

For publication

Independent Remuneration Panel on Members' Allowances

Meeting: Council

Date: 18 December, 2019

Report by: Senior Democratic and Scrutiny Officer

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1.0 Purpose of report

- 1.1 To enable Full Council to consider the recommendations of the Independent Remuneration Panel (IR Panel) following its recent review of the Members' Allowances Scheme.
- 1.2 This report is due to be considered by the Cabinet at its meeting on 17 December, 2019.

2.0 Recommendations

- 2.1 That Full Council considers the report of the IR Panel and determines whether or not to approve some or all of the Panel's recommendations.
- 2.2 That Full Council considers any recommendations that the Cabinet might make following their consideration of the IR Panel report.

- 2.3 That the IR Panel's report be published in the press and on the Council website as set out at paragraph 6.
- 2.4 That a supplementary estimate to meet the additional costs outlined in para 5.1 is approved.
- 2.5 That Full Council expresses both its appreciation and thanks to the members of the IR Panel for the thorough and efficient way in which they carried out the review.
- 2.6 That the basic allowance, special responsibility allowances, **subsistence allowance** and Mayoral Allowance are updated annually in line with the annual percentage pay increase given to Chesterfield Borough Council employees as agreed for each financial year by the National Joint Council for Local Government Staff until 31 March, 2023 unless the Council has before then sought a further recommendation from its IR Panel on their application in this scheme.

3.0 **Report details**

- 3.1 The Council has appointed an IR Panel to consider members' allowances. This is a statutory requirement of the Local Government Act 2000 (the 2000 Act).
- 3.2 The Panel comprises Andy Watterson (Chesterfield resident and local businessman) who chairs the Panel, Nick Chischniak (East Midlands Chamber of Commerce) and Tim Nye (former police officer in the Derbyshire Constabulary).
- 3.3 In accordance with the 2000 Act all local authorities are required to consult with their panel and to have regard to its recommendations before amending any existing Scheme of Allowances or introducing a new scheme. Only Full Council can approve a new or amended scheme of allowances.

2015 IR Panel Review

- 3.4 The Panel last carried out a comprehensive review in 2015. The previous review in 2011 had concluded that the basic allowance was lower than expected for an authority of the size and status of Chesterfield Borough Council however, due to the financial climate, the Panel recommended that there be no net increase to the basic allowance at that time.
- 3.5 The reconvened Panel in 2015 noted that there had been virtually no growth in members' allowances for seven years which, through evidence provided to the panel, was seen as a disincentive to underrepresented groups from becoming (or remaining) a councillor. The Panel also found that the demands on councillors had increased, particularly around partnership working and regulatory responsibilities, and therefore the Panel recommended an increase to the basic allowance as well as to the following special responsibility allowances (SRAs):
- 3.5.1 Cabinet member with portfolio
 - 3.5.2 Assistant Cabinet member
 - 3.5.3 Chair of Scrutiny Committee
 - 3.5.4 Chair of Planning Committee
 - 3.5.5 Chair of Appeals and Regulatory Committee
 - 3.5.6 Vice Chair of Scrutiny Committee
 - 3.5.7 Chair of Standards and Audit Committee
 - 3.5.8 Chair of Employment and General Committee.
- 3.6 The Panel also recommended that the following SRAs be introduced:
- 3.6.1 Vice Chair of Appeals and Regulatory Committee
 - 3.6.2 Vice Chair of Planning Committee
- 3.7 Due to the reduction in size of the opposition group, the Panel recommended that the SRA for the Deputy Leader of the

Opposition be discontinued along with the SRA for the Cabinet member without portfolio whilst the position was held by the leader of the main Opposition party.

- 3.8 No changes were recommended to the telecommunications allowance or dependent carers allowance.
- 3.9 The Panel also recommended that the allowances be increased annually in line with the annual percentage pay increase given to Chesterfield Borough Council employees as agreed for each financial year by the National Joint Council for Local Government staff.

Protocol for member representations to the IR Panel

- 3.10 At a meeting of Council on 28 September, 2011, members approved a written protocol for the IR Panel to consider member representations to the Panel at times of future reviews of the Members' Allowances Scheme. A copy of the Protocol is attached at Appendix A.
- 3.11 In summary, the Protocol provides that:
 - 3.11.1 Consultees can make written representations, and if appropriate oral representations, to the IR Panel about any aspects of the Council's Members' Allowances Scheme;
 - 3.11.2 Any comments made to it will be considered by the IR Panel before finalising its report;
 - 3.11.3 The Chair of the IR Panel may discuss matters further with the Leader of the Council, the Leader of the Minority Group and the Monitoring Officer if appropriate.

2019 IR Panel Review

- 3.12 For the 2019 review, a meeting of the IR Panel was held on 21 October 2019. Under the provisions of the Protocol all members were invited to be interviewed by the IR Panel at their review meeting. Members were also invited to submit written representations to the IR Panel before the October meeting date. Some members took the opportunity to be interviewed and/or to submit written representations.
- 3.13 In accordance with the Protocol a copy of the IR Panel's draft report was sent to all members and any comments subsequently received have been conveyed to the Panel.

4.0 Recommendations of the 2019 IR Panel

- 4.1 The IR Panel's full report is attached at Appendix B. The Panel's recommendations can be summarised as follows:-

4.1.1 The **Basic Allowance** should be increased from £5,998 to £6,118.

4.1.2 The following **Special Responsibility Allowances (SRAs)** should be increased:

SRA	Current	Proposed
Chair of Planning Committee	£4,754	£5,754
Vice Chair of Planning Committee	£2,377	£2,877
Chair of Appeals and Regulatory Committee	£4,754	£5,754
Vice Chair of Appeals and Regulatory Committee	£2,377	£2,877
Chair of Standards and Audit Committee	£2,377	£4,754

4.1.3 The following **Special Responsibility Allowances (SRAs)** should be introduced or re-introduced:

SRA	Proposed
Chair of Licensing Committee	£4,754
Vice Chair of Standards and Audit Committee	£1,585
Deputy Leader of the main opposition group	£1,585

4.1.4 The following **Special Responsibility Allowances (SRAs)** be maintained at the current level:

SRA	Proposed
Leader	£28,343
Deputy Leader	£15,592
Cabinet member	£7,779
Assistant Cabinet member	£3,889
Leader of the minority group	£8,861
Chair of Employment and General Committee	£3,565
Chairs of Scrutiny Committees	£4,754

4.1.5 That the **Special Responsibility Allowances (SRAs)** for the Vice Chairs of Scrutiny Committees be reduced to £1,585.

Other recommendations

4.1.6 That only one Special Responsibility Allowance can be given at any time and that if a Councillor is entitled to more than one SRA the higher allowance shall be paid.

- 4.1.7 That the allowances for co-optees', dependent carers, subsistence, telecommunications be maintained at current levels.
- 4.1.8 That the Mayoral Allowance be increased from £5,810 to £6,045.
- 4.1.9 That a Special Responsibility Allowance can be extended to any member substituting for another member whilst on parental leave providing it is limited to the duration of the parental leave or the period of substitution, whichever is shortest; and the only one SRA rule will continue to apply.

5.0 Financial considerations

- 5.1 The additional costs of approving the IR Panel's recommendations in full in a full financial year are set out below:

Basic allowance 48 no.	£5,760
Assistant Executive (Cabinet) member (reduced from 5 to 3)	(£7,778)
Deputy Leader of main minority political group	£1,585
Chair of Planning Committee	£1,000
Vice-Chair of Planning Committee	£500
Chair of Appeals and Regulatory Committee	£1000
Vice-Chair of Appeals and Regulatory Committee	£500
Chair of Licensing Committees	£4,754
Chair of Standards and Audit Committee	£2,500
Vice Chair of Standards and Audit Committee	£1,585
Vice Chair of Scrutiny Committees x2	(£1,584)
Mayoral Allowance	£235
Total cost	£10,057*

***which reduces to £5,303 variance when Chair of App & Regs also chairs Licensing (due to 1-SRA rule)**

5.2 Since these additional costs could not be funded from existing budgets, a supplementary estimate would be required to meet these costs.

6.0 **Publication of Recommendations**

6.1 In accordance with the 2000 Act and enabling Regulations, a summary of the IR Panel's recommendations needs to be published in at least one local newspaper as soon as reasonably practical after the report has been received. This publicity should also state that the report is available for public inspection. The report and recommendations will also be published on the Council's website.

7.0 **Members' Interests (Code of Conduct)**

7.1 Members may speak and vote on matters to do with their allowances. This is because under the Code of Conduct Council business is not a form of employment, office, trade, profession or vocation carried on for "profit or gain".

8.0 **Recommendations**

8.1 That Full Council considers the report of the IR Panel and determines whether or not to approve some or all of the Panel's recommendations.

8.2 That Full Council considers any recommendations that the Cabinet might make following their consideration of the IR Panel report.

8.3 That the IR Panel's report be published in the press and on the Council website as set out at paragraph 6.

- 8.4 That a supplementary estimate to meet the additional costs outlined in para 5.1 is approved.
- 8.5 That Full Council expresses both its appreciation and thanks to the members of the IR Panel for the thorough and efficient way in which they carried out the review.
- 8.6 That the basic allowance, special responsibility allowances, **subsistence allowance** and Mayoral Allowance are updated annually in line with the annual percentage pay increase given to Chesterfield Borough Council employees as agreed for each financial year by the National Joint Council for Local Government Staff until 31 March, 2023 unless the Council has before then sought a further recommendation from its IR Panel on their application in this scheme.

9.0 **Reason for recommendations**

- 9.1 To enable the Council's Members' Allowances Scheme to be reviewed as required by the Local Government Act 2000 and The Local Authorities (Members' Allowances) (England) Regulations 2003.

Glossary of Terms	
SRA	Special Responsibility Allowance
IR Panel	Independent Remuneration Panel

Decision information

Key decision number	N/A
Wards affected	All wards
Links to Council Plan priorities	This report links to all the Council Plan priorities

Document information

Report author	Contact number/email
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Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
<i>This must be made available to the public for up to 4 years.</i>	
Appendices to the report	
Appendix A	Protocol for Independent Remuneration Panel Arrangements for Consulting Members
Appendix B	Report of the Independent Remuneration Panel