



REPORT OF THE WELLAND PARTNERSHIP MEMBERS' REMUNERATION PANEL TO THE MEMBERS OF SOUTH KESTEVEN DISTRICT COUNCIL

1. PURPOSE OF REPORT

- 1.1 This Report has been prepared by the Independent Panel set up to make recommendations and provides guidance to the Council in respect of its scheme for members' allowances for the period 2006/07 to 2007/08.
- 1.2 The Report sets out the Panel's recommendations for the Council's further consideration.

2. INTRODUCTION

- 2.1 The 2003 Regulations put in place a consolidated and simplified framework for allowances that covers District Councils and Parish and Town Councils.
- 2.2 Part 4 of the new regulations still make provision for the establishment of an independent panel to make recommendations concerning allowances, travel and subsistence and pension provision. The existing Welland Remuneration Panel is compliant and therefore no changes have been necessary to the composition or membership of the Panel to allow the Council to receive and rely upon its recommendations.
- 2.3 The Council is unable to revoke or amend its scheme of allowances without first considering the recommendations of an Independent Panel. Whilst the Council is not bound by the recommendations of the Panel, there is a duty placed upon it to consider the recommendations, publish the Panel's recommendations and publish its Scheme. The Council will therefore need to be able to justify any variations agreed from the recommendations of the Panel.

2.4 The Panel currently consists of :-

Gordon Wells, Retired. (Formerly Chief Executive of the Melton Mowbray Building Society;

Martin Shilling, a Civil Engineer;

Professor John Greenwood, Department of Public Policy, DeMontfort University; and

John Collier, who is retired.

2.6 The Panel noted that a fundamental review of South Kesteven District Council's Members Allowances Scheme was carried out in July 2004 in accordance with the guidance which was extant at that time. The Panel also noted that the 2004 recommended allowances were to be updated annually by indexation.

2.7 This review does not apply in respect of any allowance under Section 3(5) of the Local Government Act 1972 towards the office of the Chairman of the Council i.e. the 'civic dignitary's allowance'.

2.8 The Panel did not take into account the Authority's budget provision when making its recommendations. The affordability of a scheme and current budgetary provision is not a matter for the Panel. Placing constraints on the review process would have fettered the Panel's objectivity and independence. The Panel recognises that the Council may not, therefore, be able to fully implement the recommendations due to budgetary constraints.

3. THE PANEL'S APPROACH

Information Gathering

3.1 The Panel has considered a range of background papers relating to the Council and its political management structure and its previous recommendations and methodology.

3.2 The Panel considered the statutory framework and guidance relating to the development of members' allowances schemes.

3.3 The outcomes, approach and methodology of the 2001 and 2004 Reviews were considered and the standard Welland approach adapted to reflect this additional data.

Consult

3.4 All members were invited to make formal representations to the Panel. Six members met with the Panel, individually.

Officers' provided the Panel with background information and clarification on the Council's political management structure for 2006/07 and other information to aid the Panel's work.

3.5 All members were requested to complete a questionnaire to obtain their views and assess the time and workload commitment required by individual Councillors to carry out both the "basic" activities and any extra duties for which a special responsibility allowance was payable.

Twenty four completed questionnaires were received by the Panel.

Compare

3.6 The Panel carried out a "compare" exercise to ensure that any sums recommended would be consistent with similar size authorities, other Shire Districts and authorities that had adopted the "alternative arrangements". Comparative information and details of review methodology were researched.

Methodology

3.7 There was recognition by the Panel that elected members work was onerous and demanding and therefore should be appropriately remunerated.

3.8 The Panel notes that the Guidance stresses that it is important that some element of the work of members continues to be voluntary and therefore that some hours should be not remunerated. But it also recognised this had to be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained. However, it was also accepted that there was a voluntary and public service element to the work. The Panel considered various options but regards an allowance of 50% to be appropriate to reflect the voluntary and community nature of a councillor's duties. A limit of 50% was consistent with other schemes and the Panel's recommendations to the other authorities within the Welland area.

3.9 For the basic allowance the Panel favoured an approach that would determine the basic allowance by the average time commitment of all Councillors, including such inevitable calls on their time as meetings with officers and constituents. It was also acknowledged any allowance was to cover incidental expenses. The majority of Members, however, had not acknowledged the level of expenses as a significant issue in the consultation. The Panel noted that many other review panels, elsewhere in the country, had adopted a similar approach of using time commitment in determining the basic allowance.

- 3.10 For Special Responsibility Allowances the Panel considered the elected members should be remunerated, without any deduction, for their extra time input and additional responsibility.
- 3.11 The Panel noted that the approach was consistent with the guidance provided by the Office of the Deputy Prime Minister under the 2000 Act and the consolidated 2003 Regulations.
- 3.12 In determining an hourly rate to be used in calculating the allowances the Panel agreed to apply the average hourly pay (excluding overtime) of all adult worker in the counties covered by the Welland Partnership, based on £8.88 per hour in 2002 (ONS New Earnings Survey). The rate for 2006/07 has been determined by the Panel as £10.04 per hour. The Panel considered alternative hourly rates but it was generally felt that the proposed rate would be an appropriate measure of the average remuneration received by local people within the Welland area.
- 3.13 To ensure comparability the Panel decided to compare its outcomes from applying its methodology against the allowances payable in similar councils and the Council's own review in 2004.

4. BASIC ALLOWANCE

- 4.1 When considering the basic allowance the Panel took into account the hours recorded by elected members on the questionnaire and the representations made by members in person to the Panel. The Panel compared the recorded hours against other data within the Welland and nationally. It was satisfied that an average of about 70 hours per month was not unreasonable for these basic activities. The Panel understands that there may be concerns, firstly regarding uneven distribution of workloads within the Council and secondly, a perception that some members may not be either putting in the time or making the commitment that was necessary. The Panel considers that the former is addressed by the Special Responsibility Allowance and the latter is a matter for the Council to address.
- 4.2 Using the methodology detailed above, it was determined a basic allowance of £4,217 would be justified and not viewed as unreasonable.
- 4.3 Bearing in mind all the factors the Panel **recommends** that the basic allowance be set at £4,217.

5. SPECIAL RESPONSIBILITY ALLOWANCES (SRA)

5.1 The Leader of the Council

- 5.1.1 The Panel recognised that the profile of the Leader had been raised by the modernisation agenda and the Council's Constitution reflected the importance of this role.

The Panel appreciated the role resulted in a significant number of extra hours as Leader and that the time commitment and the responsibilities were significantly higher than the average member and committee chairs.

- 5.1.2 A common method to reflect the increased responsibilities and the hours is to set the SRA at a multiple of the basic allowance. On this basis, the Panel elected to set the multiple at 3.25 times the basic allowance for the Leader of the Council. The SRA would thus be £13,705.
- 5.1.3 The Panel **recommends** that the Leader of the Council be entitled to receive a SRA of £13,705. The total amount of allowances would be £17,922 (inclusive of the Basic Allowance).

5.2 Deputy Leader of the Council

- 5.2.1 The Panel notes that the Deputy Leader of the Council is recognised under the Council's constitution. The Panel noted that the Deputy Leader is also a Portfolio holder. As such, the Panel recognized that the deputy leader's workload and therefore the time commitment would be above that of the other cabinet members. Nevertheless, the Panel also concluded that the time available to fulfill the Deputy Leader role will be limited and therefore considers that the Council keeps the duties of the Deputy Leader under review in respect of the time commitment and actual workload as Deputy Leader. The Panel considers that a SRA of 2.25 times the Basic Allowance would not be unreasonable.

5.2.2 The Panel **recommends** that

- the Deputy Leader of the Council be entitled to receive a SRA of £9,488. The total amount of allowances would be £13,705 and
- the Council keeps the duties of the Deputy Leader under review in respect of the time commitment and actual workload as Deputy Leader.

5.3 Cabinet Member

- 5.3.1 A common method to reflect increased responsibilities and the hours is to set the SRA at a multiple of the Basic Allowance. On this basis the Panel elected to set the multiple at 2 times the Basic Allowance for the Cabinet Members.
- 5.3.2 The Panel **recommends** Cabinet Members be entitled to receive a SRA of £8,434. The total amount of allowances for each Cabinet Member would be £12,651.

5.4 Chairman of Committee

- 5.4.1 The Panel was provided with the political structure approved by the Council for the council year 2006/07. The Panel notes that there are some changes to the committee structure since the last review in 2004.
- 5.4.2 It was generally acknowledged that different committees had different levels of responsibility and time commitment.
- 5.4.3 The Panel gave consideration to the responsibility of the Chairman of the Constitution and Accounts Committee at length. The Panel concluded that the statutory requirements now being placed on the chairman in respect of being charged with responsibility for governance on the financial statements of the council is significant. One of the reasons for a SRA is to recognize significant responsibility. The panel therefore elected to recognize the responsibility with an SRA to the Chairman of the Constitution and Accounts Committee.
- 5.4.4 The Panel agreed that:
 - the SRA for the Chairman of Development Control Committee and the Constitution and Accounts Committee be set at 0.75 of the Basic Allowance.
 - the SRA for the Chairman of Licensing be set at 0.50 of the Basic Allowance.

5.4.5 The Panel therefore recommends:

- a SRA of £3,163 to the Chairman of Development Control Committee and the Constitution and Accounts Committee. The total amount of allowances for each of the Chairmen of these Committees would be £7,380.
- a SRA of £2,109 to the Chairman Licensing Committee. The total amount of allowance would be £6,326.

5.5 Committee Vice-Chairman

- 5.5.1 As previously, the Panel was unclear as to the role and responsibilities of Vice-Chairman other than acting in the Chairman's absence. The Panel did not receive any evidence to suggest that Vice-Chairman are regularly called upon to perform this role.
- 5.5.2 The Panel decided that the Vice-Chairman of all the Committees be entitled to an allowance of one-third of the Chairman of the respective Committees to reflect the additional responsibility of being properly briefed and informed on the business of the respective Committee's and supporting the Chairman.

5.5.3 The Panel therefore **recommends**:

- a SRA of £1,054 to the Vice-Chairman of the Development Control Committee and the Constitution and Accounts Committee. The total amount of allowances for the Vice-Chairmen of these Committees would be £5,271.
- a SRA of £703 to the Vice-Chairman Licensing Committee. The total amount of allowance would be £4,920.

5.6 Chairman of Development and Scrutiny Panels

5.6.1 The Panel noted that for 2006/07 there are five Development and Scrutiny Panels – Engagement; Economic; Community; Healthy Environment; and Resources.

5.6.2 The Panel elected to maintain the SRA at two-thirds of the Basic Allowance as previously recommended. The SRA, therefore, is determined at a multiple of two-thirds of the Basic Allowance.

5.6.3 The Panel **recommends** that each of the five Chairmen of the Development and Scrutiny Panels be entitled to receive a SRA of £2,811. The total amount of allowances for each of the five Chairman would be £7,028.

5.7 Vice-Chairman of Development and Scrutiny Panels

5.7.1 The Panel determined a SRA at a multiple of one-third of the Chairman of the respective Panels.

5.7.2 The Panel **recommends** that each of the five Vice-Chairman of the Development and Scrutiny Panels be entitled to receive a SRA of £937. The total amount of allowances for each of the five Vice-Chairman would be £5,154.

5.8 Opposition Group Leaders

5.8.1 The Panel discussed the current operation of this SRA at length. The Panel revisited its previous recommendation which was a multiple of 0.75 of the Basic Allowance. The Panel felt that the increase in the workload of the Opposition Group Leaders under the political management structures of the Council have already been acknowledged and recognized. The Panel determined that the total SRA be continued at 0.75 of the Basic Allowance for allocation between Opposition Group Leaders. The Panel also felt very strongly that the allocation from this should be on the basis of the political balance for each group in terms of numbers of members.

5.8.2 The Panel **recommends** that the Opposition Group Leaders be entitled to receive an allocation from a maximum total SRA of £3,163.

The allocation to be on the basis of the political balance of each group on the Council in terms of numbers of members.

5.8.3 The Panel saw no merit in recommending an allowance to group spokespersons if such a system operates in the authority.

5.9 Chairman, Vice-Chairman and Member of Working Parties/Task Panels/Task & Finish Panels

5.9.1 The Panel considered that generally working parties and or Member Task Panels would be issue and time specific. The Panel therefore considered that no additional allowance should be paid for this.

5.9.2 The Panel therefore **recommends** that no allowance be made to the Chairmen, Vice-Chairmen and Member of Working Parties, Task Panels or Task & Finish Panels .

5.10 Standards Board

5.10.1 Chairman

The Panel considered the role and time commitment of the Chairman and concluded that the responsibilities and workload was relatively less onerous than the Chairmen of the other Committees. However, the Panel is aware that the work of the Board is changing and the workloads will increase as more investigations are conducted locally by the Board.

The Panel decided that the SRA available to the Chairman of the Standards Board be set at 0.50 of the Basic Allowance for elected members.

The Panel therefore **recommends** that a SRA of £2,109 be made available to the Chairman of the Standards Board. Basic Allowance cannot be paid to the Chairman of the Standards Board.

5.10.2 Vice-Chairman of the Standards Board

The Panel concluded that the same applies to the SRA for the Vice-Chair as recommended for the Chairman of the Standards Board. The SRA thus determined is two thirds of the Basic Allowance.

5.10.2 The Panel **recommends** that the Vice-Chairman of the Standards Board be entitled to receive a SRA of £1,406.

5.10.3 Co-Opted Members of the Standards Board

The Panel considers that there is an acceptance of responsibility and commitment from co-opted members of the Standards Board which needs to be recognised and reflected in the Scheme of Allowances.

The Panel concluded that co-opted members of the Standards Committee who do not hold the Office of Chairman or Vice-Chairman of the Board should be appropriately recognised for their commitment and input into the Council's work.

The Panel decided that this be continued at 0.25 of the SRA of the Chairman of the Standards Board, which adequately reflects the workload and responsibility balance when compared with the other bodies within the Council.

The Panel therefore **recommends** that a SRA of £527 be paid to the co-opted members of the Standards Board.

6. **Childcare and Carers' Allowance**

- 6.1 The Panel considered that a Childcare and Carers' Allowance should be available to members, so that those members who have such responsibilities, can make a full contribution to the Council's work.
- 6.2 The Panel decided that the previous recommendation of this allowance is adequate but that it should be uplifted in line with the proposed Minimum National Hourly Wage Rate. The rate to be used from the Annual General meeting of the Council in 2006.
- 6.3 The Panel therefore **recommends** an allowance for childcare and carers at £5.35 per hour (National Minimum Wage from 1 October 2006) to be applied from the 2006 Annual Council meeting and subject to a ceiling of £1,070 per annum per Councillor be available, payable for approved duties.

7. **Travel and Subsistence Allowances**

- 7.1 The new Regulations had now deregulated the Schemes and gave Remuneration Panels the responsibility for advising Councils.
- 7.2 The Panel view was Members travel and mileage rates and subsistence should be aligned to those which apply to staff and the same rules for recovery of expenses should apply.
- 7.3 The Regulations still define the approved duties where claims can be made.
- 7.4 The Panel therefore, **recommends** that the travel and subsistence allowances for elected and non-elected co-opted members be the same as the allowances enjoyed by staff employed under the NJC national conditions of services. The mileage rates should be the same rates as paid to casual car users. The nationally agreed mileage and subsistence rates applicable in 2006/07 and for each year thereafter should be available within the Council as notified to it by the Employer's Organisation.

8. **Pensions**

8.1 The Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003 and the 2003 Regulation set out the pension provisions that relate to elected members.

8.2 The Panel is able to make recommendations as to which members (who are under age 70) should be entitled to membership of the Local Government Pension Scheme (LGPS) and whether the basic allowance or any special responsibility allowance, or both, should be made pensionable.

8.3 The Council will only be able to make membership of the LGPS available to those elected members who are recommended for membership of the LGPS by the Panel, but the Council can decide not to offer membership to some or all of the recommended elected members.
The decision whether to actually join the LGPS will rest with the individual elected member once the Council has decided which, if any, members should be eligible.

8.4 The Panel **recommends**, having had regard to the time commitment of members and particularly those with special responsibilities and there being no justification for discriminating between elected members that all elected members should be given the option of joining the LGPS and pensionable pay should be based on both basic and special responsibility allowances. Whilst budget issues are not a consideration for the Panel it is nevertheless mindful that there are cost implications for the Council if elected members join the LGPS both in terms of making employer contributions and in the administration of the arrangements.

9. **Backdating**

9.1 **The Panel has determined** that the recommendations in this report may be backdated to the date of the 2006/07 Annual Council Meeting.

10. **Indexation**

10.1 A scheme of allowances may make provision for an annual adjustment of allowances by reference to an index. Where the only change is caused by the annual impact of an index contained within a scheme the scheme may be amended without reference to its independent remuneration panel. Indexation may not run for more than four years before a further recommendation on it is sought from an independent remuneration panel.

10.2 The Panel **recommends** that the indexation should run for two years with the next review being completed for the start of the municipal year commencing in May 2008. It is further recommended that all allowances with the exception of travel should be linked to the annual NJC salary award for staff and should be applied from the date of the Annual Council Meeting each year. Travel should be directly linked to the NJC travel allowances for staff and be applied as and when the rates for staff are varied.

11. **Other Recommendations**

11.1 The Panel **recommends** that only one SRA should be payable to any member, and that this should be the highest that the member is entitled to.

11.2 A few members in their response to the questionnaire, had requested that the Panel consider as part of the review, the cost of postage and telephone calls that are incurred by members in addition to the time commitment.

The Panel is guided by the extant guidance that the basic allowance is intended to cover incidental costs to councillors such as the use of their homes and telephones and postages in addition to the time spent at meetings with officers and constituents and attending political group meetings. Therefore the Panel considers that the concerns expressed to it are already addressed in the basic allowance.

12. **Rounding**

12.1 The amounts stated in this report are rounded to the nearest £.

13. **Acknowledgement**

13.1 The Panel wishes to thank members who completed questionnaires and those who met with the Panel in person as well as the Officers who provided additional information.

Summary of Recommendations 4th September 2006

Office	Allowances			SRA = Multiple of Basic or Chair
	Basic	Special Responsibility (SRA)	Total	
£	£	£		
Leader of the Council	4,217	13,705	17,922	3.25
Deputy Leader	4,217	9,488	13,705	2.25
Cabinet Member	4,217	8,434	12,651	2.00
<u>Committee Chairman</u>				
Development Control Committee	4,217	3,163	7,380	0.75
Constitution and Accounts Committee	4,217	3,163	7,380	0.75
Licensing Committee	4,217	2,109	6,326	0.50
<u>Committee Vice Chairman</u>				
Development Control Committee	4,217	1,054	5,271	1/3 of Chairman of Committee
Constitution and Accounts Committee	4,217	1,054	5,271	
Licensing Committee	4,217	703	4,920	
<u>Chairman of Development and Scrutiny Panels</u>				
Engagement	4,217	2,811	7,028	2/3
Economic	4,217	2,811	7,028	
Community	4,217	2,811	7,028	
Healthy Environment	4,217	2,811	7,028	
Resources	4,217	2,811	7,028	
<u>Vice-Chairman of Development and Scrutiny Panels</u>				
Engagement	4,217	937	5,154	1/3 of Chairman of Panel
Economic	4,217	937	5,154	
Community	4,217	937	5,154	
Healthy Environment	4,217	937	5,154	
Resources	4,217	937	5,154	
Main Opposition Group Leader		3,163 (Max. for allocating)	3,163	0.75
All Other Members	4,217	-	4,217	-
Independent Chairman of the Standards Board	-	2,109	2,109	0.50
Independent Vice-Chairman of the Standards Board	-	1,406	1,406	2/3 of Chairman of the Board
Co-opted Members of the Standards Board	-	527	527	