

Councillors' Allowances 2019/20 – Recommendations of the Independent Remuneration Panel

Cabinet

Date: 13th June 2018

Author:	Leader of the Council and the Director of Law and Democratic Services
Wards:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To consider recommendations arising from meetings of the Independent Remuneration Panel on the level of Councillors' Allowances in Swindon for 2019/2020.
- 1.2 The Council is required by the Local Authorities (Members Allowances) (England) Regulations 2003 to consider the recommendations of its Independent Remuneration Panel when making decisions relating to its Scheme of Councillors' Allowances. It is not required to adopt all or any of the Panel's recommendations. Decisions on the Scheme of Councillors' Allowances require the approval of full Council.

2. Recommendations

Cabinet is recommended to:

- 2.1 Consider the recommendations of the Independent Remuneration Panel on Councillors' Allowances for 2019/2020, as set out in paragraph 3.20, and to refer these recommendations to the Council.
- 2.2 Authorise the Director of Law and Democratic Services to introduce a revised Councillors' Allowances Scheme for 2019/2020 based on the recommendations of the Independent Remuneration Panel, as approved and adopted by the Council.

3. Detail

Background

- 3.1 The Independent Remuneration Panel for Swindon Borough Council was established in late 2001. It is currently made up of six members independent of the Council. One each is recruited from the Education, Business and Voluntary / Community Sectors, while three Lay Members are appointed following public advertisement.
- 3.2 Following its annual review, the Panel put forward its recommendations for the 2018/2019 Municipal Year which were adopted in full by Council at its meeting on 13th July 2017 (Minute 18(2) 2017/18 of the Council refers).

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- 3.3 The Panel's recommendations for Councillors' Allowances for 2018/2019, as adopted by Council, are summarised below. The full Councillors' Scheme of Allowances can be found in the Council's Constitution, available on the Swindon Borough Council website.
- 3.3.1 That the level of Basic Allowance be set at £8,220 for 2018/2019.
- 3.3.2 That the Basic Allowance payable to all councillors be index linked to any percentage increase in the Local Government Pay Settlement for a period of four years, commencing in 2017/2018.
- 3.3.3 That a system of Basic Allowance multiplication be used to calculate the levels of Special Responsibility Allowances.
- 3.4 Cabinet is asked to note that a 2% increase was awarded in the Local Government Pay Settlement for 2018/2019. This percentage increase will result in a final Basic Allowance for members of £8,384 for the 2018/2019 Municipal Year.

Review of Councillors' Allowances for 2019/2020

- 3.5 At its meeting on 13th November 2017, the Panel noted that there were no significant changes proposed to the structure and role of councillors serving on the Cabinet and Council Committees, and that there had been no change in respect of the structure and responsibilities of the Standards or other regulatory Committees.
- 3.6 The Panel also sought the views of the Council's Chief Executive, Section 151 Officer, Monitoring Officer and the respective political groups on the levels of Councillors' Allowances for 2019/2020, and where representations were made these are set out in the report.

Basic Allowance

- 3.7 At its meeting on 13th November 2017, the Panel considered the appropriateness of the Basic Allowance in Swindon, giving regard to the phased increases already applied to the 2017/2018 and 2018/2019 Municipal Years. The Panel noted that the Council had also adopted an index link for the Basic Allowance, attached to the percentage increase in the Local Government Pay Settlement for a period of four years (ending in the 2020/2021 Municipal Year).
- 3.8 The Panel noted that the views of the Council's Chief Executive, Section 151 Officer, Monitoring Officer, and the respective political groups had been sought on the level of Basic Allowance, and that no representations had been made.

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- 3.9 Given the work already undertaken by the Panel on the 'reasonableness' of the Allowances for 2018/2019, it was minded to recommend that the level of Basic Allowance remain unchanged for the 2019/2020 Municipal Year (not including any changes resulting from the index link to the Local Government Pay Settlement).

Special Responsibility Allowances (SRA)

- 3.10 At its meeting on 13th November 2017, the Panel noted that the Chair of the Licensing Committee had requested that it consider whether those Licensing Committee members who sit on daytime Licensing Panels should be entitled to an SRA. The Panel revisited its deliberations as to why this SRA had been recommended for removal in May 2017, and was of the opinion that an insufficient amount of time had passed in which to effectively assess the impact on attendance at Licensing Panels as a result of the cessation of the SRA. Accordingly, the Panel determined that at least one year's worth of data would be required to enable a comprehensive review to be undertaken.
- 3.11 The Panel also noted at this meeting that the views of the Council's Chief Executive, Section 151 Officer, Monitoring Officer, and the respective political groups had been sought on the levels of the SRAs in Swindon, and that no representations had been made. The Panel further noted that there were no proposals to amend the description or responsibilities of any of the posts which currently attract SRAs.
- 3.12 At its meeting on 27th March 2018, and in anticipation of its review in May 2018, the Panel requested that further information be sought from the Clerk responsible for arranging Licensing Panels (to determine whether recruiting members to sit on Panels has been difficult since the SRA was removed) and the Political Assistants (to determine if fewer members are volunteering for annual appointment to Licensing since the SRA was removed). The Panel also requested that the Chair of the Licensing Committee be invited to attend for interview to determine their thoughts on the matter.
- 3.13 At its meeting on 10th May 2018, the Panel met with the Chair and Clerk of the Licensing Committee, and considered their representations regarding the reintroduction of some form of payment for those members who sit on Licensing Panels. The written submissions of the Political Assistants were also considered by the Panel.
- 3.14 The Panel, although sympathetic to the case put, determined that there was no fair and lawful way to remunerate some, but not all, of the Licensing Committee members, and that no evidence had been provided to demonstrate an adverse effect on the numbers of councillors volunteering to sit on the Licensing Committee.

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- 3.15 Given the work already undertaken by the Panel on the 'reasonableness' of the Allowances for 2018/2019, it was minded to recommend that the level of Special Responsibility Allowances remain unchanged for the 2019/2020 Municipal Year (not including any changes resulting from the index link of the Basic Allowance to the Local Government Pay Settlement).

Travel, Subsistence and Dependent Care Allowances

- 3.16 At its meeting on 13th November 2017, the Panel considered a representation from the Leader of the Council to review the subsistence levels and the hotel allowance, giving particular regard to the high prices in London.
- 3.17 The Panel had previously considered a summary of subsistence and hotel allowances paid by other comparable authorities, and the Travel and Subsistence Policy for Swindon Borough Council officers, at its meeting on 8th May 2017. It determined that further information would be required regarding the cost and frequency of overnight hotel stays within the last two years to allow it to undertake a review of this matter.
- 3.18 At its meeting on 27th March 2018, the Panel considered the further information it had requested, and noted the following:
- 3.18.1 That Swindon Borough Council does not have an agreement with a hotel chain to provide discounted rooms.
- 3.18.2 That there had been 11 overnight stays by councillors in the last two years, and the associated costs of those stays.
- 3.18.3 That there was no evidence to suggest that councillors are paying more for hotel costs than the amount they are entitled to claim back under the Scheme.
- 3.19 Given the work already undertaken by the Panel on the 'reasonableness' of the levels of Travel, Subsistence and Dependent Care Allowances for 2018/2019, and the consideration of the further information provided as set out above, the Panel was minded to recommend that the level of Travel, Subsistence and Dependent Care Allowances remain unchanged for the 2019/2020 Municipal Year.

Recommendations

- 3.20 The Panel resolved that the Cabinet and Council be recommended:
- 3.20.1 That the levels of Councillors' Basic Allowance, Special Responsibility Allowances, and Travel, Subsistence and Dependent Care Allowances remain unchanged for the 2019/2020 Municipal Year.

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3.20.2 To note that the Basic Allowance and Special Responsibility Allowances will be amended to reflect any percentage increase arising from the result of the Local Government Pay Settlement for 2019/2020.

3.20.3 To note that the Panel is minded to undertake a thorough and comprehensive review of allowances for the 2020/2021 Municipal Year.

4. Alternative Options

- 4.1 There are no alternative options proposed. The Cabinet can decide to support all the Panel's recommendations to the Council, or it can decide not to support the Panel's recommendations and to make its own recommendations to the Council.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The total allocation for Councillors' Allowances and support for 2018/2019 is £735,900. From this, £477,888 is set aside for the payment of Councillors' Basic Allowances (£8,384 x 57) and the remainder is made available for Special Responsibility and other Allowances, as specified in the Scheme of Allowances. The impact of the changes proposed by these recommendations is minimal.

Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of the Independent Remuneration Panel are compatible with convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 There are no specific other implications arising from this report.

Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment has not been undertaken as the report concerns implementation of national regulations and does not make any recommendations that affects services or employment. The Independent Remuneration Panel considered potential impacts on equality groups as part of their deliberations, and their proposals on the level of allowances reflects their considerations.

Risk Management

- 5.5 There are no specific risk implications. Decisions on Councillors' Allowances are often controversial in media terms and thus decisions may have a reputational risk for the Council.

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6. Consultees

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None.

8. Appendices

- 8.1 None.

9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

- 9.1 This is not a Key Decision.