

By: Eric Hotson, Cabinet Member for Corporate and Democratic Services

To: County Council – 13 July 2017

Subject: **MEMBER REMUNERATION PANEL**

Classification: **Unrestricted**

Summary: This report provides a copy of the findings of the Independent Remuneration Panel. It also sets out for consideration how allowances for Members have changed since they were introduced in 2000. Finally, it seeks the views of Members on the re-calibration of the Members' Allowances Scheme and to consider and determine the Members' Allowances Scheme for the period May 2017 to May 2021.

FOR DECISION

Introduction

- 1) Member Allowances were introduced to Local Authorities in accordance with Section 18 of the Local Government and Housing Act 1989 (as amended by the Local Government Act, 2000). The regulations governing a Local Authorities scheme is set out in The Local Authorities Members' Allowances (England) Regulations 2003 attached as Appendix 1.
- 2) The current Member Allowances Scheme adopted by the Council in 2013 can be found at Appendix 7 to the Council's constitution.
- 3) Article 2.5 of the Council's constitution states:

“Members will be entitled to receive allowances and reimbursement of expenses in accordance with the Member Allowances Scheme set out in Appendix 7. This scheme is approved by the full Council with advice from an independent Member Remuneration Panel.”

- 4) The members of the Independent Remuneration Panel are:
 - i) Mr Stephen Wiggett (Chairman)
 - ii) Ms Margaret Ryder
 - iii) Mr Ghulam Khan
- 5) Further, Appendix 2 Part 2 of the Constitution confirms the role of the Independent Member Remuneration Panel:

“It has responsibility for making recommendations to the Council on a scheme of allowances and expenses for Council Members and for reviewing that scheme in whole or in part as required by law or requested by the Selection & Member Services Committee.”

- 6) It is important to note that the role of the panel is to advise on the Member’s Allowances Scheme, it is not to decide it. The Constitution provides at Appendix 2 Part 1, 4(e) that it is for Members to agree the allowances scheme.
- 7) Furthermore, whilst the Council has a legal duty to operate an Independent Remuneration Panel in relation to Members' allowances, must publish and have regard to their recommendations, it need not follow them. There is no statutory requirement to agree or follow the recommendations of the panel.

Background

- 8) In recent years, the role of elected Members within Kent County Council has changed significantly. The Council’s scheme of governance involves a significant role for Members in decision-making, scrutiny and the operation of the Council. The responsibilities of all Members are significant and it is important that in making decisions on remuneration that we carefully consider the role and requirements of the role of a modern KCC Member.
- 9) Furthermore, the role of elected Members in supporting their communities and constituents within Kent continues to grow. The administration is well aware that Members from all political parties work tirelessly in their constituencies attending a range of events, parish and town council meetings and carefully considering and monitoring the investment of Member grants. This is in addition to the ever increasing casework on behalf of local people that means that the modern KCC Member is never “off duty”.
- 10) It is the view of the administration that against this backdrop it is vital that Members are properly remunerated to ensure that Kent is able to attract and retain elected representatives from all backgrounds with increased diversity.
- 11) For Members who are new to the Council, the Member Allowances Scheme has been discussed at length at County Council meetings in May 2009 and May 2013. To assist those Members, a chronological list of events and decisions around Members’ Allowances since 2001 has been prepared and is set out in Appendix 2 to this report.
- 12) In 2009, the Member Remuneration Panel proposed a basic allowance of £13,000 and a payment of £44,300 to the Leader. Members took the decision to take a voluntary reduction across the basic allowance and all

Special Responsibility Allowances. This included the Leader who instead proposed a reduction from the panel's suggested £44,300 to £42,019. That reduction of 5.4% was cascaded down through the Special Responsibility Allowances. Members chose not to seek a rise in 2013 which means that the reduction over the past 8 years has resulted in considerable savings.

- 13) Furthermore, over that period there have been significant increases to inflation, the cost of living, the retail prices index and the consumer prices index which have not been reflected in the remuneration of Members.
- 14) With the increasing and ever more complex and challenging workload and the external costs rises that have significantly devalued the allowances paid to Members, it is timely that the issue has been reviewed by the Independent Member Remuneration Panel and brought before the full Council for decision on a new scheme.

Report of the Independent Member Remuneration Panel

- 15) The full report of the panel is included with the papers for this item.
- 16) The report makes the following recommendations:
 - a. To restore the Basic Member Allowance from £12,805 to £13,000 (1.50% increase) for the period 8th May 2017 to the election in May 2021 see Appendix 5.
 - b. To index link the Basic Member Allowance and Special Responsibility Allowances (SRA's) to the Staff Total Contribution Pay Process (TCP), 'achieving level' for the period 2017 – 2021 (1.8% in 2017/18).
 - c. To create an additional SRA for the Cabinet Lead for Trading Services at the equivalent of Cabinet Member.
 - d. To index link the Carer's Allowance to the Staff TCP for the period 2017-2021.
 - e. No other recommended changes to the allowances
- 17) The report acknowledges the information contained in the Korn Ferry Hay Group report commissioned for the Independent Remuneration panel to provide information on the relative size of Member roles and comment on comparable roles outside Kent County Council.

Context

- 18) Members will note from the detailed report of the panel that there is a considerable amount of context in any determination on Member allowances. In furthering and supporting the discussion at the County

Council, the administration felt it would be sensible to provide some of the further context that is referenced or alluded to in the report. The Independent Remuneration Panel also considered the information offered to them by the Korn Ferry Hay report which compared the level of “Know-How” needed by Members to deliver results in various roles at KCC to that required of other professional and political occupations.

- 19) Recognising the importance of an effective reward strategy in terms of staff engagement, recruitment and retention, Kent County Council has sought, wherever possible, to ensure that the organisation continues to invest in the staff through Total Contribution Pay (TCP). The panel have suggested that future indexation should be linked to the ‘achieving level’ for staff TCP. The level of Performance reward available for staff is determined as part of the annual budget setting discussions. Since 2009, the total staff pay pot made available by the County Council has increased by a total of **18.5%**. Clearly, the savings have already been made for 2009-2017 but the table below demonstrates the impact on the allowance had it been indexed over the past eight years.

| Year | Increase based on 100% of “achieving” | Basic Allowance with 100% added |
|------|--|--|
| 2009 | n/a | £12,805 |
| 2010 | 0% | £12,805 |
| 2011 | 1.3% | £12,971 |
| 2012 | 2.4% | £13,283 |
| 2013 | 2.4% | £13,602 |
| 2014 | 2% | £13,874 |
| 2015 | 2% | £14,151 |
| 2016 | 1.5% | £14,363 |
| 2017 | 1.8% | £14,622 |

- 20) Another contextual comparator in public service is the role of Member of Parliament. During the period between 2009 and 2017, their basic remuneration has increased from £64,766 to £74,962. This is an increase of over £10,000 and this equates to a rise of **15.74%** over the relevant period. It should be noted that a Minister of State also attracts an additional payment of £33,350 in addition to the MP pay of £74,962.
- 21) Another comparator in public service is the Police and Crime Commissioner (PCC). This is a leadership role in public service which is also elected and for which the salary is £85,000 as against the Leader of

the Council's current SRA which is £42,109. It is recognised that the current Kent PCC has decided not to take £10,000 of this salary and allocates this to charity using the Payroll Giving scheme. Even recognising the reduced salary this means amounts to the PCC role being paid **36.5%** more.

- 22) The report of the Independent Remuneration Panel from 2009 provides further useful context. In assessing the level of the basic allowance for 2009 to 2013, the Panel took account of the movement in Cost Price Inflation which at that time showed movement of +10.5%. That Panel also calculated what the basic allowance would be if the average number of hours worked by a typical back bench Member was multiplied by the Local Government Association (LGA) daily rate, less a third for public service. Both of these calculations supported an increase of up to 10% in the level of the basic allowance. Accordingly, in 2009 the Panel agreed that the basic allowance should increase by 8% from £12,000 to £13,000 for the period 2009 to 2013.
- 23) The Consumer Price Index (CPI), the measure used for the Bank of England inflation targets, has increased by **19.1%** between June 2009 and May 2017. A new additional measure of inflation, CPIH, was introduced in March 2017. The new measure has been backdated to 2005 and between June 2009 and May 2017 this shows an increase of **17.5%**. In theory CPIH was designed to be a better measure of inflation as includes a measure of owner occupier housing costs and council tax. However, there are still some concerns with the way costs are measured in CPIH and it has not yet been approved by the United Kingdom Statistics Authority (UKSA), and therefore has not been accepted by the Treasury until this approval is granted. Consequently both measures are currently included in official published statistics.

Recommendation

The County Council is asked to note this report, the report of the Independent Member Remuneration Panel and to consider and determine the Members' Allowances Scheme for the period May 2017 to May 2021

Local Authorities (Members' Allowances) (England) Regulations 2003

Made: 7th April 2003

Laid before Parliament: 7th April 2003

Coming into force: 1st May 2003

The First Secretary of State in exercise of the powers conferred on him by sections 18 and 190(1) of the Local Government and Housing Act 1989⁽¹⁾ and sections 100 and 105(2), (3) and (4) of the Local Government Act 2000⁽²⁾, and of all other powers enabling him in that behalf, and having carried out such consultation as is required by section 100(5) of the Local Government Act 2000, hereby makes the following Regulations—

PART 1 - GENERAL

Citation, commencement and application

1. (1) These Regulations may be cited as the Local Authorities (Members' Allowances) (England) Regulations 2003 and shall come into force on 1st May 2003.
- (2) These Regulations apply in England only⁽³⁾.

Interpretation

2. In these Regulations—

“the Association of London Government” means the body known by that name and established on 1st April 2000 as a joint committee by the London borough councils and the Corporation of the City of London;

“basic allowance” has the same meaning as in regulation 4 of these Regulations;

“co-optees' allowance” has the same meaning as in regulation 9 of these Regulations;

“dependants' carers' allowance” has the same meaning as in regulation 7 of these Regulations;

“independent remuneration panel” means a panel or joint panel established under regulation 20 of these Regulations;

“local government elector” means a person entitled to vote as an elector at a local government election in accordance with section 2 of the Representation of the People Act 1983⁽⁴⁾;

“parish basic allowance” has the same meaning as in regulation 25 of these Regulations;

“parish remuneration panel” means a panel or joint panel established under regulation 27 of these Regulations;

“parish travelling and subsistence allowance” has the same meaning as in regulation 26 of these Regulations;

“political group” means a group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990(5);

“proper officer” shall be construed in accordance with section 270(3) of the Local Government Act 1972(6);

“recommendation” means a recommendation made by a panel in accordance with regulations 21 and 28;

“the scheme” means the scheme for the payment of allowances made in accordance with Parts 2 and 3 of these Regulations;

“special responsibility allowance” has the same meaning as in regulation 5 of these Regulations;

“travelling and subsistence allowance” has the same meaning as in regulation 8 of these Regulations;

“unitary county council” means a county council for an area for which there is no district council; and

“year” means—

(a) the period beginning on the date of the coming into force of these Regulations and ending on 31st March 2004; and

(b) any period of 12 months ending on 31st March in any year after 2004.

Application of these Regulations

3. (1) Any reference in this Part and Parts 2 and 3 of these Regulations to an authority shall, unless otherwise specified be construed as a reference to a body of one of the following descriptions—
- (a) a district council;
 - (b) a county council;
 - (c) a London borough council;
 - (d) the Council of the Isles of Scilly;

- (e) a fire authority constituted by a combination scheme under the Fire Services Act 1947(7);
- (f) a joint authority established by Part IV of the Local Government Act 1985(8);
- (g) the London Fire and Emergency Planning Authority(9);
- (h) the Broads Authority(10);
- (i) a National Park authority(11); and
- (j) a conservation board of an area of outstanding natural beauty(12);

(2) For the purposes of section 18 of the Local Government and Housing Act 1989

- (a) the bodies referred to at sub-paragraphs (h) and (j) of paragraph (1) are hereby designated as relevant authorities(13); and
- (b) any member of an authority listed in paragraph (1) shall be treated as if he were a councillor(14).

PART 2 - ALLOWANCES

Basic allowance

4. (1) An authority shall
- (a) make a scheme in accordance with these Regulations which shall provide for the payment of an allowance in respect of each year to each member of an authority, and the amount of such an allowance shall be the same for each such member (“basic allowance”); and
 - (b) pay basic allowance and any other allowance permitted by these Regulations only in accordance with such a scheme.
- (2) In relation to basic allowance, the scheme shall—
- (a) specify the amount of entitlement by way of basic allowance in respect of any year to which it relates; and
 - (b) provide that where the term of office of a member begins or ends otherwise than at the beginning or end of a year, his entitlement shall be to payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office as member subsists bears to the number of days in that year.
- (3) The scheme may specify that where a member is suspended or partially suspended(15) from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of basic allowance payable to him in respect of the period for which he is suspended or partially suspended may be withheld by the authority.

Special responsibility allowance

5. (1) A scheme made under this Part may provide, in accordance with paragraph (2), for the payment for each year for which that scheme relates of an allowance (“special responsibility allowance”) to such members of the authority as have such special responsibilities in relation to the authority as are specified in the scheme and are within one or more of the following categories

- (a) acting as leader or deputy leader of a political group within the authority;
- (b) acting as a member of an executive where the authority are operating executive arrangements within the meaning of Part II of the Local Government Act 2000;
- (c) presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee;
- (d) representing the authority at meetings of, or arranged by, any other body;
- (e) acting as a member of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods;
- (f) acting as the spokesman of a political group on a committee or sub-committee of the authority;
- (g) acting as a member of an adoption panel within the meaning of the Adoption Agencies Regulations 1983(16);
- (h) acting as a member of any committee or sub-committee that deals with any function arising under any enactment authorising the authority to license or control the carrying on of any activity;
- (i) carrying out such other activities in relation to the discharge of the authority’s functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in subparagraphs (a) to (h) (whether or not that activity is specified in the scheme).

(2) Any scheme making such provision as is mentioned in paragraph (1) shall—

- (a) specify the amount of each special responsibility allowance, which need not be the same;
- (b) provide that, where—
 - (i) members of an authority are divided into at least two political groups; and
 - (ii) a majority of members of the authority belong to the same political group (“the controlling group”),

a special responsibility allowance shall be paid to at least one person who is not a member of the control of such part of the special responsibility 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.

- (3) The scheme may specify that where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of special responsibility allowance payable to him in respect of the responsibility or duties from which he is suspended or partially suspended may be withheld by the authority.

Special responsibility allowance for members of the Association of London Government

6. (1) For the purposes of regulation 5—
 - (a) references to an authority shall include the Association of London Government(17), which is hereby designated for the purposes of section 18 of the Local Government and Housing Act 1989;
 - (b) references to members shall, in relation to that body, be references to its members who are also members of London borough councils; and
 - (c) references in regulation 5 to a scheme made under this Part shall, in relation to the Association of London Government, be construed as references to a scheme established by the Association of London Government for the payment of special responsibility allowance only, in accordance with regulation 5 and the Association of London Government is hereby authorised to make such a scheme in accordance with these Regulations.
- (2) Where the Association of London Government pays special responsibility allowance to such members
 - (a) Part 3 of these Regulations shall apply to that body in respect of its payments of special responsibility allowance as it applies to an authority; and
 - (b) Part 4 of these Regulations shall apply to that body as it applies to an authority as regards an independent remuneration panel established by regulation 20(1)(c).

Dependants' carers' allowance

7. (1) A scheme may provide for the payment to members of an authority of an allowance

(“dependants' carers' allowance”) in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in

- (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 local 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 performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools)([18](#)); and
 - (h) 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.
- (2) For the purposes of this regulation, “authority” means an authority of any description specified in sub-paragraphs (a) to (c) of regulation 3(1).

Travelling and subsistence allowance

8. (1) A scheme may provide for the payment to members of an authority of an allowance in respect of travelling and subsistence (“travelling and subsistence allowance”), including an allowance in respect of travel by bicycle or by any other non-motorised form of transport, undertaken in connection with or relating to such duties as are specified in the scheme and are within one or more of the following categories—
- (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 one or more local 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 performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996, and
 - (h) 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 of any of its committees or sub-committees.

- (2) A scheme may specify that where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any travelling and subsistence allowance payable to him in respect of the responsibilities or duties from which he is suspended or partially suspended may be withheld by the authority.
- (3) For the purposes of this regulation—
 - (a) a member of a committee or sub-committee of an authority is to be treated as a member of an authority; and
 - (b) an authority includes, in addition to those bodies referred to in regulation 3(1), the following bodies
 - (i) an authority established under section 10 of the Local Government Act 1985 (waste disposal authorities)([19](#)); and
 - (ii) a joint board upon which a body referred to in regulation 3(1)(a) to (h) is represented.

Co-optees' allowance

9. (1) The scheme may provide for the payment of an allowance for each year to a member in respect of attendance at conferences and meetings (“co-optees' allowance”).
- (2) In relation to co-optees' allowance, the scheme shall—
 - (a) specify the amount of entitlement by way of co-optees' allowance in respect of any year to which it relates; and
 - (b) provide that where the appointment of a member begins or ends otherwise than at the beginning or end of a year, his entitlement shall be to payment of such part of the co-optees' allowance as bears to the whole the same proportion as the number of days during which his term of office as member subsists bears to the number of days in that year.
- (3) The scheme may specify that where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any co-optees' allowance payable to him in respect of the responsibilities or duties from which he is suspended or partially suspended may be withheld by the authority.
- (4) The amount of co-optees' allowance payable to any member who presides at a meeting of an overview and scrutiny committee, where that committee's functions under section 21 of the Local

Government Act 2000 relate wholly or partly to any education functions which are the responsibility of the authority's executive, shall not be less than the minimum amount of any special responsibility allowance payable under that authority's scheme to a person who presides at meetings of any other other authority's committees or sub-committees.

- (5) For the purposes of paragraphs (1) to (4) of this Regulation, "member" means a person who is not a member of the authority but who is a member of a committee or sub-committee of an authority.

PART 3 - SCHEMES

Requirements for schemes

10. (1) Before the beginning of each year, an authority shall make the scheme required by regulation 4(1)(a) for the payment of basic allowance for that year.
- (2) The scheme shall also make provision for the following allowances if an authority intends to make such payments in respect of the year—
- (a) special responsibility allowance;
 - (b) dependants' carers' allowance;
 - (c) travelling and subsistence allowance; and
 - (d) co-optees' allowance.
- (3) Subject to regulation 12 the scheme may be amended at any time but may only be revoked with effect from the beginning of a year.
- (4) A scheme may make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority and where the only change made to a scheme in any year is that effected by such annual adjustment in accordance with such index the scheme shall be deemed not to have been amended.
- (5) Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.
- (6) Where an amendment is to be made which affects an allowance payable for the year in which the amendment is made, the scheme may provide for the entitlement to such allowance as amended to apply with effect from the beginning of the year in which the amendment is made.

- (7) A scheme may provide that where payment of any allowance has already been made in respect of any period during which the member concerned is
- (a) suspended or partially suspended from his responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
 - (b) ceases to be a member of the authority; or
 - (c) is in any other way not entitled to receive the allowance in respect of that period,

the authority may require that such part of the allowance as relates to any such period be repaid to the authority.

- (8) Where the scheme is revoked in accordance with this regulation or regulation 12, an authority shall before the revocation takes effect make a further scheme for the period beginning with the date on which the revocation takes effect and ending at the end of the year in question.
- (9) A scheme must make provision to ensure that where a member of an authority is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.

Pensions

11. (1) A scheme made by a district council, county council or a London borough council shall set out—
- (a) which members of the authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972(20); and
 - (b) whether the basic allowance or the special responsibility allowance, or both, may be treated 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) In making such provision an authority may only include someone who has first been recommended by the independent remuneration panel established in respect of that authority for such entitlement under regulation 21.

Transitional provisions for revocation of allowance schemes

12. Where an independent remuneration panel has produced a report in accordance with regulation 21, a district, county or London borough council may, notwithstanding regulation 10(3), revoke an allowance scheme at any time once that council has begun to operate—

- (a) executive arrangements, where they are being operated in place of existing alternative arrangements;
- (b) alternative arrangements, where they are being operated in place of existing executive arrangements; or
- (c) different executive arrangements which involve an executive which takes a different form.

Elections to forgo allowances

13. The scheme shall provide that a person may, by notice in writing given to the proper officer of the authority, elect to forgo his entitlement or any part of his entitlement to allowances.

Claims and payments

14. (1) The scheme shall specify a time limit from the date on which an entitlement to each of the following allowances arises during which a claim for such allowances must be made by the person to whom they are payable—
- (a) dependants' carers' allowance;
 - (b) travelling and subsistence allowance; and
 - (c) co-optees' allowance.
- (2) Nothing in paragraph (1) shall prevent an authority from making a payment where the allowance is not claimed within the period specified in the scheme.
- (3) The scheme may provide for payments of allowances to be made at such times as may be specified in it, and different times may be specified for different allowances.

Records of allowances

15. (1) An authority shall keep a record of the payments made by it in accordance with a scheme.
- (2) Such a record shall—
- (a) specify the name of the recipient of the payment and the amount and nature of each payment;
 - (b) be available, at all reasonable times, for inspection and at no charge—
 - (i) where it is kept by an authority specified in regulation 3(1)(a) to 3(1)(d), by any local government elector for the area of that authority; and
 - (ii) where it is kept by any other authority, by any local government elector of any authority specified in regulation 3(1)(a) to 3(1)(d) in whose area that other authority exercises functions; and

- (c) be supplied in copy to any person who requests such a copy and who pays to the authority such reasonable fee as it may determine.
- (3) As soon as reasonably practicable after the end of a year to which the scheme relates, an authority shall make arrangements for the publication within the authority's area of the total sum paid by it in the year under the scheme to each recipient in respect of each of the following—
- (a) basic allowance;
 - (b) special responsibility allowance;
 - (c) dependants' carers' allowance;
 - (d) travelling and subsistence allowance; and
 - (e) co-optees' allowance.

Publicity

16. (1) An authority shall, as soon as reasonably practicable after the making or amendment of a scheme, make arrangements for its publication by—
- (a) ensuring that copies of the scheme are available for inspection by members of the public at the principal office of the authority, at all reasonable hours; and
 - (b) publishing in one or more newspapers circulating in its area, a notice which—
 - (i) states that the authority has made or amended a scheme and specifies the period of time for which the scheme has effect;
 - (ii) describes the main features of the scheme and specifies the amounts payable in respect of each allowance mentioned in the scheme;
 - (iii) describes any responsibilities or duties specified in the scheme in accordance with regulations 5(1) and 8(1) in relation to special responsibility allowance and travelling and subsistence allowance;
 - (iv) confirms that in making or amending the scheme, the authority complied with any duty arising under regulation 19 to have regard to the recommendations of an independent remuneration panel;
 - (iv) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in its report for that authority;
 - (v) states that copies of the scheme and copies of a record kept in accordance with regulation 15(1) and (2) are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and
 - (vii) specifies the address of the principal office of the authority at which such copies are made available.

- (2) An authority shall ensure that a notice in the form required under sub-paragraph (b) is published in one or more newspapers circulating in its area as soon as possible after the expiration of twelve months after the previous publication of such a notice, irrespective of whether the scheme has been amended during that twelve month period.
- (3) An authority shall supply a copy of the scheme to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.

Transitional provisions

17. (1) Notwithstanding regulation 33, any scheme made by an authority in accordance with the Local Authorities (Members' Allowances) regulations 1991(21) as amended shall continue in force up to and including 29th September 2003 or until a new scheme in accordance with these Regulations is made by the authority, if sooner.
- (2) An authority shall make a scheme in accordance with these Regulations on or prior to 30th September 2003.
- (3) Where an authority first makes a scheme in accordance with these Regulations it shall revoke any previous scheme for the payment of allowances and ensure that the scheme made in accordance with these Regulations takes effect on the date that the revocation of the previous scheme takes effect.
- (4) Subject to paragraph (5), any scheme made by an authority in accordance with these Regulations between the coming into force of these Regulations and 30th September 2003 may make provision for any allowance payable in accordance with such a scheme to be payable as if the scheme had been in force with effect from 1st May 2003.
- (5) Any provision made in accordance with paragraph (4) shall not permit a member to receive a greater amount in total under the provisions of that scheme and any previous scheme, in respect of any duty carried out between the coming into force of these Regulations and the making of a scheme in accordance with these Regulations, than he would have received had the scheme been in effect from the 1st May 2003.

PART 4 - INDEPENDENT REMUNERATION PANELS

Application of this Part

18. Any reference in this Part to an authority, unless otherwise specified, shall be construed as a reference to a body of one of the following descriptions—
- (a) a district council;
 - (b) a county council; and
 - (c) a London borough council.

Duty to have regard to recommendations

19. (1) Before an authority referred to in regulation 3(1)(a), (b), or (c) makes or amends a scheme, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel.
- (2) Before an authority referred to in regulation 3(1)(e), (f), (g), (h), (i) or (j) makes or amends a scheme that authority shall have regard to the recommendations made by any independent remuneration panels in relation to any authority of a description referred to in regulations 3(1)(a), (b) or (c) by which any of its members are nominated.

Independent remuneration panels

20. (1) An independent remuneration panel shall be established in respect of each authority by one of the following means—
- (a) by an authority in which case that panel shall exercise the functions specified in regulation 21 in respect of that authority;
 - (b) jointly by any authorities in which case that panel shall exercise the functions specified in regulation 21 in respect of the authorities which established it; or
 - (c) by the Association of London Government in which case that panel shall exercise the functions specified in regulation 21 in respect of any London borough councils, but there shall not be more than one panel which makes recommendations in respect of an authority.
- (2) An independent remuneration panel shall consist of at least three members none of whom—
- (a) is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority; or
 - (b) is disqualified(22) from being or becoming a member of an authority.
- (3) An authority may pay the expenses incurred by an independent remuneration panel established under paragraph (1)(a) or (1)(b) in carrying out its functions and may pay the members of the panel

such allowances or expenses as the authority or authorities for which it makes recommendations may determine.

- (4) The Association of London Government may pay the expenses incurred by an independent remuneration panel established under paragraph (1)(c) in carrying out its functions and may pay the members of the panel such allowances or expenses as it may determine.

Recommendations of panels

21. (1) An independent remuneration panel shall produce a report in relation to the authority or authorities in respect of which it was established, making recommendations—
 - (a) as to the responsibilities or duties in respect of which the following should be available—
 - (i) special responsibility allowance;
 - (ii) travelling and subsistence allowance; and
 - (iii) co-optees' allowance;
 - (b) as to the amount of such allowances and as to the amount of basic allowance;
 - (c) as to whether dependants' carers' allowance should be payable to members of an authority, and as to the amount of such an allowance;
 - (d) as to 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 in accordance with regulation 10(6);
 - (e) as to 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;
 - (f) 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
 - (g) 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) A copy of a report made under paragraph (1) shall be sent to each authority in respect of which recommendations have been made.
- (3) An independent remuneration panel may make different recommendations in relation to each of the authorities for which it exercises functions.

Publicity for recommendations of panels

22. (1) Once an authority receives a copy of a report made to it by an independent remuneration panel in accordance with regulation 21, it shall, as soon as reasonably practicable—
- (a) ensure that copies of that report are available for inspection by members of the public at the principal office of the authority, at all reasonable hours; and
 - (b) publish in one or more newspapers circulating in its area, a notice which—
 - (i) states that it has received recommendations from an independent remuneration panel in respect of its scheme;
 - (ii) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of that authority;
 - (iii) states that copies of the panel's report are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and
 - (iv) specifies the address of the principal office of the authority at which such copies are made available.
- (2) An authority shall supply a copy of a report made by an independent remuneration panel in accordance with regulation 21 to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.

Transitional provisions for independent remuneration panels

23. Notwithstanding regulation 33(1)(f), any independent remuneration panel established under the Local Authorities (Members' Allowances) (England) Regulations 2001([23](#)) shall continue in being and shall constitute an independent remuneration panel for the purposes of these Regulations as if it had been established under regulation 20, although where the composition of such a panel does not comply with these Regulations, the authority or authorities or other body by which it is established must ensure that the panel does so comply within four months of the date on which these Regulations come into force.

PART 5 - PARISH COUNCILS

Application of this Part

24. Any reference in this Part—
- (a) to an authority is, unless otherwise specified, a reference to a parish council;
 - (b) to a member is, unless otherwise specified, a reference to an elected member of a parish council;

- (c) to a responsible authority is, in relation to a parish council, a reference to the district council or unitary county council—
 - (i) where the parish council is the council for one parish, in whose area the parish council is situated; or
 - (ii) where the parish council is the council for a group of parishes(24), in whose area all the parishes in the group are situated or, where that is not the case, in whose area the greatest number of local government electors for the parishes in the group is situated; and
- (d) to an establishing authority is, in relation to a parish remuneration panel, a reference to the responsible authority that established that parish remuneration panel.

Parish basic allowance

25. (1) An authority may pay an allowance for each year (“parish basic allowance”)—

- (a) to its chairman(25) only; or
- (b) to each of its members,

and the amount of that allowance payable to its chairman may differ from that payable to each other member of the authority, but otherwise that amount shall be the same for each such member.

(2) Where an authority proposes to pay parish basic allowance, whether to its chairman only or to each of its members, it must have regard, in setting the level or levels of such allowances, to the recommendations which have been made in respect of it by a parish remuneration panel in accordance with regulation 28.

(3) Subject to paragraph (4), where an authority proposes to pay parish basic allowance in any year to its members and the term of office of any member begins or ends otherwise than at the beginning or end of a year, that member’s entitlement shall be to payment of such part of the parish basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

(4) Where an authority proposes to pay parish basic allowance in any year—

- (a) to its chairman only; or
 - (b) to all its members but at a higher level to the chairman,
- and the term of office of the chairman as chairman begins or ends otherwise than at the beginning or end of a year, his entitlement for the period during which he holds the office of chairman shall be to payment of such part of the parish basic allowance to which he is entitled as chairman as bears to the whole the same proportion as the number of days during which his term of office as chairman subsists bears to the number of days in that year.

(5) Where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of the parish basic allowance payable to him in respect of the period for which he is suspended or partially suspended may be withheld by the authority.

(6) An authority shall, as soon as reasonably practical after setting the levels at which any parish basic allowance is to be paid and to whom, arrange for the publication in a conspicuous place or places in the area of the authority, for a period of at least 14 days, of a notice or notices containing the following information—

- (a) any recommendation in respect of parish basic allowance made by the parish remuneration panel;
- (b) the level or levels at which the authority has decided to pay parish basic allowance and to which members it is to be paid; and
- (c) a statement that in reaching the decision on the matters referred to in subparagraph (b) the authority has had regard to the recommendation of the parish remuneration panel.

(7) An authority shall ensure that it keeps a copy of the information referred to in paragraph (6) available for inspection by members of the public on reasonable notice.

(8) An authority may require that where payment of parish basic allowance has already been made in respect of any period during which the member concerned is—

- (a) suspended or partially suspended from his responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
- (b) ceases to be a member of the authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period,

such part of the allowance as relates to any such period shall be repaid to the authority.

(9) An authority may not make any payment, and a member is not entitled to receive any payment, under the provisions of this regulation in respect of any period prior to 30th September 2003 if payment is made, in respect of any duties carried out by the member during that same period, under any of the provisions referred to in regulation 34(1).

Parish travelling and subsistence allowance

26. (1) An authority may pay to its members allowances in respect of travelling and subsistence (“parish travelling and subsistence allowance”), including an allowance in respect of travel by bicycle or by any other non-motorised form of transport, undertaken or incurred in connection with the performance of any duty within one or more of the following categories—

- (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 a meeting of any association of authorities of which the authority is a member;

- (c) 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;
- (d) 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; and
- (e) 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 of any of its committees or sub-committees.

(2) Where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any parish travelling and subsistence allowance payable to him in respect of the responsibilities or duties from which he is suspended or partially suspended may be withheld by the authority.

(3) An authority may require that where payment of travelling and subsistence allowance has already been made in respect of any period during which the member concerned is—

- (a) suspended or partially suspended from his responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
- (b) ceases to be a member of the authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period,

such part of the allowance as relates to any such period shall be repaid to the authority.

(4) An authority may not make any payment, and a member is not entitled to receive any payment, under the provisions of this regulation in respect of any period prior to 30th September 2003 if payment is made, in respect of any travelling and subsistence expenses incurred by the member during that same period, under any of the provisions referred to in regulation 34(1).

Parish remuneration panels

27. (1) A parish remuneration panel may be established—

- (a) by a responsible authority and shall make recommendations in respect of the authorities for which the establishing authority is the responsible authority; or
- (b) jointly by any responsible authorities and shall make recommendations in respect of the authorities for which the establishing authorities are the responsible authorities.

(2) Subject to paragraph (3), a parish remuneration panel shall consist of those persons who are also members of the independent remuneration panel which exercises functions in respect of the establishing authority or authorities.

(3) A parish remuneration panel shall not include any member who is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority.

(4) The authorities in respect of which a parish remuneration panel established under paragraph (1) makes recommendations shall each pay to the parish remuneration panel an equal share of the amount of the expenses incurred by that panel in carrying out that panel's functions.

Recommendations of parish remuneration panels

28. (1) A parish remuneration panel shall produce a report in relation to the members of the authorities in respect of which it was established, making recommendations, in accordance with the provisions of regulation 29, as to—

- (a) the amount of parish basic allowance payable to members of such authorities;
- (b) the amount of travelling and subsistence allowance payable to members of such authorities;
- (c) whether parish basic allowance should be payable only to the chairman of any such authority or to all of its members;
- (d) whether, if parish basic allowance should be payable to both the chairman and the other members of any such authority, the allowance payable to the chairman should be set at a level higher than that payable to the other members and, if so, the higher amount so payable; and
- (c) the responsibilities or duties in respect of which members should receive parish travelling and subsistence allowance.

(2) A copy of a report made under paragraph (1) shall be sent to each authority in respect of which recommendations have been made.

Levels of allowances

29. (1) A parish remuneration panel may, in making its recommendations in accordance with regulations 27 and 28, either—

- (a) apply the same recommended levels of parish basic allowance and parish travelling and subsistence allowance to all the authorities in respect of which it was established; or
- (b) make different recommendations for different authorities.

(2) A parish remuneration panel shall express its recommendation as to the level of parish basic allowance, in respect of a parish or parishes, as a percentage of the sum that an independent remuneration panel has recommended as the level of basic allowance for the establishing authority which is the responsible authority for that parish or parishes.

(3) The percentage referred to in paragraph (2) may be one hundred per cent.

(4) A parish remuneration panel shall also express its recommendation as to the level of parish basic allowance as a monetary sum being a monetary sum equivalent to the percentage expressed in accordance with paragraphs (2) and (3).

Publicity in respect of reports of parish remuneration panels

30. (1) Once an authority receives a copy of a report made to it by a parish remuneration panel in accordance with regulation 28, it shall, as soon as reasonably practicable—

- (a) ensure that copies of that report are available for inspection by members of the public on reasonable notice; and
- (b) arrange for the publication in a conspicuous place or places in the area of the authority, for a period of at least 14 days, of a notice which—
 - (i) states that it has received recommendations from a parish remuneration panel in respect of allowances;
 - (ii) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of that authority; and
 - (iii) states that copies of the panel's report are available for inspection on reasonable notice and gives details of the manner in which notice should be given of an intention to inspect the report.

(2) An authority shall supply a copy of a report made by a parish remuneration panel in accordance with regulation 28 to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.

Records of parish allowances

31. (1) An authority shall keep a record of the payments made by it in respect of—

- (a) parish basic allowance; and
- (b) parish travelling and subsistence allowance.

(2) Such a record shall—

- (a) specify the name of the recipient and the amount and nature of each payment;
- (b) be available for inspection on reasonable notice and at no charge, by any local government elector for the area of that authority; and
- (c) be supplied in copy to any person who is entitled to inspect a record under paragraph (b) and who requests a copy and pays to the authority such reasonable fee as it may determine.

(3) As soon as reasonably practicable after the end of a year, an authority shall arrange for the publication, for a period of at least 14 days, of a notice in a conspicuous place or places in the area of the authority stating the total sum paid by it in the year to each member in respect of each of the following—

- (a) parish basic allowance; and
- (b) parish travelling and subsistence allowance.

Elections to forgo parish allowances

32. A member may, by notice in writing given to the proper officer of the authority, elect to forgo his entitlement or any part of his entitlement to allowances.

PART 6 - TRANSITIONAL PROVISIONS, REVOCATION AND DISAPPLICATIONS

Revocation

33. (1) The following Regulations shall be revoked to the extent not already revoked—

- (a) the Local Authorities (Members' Allowances) Regulations 1991([26](#));
- (b) the Local Authorities (Members' Allowances) (Amendment) Regulations 1995([27](#));
- (c) the Local Authorities (Members' Allowances) (Amendment) Regulations 1996([28](#));
- (d) the Local Authorities (Members' Allowances) (Amendment) (England) Regulations 2000([29](#));
- (e) the Local Authorities (Members' Allowances) (Amendment) (England) (No. 2) Regulations 2000([30](#)); and
- (f) the Local Authorities (Members' Allowances) (England) Regulations 2001([31](#)).

(2) Paragraph 4 of the Schedule to the Greater London Authority Act 1999 (Consequential Amendments of Subordinate Legislation) (Fire etc. Authority) Order 2000([32](#)) shall be revoked.

Disapplication

34. (1) Subject to paragraphs (2) and (3), the following shall be disapplied as respects authorities—

- (a) sections 173 to 175 of the Local Government Act 1972([33](#));
- (b) section 176(1)(a) and (2) of that Act; and
- (c) section 18(2)(b) of the Local Government and Housing Act 1989([34](#)),

for all purposes other than—

the payment of any allowance payable to members of an admissions appeal panel constituted in accordance with regulations made by the Secretary of State under the provisions of the School Standards and Framework Act 1998([35](#)); and

(ii) the payment of any allowance payable to members of an exclusions appeal panel constituted in accordance with regulations made by the Secretary of State under the provisions of the Education Act 2002([36](#)).

(2) As respects parish councils the provisions referred to in paragraph (1) shall be disapplied with effect from 30th September 2003.

(3) As respects any other authority the provisions referred to in paragraph (1) shall be disapplied with effect from the date upon which such authority makes a scheme in accordance with Parts 2 and 3 of these Regulations.

(4) In this regulation, the reference to “authorities” is a reference to the following bodies—

- (a) a district council;
- (b) a county council;
- (c) a London borough council;
- (d) the Council of the Isles of Scilly;
- (e) a fire authority constituted by a combination scheme under the Fire Services Act 1947(37);
- (f) a joint authority established by Part IV of the Local Government Act 1985(38);
- (g) the London Fire and Emergency Planning Authority(39);
- (h) the Broads Authority(40);
- (i) a National Park authority(41);
- (j) a conservation board of an area of outstanding natural beauty(42); and
- (k) a parish council.

Signed by authority of the First Secretary of State
Nick Raynsford
Minister of State,
Office of the Deputy Prime Minister
7th April 2003

Explanatory Note

(This note is not part of the Regulations)

These Regulations make provisions about the payment of allowances to members of local authorities and certain related bodies.

Part 1 makes provision about the application of certain provisions of the Regulations and provides that certain bodies are to be considered as relevant bodies for the purposes of section 18 of the Local Government and Housing Act 1989.

Part 2 requires certain authorities to prepare schemes for the payment of allowances to their members. Authorities making schemes are required to make provision for the payment of basic allowance (regulation 4) and may also provide for the payment of special responsibility allowance (regulation 5), dependants' carers' allowance (regulation 7) travelling and subsistence allowance (regulation 8) and co-optees' allowance (regulation 9).

Part 3 makes provision in respect of the requirements and administration of such schemes. It also makes provision in respect of the records that must be kept of payments and in respect of the publicity that must be given to the features of a scheme and to the payments made thereunder. This Part also make provision concerning members' entitlement to pensions in accordance with a scheme made

under section 7 of the Superannuation Act 1972 and concerning which allowances may be treated as amounts in respect of which pensions are payable.

Part 4 makes provision in respect of the establishment of independent remuneration panels whose function is to make recommendations concerning allowances.

Part 5 makes provision in respect of payment of allowances to members of parish councils. Parish councils may pay parish basic allowance (regulation 25) and parish travelling and subsistence allowance (regulation 26) to their members. In setting the levels of such allowances parishes must have regard to the recommendations of parish remuneration panels. This Part also makes provision in respect of the publicity that must be given to such recommendations. It also makes provision in respect of the records that must be kept of payments made and in respect of the publicity that must be given to such payments.

Part 6 revokes existing regulations relating to members' allowances and disapplies certain statutory provisions relating to allowances.

(1) [1989 c. 42](#); section 18 is amended by paragraph 37 of Schedule 4 to the Police and Magistrates Court Act [1994 \(c. 29\)](#), paragraph 97 of Schedule 37 to the Education Act [1996 \(c. 56\)](#) and section 99 of the Local Government Act [2000 \(c. 22\)](#).

(2) [2000 c. 22](#).

(3) The Secretary of State's functions under sections 18 and 190 of the Local Government and Housing Act 1989, so far as exercisable in relation to Wales are transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. [1999/672](#)); see the entry in Schedule 1 for the Local Government and Housing Act 1989 and see section 106(3) of the Local Government Act 2000. See also section 100(7) of the Local Government Act 2000 for the power of the National Assembly for Wales to make regulations in relation to allowances. The Secretary of State's functions under the Local Government and Housing Act 1989, so far as exercisable in relation to Scotland, are now functions of the relevant Scottish minister by virtue of the Scotland Act [1998 \(c. 46\)](#).

(4) [1983 c. 2](#); section 2 was substituted by section 1(1) of the Representation of the People Act [2000 \(c. 2\)](#).

(5) S.I. [1990/1553](#), amended by S.I. [1991/1398](#).

(6) [1972 c. 70](#).

(7) [1947 c. 41](#).

(8) [1985 c. 51](#).

- (9) Established by Part VII of the Greater London Authority Act [1999 \(c. 29\)](#).
- (10) Established by the Norfolk and Suffolk Broads Act [1988 \(c. 4\)](#).
- (11) As established by the Environment Act [1995 \(c. 25\)](#). Under paragraph 11 of Schedule 7 to that Act, a National Park authority is a relevant authority for the purposes of section 18 of the Local Government and Housing Act 1989.
- (12) See section 86 of and Schedule 13 to the Countryside and Rights of Way Act [2000 \(c. 37\)](#) for provisions as to the establishment of conservation boards.
- (13) Section 18(5)(b) of the Local Government and Housing Act 1989 provides that Regulations made under section 18 may apply to a body on which any relevant authority within the meaning of that section is represented and which is designated a relevant authority.
- (14) Section 18(6) of the Local Government and Housing Act 1989 provides that any reference to a councillor in that section includes a reference to a member of the authority concerned who, in accordance with regulations made under that section, is to be treated as if he were a councillor.
- (15) See section 83(7) to (10) of the Local Government Act 2000.
- (16) S.I. [1983/1964](#), as amended by S.I. [1997/649](#) and [2001/2237](#).
- (17) See section 18(5)(b) of the Local Government and Housing Act 1989 which provides that Regulations made under section 18 may apply to a body on which any relevant authority within the meaning of that section is represented and which is designated a relevant authority.
- (18) [1996 c. 56](#); section 342 was substituted by paragraph 82 of Schedule 30 to the School Standards and Framework Act [1998 \(c. 31\)](#).
- (19) [1985 c. 51](#). Section 10 was amended by paragraph 26 of Schedule 15 to the Environmental Protection Act [1990 \(c. 43\)](#).
- (20) [1972 c. 11](#). See also the Local Government Pension Scheme Regulations 1997 (S.I. [1997/1612](#)), as amended by S.I. [1997/1613](#), [1998/1238](#), [1998/2118](#), [1999/1212](#), [1999/3438](#), [2000/1005](#), [2000/1164](#), [2000/3025](#), [2001/770](#), [2001/1481](#), [2001/3401](#), [2002/206](#) and [2002/819](#).
- (21) S.I. [1991/351](#), as amended by S.I. [1995/553](#), S.I. [1996/469](#), S.I. [2000/622](#), S.I. [2000/623](#) and S.I. [2001/1280](#).
- (22) See section 80 of the Local Government Act [1972 \(c. 70\)](#) and section 79 and 83(11) of the Local Government Act 2000.
- (23) S.I. [2001/1280](#).

- (24) See section 11 of the Local Government Act 1972 for the procedure by which parish councils may be grouped.
- (25) See section 15(1) of the Local Government Act 1972 for the duty to elect a chairman from among the councillors of a parish council.
- (26) S.I. [1991/351](#), as amended by S.I. [1995/553](#), S.I. [1996/469](#), S.I. [2000/622](#), S.I. [2000/623](#) and S.I. [2001/1280](#).
- (27) S.I. [1995/553](#).
- (28) S.I. [1996/469](#).
- (29) S.I. [2000/622](#).
- (30) S.I. [2000/623](#).
- (31) S.I. [2001/1280](#).
- (32) S.I. [2000/1553](#) which amended regulation 5 of S.I. [1991/351](#).
- (33) [1972 c. 70](#); section 173 is amended by section 24(1) of the Local Government, Planning and Land Act [1980 \(c. 65\)](#) and by section 194 of and Schedule 11 to the Local Government and Housing Act [1989 \(c. 42\)](#); section 173A was inserted by section 24 of the Local Government, Planning and Land Act [1980 \(c. 65\)](#) and is amended by section 7 of the Miscellaneous Financial Provisions Act [1983 \(c. 29\)](#) and by section 194 of and Schedule 11 to the Local Government and Housing Act [1989 \(c. 42\)](#); section 174 is amended by section 25 of the Local Government, Planning and Land Act [1980 \(c. 65\)](#); section 175 is amended by section 25 of the Local Government, Planning and Land Act [1980 \(c. 65\)](#), section 11 of and Schedule 5 to the Water Act [1983 \(c. 23\)](#), section 194 of and Schedule 11 to the Local Government and Housing Act [1989 \(c. 42\)](#) and section 328 of and Schedule 29 to the Greater London Authority Act [1999 \(c. 29\)](#).
- (34) To which there are amendments not relevant to this provision.
- (35) [1998 c. 31](#). The Education (Admissions Appeals Arrangements) (England) Regulations 2002 (S.I. [2002/2899](#)) have been made under the provisions of section 94 of the School Standards and Framework Act 1998.
- (36) [2002 c. 32](#). The Education (Pupil Exclusions and Appeals) (Maintained Schools) (England) Regulations 2002 (S.I. [2002/3178](#)) and the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (England) Regulations 2002 (S.I. [2002/3179](#)) have been made under the provisions of section 52 of the Education Act 2002.
- (37) [1947 c. 41](#).
- (38) [1985 c. 51](#).

- (39) Established by Part VII of the Greater London Authority Act [1999 \(c. 29\)](#).
- (40) Established by the Norfolk and Suffolk Broads Act [1988 \(c. 4\)](#).
- (41) Established by the Environment Act [1995 \(c. 25\)](#).
- (42) See section 86 of and Schedule 13 to the Countryside and Rights of Way Act [2000 \(c. 37\)](#) for provisions as to the establishment of conservation board

**CHRONOLOGICAL LIST OF EVENTS FOR MEMBER ALLOWANCES
SINCE JULY 2001**

July 2001 County Council agreed the Member Remuneration Panel recommendation to increase the basic allowance to £11,000 and the Leader of the Council Allowance to £35,000.

BASIC ALLOWANCE 2003/04 - £11,330 inclusive of an element for pensions, personal computers, telephones, other home office equipment and routine subsistence expenditure on KCC duties. SRA Leader £36,050

2005 – 2009 Basic Allowance: £12,000 SRA: Leader
£41,000

June 2009 County Council agreed the Member Remuneration Panel recommendation Members' Allowance Scheme for 8 June 2009 to the election in May 2013. Basic Allowance £13,000, Leader of the Council £44,300

July 2010 County Council agrees to increase the maximum hourly rate for the Dependent Carers' Allowance to a maximum of £10 (for both children and adults)

Largest Opposition Group

Leader – 20% (£8,860)

Deputy Leader – 10% (£4,430)

Opposition Spokesmen (up to a maximum of 8 – 7.5% (£3,323))

May 2011 The Member Remuneration Panel was advised in April 2011 that the agreed Medium Term Financial Plan for 2011-13 included a target of efficiency savings in "Members' Allowances and Overheads" of £200,000 in 2011/12. In relation to the proposed reductions in the cost of Members' Allowances, the Panel was advised that the following proposals had been made:

A reduction in the cost of SRAs as a result of the reduction in the number of Deputy Cabinet Member positions from 12 to 10. In addition, Two Deputy Cabinet Members will share one SRA. This delivers savings of £39.9k

A reduction in the number of Policy Overview and Scrutiny Committees by one, which will deliver a saving of £7.7k

A reduction of the basic allowance of 1.5%. This will affect all members and deliver £16.4k

A reduction in the remaining SRAs by 2.66%. This will deliver £16k

March 2012 County Council agrees the Leaders proposals for revising the Members' Allowances Scheme:

A 2.35% reduction to the Special Responsibility Allowances payable to administration members

A Special Responsibility Allowance of £7,367 to the six Cabinet Committee Chairmen and the Scrutiny Committee Chairman; and

A Special Responsibility Allowance of ££7367 to the 12 Locality Leads for the County Council/Vice Chairman of the Locality Boards

By: Steve Wiggett (Chairman), Margaret Ryder and Haider Khan,
Independent Member Remuneration Panel

To: County Council – 13 July 2017

Subject: Members' Allowances Scheme for the Four-Year Period 9 May
2017 to the next election in May 2021

SUMMARY

This report prepared by the Independent Member Remuneration Panel (the Panel) in accordance with The Local Authorities (Members' Allowances) (England) Regulations 2003, sets out the Panel's findings and recommendations in respect of Kent County Council's Members' Allowances Scheme for the period 2017 – 2021.

In producing this report, the Panel considered a wide range of sources including benchmarking with other County Council Member allowances, face to face interviews with a cross section of Kent County Council's Members and the draft report of the Korn Ferry Hay Group (KFHG). Our report comprises a review of the existing Kent County Council (KCC) Members' Allowances Scheme and incorporates the Panel's response to the County Council's request for the Panel to revisit and recommend for adoption, the index linking of the Member Allowance Scheme to KCC's staff Total Contribution Pay process (TCP).

RECOMMENDATIONS

Subject to the available budget, the Panel's recommendations are set out as follows:

1. To restore the Basic Member Allowance from £12,805 to £13,000 (1.50% increase) for the period 8th May 2017 to the election in May 2021 see Appendix 5.
2. To index link the Basic Member Allowance and Special Responsibility Allowances (SRA's) to the Staff Total Contribution Pay Process (TCP), 'achieving level' for the period 2017 – 2021 (1.8% in 2017/18). Please see appendix 5
3. To create an additional SRA for the Cabinet Lead for Trading Services at the equivalent of Cabinet Member.
4. To index link the Carer's Allowance to the Staff TCP for the period 2017-2021.
5. No other recommended changes to the allowances.

1. Introduction

As the new Independent Member Remuneration Panel, we started our work in earnest in November 2016. Over the past 7 months we have met on 13 occasions, 22 November 2016, 2, 15, 21 February, 7, 15 March, 4, 18 April, and 9, 16 May and 5, 6, 12 June 2017, in preparing this report.

1. Terms of Reference of Panel

The terms of reference of the Independent Member Remuneration Panel are:

“3 Independent Members of the Remuneration Panel are recommended to the Council for appointment by a panel of three people (not Members of the Council) appointed by the Selection and Member Services Committee it has responsibility for making recommendations to the Council on a scheme of allowances and expenses for Council Members and for reviewing that scheme in whole or in part as required by law or requested by the Selection and Member services Committee. The Panel is not a Committee of the Council. No Member of the Council has a right to attend its meetings and its procedures are determined by the Panel itself”

2. Regulation governing indexation

One of the Panel’s responsibilities in accordance with the Local Authorities (Members’ Allowances) (England) Regulations 2003 is:

(e) as to whether adjustments to the level of allowances may be determined according to an index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;

The County Council specifically asked the Panel to recommend for adoption a scheme of indexation for the Member Allowances Scheme in accordance with (e) above, to ensure that the amount of an elected Member’s Basic Allowance and Special Responsibility Allowance is automatically uplifted. The only requirement would be that this is reviewed after 4 years.

The former Panel indicated to the Council that its preferred method of indexation was linked to staff pay and that it would look at this again for recommending a new Members’ Allowances Scheme to the new County Council in May 2017. The County Council asked the former Panel to recommend an index linked scheme of allowances to the County Council for implementation in the financial year 2016/17. However, the Panel did not consider it was appropriate to accede to this request having introduced a scheme following the County Council election in May 2013 for the four-year period until May 2017.

2. Context and Background

1. Members Allowances - statutory requirements

The principal legislation/guidance governing modern day allowances is Section 18 of the Local Government and Housing Act 1989 (as amended by the Local Government Act, 2000). The underlying authority for basic, special responsibility and child and dependent carers’ allowances (is) the Local Government (Members

Allowances) Regulations 2003, Government guidance issued at the time of the 2003 Consolidated Regulations; and the South West Councils' Guidance, 2015

Under the provisions of this legislation, local authorities are required to make a Scheme of Allowances and can exercise local discretion as to the amounts to be paid under their Scheme. Local authorities must also establish and maintain an independent panel to make recommendations to the Council on allowances matters. Local authorities must have regard to the recommendations of its independent Panel in determining allowances matters.¹

2. Members Allowances - advice and guidance

In addition to the legislative framework, successive governments have made it clear that any allowances paid should not detract from the importance they attach to retaining a central 'public sector ethos' with a clear expectation that service should not be undertaken, or continued, primarily for the remuneration.

The views of the Councillors Commission 2007 on the allowances remain relevant today:

*'Our view is that allowances should be set at a level that enables people to undertake the role of councillor while not acting as an incentive to do so. Allowances are not shown by polls to be something which influences councillors to take on the role although they are instrumental in making it possible for some people to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive.'*²

And again, on the benefits from widening access to standing:

'.....councils benefit from having a range of age, background and human experience among their elected membership which reasonably reflects their population, on two broad counts: symbolically, for notions of fairness, the importance of role models of resemblance, and enhancing trust and legitimacy in the political process; and substantively, different core interests and concerns can be fed directly into the democratic process, be reflected in policy making and can be important for social cohesion.'

¹ Taken from South West Councils – Councillors Allowances – a practical guide for those involved in the work of Independent Remuneration Panels. Revised Jan 2015

² Councillors Commission 2007 (Dame J Roberts)

3. KCC Members Allowances - historical context

Currently and historically the Basic Allowance (BA) and Special Responsibility Allowances (SRA) for KCC Members have featured in the top quartile of shire councils. In July 2001, the County Council accepted the recommendations of the Independent Panel, for an allowance scheme, which increased the Leader's SRA by approximately 60% and other SRA's proportionately³. The County Council also accepted the Panel's recommendation for an increase of the Basic Allowance paid to all KCC Members, from £4000 per year to £11,000 per year, an increase of 175%.

Subsequent increases from 2005-09 and 2009-13 are set out in the table and graph below.

Members' Allowances Schemes: 2001 – 2017

Members' Allowance Scheme Period: Source I&DeA Survey 2001 (113 UK Authorities)

| 2001/02 | 2002/03 | 2003/04 | 2004/05 |
|---------|---------|---------|---------|
|---------|---------|---------|---------|

For the 2001 – 2005 Members Allowances Scheme, the Basic Allowance increased from £4000 to £11,000 (175%). In addition to the Basic Allowance available for all Members, the Leader's SRA increased by 60% to (£35,000). The average SRA awarded to other shire county council leaders at this time was £21,701.

Members' Allowance Scheme Period

| 2005/06 | 2006/07 | 2007/08 | 2008/09 |
|---------|---------|---------|---------|
|---------|---------|---------|---------|

For the 2005 – 2009 Members' Allowances Scheme, the Basic Allowance increased from £11,000 to £12000 (9%). The Leader's SRA increased from £35,000 to £41,000 (17.1%).

Members' Allowance Scheme Period: Source: Kent.gov.uk/Councillors Allowances

| 2009/10 | 2010/11 | 2011/12 | 2012/13 |
|---------|---------|---------|---------|
|---------|---------|---------|---------|

For the 2009 – 2013 Members' Allowances Scheme, the Basic Allowance increased from £12,000 to £13000 (8.33%). The Leader's SRA increased from £41,000 to £44,300 (8%).

During the latter part of the 2009 – 2013 Scheme (2011/12) Members voluntarily reduced the Basic Allowance by 1.5%; from £13,000 to £12,805; and the Leader's SRA was also voluntarily reduced by around 5% from £44,300 to £42,109

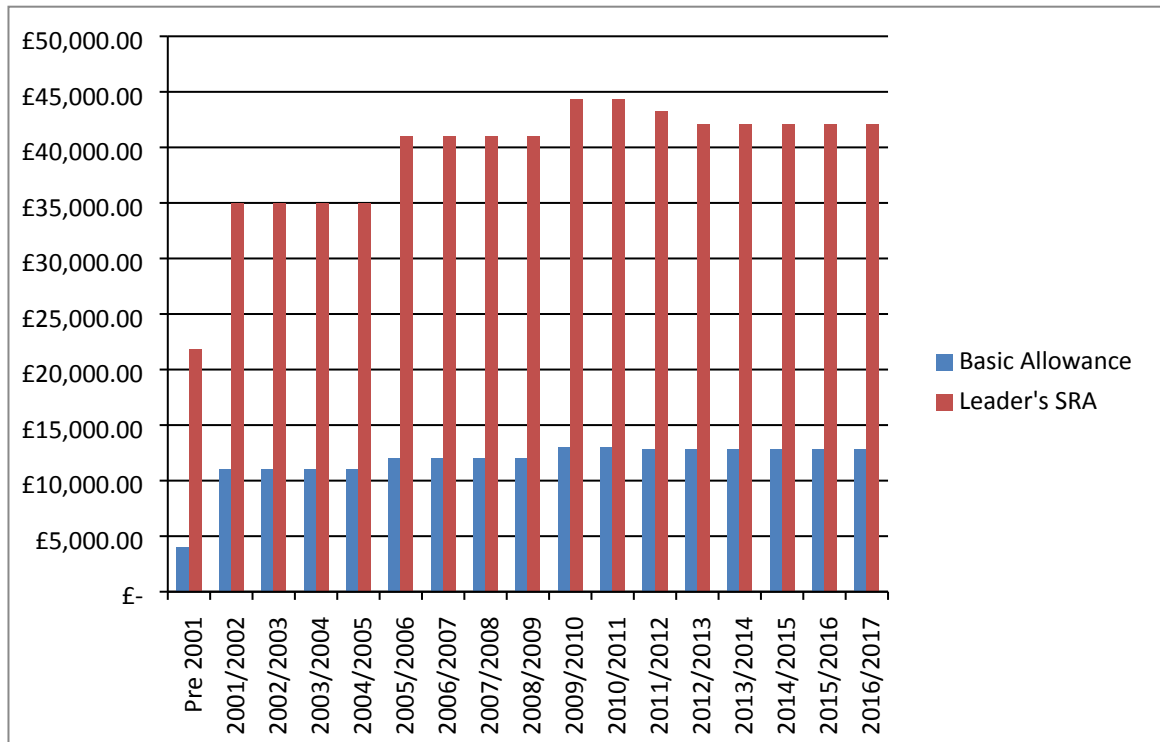
Members' Allowance Scheme Period: Source: Kent.gov.uk/Councillors Allowances

| 20013/14 | 2014/15 | 2015/16 | 2016/17 |
|----------|---------|---------|---------|
|----------|---------|---------|---------|

³ Improvement and Development Agency survey of over one hundred councils conducted in 2001.

For the 2013 – 2017 Members’ Allowances Scheme, Members agreed to adopt the Independent Remuneration Panel’s recommendations to maintain the Basic and Special Responsibilities Allowance at the levels set for at the end of the 2009 – 2013 Members’ Allowances Scheme.

Basic and Leader’s SRA



All information sourced is available on the KCC website.

For the period 2013-17, Members agreed to adopt the Panel’s recommendation of no increase in the Basic or Special Responsibilities Allowances. However, as indicated in the graph, over the total period of 2001 – 2017, the Basic Allowance has increased threefold which is inclusive of the 1.5% voluntary reduction agreed by Members during the period of 2009-13. The Leader’s SRA has increased by approximately 80% during the same period (which is inclusive of a voluntary reduction of approximately 5% during 2009-13).

4. Responding to austerity

We could not have considered the matter of members' allowances without recognition of the impact of austerity on the funds available for allowances and on the perception of the public, who will reasonably expect members' allowances to be constrained in line with the wider squeeze on household incomes and on the public sector generally.

This restraint must be seen to be being exercised notwithstanding the increasing complexity in the scale and nature of the work of elected county councillors, including working increasingly with a wide range of partners both statutory and voluntary.

5. Kent County⁴

Kent has a land area of 1,368 square miles and just over 350 miles of coastline. 85% of the land area is classed as 'greenspace'.

With a resident population of just over 1,524,700, Kent has the largest population of all of the English counties and over the past 10 years Kent's population has grown faster than the national average, by 10.9% between 2005 and 2015. This is above the average both for the South East (9.1%) and for England (8.3%). Kent's population is forecast to increase by a further 21.6% between 2015 and 2035

6. The Council

The Council is currently controlled by the Conservative group and made up of:
67 Conservative councillors
7 Liberal Democrat councillors
5 Labour councillors
1 Green Party
1 Swanscombe and Greenhithe Residents Association

The Council's net expenditure for 2016/17 ⁵ was £1.8 billion of which £1.6 billion was spent on direct services to the public (including an increasing number of commissioned services). Approximately £1.3 billion of this expenditure goes to the provision of education and social care services.

The Council employs 36,000⁶ staff of which 25,000 are schools staff.

7. Looking ahead to a commissioning Council

We are conscious that as the Council moves further towards its new role as a commissioning rather than service delivery, authority, it is likely that new organisational arrangements will be needed. The role of Cabinet Lead for Trading Services illustrates the kind of new role and the extent of their likely responsibilities in taking forward the continuing transformation of the Council. We

⁴ Kent.gov.uk/about-the-council.

⁵ Kent.gov.uk/about-the-council/finance-and-budget/2016-17-budget, (figures rounded up).

⁶ Rounded up to nearest 000.

note that the allowance scheme needs to be flexible enough to cope with such changes.

3. Methodology

- (1) Since November 2016 we have met a significant number of the Members of the former County Council which has provided us with an excellent insight into the role of the elected Member and a number of roles which have been paid a Special Responsibility Allowance. This included a good cross section of elected Members and the names of those interviewed are provided as Appendix 1.

Following the elections in May 2017 the Panel also considered the views of newly elected Members and the Korn Ferry Hays Group (KFHG) draft Report on Members Roles.

- (2) All the interviewees were asked similar questions which are provided as Appendix 2. The report reflects what as a Panel we have heard from those elected Members of the Council whom we interviewed. The questions stimulated wide ranging discussions about the role of councillors and the barriers to standing for many and raised a number of related issues which are considered briefly for Members further consideration in Section 9.

- (3) We have taken into consideration the Members Allowances Schemes for other local authorities across England and considered work done by the Councillors Commissions, the South West Councils and the survey of allowances undertaken by the South-East Employers Organisation.

- (4) The Panel has also sought the advice of the following officers of the Council in the preparation of this report:

- Mr Andy Wood, Corporate Director of Finance and Procurement and Section 151 Officer.
- Mrs Amanda Beer, Corporate Director of Engagement, Organisation Design and Development
- Mr Paul Royel, Head of Human Resources

- (5) We were reminded of the amount paid to a backbench Member of Parliament stood at £75,000. We were also mindful that other local authorities had taken the opportunity to allow their elected Members to join the local government pension scheme. However, the Panel noted that the opportunity for an elected Member to join the Local Government Pension Scheme was no longer relevant as it was not legally possible to do so anymore.

- (6) We also note that much complex work is done by Chairmen and Trustees in the charitable sector on an entirely voluntary basis save authorised expenses and that these and other roles, like that of school governor, are

also becoming increasingly complex as powers and responsibilities are devolved and more services 'contracted out' including to the charitable sector.

- (7) We were reminded of the Government's consistent view that 'the role of an elected councillor must in part be viewed as unpaid voluntary service. Consequently, some Panels, but certainly not all, apply a percentage discount in their calculations'⁷.

4. Areas of agreement

Some of the detailed comments made by the many Members interviewed are provided in Appendix 3, but we noted that there were many areas where there appears to be broad, cross party agreement.

1. Overall, the current allowances are felt to be reasonable, including the distribution of the SRA's, although some points have been made about a particular role where there is a significant variation in the nature and scope, see Section 5, Special Responsibility Allowances.
2. The Basic Allowance cannot replace a 'salary', it covers expenses and a modest remuneration for the extent of work involved in discharging the role of an elected Member.
3. Dependents' Carers Allowance. There was a lack of knowledge about this allowance amongst some Members but overall agreement that it should be sufficient to obtain the care needed, including specialist care if required.
4. The public perception. It was generally felt that local residents had little idea of the extent of the work being done by councillors or the services that are provided or arranged by the County Council but that overall the uninformed view of residents about County Councillors (and their allowances) was too often negative.
5. Fairness - almost without exception this was the word used to describe what the allowances should clearly demonstrate.
6. The Members interviewed agreed that it is disappointing that there are still so few women, young(er) people and members of minority groups on the Council. Following May 2017, there has been a modest change to a younger demographic, but the majority of Members are older men who have a secure and stable financial situation. Whilst most agreed that it is understandable that men and women in the early years of their careers and with many responsibilities are most unlikely to be able to

⁷ Taken from **South West Councils – Councillors Allowances – a practical guide for those involved in the work of Independent Remuneration Panels. Revised Jan 2015**

stand, a better representation is likely to improve public perception and lead to a more vibrant and effective administration.

7. Options for improving this lack of representation are limited and constrained significantly by the sheer weight of work involved and the exclusive use of day time meetings at Maidstone but efforts should continue to be made.
8. Members consider that they work hard as a whole and indeed described long hours dedicated to the work. Members accept that no allowance could adequately compensate them in terms of financial recompense.
9. Members clearly enjoy most of what they do and most point to the satisfaction they derive from different aspects of the work and the personal learning and development they gain from it.
10. Members agree that more could be done with better use of new technology provided by the Council, e.g. embracing the Council's priorities of digitalisation.

5. Allowances

1. Basic Allowance

- (1) The aims in providing a basic allowance to all members can be summarised as:
 - to encourage citizens to stand for public office
 - to remove barriers to standing
 - to defray the financial burden of standing whilst at the same time retaining the ethic of voluntary public service
 - to avoid the payments becoming the reason for standing, or remaining, a council member.
- (2) The key elements of a backbenchers' role can be described as:
 - constituency work – casework/representation of individual views
 - providing a focus for local democracy
 - holding to account the Leader and Cabinet
 - active participation in Council and other meetings as required
- (3) Consideration of other local authorities Member Allowances' Schemes demonstrates that the allowance available to all elected Members of Kent County Council remains in the upper quartile of comparable authorities (see Appendix 4).
- (4) The vast majority of Members interviewed considered the amount of the basic allowance to be satisfactory.

- (5) The last increase in the Basic Allowance was made in the 2009-13 scheme. In view of this the Panel recommends an increase to £13,000 which goes some way to acknowledging the increasingly complex work of a county councillor.
- (6) We noted that almost without exception the elected Members interviewed by the Panel referred to the excellent and on-going support provided by the County Council to help them in discharging their role.
- (7) We are mindful of the fact that the County Council now makes available to every elected Member two pieces of Information Communication and Technology (ICT) equipment, a tablet, laptop or smartphone to assist the elected Member in discharging their role, particularly in relation to the Councils digitalisation priorities. In our general recommendations (Section 9) we emphasise our view, in line with Members' views, that more could be done to make the best use of new technology and social media.
- (8) Clearly many employers, including large organisations operating locally, do not appreciate the important work done by 'backbench' members or the extent of this and much more should be done by the Council, proactively, to improve this situation.

Special Responsibility Allowances

- (1) In considering whether roles should be assigned 'special responsibility allowances' the Panel were helped by reflecting on the following elements involved in individual positions:
 - Level of responsibility
 - Extent of accountability
 - Amount of time
 - Amount of effort
- (2) The Panel were mindful of the fact that Government expectation is that the overall number of posts in receipt of a SRA should not be so many as to put into question the use of the word 'special'. Clearly if a high percentage of members receive an SRA it cannot be considered as special.
- (3) We based our questions on the governance structure for the County Council which came into operation on 1 April 2012 and the posts within that structure which attract a Special Responsibility Allowance.
- (4) Our research and the opinion of Members interviewed is that overall Members more than 'earned' the SRA's received and that the work involved is usually significant in its complexity and in the level of responsibility and accountability involved.
- (5) The Panel has considered whether it would be appropriate to increase the Leader's SRA back to the level in 2009-13. Increasing the Leader's SRA would have the effect of increasing all of the other SRA's (which are a percentage of the Leader's). This would result proportionally in an increase of all SRA's by approximately 5% in addition to this Panel's recommended increase in the Basic Allowance and indexation, (see table below).

After careful consideration, the Panel are of the view that this would not be appropriate given the comparisons with other councils, the historical context of allowances since 2001, the more modest increase in KCC staff pay, the opinion of Members interviewed and the perception of residents.

ADJUSTMENT COMPARISON TABLE 2009-13 MEMBERS' ALLOWANCE SCHEME: ASSUMING BACKDATED STAFF TCP % INCREASES

Members' Allowances Scheme

| Year | 2009/10 | 2010/11 | 2011/2012 | 2012/2013 |
|------------------------|--------------------|--------------------|--------------------|--------------------|
| Staff "Achieving" | | 2.3% | 1.8% | 1% |
| BASIC ALLOWANCE | £ 13,000.00 | £ 13,299.00 | £ 13,538.38 | £ 13,673.77 |

| | | | | | |
|--|------|----------------|----------------|-------------|-------------|
| Leader | 100 | £ 44,300.00 | £ 45,318.90 | £ 46,134.64 | £ 46,595.99 |
| Cabinet Members | 65 | £ 28,795.00 | £ 29,457.29 | £ 29,987.52 | £ 30,287.39 |
| Deputy Cabinet Members | 30 | £ 13,290.00 | £ 13,595.67 | £ 13,840.39 | £ 13,978.80 |
| Cabinet Committee Chairman | 17.5 | £ 7,752.50 | £ 7,930.81 | £ 8,073.56 | £ 8,154.30 |
| Council Chairman | 33 | £ 14,619.00 | £ 14,955.24 | £ 15,224.43 | £ 15,376.68 |
| Council Vice-Chairman | 17.5 | £ 7,752.50 | £ 7,930.81 | £ 8,073.56 | £ 8,154.30 |
| Planning Committee Chairman | 22 | £ 9,746.00 | £ 9,970.16 | £ 10,149.62 | £ 10,251.12 |
| Regulation Committee Chairman | 22 | £ 9,746.00 | £ 9,970.16 | £ 10,149.62 | £ 10,251.12 |
| Other Committee Chairmen | 17.5 | £ 7,752.50 | £ 7,930.81 | £ 8,073.56 | £ 8,154.30 |
| Scrutiny Committee Chairman | 17.5 | £ 7,752.50 | £ 7,930.81 | £ 8,073.56 | £ 8,154.30 |
| Select Committee Chairmen | 17.5 | £ 7,752.50 | £ 7,930.81 | £ 8,073.56 | £ 8,154.30 |
| Opposition Leader of each Opposition Group | 15 | £ 6,645.00 | £ 6,797.84 | £ 6,920.20 | £ 6,989.40 |
| Additional Group Members | | £ 500.00 | £ 511.50 | £ 520.71 | £ 525.91 |

(6) There is however one area where discussions identified significant variations in the nature and scope of the roles, dependent upon individual interpretations and relationships; the role of Deputy Cabinet Member. It is recommended that efforts be made to deliver greater consistency in the outcomes expected in these roles and that the SRA provided be linked to clearer deliverables.

3. Dependents' Carers Allowance

- (1) Of those Members interviewed the majority of them were not aware that such an allowance was available.
- (2) Having provided those interviewed with the details of the allowance including one Member who had been in receipt of the allowance the Members felt that the allowance of £10 an hour was "about right". One Member interviewed suggested raising the amount to £12.50.
- (3) Greater 'publicity' about the allowance and its purpose in reducing one barrier to standing should be considered.

6. **Indexation of Members Allowances Scheme**

- (1) We have considered very carefully the way in which the Members Allowances scheme can be linked to an appropriate index negating the need for the Panel to review the scheme annually.
- (2) We received and noted the work of the former Independent Member Remuneration Panel which had considered the request to explore the introduction of an indexation scheme.
- (3) This Panel having examined all the evidence it had before them together with the interviews it conducted with elected Members has concluded, in line with the overall consensus of members, that the most appropriate method of indexation would be to link to staff TCP. This would emphasise the fact that both staff and Members are essential to service delivery and commissioning.
- (4) We acknowledge that to do this for Kent County Council is not straightforward as pay for the staff is based on performance which is not appropriate for Members who are receiving an allowance. However, we did suggest to a number of Members that we interviewed that some form of self-assessment might be appropriate with a focus on developing a more in-depth understanding of the increasingly complex and demanding work required of all members.
- (5) We heard from Amanda Beer and Paul Royel about the four levels of performance related pay for staff - not performing, achieving, above achieving and outstanding. It is our view that to index allowances to staff TCP would be the most appropriate at the 'achieving level'.

7. **Financial Implications**

The total cost of the recommendations is set out in Appendix 5. These proposals have been discussed with the Corporate Director of Finance and Procurement and are affordable within the financial envelope. In terms of overall increases, the recommendations will support an increase in the Basic

Allowance of 3.3% and an increase in Special Responsibilities Allowances of 1.8%, in the first year of the new, recommended Members' Allowances Scheme.

8. Korn Ferry Hay Group review of member roles

Our recommendations take into consideration the draft report by KFHG which reinforces the very significant work being done by Members. We are grateful for their help in the assessment of the relevant size of the Member roles.

9. Other proposals for Members' further consideration

During our discussions with Members and in our subsequent deliberations a number of related topics and issues were considered. Whilst these are outside the strictly defined scope of our work, we considered that Members would nonetheless be interested in considering these with a view perhaps to taking forward some of the proposals and suggestions made.

- a. ICT – Where permissible developing alternatives to face to face day time meetings in Maidstone which presently is a barrier to increasing greater diversity.
- b. Providing better publicity about Members roles and responsibilities and the purpose of the various allowances.
- c. Political Groups to explore all and any options for improving the existing 'demographic' of the Council to achieve a more representative Council and thereby to encourage change and challenge through diversity.
- d. Recognising and acknowledging to potential new Members the opportunities that standing for the Council offers for their personal development and learning.
- e. To put in place some method that would allow Members to demonstrate the progress they had made over a period e.g. through setting out 5 key outcomes (or projects) they hoped to achieve (or deliver) on an annual basis; by preparing a short annual report on these and other matters, or by using a video story board, a blog or similar.
- f. Exploring ways to ensure that where Members are undertaking other duties and responsibilities, especially where these are significant, for example 'Twin Hatters', that the overall weight of work is not too onerous and that such arrangements do not limit opportunities for new representatives.

Conclusions

- (1) We have gathered an enormous amount of evidence over the past seven months and deliberated long and hard about the request of the County Council to ask us to look at the introduction of an indexation scheme.
- (2) We have given a great deal of careful thought, as the legally appointed scrutineers of the allowances paid to the elected Members of this County Council. We have considered what would be fair and reasonable allowances, bearing in mind the importance of reflecting the voluntary element of public service.
- (3) We consider that our specific recommendations, outlined below, are reasonable, appropriate and reflect the wider austerity context and the Panel hope that they are of assistance to the Council. It is stressed that Members work extremely hard and make a significant contribution for residents.

10. Recommendations:

Subject to the available budget, the Panel's recommendations are set out as follows:

1. To restore the Basic Member Allowance from £12,805 to £13,000 (1.50% increase) for the period 8th May 2017 to the election in May 2021 see Appendix 5.
2. To index link the Basic Member Allowance and Special Responsibility Allowances (SRA's) to the Staff Total Contribution Pay Process (TCP), 'achieving level' for the period 2017 – 2021 (1.8% in 2017/18). Please see appendix 5.
3. To create an additional SRA for the Cabinet Lead for Trading Services at the equivalent of Cabinet Member.
4. To index link the Carer's Allowance to the Staff TCP for the period 2017 – 2021.
5. No other recommended changes to the allowances.

MEMBERS INTERVIEWED BY THE MEMBER REMUNERATION PANEL

ELECTED MEMBERS SEEN PRIOR TO THE ELECTION

Mr Paul Carter, CBE, Leader of the Council

Mr Roger Latchford, OBE

Mr Gordon Cowan

Mrs Trudy Dean, MBE

Mr Martin Whybrow

Mr Andrew Bowles

Mr Dan Daley

Mr Richard Parry

Mr Bob Neaves

Mr Chris Smith

Mr Clive Pearman

Mr Matthew Balfour

Mr Gary Cooke

Mrs Jenny Whittle

Mr Charlie Simkins

Mr John Simmonds, MBE

Mr Tom Maddison

Ms Angela Harrison

Mr Nick Bond

Mr Brain MacDowall

ELECTED MEMBERS SEEN SINCE THE ELECTION

Mr Paul Carter, CBE Leader of the Council

Mrs Trudy Dean, MBE

Mr Dara Farrell

Mr Rob Bird

Mr Mike Whiting

Mr Peter Lake

Mr Alan Marsh

Ms Diane Marsh

Mr Bryan Sweetland

Mr David Brazier

Mr Eric Hotson

Appendix 2

Questions for Council Members- including Cabinet Members, their Deputies, Committee Chairs and Opposition Group Leaders.

1. Overall, how well do you think the existing allowances meet the aims of the payments
 - to encourage citizens to stand for public office
 - to remove barriers to standing
 - to defray the financial burden of standing whilst at the same time retaining the ethic of voluntary public service
 - to avoid the payments becoming the reason for standing, or remaining, a council member.

2. Which aspects of a backbencher's role have you found to be the most onerous and which the most satisfying?

Consider the key elements:

- constituency work – casework and representation of views
- providing a focus for local democracy
- holding to account Leader and Cabinet
- active participation in Council and other meetings as required

3. Personally, does the additional allowance you receive (SRA) appropriately (not adequately) recompense you for the work and responsibilities that you undertake?

Consider explicitly and individually:

- responsibility
- accountability
- time
- effort

4. Do you consider the 'voluntary public sector' element of the work to be appropriately reflected in the current scheme or should this be reviewed?
5. Do you consider the relationship between the basic allowance and the special responsibility allowances is about right or needs review?
6. Do you consider that the distribution and apportionment of the special responsibility allowances is about right or needs review?
7. Have you any personal knowledge or experience of the effectiveness of the carers' dependency payment?

8. Do you have any specific recommendations re index linking of allowances?

9. Public perception? Personal experience and issues.

10. Have you any other specific recommendations to make to the Panel?

Things that we heard

1. I think the word 'allowance' may well be unhelpful. It gives the impression "it is 'on top' of some other payment"
2. "I want a scheme that is fair and provides fair remuneration for the average good councillor"
3. "A 'reasonable allowance' – It is predominantly a day time job and it is mostly older people coming through as Members not young people"
4. "The public view is vital – perception of residents important"
5. "Public service ethos is high – concern over public perception if allowances were to be increased" "Council budgets are being slashed – no time to be looking for increases"
6. 'There are fewer women on the Council now than there were in 1985'
7. "Feels generally the allowance is too generous – people are coming forward who see the basic allowance as very attractive"
8. "The existing allowance is a reasonable recompense. Not a salary though so cannot replace a job. At £13,000 the basic allowance is relatively high."
9. "Policy is to oppose any increase in Members' Allowances" Happy with the basic allowance especially with the budget constraints"
10. "The remuneration package is 'reasonable' – sufficient money is not the reason I stand for election"
11. "No feasible amount of allowance could make it financially viable"
12. "Some Members take the role very seriously at all levels; others just attend full Council meetings – a mixed picture"
13. Does the council need quite this number of committees? Could the council be 'slimmed down'?
14. "Basic Allowance is probably ok"
15. "Maybe change the basic allowance slightly"
16. No progression for backbenchers – all posts are in the gift of the Leader.
17. Need to make better use of ICT to help – remote working could help and information shared in other ways
18. The work (in all its areas) is enjoyable and brings huge satisfaction – constituency and administrative and planning
19. Constituents expect 24/7 responses
20. Meets people regularly in Tesco's (or Aldi's). Goes at least twice a week – really effective use of time.

Things that we heard re SRAs

1. "Chairman often good at chairing but may not have many/significant other responsibilities"
2. "Need to look at flexing the Special Responsibility Allowances"
3. When extra skills and time commitment is made the Special Responsibility Allowance reflects this"
4. "There is greater focus on the Cabinet Members – backbenchers are seen as less important"
5. "The scrutiny role has been diminished by the 'new' arrangements – everything is now chaired by the administration which is a retrograde step"

6. "considers some roles do not merit the Special Responsibility Allowance they receive"
7. "I consider the Special Responsibility Allowance is undervalued in relation to the basic allowance"
8. "Special Responsibility Allowance distribution – happy with current distribution"
9. "No part of the Special Responsibility Allowance should be considered as voluntary"
10. "The Deputy Cabinet Members and Committee Chairmen roles are the areas to look at"
11. "The size of the allowances is really a 'stab in the dark'. It is a huge commitment for the Cabinet Members – but very variable"
12. "if effective Deputies are to be encouraged the 'culture' would have to change – to encourage opportunities for others to gain expertise"
13. "There needs to be greater clarity between the roles of Cabinet and Deputy Cabinet Members. Planning and Regulatory Committees have a quasi-judicial role but not worth more Special Responsibility Allowance"
14. "Look at the Governance structure. Maybe slim the workload down"
15. "The role of the Chairman of the Scrutiny Committee is on par with the role of a Deputy Cabinet Member"
16. "Pay allowances the same as the Greater London Authority"
17. "The spokespersons on the Health Overview and Scrutiny Committee have a very responsible role"
18. "The Chairman of the Scrutiny Committee allowance should be the same as the Planning Applications Committee Chairman"
19. "The Deputy Cabinet Member Role depends on what you wish to make of it and the Cabinet Member"
20. "We need to look at the Deputy Cabinet Member role"
21. "Too many Members are reliant on the receipt of a Special Responsibility Allowance"
22. "There are too many Deputy Cabinet Members"

Appendix 4

Member Allowances Scheme 2017/2018

| Council | Basic Allowance | Leader / Dep Leader | Group Leader(s) | Chairman of Council / Vice | Cabinet Members | Chair of Committee | Index Linked | Details of Index Link/ other Information |
|--|-----------------|----------------------------------|-------------------------------------|----------------------------------|----------------------------------|--------------------|--------------|--|
| Bath and North-East Somerset Council | £7,411 | £31,186 / £18,728 | £428 per member | £9,173 / £2,325 | £18,728 | £3,670 - £13,759 | Y | Uprated annually in line with staff pay awards 2017/8 information not yet available |
| Bedford Borough Council (Unitary) | £10,425 | Under new Governance arrangement | £187.70 per member | Under new Governance arrangement | Under new Governance arrangement | £1,563 - £10,425 | Y | No change planned 2017/18 |
| Blackburn with Darwen Borough Council | £5,392 | £17,307 / £11,019 | £1,559 - £5,509 | Not listed | £6,134 | £1,038 - £3,898 | N | Reviewed every 4 years by the Independent Remuneration Panel (IRP). Last reviewed in July 2013.2017/8 information not yet available. |
| Blackpool Council | £9,090 | £27,270 / £16,362 | £12,271 / £6,135 | Not listed | £12,271 | £7,272 | Y | Uprated annually in line with the National Joint Council (NJC) for Local Government Service pay award. 2017/8 information not yet available. |
| Bournemouth Borough Council | £9,290 | £17,652 / £13,239 | £1764 plus £176.40 per member | Not listed | £11,034 | £4,413 - £8,826 | N | No change |
| Bracknell Forest Borough Council | £8,687 | £28,954 / £17,372 | £9,651 (opp) | Not listed | £15,926 | £2,201 - £5,791 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Brighton and Hove Council | £11,762 | £31,200 / £21,840 | £10,920 (opp) £6,240 (min) / £6,240 | Not listed | £9,360 | £6,240 - £11,856 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Bristol City Council | £11,530 | Under new Governance arrangement | £12,158 | Under new Governance arrangement | Under new Governance arrangement | £6,080 | Y | Uprated in line with staff pay awards. 2017/8 information not yet available. |
| Cambridge County Council | £8,600 | £16,000 / £12,000 | £7K / £6K / £3.5K / £2K | Not listed | Not listed | £4.5k - £12k | N | Reviewed by IRP. Panel not yet met to discuss any changes for 2017/8. |
| Central Bedfordshire Council | £10,995 | £31,337 / £5,013 | £2,506.99 | Not listed | £18,802 | £2,506 - £10,654 | N | Uprated following consideration by IRP No changes for 2017/18 |

| Council | Basic Allowance | Leader / Dep Leader | Group Leader(s) | Chairman of Council / Vice | Cabinet Members | Chair of Committee | Index Linked | Details of Index Link/ other Information |
|-----------------------------------|-----------------|---------------------|---|----------------------------|-----------------|--------------------|--------------|--|
| Cheshire West and Chester Council | £11,573 | £28,931 / £14,466 | £8,679 (opp), £3,819 (minority) / | £5,786 / | £12,730 | £5,786 - £8,679 | | 2017/8 information not yet available. |
| Cornwall Council | £12,249 | £20,200 / £15,150 | Not listed | £15,150 / £3,797 | £15,150 | £2,168 - £6,060 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| County Durham Council | £13,300 | £36,575 / £19,950 | Not listed | £6,650 / £3,325 | £13,300 | £2,660 - £13,300 | N | Uprated annually following consideration by IRP. No change except for mileage 2017 |
| Darlington Borough Council | £8,027 | £22,933 / £13,759 | £9,173 (opp) £1,147 (minority) / £1,147 | Not listed | £11,467 | £557.99 - £9,173 | Y | Uprated annually in line with the National Joint Council (NJC) for Local Government Service pay award. 2017/8 information not yet available. |
| Derby City Council | £10,076 | £30,229 / £22,672 | £7,557 / £3,779 | Not listed | £15,115 | £5,290 - £7,557 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Dorset County Council | £10,641 | £31,923 / £15,961 | Must have min 10% of seats | £10,641 | £10,641 | £7,980 / £3,192 | | |
| East Riding of Yorkshire Council | £11,056 | £35,685 / £26,763 | £3,586 / £2,142 | Not listed | £14,344 | £2,390 - £9,563 | Y | Uprated annually in line with the National Joint Council (NJC) for Local Government Service pay award. 2017/8 information not yet available. |
| Essex County Council | £12,000 | £54,000 / £42,000 | Main opposition £16,200 | £21,600 / £10,800 | £36,000 | £13,500 | N | No change for 2017/8 |
| East Sussex | £11,191 | £24,864 / £17,404 | Main opposition £12,430 | £12,430 / £4,976 | £14,919 | £6,215 | Y | Updated annually in line with the percentage increase in the salaries of managers who are on locally negotiated pay. Aiming for cost neutral change based on increased basic allowances (offset by zero pension payments) which in future will cover home office supplies which council no longer provides. Members now get laptop and smartphone for their communication/ICT needs. |

| Council | Basic Allowance | Leader / Dep Leader | Group Leader(s) | Chairman of Council / Vice | Cabinet Members | Chair of Committee | Index Linked | Details of Index Link/ other Information |
|---------------------------------------|---|----------------------------------|--|----------------------------------|----------------------------------|--------------------|--------------|--|
| Gloucestershire County Council | £10,000 | £27,300 | £5,850 | £9,100 / £2,730 | £18,200 | £5,460 | | |
| Halton Borough Council | £7,527 | £20,377 / £13,856 | £6,785 | Not listed | £11,411 | £6,785 | | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Hampshire County Council | £12,003 | £28,967 / £17,379 | £11,214 (LD) £8,253 (UKIP) £7,266 (Lab) | £18,021 / £9,228 | £17,379 | £14,433 / £5,793 | | Not due to be considered again until 2018. |
| Hartlepool Borough Council | £5,953 | Not listed | £1,786 (pop) £1,072 / £714 | £5,953 | Not listed | £5,953 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Herefordshire Council | £5,438 or £7,254 if all rel. training completed | £28,839 | Not listed | £9,078 / £1,602 | £11,750 | £4,540 - £9,078 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Hull City Council | £12,734 | £23,286 / £17,463 | £11,643 | Not listed | £14,553 | £5,821 - £11,643 | N | Reviewed every 4 years by the IRP. Last reviewed in July 2015. Next review in 2019 |
| Kent County Council | £12,805 | £42,109 / £27,370 | £6,316 plus £500 for each member | £13,878 / £7,367 | £27,370 | £7,367 - £9,268 | N | Uprated following consideration by IRP |
| Lancashire County Council | £10,466 | £29,886 / £20,920 | £16,437 (pop) £8,966 (2 nd) £8,218 (3 rd) £4,483 (4 th) | Not listed | £16,437 | £2,989 - £8,966 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Leicester City Council | £10,146 | Under new Governance arrangement | £1,090 plus £273 per member | Under new Governance arrangement | Under new Governance arrangement | £2,915 - £8,172 | N | Reviewed every 4 years by the IRP. Indexation through to the end of the Municipal year 2019/2020 |
| Leicestershire County Council | £10,349 | £36,228 / £21,744 | £10,000 (opposition) £3,000 (minority) | Not listed | £19,344 | £2,580 - £10,000 | N | 2017/8 information not yet available |
| Lincolnshire County Council | £10,322 | £32,704 / £21,462 | £9,290. (pop) £5,110 (min) | £12,386.64 | £18,396 | £9,290 - £12,386 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |

| Council | Basic Allowance | Leader / Dep Leader | Group Leader(s) | Chairman of Council / Vice | Cabinet Members | Chair of Committee | Index Linked | Details of Index Link/ other Information |
|---------------------------------|-----------------|----------------------------------|--|----------------------------|-----------------|--------------------|--------------|--|
| Medway | £8,835.70 | £20,391 / £14,830 | £9,269 (>20% of members) / £4,634 (>10% of members) / £3707.55 | Not listed | £11,122 | £3,707 - £9,269 | Y | Indexed linked to officer pay awards for the next four years. Last reviewed 2016. 2017/8 information not yet available. |
| Middlesbrough Council | £6,130 | Under new Governance arrangement | £9,200 £3,070 | £6,130 / £3,070 | £12,260 | £3,070 - £6,130 | N | Reviewed annually by IRP. 2017/8 information not yet available. |
| Milton Keynes | £10,000 | £30,000 | £620 per member | Not listed | £11,000 | £3,000 - £7,500 | N | 2017/8 information not yet available. |
| Norfolk County Council | £9,308 | £14,000 | £4,500 | £4,500 / £1,800 | £4,500 | £2,500 - £4,500 | Y | Uprated annually in line with the National Joint Council (NJC) for Local Government Service pay award. 2017/8 information not yet available. |
| North East Lincolnshire Council | £7,665 | £22,500 / £16,875 | Not listed | Not listed | £11,250 | £4,500 - £6,750 | N | Uprated following consideration by IRP |
| North Lincolnshire Council | £6,874 | £16,799 / £11,127 | £8,400 | Not listed | £10,162 | £5,312 - £9,146 | ? | No changes planned until 2020. |
| North Somerset Council | £8,193 | £25,852 / £18,096 | £3,619 (opp) / £2,844 (minority) | £7,756 | £15,511 | £3,878 - £7,756 | N | 2017/8 information not yet available. |
| North Yorkshire County Council | £9,221 | £25,328 / £15,830 | £4,749 (opp) | £9,498 / £3,166 | £14,247 | £1,583 - £9,498 | N | Uprated following consideration by IRP |
| Northamptonshire County Council | £9,054 | £32,192 / £21,126 | £15,090 (opp) / £7,042 (minority) / £8,048 | £15,090 / £4,024 | £19,114 | £4,024 - £11,066 | Y | Linked to annual "cost of living" award for Local Government staff. 2017/8 information not yet available. |
| Northumberland County Council | £12,625 | £27,000 / £18,090 | £4,860 £2,430 | Not listed | £14,850 | £1,350 - £12,150 | Y | Uprated annually in line with the National Joint Council (NJC) for Local Government Service pay award. 2017/8 information not yet available. |

| Council | Basic Allowance | Leader / Dep Leader | Group Leader(s) | Chairman of Council / Vice | Cabinet Members | Chair of Committee | Index Linked | Details of Index Link/ other Information |
|---|------------------------|----------------------------|-----------------------------------|-----------------------------------|------------------------|---------------------------|---------------------|---|
| Nottinghamshire County Council | £13,190 | £32,608 / £22,822 | £21,739 (opp) / £10,869 (min) | £16,304 / £7,825 | Not listed | £10,869 - £21,739 | Y | Uprated annually in line with staff pay awards. 2017/8 information not yet available. |
| Oxfordshire County Council | £10,000 | £29,000 / £20,000 | £8,000 | £8,500 / £2,125 | £16,000 | £3,500 - £6,000 | N | 2017/8 information not yet available. |
| Peterborough City Council | £7,962 | £21,497 / £16,123 | £7,165 | Not listed | £14,331 | £7,165 | Y | Updated annually, in line with the medium white-collar wage, as notified by the LGA. 2017/8 information not yet available. |
| Plymouth | £10,472 | £31,412 / £22,104 | £10,472 (pop) / £5,236 (minority) | £14,546 / £4,800 | £20,940 | £10,368 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Poole Borough Council | £9,553 | £22,848 / 13,709 | £4,570 + £50 per member | Not listed | £11,424 | £1,371 - £4,570 | Y | Uprated annually in line with any amendment to Employees' National Salary Award. 2017/8 information not yet available. |
| Portsmouth County Council | £10,634 | £19,142 | £6,380 (opp) / £3,191 | Not listed | £7,444 | £2,658 - £3,722 | Y | Uprated annually in accordance with average % pay award figures applicable to local government employees. 2017/8 information not yet available. |
| Reading Borough Council | £8,220 | £7,004 / £5,722 | £3,816 | Not listed | £3,816 | £2,147 | ? | 2017/8 information not yet available. |
| Redcar & Cleveland Borough Council | £9,550 | £14,880 / £11,280 | £8,070 (opp) / £4,840 (minority) | Not listed | £9,680 | £2,852 - £4,836 | Y | Uprated annually following consideration by IRP |

| Council | Basic Allowance | Leader / Dep Leader | Group Leader(s) | Chairman of Council / Vice | Cabinet Members | Chair of Committee | Index Linked | Details of Index Link/ other Information |
|---|-----------------|---|----------------------------------|----------------------------|------------------|--------------------|--------------|---|
| Rutland County Council | £3,770 | £11,420 / £1,580 (& cabinet member allowance) | Not listed | £3,500 | £7,650 | £3,500 - £4,340 | | The Council determines its own allowances scheme but must have regard to the independent panel's recommendations. 2017/8 information not yet available. |
| Shropshire Council | £11,514 | £23,028 / £14,392 | £5,757.00 | £8,635 | £11,514 | £2,878 - £5,757 | N | 2017/8 information not yet available. |
| Slough | £7,329 | £19,055 / £13,338 | £5,716 (opp) £3,811 (min) | Not listed | £10,480 | £1,905 - £6,671 | N | 2017/8 information not yet available. |
| Somerset County Council | £10,688 | £32,064 / £19,100 | £9,619 (opp) £1,068 (minority) / | £9,619 / £1,068 | £17,100 | £2,138 - £5,344 | N | Uprated in line with staff pay awards. 2017/8 information not yet available. |
| South Gloucestershire Council | £11,184 | £21,249 | £7,828 | £5,417 / £1,625 | £7,584 - £10,835 | £4,334 | N | |
| Southend-on-Sea | £8,673 | £30,354 / £15,611 | £8,673 (opp) £2,168 /£2,168 | Not listed | £10,841 | £2,168- £6,505 | N | 2017/8 information not yet available. |
| Southampton City Council | £11,583 | £23,166 / | £482.63 per group member | Not listed | £11,583 | £2,895 - £5,791 | Y | Linked to "living wage". 2017/8 information not yet available. |
| South Oxfordshire | £4,633 | £18,532 / £12,973 | £1,853 | £4,633 | £9,266 | £5,560 / £1,390 | | |
| Stafford Borough Council | £4,500 | £10,500 / £7,500 | £4,000 | Not listed | £5,700 | £1,600 - £3,200 | N | 2017/8 information not yet available. |
| South Tyneside | £7,370 | £27,029 / £17,199 | £2,457 | Not listed | £11,766 | £4,914 – £9,828 | | |
| Stevenage Borough Council | £7,501 | £21,058 | £4,212 | Not listed | Not listed | £10,314 / £4,212 | N | Index linked to any pay awards applicable to NJC staff. |
| Stockton-On-Tees Borough Council | £9,300 | £25,000 / £13,750 | £5,000 | Not listed | £11,250 | £6,250 | N | 2017/8 information not yet available. |
| Stoke-on-Trent City Council | £12,000 | £36,000 / £18,000 (with portfolio) | Not listed | Not listed | £12,000 | £3,000 - £9,000 | N | 2017/8 information not yet available. |

| Council | Basic Allowance | Leader / Dep Leader | Group Leader(s) | Chairman of Council / Vice | Cabinet Members | Chair of Committee | Index Linked | Details of Index Link/ other Information |
|-----------------------------------|-----------------|----------------------------------|--|----------------------------------|-----------------|-----------------------|--------------|---|
| South Tyneside Council | £7,370 | £27,029 | £2,457 | Not listed | £11,766 | £9,828 / £4,914 | N | Uprated in line with staff pay awards. |
| Suffolk County Council | £10,273.74 | £25,684 / £17,979 | £7,705 (opp) £5,136 / £5,778 | £12,842.18 / £5,136.87 | £15,410.61 | £5,136 - £7,705 | N | 2017/8 report to go to County Council in July 2017. |
| Sunderland City Council | £8,369 | £37,667 / £25,111 | £12,556 / £6,277 | Not listed | £20,716 | £12,556 / £6,277 | | |
| Surrey | £12,418 | £43,000 / £31,250 | £5,000 | £18,000 / £8,000 | £22,500 | £8,000 - £12,000 | N | 2017/8 information not yet available. |
| Swindon | £7,959 | £20,308 / £12,076 | £4,821 (opp) or £10,154 if also chair of Scrutiny £1,646 (min) | Not listed | £10,154 | £4,390 - £6,586 | Y | The IRP agreed basic allowance will be uplifted on annual basis in line with any general salary increases payable to council staff. 2017/8 information not yet available. |
| Telford and Wrekin Council | £7,870 | £23,768 / £15,898 | £9,837 (opp) £3,664 (min) | Not listed | £11,805 | £2,361 - £7,870 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Thurrock Borough Council | £8,670.28 | £30,345 / £15,606 | £8,670 (opp) £2,167 (min) | Not listed | £10,837 | £2,167.57 - £8,670.28 | N | Uprated following consideration by IRP. 2017/8 information not yet available. |
| Torbay Council | £8,249 | Under new Governance arrangement | £330 per member | Under new Governance arrangement | £13,620 | £550 -£6,809 | Y | Uprated annually in line with the NJC for Local Government Service pay award. 2017/8 information not yet available. |
| Warrington | £7,935 | £20,015 / £15,012 | £8,506 | Not listed | £10,008 | £2,002 - £8,506 | Y | Uprated annually in accordance with a % amount for inflation as determined by any positive value of the CPI. 2017/8 information not yet available. |
| Warwickshire | £9,263 | £23,200 / £13,920 | £8051 (opp) £516 (minority) / £4,817 (opp) | £5,559 / £2,780 | £10,345 | £4,320 - £5,559 | Y | 2017/8 information not yet available. |
| West Berkshire | £7,324 | £18,310 / £9,155 | £7,324(opp) £1,831 | £5,493 / £1,099 | £9,155 | £2,197 - £5,493 | Y | 2017/8 information not yet available. |

| Council | Basic Allowance | Leader / Dep Leader | Group Leader(s) | Chairman of Council / Vice | Cabinet Members | Chair of Committee | Index Linked | Details of Index Link/ other Information |
|--|-----------------|---------------------|---------------------------------|----------------------------|-------------------|--------------------|--------------|--|
| West Sussex | £11,414 | £31,664 / £22,798 | £12,490 / £10,226 / £4,072 | £20,265 / £8,060 | £22,798 / £20,265 | £8,935 | N | Full council agreed annual pay award to staff as the index by which annual adjustments are made to the basic allowance. |
| Wiltshire Council | £12,684.95 | £31,1711 / £25,368 | £500 + £50 per group member | £12,684 | £19,026 | £3,170 - £11,099 | Y | Full council agreed annual pay award to staff as the index by which annual adjustments are made to the basic allowance. 2017/8 information not yet available. |
| Royal Borough of Windsor and Maidenhead | £7,920 | £23,760 / £13,068 | £4,752 (opp) £1,188 (minority) | Not listed | £11,880 | £2,376 - £5,940 | Y | Updated annually in line with the average pay increase given to employees. 2017/8 information not yet available. |
| Wokingham Borough Council | £7,552 | £20,000 | £7,500 | Not listed | £10,000 | £1,250 - £5,000 | N | Upated following consideration by IRP. 2017/8 information not yet available. |
| Worcestershire County Council | £8,515 | £31,074 | £9,734.84 | Not listed | £16,499 | £9,734 | N | 2017/8 information not yet available. |
| City of York Council | £8,667 | £26,001 / £18,201 | £11,700 (opp) £5,200 (minority) | Not listed | £15,600 | £5,200 - £7,800 | Y | The basic allowance will be uplifted on annual basis in line with any general salary increases payable to council staff. 2017/8 information not yet available. |

Appendix 5

MEMBERS' ALLOWANCES SCHEME 2013-2017 AND MEMBERS' ALLOWANCES SCHEME 2017/18 INCORPORATING IRP RECOMMENDATIONS

| 2013-17 | 2013 -17 | 2017 - 2018 | 2017-2018 |
|--|---|---|---|
| Basic Allowance All 84 Members @£12,805 | SRA Posts & Opposition Leaders & Opposition Group Members (over 5). In addition to Basic Allowance | Basic Allowance All 81 Members. Restored to £13,000 (+1.5%) Plus Index Link to Staff TCP (achieving) (+1.8%) = £13,234 | SRA Posts & Opposition Leaders & Opposition Group Members (over 5). In addition to Basic Allowance |
| | Leader (100%) £42,109 | | Leader (100%) £42,866.96 |
| | Cabinet Members (x9) (65%) @£27,370 (£246,330) | | Cabinet Members (x10) (65%) @£27,862.66 (£278,626.60) |
| | Deputy Cabinet Members (x11) (30%) @£12,632 (£138,952) | | Deputy Cabinet Members (x11) (30%) @£12,859.37 (£141,453.07) |
| | Cabinet Committee Chairs (x6) (17.5%) @£7,367 (£44,202) | | Cabinet Committee Chairs (x6) (17.5%) @£7,499.60 (£44,997.60) |
| | Council Chairman (33%) £13,878 | | Council Chairman (33%) £14,127.80 |
| | Council Vice-Chairman (17.5%) £7,367 | | Council Vice-Chairman (17.5%) £7,499.60 |
| | Planning Committee Chairman (22%) £9,268 | | Planning Committee Chairman (22%) £9,434.82 |
| | Regulation Committee Chairman (22%) £9,268 | | Regulation Committee Chairman (22%) £9,434.82 |
| | Other Committee Chairmen (x3) (17.5%) @£7,367 (£22,101) | | Other Committee Chairmen (x3) (17.5%) @£7,499.60 (£22,498.80) |
| | Scrutiny Committee Chairman (17.5%) £7,367 | | Scrutiny Committee Chairman (17.5%) £7,499.60 |
| | Select Committee Chairmen (17.5%) £7,367 | | Select Committee Chairmen (17.5%) £7,499.60 |
| | Leader of each Opposition Group (x3) @ £6,316 (£18,948) | | Leader of each Opposition Group (x2) @ £6429.68 (£12,859.36) |
| | Opposition Groups' Members @£500 UKIP x17 Labour x13 Lib Dem x7 (£18,500) | | Opposition Groups' Members @£509 Lib Dem x7 Labour x5 (£6,108) |
| Total £1,075,620 | Total £585,657 | Total £1,071,954 | Total £604,906.63 |