

# Crawley Borough Council

	Report No:DS/80	<b>B</b>
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## Report to General Purposes Committee

17 March 2008

### Members' Allowances Scheme – Report of Independent Review Panel

#### 1. Key Points

- 1.1 This report deals with the final report of the Members' Allowances Independent Review Panel, which recommends increases to Members' Allowances (including the basic allowance, special responsibility allowances dependant care allowance and the overnight rate) of 2.25%.
- 1.2. Full details of the research undertaken by the Panel, its conclusions and recommendations are set out in the [Panel's Final Report](#) which has been circulated separately to all Members of the Council and is available on request from Democratic Services (Tel: 01293 438282) or on the Council's website ([www.crawley.gov.uk](http://www.crawley.gov.uk))
- 1.3. 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

- 2.1 **That the Committee considers the report of the Members' Allowances Independent Review Panel (circulated separately to all Members of the Council) and decides what it wishes to recommend to full Council as the Members' Allowances Scheme for 2008/09.**
- 2.2. **That the Panel be thanked for the thorough and efficient way that they carried out the review.**

PAT TINSLEY  
Head of Democratic Services

### **3. The Panel's Conclusions and Recommendations**

- 3.1 The Panel's deliberations, conclusions and recommendations are set out in its report. The Panel is recommending, in general, that allowances should be increased by 2.25%. If the General Purposes Committee decides to recommend this level of increase to the Council, then the total cost can be accommodated within the existing budget provision.
- 3.2. As far as the Dependant Care Allowance is concerned, the Panel has been mindful of the fact that babysitting services often charge a minimum of four hours, despite the fact that the service is frequently required for a much shorter period. Therefore, the Panel is recommending that, where professional babysitting or care services are used and a minimum period for the service is imposed by the provider, then the period in respect of which the allowance is payable shall include the whole period for which a councillor is charged. The Panel has noted that the uptake of travelling and subsistence allowances is low and is strongly encouraging members to claim the expenses due to them.
- 3.3. The Members' Allowances Scheme set out in Appendix 1 to this report would give effect to the recommendations contained in the report of the Independent Review Panel.

### **4 Staffing, Financial and Legal Implications/Powers**

- 4.1 The cost of the revised Members' Allowances Scheme recommended by the Independent Review Panel will be around £364,300 in a full year, plus an estimated £3,300 for travel and dependant care payments. These figures include national insurance and pension contributions payable by the Council as an employer, and can be accommodated within the existing budget provision of £367,600.

### **5 Links to the Community Strategy and Corporate Plan**

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

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

The following key principles are applicable:-

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

The report relates to the following areas in which the Council operates to enhance the town and the quality of life of local people:-

- (i) Our Communities: (ensuring they are safe, healthy, cohesive and enjoyable)
- (ii) Our Environment: (ensuring that it is attractive, clean, protected and sustainable)
- (iii) Our Economy: (ensuring it is thriving, vibrant and prosperous)
- (iv) Our Council: (ensuring it is engaging, transparent, business-like with a social conscience, cost-effective and a place-shaping community leader) y

## **6 Reasons for the Recommendation**

- 6.1. A 2.25% increase in the allowances has been proposed by the Independent Review Panel to continue to acknowledge the responsibility and time commitment required of Members to carry out their duties.

## **7 Background Papers**

Reports and Minutes of the Members' Allowances Independent Review Panel

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**MEMBERS' ALLOWANCES SCHEME 2008/2009(From 1 April 2008 to 31 March 2009)**

1. This scheme may be cited as the Crawley Borough Council Members' Allowances Scheme, and shall have effect from 1 April 2008 to 31 March 2009.

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 9 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 **£ 5,832** shall be paid to each Councillor.

Special Responsibility Allowances

4. (1) For each year a special responsibility allowance shall be paid to those Councillors and co-opted members 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 dependant 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 2007/08 The officer rates, which are determined nationally, have not yet been determined for 2008/09 (as of March 2008). If there is an increase the figures below will be increased accordingly:-

	Allowances
Breakfast (more than four hours absence before 11.00 a.m.)	£6.23
Lunch (more than four hours absence including the period 12 noon to 2.00 p.m.)	£8.60
Tea (more than four hours absence including the period from 3.00 p.m. to 6.00 p.m.)	£3.40
Evening Meal (more than four hours absence ending after 7.00 p.m.)	£10.65
Out of Pocket Expenses (residential training courses):	
Per night	£4.81
Per week	£19.23

Cycling Allowance	20p per mile
<u>Motor Cycle</u>	
Up to 50cc	13.74p
50cc to 125cc	20.83p
126cc to 250cc	29.92p
251cc to 500cc	39.34p
Exceeding 500cc	43.44p
<u>Motor vehicle:-</u>	
First 8,500 miles per annum	
Not exceeding 999cc	40.5p
999cc to 1199cc	44.2p
Over 1199cc	55.8p

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 £86.46 (or £99.51, if in London) subject to the Head of Legal and Democratic Services being empowered to authorise a higher amount in specific instances where suitable accommodation cannot be found within the limit.

#### Dependant Care Allowance

6. A Dependant Care Allowance of the actual cost up to £8.65 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. Where professional babysitting and care services are used and a minimum period for the service is imposed by the service provider, then the period in respect of which the allowance is payable shall include the whole period for which a councillor is charged. The Dependant Care allowance shall only be payable in relation to duties described in paragraph 5 (a) to (g) above.

#### Local Government Pension Scheme

7. 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 and any special responsibility allowance which might apply.

#### 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 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 an office holder 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 or an office holder 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 or her 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 or her term of office as a Councillor subsists bears to the number of days in that period.

- (5) Where an office holder has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that office holder'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 an office holder 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 office holder'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)	5832
Leader of the Council	14001
Executive Portfolio Holders	6998
Overview & Scrutiny Commission Chair	6264
Vice Chair of Scrutiny Commission	1143
Payments to Lead Member on a Review (note Members would be entitled to only one £1,111 allowance per year even if they chose to undertake a second review)	1111 per completed review:-
Chair of Development Control Committee	5832
Chair of Licensing Committee	5832
Vice-Chair of Licensing	2333
Vice-Chair of Development Control Committee	2333
Chair of Standards Committee	2333
Chair of General Purposes Committee	2333
Chair of Audit and Governance Sub-Committee	2333
Chair of Budget Advisory Group (payable provided the postholder is not an Executive Member)	2333
Leader(s) of minority group(s) (differential rates depending on the number of Members in that Group);	
• Basic allowance	2157
• Additional payment per Group member	269

No member is entitled to more than two special responsibility allowances. If they fulfil three or more 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 (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

