

Meeting: Council

Date: 19 June 2019

Wards Affected: All wards

Report Title: Members Allowances Scheme

Is the decision a key decision? No

When does the decision need to be implemented? As soon as possible

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1. Proposal and Introduction

- 1.1 At its meeting on 31 January 2019 Council considered the Independent Remuneration Panel's recommendations arising from its review of the Members' Allowances Scheme. It was noted that the recommendations included the changes required to the Scheme as a result of the planned change in governance.
- 1.2 Council agreed that rather than determining the matter at that meeting, that it should be deferred until after the local elections in order to enable the new Council to consider its governance structure and for a further review of the Members' Allowances Scheme to be undertaken if required. Council also determined that the scheme brought forward would need to be kept within the allocated budget.

2. Reason for Proposal and associated financial commitments

- 2.1 To ensure the Members' Allowances Scheme is up to date, as currently the previous scheme remains in place.
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3. Cabinet Recommendation

- 3.1 That the Council approves the following for inclusion in the Members' Allowance Scheme for implementation from 7 May 2019;
 - (a) that the Basic Allowance for all Members be set at £8,668 (this is set at a level to include covering all costs which are not covered elsewhere in the Allowances Scheme, such as telephone charges, broadband, stationery, paper, postage and travel on non-approved duties etc.);

- (b) that the rates for travel be the same as those set in the Torbay Council Expenses Policy for officers and be paid for all approved duties;
- (c) that subsistence is only paid for the approved duties listed in (d) below and the following must apply in line with the officer policy:
 - breakfast – depart from home before 8.00 a.m. £6.22;
 - lunch – absent from normal place of work between 12.00 noon and 2.00 p.m. £7.35; and
 - evening meal – not home before 6.00 p.m. £10.17;
- (d) that the following are identified as approved duties for the purpose of travel, subsistence and carers' allowances:
 - (i) attendance at meetings as a duly appointed member of:
 - (a) the Council and any committee of the Council;
 - (b) any sub-committee appointed by a committee;
 - (c) the Cabinet or committee of the Cabinet (if appointed);
 - (d) working parties;
 - (e) scrutiny review panels;
 - (g) any outside organisation and their sub-groups appointed by the Council or Leader of the Council, provided that the organisation does not pay any such expenses (these are listed on each Councillor's details page on the Council's website at <http://www.torbay.gov.uk/DemocraticServices/mgListOutsideBodies.aspx?bcr=1>)
 - (ii) attendance at site visits for planning or licensing purposes or as part of overview and scrutiny by committee/board members;
 - (iii) attendance at member development sessions;
 - (iv) attendance at seminars and all member briefings organised by Torbay Council, except for those held immediately prior to a meeting of Council;
 - (v) attendance at non-political conferences/seminars, subject to prior approval by the Director or Assistant Director who holds the budget, and funding for the conference being available (in accordance with the Local Protocol for the Leader of the Council and Political Groups);
- (e) that the co-optees allowance is frozen at £118 and that this will include expenses for travel and subsistence;
- (f) that Members may only claim one SRA in addition to their basic allowance;
- (g) that the SRA for the Leader of the Council be set at £20,004;
- (h) that the SRA for the Deputy Leader be set at £11,101;

- (i) that the SRA for Cabinet members be set at £10,773 on the basis of a collective decision making Cabinet;
- (k) that the SRA for the Overview and Scrutiny Co-ordinator be set at £7,155;
- (l) that the SRA for the Scrutiny Leads be set at £3,578 and that there be no more than four Scrutiny Leads appointed;
- (m) that the SRA for the Chairman/woman of the Planning Committee be set at £7,155;
- (n) that the SRA for all other Chairmen/women of all remaining Committees be set at £3,578;
- (o) that if any members of the Licensing Committee, other than the Chairman or Vice Chairman, are required to Chair Licensing Sub-Committees the SRA for those members be as follows:

10+ meetings	£1,155
5 - 9 meetings	£578

(both in line with the current allowance);

- (p) that the SRA for the Worshipful the Mayor of Torbay be £3,578;
- (q) that the SRA for the Leaders of Political Groups is set at £347 per member of the group (excluding the Group Leader in the calculations and in line with the current allowance);
- (r) that the Basic Allowances, Special Responsibility Allowances and Co-optees Allowances be indexed from to the annual local government pay percentage increase as agreed by the National Joint Committee for Local Government Services. The travel and subsistence allowances will be updated as and when the Council's Expenses Policy is adjusted and the whole allowances Scheme will be reviewed by no later than 2023;
- (s) that the rates for carers' allowances remains the same, namely equal to the cost incurred when a carer has been engaged to enable a Member or Co-opted Member to carry out an approved duty;
- (t) that Members have the option to purchase either an annual car parking permit or pay to park on an ad-hoc basis and that both of these options are in line with the charges applicable to staff;
- (v) that the provision of ICT equipment for members is in line with the officer provision;

3.2 that the Monitoring Officer be requested to update the Council's Constitution to reflect the number of Scrutiny Leads being no more than four appointed; and

3.3 that, in light of the decision made in respect of 3.1 above, the Head of Governance Support is requested to bring the Members' Allowances Scheme up to date.

Appendices

Appendix 1: A Review of Members' Allowances for Torbay Council – The Eighth Report by the Torbay Independent Remuneration Panel.

Supporting Information

Current Members' Allowances Scheme;
Torbay Council Expenses Policy (this is the officers expenses policy);
Benchmarking data for other Authorities;
Feedback from the South West Independent Remuneration Panel Chairs meeting.

Section 1: Background Information

1. What is the proposal / issue?

With effect from May 2019 the Council have a new system of governance with the removal of a directly elected Mayor and Executive and the introduction of a Leader and Cabinet model.

The Independent Remuneration Panel undertook a review of the Members' Allowances Scheme and its recommendations were presented to Council in January 2019. Council agreed that rather than determining the matter at that meeting, that it should be deferred until after the local elections in order to enable the new Council to consider its governance structure and for a further review of the Members' Allowances Scheme to be undertaken if required. Council also determined that the scheme brought forward would need to be kept within the allocated budget.

2. What is the current situation?

As from May 2019 a Leader and Cabinet form of governance has been in place.

The Independent Remuneration Panel reviewed the SRA's of other authorities and also had regard to the SRA for the Leader and Deputy Leader positions in place in Torbay before the elected Mayor system of Governance in 2005.

The allowances agreed will commit the Council financially for 4 years until the next local elections.

The Independent Remuneration Panel's report was published on the Council's website on 18 January 2019. The Council is now required to consider the report of the Independent Remuneration Panel.

Members can decide to accept all of the recommendations of the Panel or approve particular ones. The Panel's report set outs their methodology to their report and the reasoning behind their recommendations.

3. What options have been considered?

The Independent Remuneration Panel reviewed the Basic Allowance and SRA's at other authorities.

4.	<p>How does this proposal support the ambitions, principles and delivery of the Corporate Plan?</p> <p>The Local Authorities (Members' Allowances) (England) Regulations 2003 requires local authorities to make a scheme of allowances and calculation of basic allowance and SRA which supports all aspects of the Corporate Plan through the good governance of the Council.</p>
5.	<p>How does this proposal contribute towards the Council's responsibilities as corporate parents?</p> <p>All councillors, regardless of any areas of special responsibility, are required to make sure that the Council is meeting its duties towards children in care and care leavers.</p>
6.	<p>How does this proposal tackle deprivation?</p> <p>There is no direct contribution towards tackling deprivation.</p>
7.	<p>How does this proposal tackle inequalities?</p> <p>The proposed scheme ensures that there is a fair and consistent rate of allowances in respect of the basic allowance and additional responsibility members undertake.</p>
8.	<p>How does the proposal impact on people with learning disabilities?</p> <p>The proposed scheme ensures that the Scheme is fair and consistent for all members.</p>
9.	<p>Who will be affected by this proposal and who do you need to consult with?</p> <p>The proposal will have an effect for all members following the local election in May 2019.</p>
10.	<p>How will you propose to consult?</p> <p>The Mayor and Group Leaders were informed of the recommendations of the Independent Remuneration Panel following their report being published in January 2019.</p> <p>The Leader and Cabinet have subsequently considered their recommendations.</p>

Section 2: Implications and Impact Assessment

11.

What are the financial and legal implications?

Legal:

None

Finance:

The approval of Member allowances places a financial commitment on the Council for 4 years.

At the meeting on 31 January 2019 Council agreed that rather than determining the matter at that meeting, that it should be deferred until after the local elections in order to enable the new Council to consider its governance structure and for a further review of the Members' Allowances Scheme to be undertaken if required. Council also determined that the scheme brought forward would need to be kept within the allocated budget.

The allocated budget for 2019/20 for the basis allowance and SRAs is £444,990. The recommendations by the Independent Remuneration Panel exceeded the allocated budget.

Following annual Council which approved changes to the committees and in consideration of the number of Cabinet Members appointed and the roles attracting SRA's, the proposals equate to the budget available.

<p>12.</p>	<p>What are the risks?</p> <p>There is a requirement to approve a Members' Allowance Scheme. The required review has been completed. Until a new scheme is approved, the scheme approved in 2015 will continue.</p>
<p>13.</p>	<p>Public Services Value (Social Value) Act 2012</p> <p>The proposal does not require the procurement of services or the provision of services together with the purchase or hire of goods or the carrying out of works. Therefore the above Act does not apply.</p>
<p>14.</p>	<p>What evidence / data / research have you gathered in relation to this proposal?</p> <p>The Independent Remuneration Panel were provided with benchmarking information of other local authority's allowances' Schemes. The Panel also heard evidence from members on the current Scheme and suggested variations to a future scheme.</p>