



Crawley Borough Council

Report to Governance Committee 14 March 2016

Members' Allowances Scheme - Report of the Independent Remuneration Panel

Report of the Head of Legal and Democratic Services, **LDS/115**

1. Purpose

- 1.1. The purpose of this report is for the Governance Committee to:
- a) have regard to the report and recommendations of the Council's Members' Allowances Independent Remuneration Panel (MAIRP)
 - b) Decide what it wishes to recommend to Full Council on the scheme of members' allowances for the period 1 April 2016 to 31 March 2020.

2. Recommendations

- 1) That the Committee considers the report of the Members' Allowances Independent Remuneration Panel (MAIRP) (**Appendix 1**) and the recommendations set out in Section 4 thereto.
- 2) That the Committee considers the draft Members' Allowances Scheme for 2016/17 to 2020/21 (**Appendix 2**) based on the report of the MAIRP and decides what it wishes to recommend to Full Council as the Members' Allowances Scheme for 2016/17 to 2019/20.
- 3) That the Members of the Panel be thanked for the thorough and efficient way that they carried out the review.

3. Reasons for the Recommendations

- 3.1 The proposals contained in the report of the MAIRP have been made with a view to:
- a) Acknowledging the responsibility and time commitment required of Members to carry out their duties.
 - b) Ensuring that the scheme of allowances is equitable, transparent and simple to understand and administer while being affordable within existing budgetary constraints and justifiable in the perception of the public.

Background

- 4.1. The Local Authorities (Members' Allowances) (England) Regulations, as amended, require all local authorities:
- To appoint an independent remuneration panel (IRP) to review the Council's Members' Allowances Scheme;
 - To have regard to the recommendations of their IRP.
- 4.2. The Council's MAIRP has now completed its deliberations and **Appendix 1** to this report sets out the Panel's recommendations regarding the scheme of members' allowances for the period 1 April 2016 to 31 March 2021.
- 4.3. Two of the four Members of the Panel, Alan Kennedy (Chair) and Jeremy Taylor, will attend the Governance Committee on 14 March to respond to any questions on the Panel's findings.

4. The Panel's Considerations, Conclusions and Recommendations

- 5.1. The Panel's deliberations are set out in **Appendix 1** including:
- a) A summary of the information and issues considered by the MAIRP (Section 3 refers to Appendix 1 refers);
 - b) The main principles taken into account by the Panel in carrying out its functions (paragraph 3.1.5 to Appendix 1 refers);
 - c) The recommendations of the Panel (Section 3 to Appendix 1 refers).
- 5.2. The Panel concluded that the following changes were required:
- a) Increase in the Special Responsibility Allowance (SRA) for the Chair of the Development Control Committee
 - b) Reductions in the SRAs for the Chairs of the Licensing Committee and the Budget Advisory Group;
 - c) The cessation of SRAs for Vice-Chairs (Development Control Committee, Licensing Committee and the Overview & Scrutiny Commission).
 - d) Removal of some Members' subsistence allowances/expenses so that they are the same as those paid to officers.
- 5.3. The Panel concluded that no further changes were required to:
- a) The other SRAs (i.e. other than those set out in paragraph 5.2 (a-c) above)
 - b) The use of the Chief Officers' pay awards as an index to determine adjustments to the level of the basic allowance and SRAs (N.B. The Chief Officers' pay award for 2016/17 has yet to be agreed. A 1.00% increase is expected and has been included in the Council's approved budget for 2016/17).
 - c) Co-optees' Allowance;
 - d) Dependants' Carers' Allowance;
 - e) Backdating of amendments to the scheme made during the year;
 - f) Member entitlement to pensions;
 - g) Travelling allowances/expenses (i.e. mileage rates continue to be the same as the HM Revenue & Customs rate).
 - h) Suspension.

- 5.4 The Committee may also want to consider the MAIRP' suggestions that:
- a) For future reviews, any post attracting a SRA should have a full job description (paragraph 3.6.3 to Appendix 1 refers).
 - b) That, as proposals for a review of the mayoralty and civic arrangements is shortly due to be considered at the request of the Overview and Scrutiny Commission, the mayoral allowances remain the same and the Panel will reconsider the mayoral allowances after completion of the review and such further time as to enable a better understanding of the implications of any such changes (paragraph 3.6.5 to Appendix 1 refers).
 - c) the Council should be more proactive in increasing prospective candidates/ Councillors awareness about their likely workloads, the Members' Allowances Scheme (including that they are taxable) and, once elected, how to prioritise their workloads and achieve a better Council work/life balance (paragraph 3.9.1 to Appendix 1 refers).
- 5.5 **Appendix 2** to this report sets out, based on the Panel's recommendations, a draft Members' Allowances Scheme for the period 1 April 2016 to 31 March 2020. Proposed deletions are identified by the strikethroughs, additional text is emboldened and explanatory comments are in italics.

6. Financial Implications

- 6.1 The proposals, if approved, can be met from within the existing budget for 2016/17 of £344,430 and will result in a small saving (approximately £6,000) which will be offered as part of the budget process for 2017/18.

7. Background Papers

- i) The Council's [Constitution](#)
- ii) The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended)

Report Author and Contact Officer:
Steve Lappage (Democratic Services Manager)
steve.lappage@ Crawley.gov.uk
01293 438549

CRAWLEY BOROUGH COUNCIL

**REPORT OF THE INDEPENDENT REMUNERATION PANEL
ON THE MEMBERS' ALLOWANCES 2016/17 to 2019/20****1. INTRODUCTION**

- 1.1. The Local Authorities (Members' Allowances) (England) Regulations, as amended, require all local authorities:
- To appoint an independent remuneration panel (IRP) to review the Council's Members' Allowances Scheme;
 - To have regard to the recommendations of their IRP.
- 1.2 The Council's Members' Allowances IRP has now completed its deliberations and this report sets out the Panel's recommendations regarding the scheme of members' allowances for the period 1 April 2016 to 31 March 2020.

2. BACKGROUND

- 2.1. At its meeting on 22 July 2015, the Council formally appointed the following people to serve on the Members' Allowances Independent Remuneration Panel for a 4 year term:
- Rachel Booles (Chief Executive, Crawley Community and Voluntary Services (CCVS))
 - Alan Kennedy (Lay Chair, Crawley Clinical Commissioning Group Governing Body)
 - Chief Inspector Dave Padwick (Crawley District Commander, Sussex Police)
 - Jeremy Taylor (Chief Executive, Gatwick Diamond Business Association)
- 2.2 Under the Members' Allowances Regulations, the IRP is required to produce a report making recommendations as to:-
- (a) The responsibilities or duties in respect of which the following should be available -
- (i) special responsibility allowance;
 - (ii) travelling and subsistence allowance;
 - (iii) co-optees' allowance;
- (b) The amount of such allowances and as to the amount of basic allowance. The basic allowance must be payable at an equal flat rate to all councillors;
- (c) Whether dependant carers' allowance should be payable to members of an authority, and as to the amount of such an allowance;
- (d) Whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated;
- (e) Whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply; subject to a maximum of four years before its application is reviewed;

- 2.3 The Panel noted that under the 2003 Regulations, IRPs used to be required to make recommendations:
- (a) as to which members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972; and
 - (b) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable in accordance with a scheme made under section 7 of the Superannuation Act 1972.
- 2.4 However since 1 April 2014, new councillors have been excluded from the Local Government Pension Scheme (LGPS). Membership of the LGPS is protected for existing Members until the end of their current 4 year term of office. Only 5 Crawley BC Members remain in the LGPS, and their 4 year terms will end in May 2016.
- 2.5 The last full review of the Council's Members' Allowances Scheme was undertaken during 2011/12.

3. MEETINGS OF THE PANEL – SUMMARY OF INFORMATION PROVIDED, MATTERS DISCUSSED AND CONCLUSIONS

3.1 General/Meetings

3.1.1 The Panel met on 25 November 2015, 26 January 2016 and 9 February 2016.

3.1.2 On 25 November 2015, the Panel began considering the level of allowances for 2016/17. The Panel received information about:-

- i) The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended)
- ii) General information on Crawley
- iii) A profile of Crawley Borough Council and its political decision making structures
- iv) Responsibilities of each Cabinet Member
- v) The roles and functions of the Overview and Scrutiny Commission including the Chair's responsibilities and the work undertaken by Scrutiny Panels;
- vi) Councillors' role descriptions extracted from the Constitution e.g. for all Councillors; the Mayor; Leader; Deputy Leader; Cabinet Members; Opposition Group Leader; Committee Chairs; Overview and Scrutiny Commission Chair
- vii) The current Members' Allowance Scheme and the previous Panel's report and recommendations
- viii) Allowances received by each Member during 2014/15
- ix) The results of the surveys of the time councillors spent on various activities (carried out during the two month period September – October 2015);
- x) Information about other local authorities' schemes extracted from the South East Employers' survey
- xi) Crawley BC allowances as a percentage of the leader's allowance and the Basic Allowance
- xii) Information on different types of formulas used to determine basic allowances including the public service principle and discount.

3.1.3 The Panel felt that, as in previous years, it would be useful to interview a selection of members about their respective roles. Therefore, on 26 January 2016, the Panel split into two groups and interviewed the following:-

- The Leader
- Opposition Leader

- Cabinet Member for Resources
- Chair of Development Control Committee
- Chair of Licensing Committee
- Three non-Cabinet Members (all of whom were new to the Council)

3.1.4 On 26 January and 9 February 2016, the Panel also received information about:-

- i) The Council's key priorities to give an overall picture and an idea of the depth of projects that the Council was working on.
- ii) The recently approved Local Plan
- iii) The implications of a second runway at Gatwick Airport
- iv) The Council's Budget Strategy
- v) Devolution and relationships with neighbouring authorities
- vi) Profile of current Members - currently there were 10 female councillors and 27 men including three members who had disabilities.
- vii) Filtered, comparative information on other local authorities Members' Allowances
- viii) Proposed review of the Mayoralty and civic arrangements
- ix) Number of meetings for each of the committees attracting SRAs
- x) Attendance figures for 2011/12 – 2014/15
- xi) Developing a hierarchy for Crawley BC's Members' Allowances

3.1.5 In carrying out its functions, the Panel particularly took into account the following main principles:-

- a) The various roles of elected Members and the time commitment involved.
- b) The differences between the level of responsibility and time commitment of Members holding special responsibilities and other Members.
- c) Schemes operating elsewhere in Authorities similar to Crawley.
- d) The need to attract and retain elected Members of appropriate calibre who are representative of the population of Crawley in terms of age, gender and ethnic origin.
- e) That Membership of the Council should be as inclusive as possible so as to allow all types of people to become a Councillor
- f) The need to encourage people to stand as Councillors and not to see a lack of remuneration/loss of earnings as a deterrent
- g) The need to ensure that the scheme of allowances is equitable, transparent and simple to understand and administer whilst being affordable within existing budgetary constraints and justifiable in the perception of the public.

3.2 Members' Survey: Time Logs and Comments

3.2.1 The Panel also considered the results of a survey and time logs which had been conducted to ascertain the amount of time that councillors spent on various aspects of their work. 16 Members out of the 37 had returned their questionnaires before the analysis was carried out. 6 of the 8 Members interviewed also completed time logs. The returns helped to demonstrate both the wide differences in time commitment between members on Council duties and differences between those holding special responsibilities and other members.

3.2.2 The Panel noted from the survey results and comments from Councillors that the range of hours spent on average on Council activities varied considerably reflecting, for example, the different responsibilities some Members had, the different ways many Members work, the different councillor interests/focus they may have and their own personal circumstances (e.g. work and family commitments). Although several considered that the current allowances did not truly reflect the overall commitment

made by Members, they were clearly committed to public service and helping their communities and, with very few exceptions, not in it for the money.

- 3.2.3 Attached as **Appendix A** to this report is a summary of the time logs, showing the wide range of hours spent on Council duties and also the average, mean & modal values. For many Members, especially holders of SRAs, these time often vary considerably from week to week.

3.3 Interviews with Members

- 3.3.1 During the interview process, the Panel had taken the opportunity to seek further information about the roles and workloads of the members interviewed. Members who had been interviewed by the Panel expressed a range of views on the current scheme. Some were generally satisfied with the current scheme, particularly bearing in mind the current financial constraints, although some felt the question of allowances for vice chairs was an area for consideration.

- 3.3.2 Again, it was evident that:

- a) Members were clearly very strongly committed to public service and helping their communities.
- b) The majority of Members were not in it for the money and the level of allowances were not a significant factor in deciding whether or not to stand again.

- 3.3.3 The Panel noted that Members are able to renounce all or part of their allowances. Whilst only one Member is currently known to forego part of their allowances, very few Members claim for subsistence and travel expenses/mileage allowances to which they are entitled.

3.4 Schemes operating elsewhere in authorities similar to Crawley

- 3.4.1 The Panel compared the level of allowances currently paid in Crawley with allowances paid by other local authorities which responded to the South East Employers (SEE) survey. These showed the considerable differences in the level of allowances between local authorities

- 3.4.2 The Panel noted from the survey that many of the Crawley allowances were in the top quartile or even the top decile and sought evidence why. Comparisons were therefore made with the level of allowances of authorities considered to be more similar to CBC (e.g. New Towns or more urban areas) which generally demonstrated that Crawley BC's allowances were more comparable and relatively not so high. This suggested that, whilst some of Crawley BC's allowances were above average, they were a fair, justified remuneration and reflected the nature of the local population, local services and the issues, complexities, demands and responsibilities faced by Members.

- 3.4.3 The Panel also considered the Public Service Principle/Discount which recognised that an important part of being a councillor is the desire to serve the public and therefore, not all of what a councillor does should be remunerated. Part of a councillor's time should be given voluntarily.

- 3.4.4 The Panel also looked at a range of formulas for determining the Basic Allowance. These included using local average wage levels (£14.45 per hour), living wage (£8.25 per hour) and minimum wage (£7.20 per hour), to be multiplied by a set number of hours (e.g. 15, 20 or 25) per week and applying a Public Service Discount (e.g. 40%).

3.4.5 However, the Panel decided against the application of a formula and an explicit Public Service Discount. Nevertheless, bearing in mind the time spent on Council duties, the level of allowances to be proposed locally were considered to effectively follow the Public Service Principle.

3.5 Basic Allowance

3.5.1 The Panel noted from the completed questionnaires and comments that Councillors had a range of views on the level of the basic allowance – some considered it too low, others quite acceptable particularly with the current financial constraints. The Panel also noted that whereas Crawley BC's basic allowance was in the top quartile in the SEE survey, it was in the second quartile in the survey of those authorities more similar to Crawley.

3.6 Special Responsibility Allowances

3.6.1 The Panel identified the following key findings in respect of the special responsibility allowances:

- a) That some positions attracting SRAs and some portfolios were much more onerous and time consuming than others including between roles attracting the same or similar levels of SRAs.
- b) The Leader's workload and responsibilities were more equivalent to a full time job.
- c) The workload of the Licensing Committee had decreased over the years and several Members, including the current Chair, had suggested that the Chair's SRA was too high.
- d) That the SRA for the Chair of the Development Control Committee should be increased to reflect the higher frequency of meetings, the enhanced chairing skills required and in the context of legal obligations.
- e) That relatively few local authorities paid SRAs to Vice-Chairs – and those that did tended to award lower amounts.

3.6.2 The Panel concluded that it was difficult to justify the public purse funding SRAs for Vice-Chairs especially in the absence of a proper, clearly defined role. However, the Panel indicated that if evidence could be submitted to justify SRAs for Vice-Chairs they would review it.

3.6.3 The Panel considered that any post attracting a SRA should have a job description. While it is outside the remit of the Panel to make a formal recommendation about Job Descriptions, the Panel hopes that consideration will be given to their introduction in time for the next review.

3.6.4 The Panel also gave careful consideration to:

- a) Developing a clearer hierarchy of SRAs and particularly discussed the relative positions, decision-making powers, workloads, complexity, status and roles of the Chairs of the Development Control Committee, Licensing Committee and Overview and Scrutiny Commission. The Panel agreed to recommend changes to some SRAs as a result of these discussions.
- b) Whether the Opposition Group Leader's SRA should be increased by increasing the rates per Group Member above certain thresholds but eventually decided against recommending any changes to this particular SRA.

3.6.5 The Mayor's allowances have not previously been considered by the Panel for inclusion in the Crawley's Members Allowances Scheme. Whilst the 2003 Regulations do not require local authorities to include such allowances in any review, it is considered good practice and in the interests of openness and transparency. However, as proposals for a review of the mayoralty and civic arrangements is

shortly due to be considered at the request of the Overview and Scrutiny Commission, the Panel agreed that the mayoral allowances be reconsidered after completion of the review and after such further time to enable a better understanding of the implications of any such changes. In the meantime, it was concluded that the mayoral allowances remain the same.

- 3.6.6 The Panel noted that the Monitoring Officer (the Head of Legal & Democratic Services), in consultation with the Leader of the Council and all Group Leaders, has been authorised to set the initial allowance and expenses for the Independent Person(s) and to review annually thereafter. They are recorded in any related notices in the interests of openness and transparency.

3.7 Travelling, Subsistence and other Allowances and Expenses

- 3.7.1 All Members, including independent persons and co-optees, are entitled to claim for expenses incurred when on official business, such as meals, dependants' carers' allowances for meetings and travelling expenses. However, the total claimed in these types of allowances is quite modest (under £800 in 2014/15 and under £520 to date for 2015/16) and most Members do not claim many of these allowances or expenses they are entitled to.
- 3.7.2 The level of travelling (mileage) allowances payable to Councillors and Co-opted Members be based on that approved by HM Revenue & Customs Rates. These are different to (lower than) those paid to officers. The current rate was introduced at the suggestion of a previous Panel because it was thought the Councillors were more likely to claim mileage allowances at the lower rather than the higher rates. But this has not led to an increase in mileage claims.
- 3.7.3 It had been suggested by some Members that mileage claims within the Borough and subsistence expenses should be dispensed with. However, the Panel agreed to continue the current approach whereby allowances should be payable to meet Members' out of pocket expenses as outlined in paragraphs 3.7.4 – 3.7.6 below.
- 3.7.4 Under the current scheme Members' subsistence allowances are to be paid at the same rate as for officers, which are recommended by the national employers' organisation but determined locally. However, it was noted that, unlike local Members, officers were no longer able to claim for breakfast, lunch and other out of pocket expenses (i.e. for residential training courses). The Panel concluded that it would be difficult to justify a difference and agreed that it should be aligned with the subsistence allowances paid to officers.
- 3.7.5 The Panel considered increasing the dependants' carers' allowance as it was quite low at £8.82 per hour although it was higher than the Minimum Wage (£7.20 an hour from April 2016) and the Living Wage (£8.25 an hour from April 2016). The Panel concluded that Dependants' Carers' Allowance should remain unchanged – payable at £8.82 per hour (provided the carer is not a member of the Councillor's own household).
- 3.7.6 The Panel also agreed to the status quo whereby co-optees should not receive an allowance as such but should continue to receive travelling and subsistence payments and any special responsibility allowance which might apply.

3.8 Affordability

- 3.8.1 The Panel has sought to ensure that the scheme of allowances is equitable, transparent and simple to understand and administer while being affordable within existing budgetary constraints and justifiable in the perception of the public.

- 3.8.2 The Panel noted that the Council would be budgeting for an officers' pay award of 1.0% for the financial years 2016/17 to 2019/20, increasing to 2.0% in 2020/21. At the time of writing this final report, the Chief Officers' pay award for 2016/17 has not yet been finalised.
- 3.8.3 The Panel also noted that that the proposals, if approved, represented savings of £6,214 compared to the Members' Allowances budget for 2015/16.

3.9 Other Issues and Comments

- 3.9.1 As a result of the interviews and their other findings, the Panel thought the Council could be more proactive (e.g. via the Political Groups and the website) in increasing prospective candidates/Councillors awareness about their likely workloads and the Members' Allowances Scheme (including that, despite being an "Allowance", it would still be taxable). Also, once elected, more help for Members on how to prioritise their workloads and achieve a better Council work/life balance should be provided.
- 3.9.2 Although the current age profile was not representative of the Borough's local demographics, the Panel accepted that with family, work/career and other commitments that it would be unrealistic to pursue this any further.
- 3.9.3 The Panel also considered and agreed to maintain the status quo for the:
- a) Amendment of Scheme – Backdating of amendments to the scheme made during the year
 - b) Adjustments to the level of allowances being determined
 - c) Suspensions
 - d) Reviews

4. RECOMMENDATIONS

- 4.1. Having considered the matters set out above, the Panel has completed its deliberations and is now in a position to make its final recommendations to the Governance Committee and Full Council as set out below

Basic and Special Responsibility Allowances

- 1) That the allowances for 2016/17 to 2019/20, which are considered proportionate to the current responsibilities of the posts, be as set out below:

a) Allowances to remain at the same level

- Basic Allowance for all Members (£6,068)
- Leader of the Council (£14,567)
- Cabinet Member (£7,281)
- Chair of Overview and Scrutiny Commission (£6,516)
- Chair of Audit Committee (£2,428)
- Chair of any Scrutiny Panel (£1,156)
- Mayor (£10,590)
- Deputy Mayor (£1,650)
- Leader(s) of minority group(s) (differential rates depending on the number of Members in that Group): Basic allowance of £2,244 plus additional payment per Group member of £279)

b) Special Responsibility Allowances to be increased

- Chair of Development Control Committee (£7,000 – was £6,068)

c) Special Responsibility Allowances to be decreased

- Chair of Licensing Committee (£5,000 – was £6,068)
- Chair of Budget Advisory Group (£1,156 – was £2,428)

d) Special Responsibility Allowances to be ceased

- Vice- Chair of Development Control Committee (was £2,428)
 - Vice- Chair of Licensing Committee (was £2,248)
 - Vice-Chair of Overview & Scrutiny Commission (was £1,189)
- 2) That adjustments to the level of allowances be determined by using the Chief Officers' pay awards as the index for the period 2016/17 to 2019/20.
- 3) The existing policy in respect of the multiple allowances be continued i.e. no member shall be entitled to more than one special responsibility allowance. If they fulfil two or more of the above roles, they are paid only the highest allowance.

Subsistence, Travelling and Other Allowances

- 4) That the subsistence allowances be the same as are paid to Council officers which are recommended by the national employers' organisation but determined locally as set out below:

The current rates (for 2015/16) are set out below.

Subsistence Allowances	
Tea (more than four hours absence including the period from 3.00 p.m. to 6.00 p.m.)	£3.53
Evening Meal (more than four hours absence ending after 7.00 p.m.)	£11.03

- 5) That Travelling/Mileage Allowances payable to Councillors and Co-Opted Members be the same as that approved by HM Revenue & Customs as set out below (current rates).

Travelling Allowances	
Cars and vans	45p per mile
Motor Cycles	24p per mile
Bicycles	20p per mile

In addition, elected Members may claim a passenger supplement of 5p per mile for up to four passengers who would otherwise be entitled to a travelling allowance.

- 6) That the overnight rate should be the actual cost up to a maximum of £88.46 (or £99.51, if in London), subject to the Head of Legal & Democratic Services being empowered to authorise a higher amount in specific instances where suitable accommodation cannot not be found within the limit.
- 7) Co-optees should not receive an allowance as such but should continue to receive travelling and subsistence payments and any special responsibility allowance which might apply.
- 8) The Dependant Care Allowance payment should be £8.82 per hour (payable provided the carer is not a member of the Councillor's own household). However, 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.

Amendments and Reviews

- 9) In the event that the scheme is amended at any time as to affect an allowance payable for the year in which the amendment is made, a decision should be taken by the Head of Legal and Democratic Services (when appropriate, in consultation with the Panel) at that time as to whether payment of allowances should be backdated, based on the circumstances of the case.

- 10) No changes should be made to the withholding of any allowance to a member during a period of suspension, or partial suspension, imposed due to a breach of the Code of Conduct.

- 11) Any member of the Council or of the Members' Allowances Independent Remuneration Panel may ask (through the Head of Legal & Democratic Services) the Panel to meet again to review the Members' Allowances Scheme and make recommendations to the Governance Committee if, for example, it is considered there have been any significant governance or related changes which impact on Members' roles and responsibilities (e.g. following the completion of the proposed review of the mayoralty and civic arrangements).

Alan Kennedy
Chair,
Crawley BC Members' Allowances Independent Remuneration Panel
4 March 2016

Appendix A

Members' Allowances Independent Remuneration Panel: Surveys of time spent by elected Members on Council activities each week

- 1) 16 out of the 37 Members completed the first survey in September to November 2015 (in black). 7 of the 16 receive SRAs. They were not asked to distinguish between the time they spent on SRA and basic allowance related duties.

<u>ACTIVITY</u>	<u>Range</u> Hours/ minutes	<u>Average</u> Hours/ minutes	<u>Median</u> Hours/ minutes	<u>Mode</u> Hours/minutes (frequency)
Work with constituents	1.00 - 10.00	4.15	4.00	1.00, 3.00 & 5.00 (2 each)
Representing community interests	0 – 7.00	2.40	2.00/3.00	3.00 (5)
Work with outside bodies	0 – 8.00	2.00	1.00	1.00 (5)
Attending meetings (formal and informal)	2.00 – 18.00	5.30	4.00/5.00	5.00 (4)
Preparing for meetings	1.00 - 8.00	3.15	2.30	1.00, 1.30 & 2.30 (3 each)
Background reading (other than as preparation for meetings)	1.00 – 8.00	2.30	1.00	1.00 (6)
Training sessions/seminars	00.30 – 2.00	1.00r	1.00r	1.00 (8)
Research and/or evidence analysis	0.10 – 3.00	1.15	1.00	1.00 (5)
Liaising with officers	0.15 – 4.00	1.40	1.00/1.30	3.00 (5)
Party political work (i.e. directly related to role as a Councillor)	2.00 – 8.00	2.45	3.00	3.00 & 4.00 (4 each)
Other Council duties e.g. civic events	0 – 4.00	1.00	1.00	0 & 1.00 (6)
TOTAL	12.00 – 50.00	27.50	21.30/23.30	20.00 – 28.30

- 2) 6 of the 8 Members completed a slightly different second survey in December 2015/ January 2016 in preparation for the interviews with the Panel. Of those, 4 (of whom 3 responded) receive SRAs and were asked to separate the time they spent on basic allowances and SRA related duties (*in italics*). One ex-member (several were asked) also completed this survey. These are very small sample sizes.

<u>ACTIVITY</u>	<u>Range</u> Hours/ minutes	<u>Average</u> Hours/ minutes	<u>Median</u> Hours/ minutes	<u>Mode</u> Hours/minutes (frequency)
Constituency based work (including community interests)	1.00 – 8.45 <i>0.30 – 1.00</i>	4.00 <i>0.45</i>	3.00 <i>0.30/1.00</i>	3.00 (3) <i>0.30/1.00 (1)</i>
Outside bodies representation	0.00 – 3.30	1.00	0.30	0.00 & 0.30 (2)
Attending formal meetings	1.00 – 8.00 <i>1.15</i>	3.30 <i>1.15</i>	3.00 <i>1.15</i>	3.00 (2) <i>1.15 (2)</i>
Attending informal meetings	00.30 – 5.00 <i>0.00 – 2.30</i>	3.00 <i>1.40</i>	3.30 <i>2.00</i>	0.30 – 5.00 (1) <i>0.30, 2.00 & 2.30 (1)</i>
Preparing for meetings (including reading, research and liaison)	1.00 – 4.30 <i>1.00 – 3.45</i>	2.30 <i>1.55</i>	2.00/3.00 <i>1.00</i>	2.00 (2) <i>1.00</i>
Party political work (i.e. directly related to role as a Councillor)	1.00 – 4.00 <i>2.00</i>	2.00 <i>2.00</i>	1.00/2.30 <i>2.00</i>	1.00 (3) <i>2.00 (1)</i>
Other (e.g. training, reading, research, officer liaison, civic events)	1.30 – 6.00 <i>1.15 – 10.00</i>	3.15 <i>4.15</i>	3.00/4.00 <i>1.30</i>	1.30 (2) <i>1.15/1.30/10.00 (1)</i>
Other SRA related activities	<i>0.00 – 2.00</i>	<i>1.00</i>	<i>0.00/2.00</i>	<i>0.00/2.00 (1)</i>
TOTAL	7.00 – 30.00 <i>3.15 – 22.30</i>	19.15 <i>12.50</i>	16.00/19.30 <i>8.15/10.45</i>	11.00 – 18.00 <i>6.30 – 19.45</i>

MEMBERS' ALLOWANCES SCHEME 2012/13 2016/2017 to 2015/16 2019/20 (From 1 April 2012 2016 to 31 March 2016 2020) (DRAFT)

1. This scheme may be cited as the Crawley Borough Council Members' Allowances Scheme, and shall have effect from 1 April ~~2012~~ **2016** to 31 March ~~2016~~ **2020**.
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, Revenues and Benefits, 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.
3. Basic Allowance

Subject to paragraph 10, for each year a basic allowance of £6,068 shall be paid to each Councillor.
4. Special Responsibility Allowances
 - (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.
5. Travelling and Subsistence Allowances
 - (1) 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 Cabinet or a meeting of any of its committees, where the authority is operating Cabinet 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 dependants' carers' allowances under this sub-section are specified in schedule 2 to this scheme.)
- (2) The level of travelling allowances payable to Councillors and Co-opted Members shall be based on that approved by HM Revenue & Customs as currently set out below. ~~The HM Revenue & Customs Rate for cars and vans were changed in 2011 from 40p to 45p. Although none are expected,~~ If there are any further changes the figures below will be amended accordingly:-

	First 10,000 miles	Each mile over 10,000
Cars and vans	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p

In addition, elected Members may claim a passenger supplement of 5p per mile for carrying passengers in a car or van who would otherwise be entitled to a travelling allowance.

- (3) The level of 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 2011/12 **2015/16**. The officer rates will be updated annually on 1 April each year. If there is an increase the figures below will be increased accordingly.

<u>Subsistence Allowances</u>	<u>Rate</u>
Breakfast (more than four hours absence before 11.00 a.m.)	£6.45
Lunch (more than four hours absence including the period 12 noon to 2.00 p.m.)	£8.91
Tea (more than four hours absence including the period from 3.00 p.m. to 6.00 p.m.)	£3.53
Evening Meal (more than four hours absence ending after 7.00 p.m.)	£11.03
Out of Pocket Expenses (residential training courses):-	
Per night	£4.97
Per week	£19.86

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.

6. Dependants' Carers' Allowance

A Dependants' Carers' Allowance of the actual cost up to £8.82 per hour shall be payable to cover the cost of caring for a Councillor's dependent 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. In addition, the Dependants' Carers' Allowance, at the level prescribed above, shall be payable to cover the cost of a live-in nanny caring for a Councillor's dependant whilst the Councillor is undertaking an approved duty. In other circumstances 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 Dependants' Carers' Allowance shall only be payable in relation to duties described in paragraph 5 (a) to (g) above.

7. Local Government Pension Scheme

As of 1 April 2014 no new Councillors will be able to join the local government pension scheme. Scheme membership for existing members will be protected until the end of their current **4 year** term of office. (*Explanatory Note: This protection for all the Members who remain in the local government pension scheme will cease after their current four year terms of office expire in May 2016.*)

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.

8. Co-opted Members

Co-opted Members shall only receive travelling and subsistence allowances and any special responsibility allowance which might apply.

9. Renunciation

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

10. Part-Year Entitlements

(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.

11. Payments

Payments **by direct bank credit** shall be made in respect of basic and special responsibility allowances and pensions in monthly instalments ~~in arrears~~ **and is usually paid on the 20th of each month. However where, for example, the 20th falls on a weekend, payment will be made on the previous Friday. Each month's allowance is calculated on the basis of one twelfth of the annual allowance, and is for the period of that calendar month, and payment for individual days is calculated by dividing the monthly sum by the number of days (including Saturdays and Sundays) in the particular month.** (subject to paragraph 9 above – renunciations).

(Explanatory Note: Amended to reflect current practices which also apply to officers' salaries.)

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

The allowances for ~~2012/13~~ **2016/17** to ~~2015/16~~ **2019/2020** ~~were~~ **are** subject to any adjustments to the level of allowances being determined by using the Chief Officers' pay awards as the index. ~~The allowances set out below incorporate the 2.00% pay increase awarded to Chief Officers with effect from 1 January 2015 and which also covers the period 2015/16. This is the only pay increase awarded to Chief Officers since 1 April 2012 and, consequently, the only adjustments made to the level of the basic and special responsibility allowances since this scheme commenced on 1 April 2012.~~

Office Holder	Special Responsibility
	£
Basic allowance (all councillors)	6,068
Leader of the Council	14,567
Cabinet Portfolio Holders	7,281
Chair of Overview and Scrutiny Commission	6,516
Vice Chair of Overview and Scrutiny Commission	1,189
Payment to the Chair of any Scrutiny Panel is paid on completion of the scrutiny review	1,156
Chair of Development Control Committee	6,068 7,000
Vice Chair of Development Control Committee	2,428
Chair of Licensing Committee	6,068 5,000
Vice Chair of Licensing Committee	1,189
Independent Person(s) (Standards) *	750
Chair of Governance Committee	2,428
Chair of Audit Committee	2,428
Chair of Budget Advisory Group (payable provided the post holder is not a Cabinet Member)	2,428 1,156
Leader(s) of minority group(s) (<i>differential rates depending on number of members in that Group</i>);	
• basic allowance	2,244
• additional payment per group member	279
Mayor	10,590
Deputy Mayor	1,650

No member is entitled to more than one special responsibility allowance.

- * The Monitoring Officer, in consultation with the Leader of the Council and all Group Leaders, has been authorised to set the initial allowance and expenses for the Independent Person(s) and to review annually thereafter.

The following are approved duties for the payment of travelling, subsistence and dependants' carers' allowances in accordance with sub-section 5 (1) (a-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