Local Economy	✓	Health and Social Care
Affordable Housing		Community Safety
Lifelong Learning		Local Environment

The following key principles are applicable:-

(i) Working together	✓
(ii) Dignity, respect and opportunities for all	✓
(iii) Leaving no-one behind	✓
(iv) Making it last	✓

This report achieves the following aims as set out in the Corporate Plan

Providing high quality services	✓	Giving exemplary customer service and satisfaction	✓
Being financially efficient and well managed	✓	Developing motivated, positive and empowered staff	✓

8. Reasons for the Recommendation

8.1 To the General Purposes Committee

An increase in the allowances in line with inflation has been proposed by the Independent Review Panel, to reflect the practice for officers' pay and to continue to acknowledge the responsibility and time commitment required of Members to carry out their duties. Recommended new Special Responsibility Allowances are to reflect the ongoing workloads of the post holders concerned.

8.2 To the Executive

To ensure that adequate funding is available in the event of the Council wishing to accept the recommendations of the Independent Review Panel on Members' Allowances.

9. Background Papers

Reports and Minutes of the Members' Allowances Independent Remuneration Panel

Contact Officer:- Pat Tinsley
Direct Line:- 01293 43829

MEMBERS' ALLOWANCES SCHEME 2006/2007(From 1 April 2006 to 31 March 2007)

1. This scheme may be cited as the Crawley Borough Council Members' Allowances Scheme, and shall have effect from 1 April 2006 to 31 March 2007.
2. In this scheme,

"Councillor" means a member of the Crawley Borough Council who is a Councillor;

"total estimated allowances" means the aggregate of the amounts estimated by the Head of Finance, at the time when a payment of basic allowance or special responsibility allowance is made, to be payable under this scheme in relation to the relevant year, and for this purpose any election under paragraph 10 shall be disregarded;

"year" means the 12 months ending with 31 March.

Basic Allowance

3. Subject to paragraph 10, for each year a basic allowance of **£ 5,565** shall be paid to each Councillor.

Special Responsibility Allowances

4. (1) For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified in schedule 1 to this scheme.

(2) Subject to paragraph 10, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

Travelling and Subsistence Allowances

5. Travelling and subsistence allowances shall be paid to Councillors and co-opted members in the following circumstances:-
 - (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority 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 authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other authority 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 authority 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 authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the authority is a member;
- (d) the attendance at a meeting of the Executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 (requiring a member or members to be present while tender documents are opened);
- (f) 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 authority to inspect or authorise the inspection of premises;
- (g) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees. (The duties approved by the Council for the payment of travelling, subsistence and dependent care allowances under this sub-section are specified in schedule 2 to this scheme.)

(2) The level of travelling and subsistence allowances payable to Councillors and co-opted members shall be the same as those paid to officers. The figures set out below relate to the allowances paid in 2005/06. The officer rates, which are determined nationally, have not yet been determined for 2006/07 (as of 1st March 2006). If there is an increase the figures below will be increased accordingly.

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	Allowances
Breakfast (more than four hours absence before 11.00 a.m.)	£6.06
Lunch (more than four hours absence including the period 12 noon to 2.00 p.m.)	£8.37
Tea (more than four hours absence including the period from 3.00 p.m. to 6.00 p.m.)	£3.31
Evening Meal (more than four hours absence ending after 7.00 p.m.)	£10.36
Out of Pocket Expenses (residential training courses): Per night	£4.65

Per week	£18.60
Cycling Allowance	20p per mile
<u>Motor vehicle:-</u>	
First 8,500 miles per annum	
Not exceeding 999cc	39.7p
999cc to 1199cc	43.1p
Over 1199cc	54.4p

In addition, elected Members may claim a passenger supplement of 1p per mile for up to four passengers who would otherwise be entitled to a travelling allowance.

Overnight Rate

Overnight rate should be the actual cost up to a maximum of £82.50 (or £95.00, if in London) subject to the Head of Democratic Services being empowered to authorise a higher amount in specific instances where suitable accommodation cannot not be found within the limit.

Dependant Care Allowance

6. A Dependant Care Allowance of the actual cost up to £8.25 per hour shall be payable to cover the cost of caring for a Councillor's dependant children or elderly/disabled relatives whilst a Councillor is undertaking an approved duty, provided the carer is not a member of the Councillor's own household. Such an allowance shall only be payable in relation to duties described in paragraph 5(1) (a) to (g) above.

Local Government Pension Scheme

7. With effect from 6 April, 2006, elected Councillors under 75 years of age shall be admitted to the local government pension scheme, if they so wish.

Pensions shall be calculated based on average earnings (and not on final salary) and payments shall be index-linked.

Only basic allowances and special responsibility allowances shall be pensionable.

The pension scheme will provide a pension at age 70 for those with at least two year's membership of the scheme or a reduced pension for members retiring between 65 and 70.

Co-opted Members

8. Co-opted Members shall only receive travelling and subsistence allowances.

Renunciation

9. A Councillor may by notice in writing given to the Head of Finance elect to forego any part of his/her entitlement to an allowance under this scheme.

Part-Year Entitlements

10. (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (2) If an amendment to this scheme changes the amount to which a Councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods
 - (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (3) Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to 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 subsists bears to the number of days in that year.
- (4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (2) (a), the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during his term of office as a Councillor subsists bears to the number of days in that period.
- (5) Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.

- (6) Where this scheme is amended as mentioned in sub-paragraph (2), and a Councillor has during part, but does not have throughout the whole, or any period mentioned in sub-paragraph (2) (a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

Payments

11. Payments shall be made in respect of basic and special responsibility allowances, and pensions in monthly instalments in arrears (*subject to paragraph 9 above - renunciations*).

SCHEDULE 1

The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances:-

Office Holder	Allowance
	£
Basic Allowance (all councillors)	5,565.00
Leader of the Council	13,359.00
Executive Portfolio Holders	6,677.00
Overview & Scrutiny Commission Chair	5,977.00
Vice Chair of Scrutiny Commission	1,091.00
Payments to Lead Member on a Review (note Members would be entitled to only one £1,060 allowance per year even if they chose to undertake a second review)	1,060.00 per completed review:-
Chair of Development Control Committee	5,564.00
Chair of Licensing Committee	5,564.00
Vice-Chair of Licensing	2,226.00
Vice-Chair of Development Control Committee	2,226.00
Chair of Standards Committee	2,226.00
Chair of General Purposes Committee	2,226.00
Chair of Service Priority Working Group	2,226.00
Leader(s) of minority group(s) (differential rates depending on the number of Members in that Group); <ul style="list-style-type: none"> • Basic allowance • Additional payment per Group member 	2,059.00 257.00

No member is entitled to more than two special responsibility allowances. If they fulfil more than two of the above roles, they are paid only the highest two allowances.

SCHEDULE 2

The following are approved duties for the payment of travelling, subsistence and dependant care allowances in accordance with sub-section 5(1) (g) of this scheme:-

- (i) Attendance at seminars and training courses funded by the Crawley Borough Council, whether held in the Town Hall or elsewhere.
- (ii) Attendance at meetings with Council Officers in connection with Crawley Borough Council duties.
- (iii) Attendance at meetings with other local authorities, central government or other agencies in connection with Crawley Borough Council duties.
- (iv) Attendance at meetings with members of the public in connection with Crawley Borough Council duties.
- (v) Attendance at meetings with voluntary organisations or public sector bodies, award ceremonies, or public events in connection with Crawley Borough Council duties

