

# **Cherwell District Council**

## **Council**

**27 February 2023**

### **Members Allowances 2023/2024**

#### **Report of Assistant Director Law and Governance and Monitoring Officer**

This report is public

#### **Purpose of report**

To determine the levels of the allowances to be paid to Members for the forthcoming 2023/2024 financial year and proposed changes to the Members Allowance Scheme following the consideration of the report of the Council's Independent Remuneration Panel (the "Panel") attached at Appendix 1.

#### **1.0 Recommendations**

The meeting is recommended to:

- 1.1 Consider the levels of allowances to be included in the 2023/2024 Members' Allowances Scheme, and whether the Panel's recommendations (as set out at paragraph 3.1 of this report and Appendix 1 should be adopted or modified in any way.
- 1.3 Authorise the Assistant Director Law and Governance to prepare an amended Members' Allowances Scheme, in accordance with the decisions of Council for implementation with effect from 1 April 2023.
- 1.4 Authorise the Assistant Director of Law and Governance to take all necessary action to revoke the current (2022/2023) Scheme and to publicise the revised Scheme pursuant to The Local Authorities (Member's Allowances)(England) Regulations 2003 (as amended).
- 1.5 Thank the Independent Remuneration Panel for its report and set a fee of £300 for each Panel Member for the work carried out on this review and propose the same level of fee for any reviews carried out in 2023/2024 capped at a maximum of £1200 per person, which can be funded from existing budgets.

## 2.0 Introduction

- 2.1 The Council's Independent Remuneration Panel has met to review the current (2022/2023) Members' Allowances Scheme and its report on the recommended levels of the allowance payments for the 2023/2024 financial year, and other proposed changes to the scheme, is attached as Appendix 1.
- 2.2 The Local Authorities (Members' Allowances (England) Regulations 2003 sets out that before an authority makes or amends its Members' Allowance Scheme, it "shall have regard to the recommendations made in relation to it by an Independent Remuneration Panel."
- 2.3 Whilst the Council has a duty to have regard to the Panel's recommendations, it is the Council's choice whether to accept the Panel's recommendations in whole or in part, or not at all, or to determine any other scheme for 2023/2024.

## 3.0 Report Details

### Members' Allowances 2023/2024

- 3.1 Having given due consideration to the information provided to the Independent Remuneration Panel, it recommends Full Council agree the following for inclusion in the Members' Allowance Scheme 2023/2024 (NB. the Members' Allowance Scheme corresponds to the financial year rather than municipal year and the 2023/2024 Scheme will therefore cover the period 1 April 2023 – 31 March 2024)
- (a) That the Basic Allowance be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up to give 12 equal payments.

	2022/2023	Increase of 2.75% for 2023/24
Basic Allowance	£4704	£4836

- (b) That, a Special Responsibility Allowance (SRA) for the Chairman of the Council be introduced at the same rate as the Basic Allowance at £4704, backdated to 18 May 2022 (the date the current Council Chairman took up office) and that this replace the current £2000 civic allowance.
- (c) That, subject to agreement to introduce a Special Responsibility Allowance (SRA) for the Chairman of the Council, as set out at recommendation (b), this SRA be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments.

Special Responsibility Allowance	2022/2023	Increase of 2.75% for 2023/24
Chairman of the Council	£4704	£4836

- (d) That the respective Leader and Deputy Leader Special Responsibility Allowances be combined with the Special Responsibility Allowance to Executive Members holding a portfolio, to become a single Special Responsibility Allowance for each role and it be noted that there is no change to the SRAs paid, rather the change ensures greater transparency.
- (e) That Special Responsibility Allowances for the Leader, Deputy Leader, Executive Members holding a Portfolio, Leader of the Opposition, Chairman of Accounts, Audit and Risk Committee, Chairman of Budget Planning Committee, Chairman of Overview and Scrutiny Committee and Chairman of Planning Committee be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up to give 12 equal payments.

Special Responsibility Allowance	2022/2023	Increase of 2.75% for 2023/24
Leader of the Council	£7992 (Leader SRA) + £6984 (Executive Member holding a Portfolio SRA)	£15,408
Deputy Leader of the Council	£2670 (Deputy Leader SRA) + £6984 (Executive Member holding a Portfolio SRA)	£9936
Executive Member holding a Portfolio	£6984	£7188
Leader of the Opposition	£3228	£3324
Chairman of Accounts, Audit and Risk Committee	£3888	£3996
Chairman of Budget Planning Committee	£3888	£3996
Chairman of Overview and Scrutiny Committee	£3888	£3996
Chairman of Planning Committee	£4656	£4788

- (f) That the current arrangement for ad-hoc Special Responsibility Allowance payments to the Chairmen of the Licensing Committee, Personnel Committee and Standards Committee end and that fixed Special Responsibility Allowances be paid to reflect that these committees now have scheduled meetings (2 each for Licensing Committee and Standards Committee and 4 for Personnel Committee) and it be agreed that, as the fixed SRA was based on 2022/2023 allowance levels, the SRAs be

increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments:

Special Responsibility Allowance	2022/2023	Increase of 2.75% for 2023/24
Licensing Committee Chairman	£276 SRA plus £276 per meeting to a capped limit of £1656 per annum	£852 pa
Personnel Committee Chairman	£276 SRA plus £276 per meeting to a capped limit of £1656 per annum	£1428 pa
Standards Committee Chairman	£276 SRA plus £276 per meeting to a capped limit of £1656 per annum	£852 pa

- (g) That, as the Appeals Panel will continue to meet on an ad-hoc basis, there be no change to arrangements for Special Responsibility Allowance arrangements for the Appeals Panel Chairman, but the Allowance be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments:

Special Responsibility Allowance	2022/2023	Increase of 2.75% for 2023/24
Appeals Panel Chairman	£276 SRA plus £276 per meeting to a capped limit of £1656 per annum	£288 SRA plus £288 per meeting to a capped limit of £1728 per annum

- (h) That a cap on the number of Special Responsibility Allowances paid to an individual councillor be introduced for the exceptional case that a councillor occupies two or more positions qualifying for an SRA, and that the limit be a maximum of two Special Responsibility Allowances be paid to one councillor at any one time.
- (i) That the Co-optee and Independent Person Allowance be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments and that the roles be separated within the Members' Allowance Scheme:

Special Responsibility Allowance	2022/2023	Increase of 2.75% for 2023/24
Co-optee	£804	£828
Independent Person	£804	£828

- (j) That Dependents' Carers' and Childcare Allowances remain at the current level, are paid on the basis of the actual costs incurred up to the maximum hourly rate set out below and to a maximum cap of 40 hours per month and are subject to the submission of receipts, with the restriction extended so neither allowance can be paid to a member of the claimant's household.

	2022/2023	Proposed level for 2023/2024
Childcare	£10 per hour	£10 per hour
Dependent Relative Care	£20 per hour	£20 per hour

- (k) That mileage remain at the current level in line with HMRC approved mileage rates and if any adjustments are implemented by HMRC then the revised rates should be applied to Members travel allowances at the date of implementation by HMRC.

	2022/2023	Proposed Level for 2023/2024
Bicycles	20p per mile	20p per mile
Motorcycles	24p per mile	24p per mile
Motor Vehicles	45p per mile	45p per mile
Electric or similar Specialised Vehicles	45p per mile	45p per mile

- (l) That there be no change to the subsistence allowances payable up to the following maximum amounts:

Subsistence	Rate 2022/2023	Proposed Rate 2023/2024
Breakfast Allowance (more than 4 hours away from the normal place of residence before 11am)	£6.02	£6.02
Lunch Allowance (more than 4 hours away from the normal place of residence including the lunchtime between 12noon and 2pm)	£8.31	£8.31
Evening Meal Allowance (more than 4 hours away from the normal place of residence ending after 7pm)	£10.29	£10.29

- (m) That Democratic Services continue to book overnight accommodation, if required.
- (n) That no change to the list of approved duties be made at this time but the Assistant Director Law and Governance be requested to seeks details from Members of attendance at Parish Council meetings as part of the next review of Members' Allowances for further consideration for potential inclusion in the list of approved duties.
- (o) That Non-Executive Director Allowances be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments and that expenses be paid at the same levels set out at (j), (k) and (l) above and costs recharged to the relevant company:

	2022/2023	Increase of 2.75% for 2023/2024
Non-Executive Directors Graven Hill Village Holding Company Limited and Graven Hill Village Development Company Limited	£4656	£4788

## 4.0 Conclusion and Reasons for Recommendations

- 4.1 The Local Government Act 2000 and the Local Authorities (Members' Allowances)(England) Regulations 2003 require local authorities to review their Allowances Schemes and to maintain and Independent Remuneration Panel to consider and make recommendations on new schemes. The report complies with that requirement.
- 4.2 Sections 9.0 – 14.0 of the Panel's report (Appendix 1) set out the rationale for the recommendations of the Panel. It is the view of the Independent Remuneration Panel that the proposals represent realistic and fair levels of allowance for 2023/2024 and recommend adoption.

## 5.0 Consultation

- 5.1 Detailed at section 8.0 of the Panel's report, Appendix 1.

## 6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To modify the Panel's recommendations. This is within the Council's discretion as the Panel recommendations are not binding. However it is not recommended as the Panel has considered and justified the recommendations that they have made.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 Provision for an increase to Members' Allowances has been included in the draft 2023/2024 budget.

Comments checked by:

Michael Furness, Assistant Director of Finance, 01295 221845,  
[michael.furness@cherwell-dc.gov.uk](mailto:michael.furness@cherwell-dc.gov.uk)

### **Legal Implications**

- 7.2 It is a legal requirement for the Council to consider the recommendations of the Independent Remuneration Panel before setting the level of Members' allowances.

Comments checked by:

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[shahin.ismail@cherwell-dc.gov.uk](mailto:shahin.ismail@cherwell-dc.gov.uk)

### **Risk Implications**

- 7.3 There are no risks implications arising directly from this report.

Comments checked by:

Shona Ware, Assistant Director – Customer Focus, 01295 221652,  
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### **Equalities and Inclusion Implications**

- 7.4 Before making a decision, Section 149 of the Equality Act 2010 requires that each decision maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision make must therefore have due regard to the need to:

- i. Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010
- ii. Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to:
  - Remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
  - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii. Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to – - tackle prejudice; and - promote understanding.

Comments checked by:

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## **Sustainability Implications**

**7.5** There are no sustainability implications arising directly from this report.

Comments checked by:

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## **8.0 Decision Information**

### **Key Decision**

**Financial Threshold Met:** N/A

**Community Impact Threshold Met:** N/A

### **Wards Affected**

All

### **Lead Councillor**

Councillor Richard Mould, Portfolio Holder for Corporate Services

## **Document Information**

### **Appendix number and title**

- Appendix 1 - Report of the Independent Remuneration Panel on the Review of Members' Allowances for the 2023/2024 Financial Year

### **Background papers**

None

### **Report Author and contact details**

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