

Cherwell District Council

Council

28 February 2021

Members Allowances 2022/2023

Report of Director Law and Governance

This report is public

Purpose of report

To determine the levels of the allowances to be paid to Members for the forthcoming 2022/2023 financial year and proposed changes to the Members Allowance Scheme following the consideration of the report of the Council's Independent Remuneration Panel (IRP) attached at Appendix 1.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Consider the levels of allowances to be included in the 2022/2023 Members' Allowances Scheme, and whether the Panel's recommendations (as set out at paragraphs 3.1 of this report and sections 7.3, 8.4, 9.1 and 10.3 of Appendix 1) should be adopted or modified in any way.
- 1.2 Consider the proposed amendments to the Members Allowance Scheme regarding the introduction of an IT allowance (as set out at paragraph 3.9 of this report and section 14.9 of the Panel's Report, attached at Appendix 1) and whether the Panel's recommendations should be adopted or modified in any way.
- 1.3 Authorise the Director of Law and Governance to prepare an amended Members' Allowances Scheme, in accordance with the decisions of Council for implementation with effect from 1 April 2022.
- 1.4 Authorise the Director of Law and Governance to take all necessary action to revoke the current (2021/2022) 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 2022/2023 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 (2021/2022) Members' Allowances Scheme and its report on the recommended levels of the allowance payments for the 2022/2023 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 choice whether to accept the Panel's recommendations in whole or in part, or not at all, or to determine any other scheme for 2022/2023.

3.0 Report Details 2022/2023

Members' Allowances

- 3.1 Based on the information provided to the Panel as detailed in its report at Appendix 1, for the year 2022/2023 it recommends:

(a) That the Basic Allowance be increased in line with the staff cost of living increase rounded up or down, whichever is closest, to give 12 equal payments, and payment of the increase backdated to the beginning of the financial year 2022/2023, 1 April 2022, should a settlement not be agreed before that date.

(NB. Whilst the Panel's recommendations throughout are for an increase in line with the staff cost of living pay award, to give an indicative idea of cost and change, a 1.75% increase has been applied to the figures below for information):

	Current Level 2021/2022	Current Level plus proposed £300 IT allowance	(Possible increase of 1.75% for 2022/2023)	(Possible increase of 1.75% for 2022/2023) plus £300 proposed IT allowance
Basic Allowance	£4512	£4812	£4596	£4896

(Calculation of increase - $4512 \times 1.75\% = 78.96 + 4512 = 4590.96 / 12 = 382.58$ rounded up = $383 \times 12 = 4596$)

(Irrespective of % increase, if agreed, the ICT allowance of £300, if agreed, would be added to the basic allowance giving a basic allowance of £4,812, effective from 1 April 2022.)

(b) That all Special Responsibility Allowances (SRA's) be increased in line with the staff cost of living increase rounded up or down, whichever is closest, to give 12 equal payments, and payment of the increase backdated to the beginning of the

financial year 2022/2023, 1 April 2022, should a settlement not be agreed before that date: and

(c) That the capped limit for payment of an allowance for chairing an ad-hoc meeting of the Appeals Panel, Licensing Committee, Personnel Committee and Standards Committee be increased from four meetings to five. An annual allowance equivalent to the ad-hoc allowance for chairing a meeting will continue to be paid irrespective of how many meetings are held.

	Current Level 2021/2022	(Possible increase of 1.75% for 2022/2023)
Leader of the Council	£7680	£7812
Deputy Leader of the Council	£2652	£2700
Executive Members holding a Portfolio	£6708	£6828
Leader of the Opposition	£3096	£3156
Chairman of Accounts, Audit and Risk Committee	£3732	£3792
Chairman of Budget Planning Committee	£3732	£3792
Chairman of the Overview and Scrutiny Committee	£3732	£3792
Chairman of Planning Committee	£4464	£4548
Chairman of Appeals Panel	£264 SRA plus £264 per meeting to a capped limit of £1320	£270 SRA plus £270 per meeting to a capped limit of £1620
Chairman of Licensing Committee	£264 SRA plus £264 per meeting to a capped limit of £1320	£270 SRA plus £270 per meeting to a capped limit of £1620
Chairman of Personnel Committee	£264 SRA plus £264 per meeting to a capped limit of £1320	£270 SRA plus £270 per meeting to a capped limit of £1620
Chairman of Standards Committee	£264 SRA plus £264 per meeting to a capped limit of £1320	£270 SRA plus £270 per meeting to a capped limit of £1620

(d) That the Co-optee and Independent Person allowance be increased in line with the staff cost of living increase rounded up or down, whichever is closest, to

give 12 equal payments, and payment of the increase backdated to the beginning of the financial year 2022/2023, 1 April 2022, should a settlement not be agreed before that date.

	Current Level 2021/2022	(Possible increase of 1.75% for 2022/2023)
Co-optee and Independent Persons Allowance	£768	£780

(e) That Dependants' Carers' and Childcare Allowances remain at the current level and capped at 40 hours per month payable subject to production of receipts and cannot be paid to a family member of the claimant.

	Current Level 2021/2022	Proposed level 2022/2023
Childcare Allowance	£10 per hour	£10 per hour
Dependent Carers' Allowance	£20 per hour	£20 per hour

(f) That there be no change to Travelling and Subsistence Allowances:

	Current Level 2021/2022	Proposed level 2022/2023
Bicycles	20p per mile	20p per mile
Motorcycles	24p per mile	24p per mile
Motor Vehicles including electric vehicles	45p per mile	45p per mile

Breakfast Allowance	£6.02 per meal	£6.02 per meal
Lunch Allowance	£8.31 per meal	£8.31 per meal
Evening Meal Allowance	£10.29 per meal	£10.29 per meal

(g) That Democratic Services should continue to book overnight accommodation.

(h) That Non-Executive Director Allowances allowance be increased in line with the staff cost of living increase rounded up or down, whichever is closest, to give 12 equal payments, and payment of the increase backdated to the beginning of the financial year 2022/2023, 1 April 2022, should a settlement not be agreed before that date.

	Current Level 2021/2022	(Possible increase of 1.75% for 2022/2023)
Non-Executive Directors Graven Hill Village Holding Company Limited and Graven Hill Village Development Company Limited	£4464	£4548

Expenses be paid at the same levels set out at (f) above (section 3.6 of the Panel's report attached at Appendix 1) and recharged to the relevant company.

(i) That from 1 April 2022, all CDC provision of IT kit cease (including laptops, tablets, mobiles, landlines, printers and print cartridges) and a one-off increase of £300 be added to the Basic Allowance, to be retained in future years as part of the Basic Allowance to cover, but not limited to, the following Council-related 'IT incidental' expenses that Councillors may incur in the course of carrying out their duties: home broadband; home landline and personal mobile calls; personal computer, laptop, tablet; printer, printer cartridges and paper.

4.0 Conclusion and Reasons for Recommendations

4.1 The following paragraphs set out the rationale for the recommendations of the Panel. Further detail is provided in the Panel's report at Appendix 1 (A-E and 7.4-14.9).

- (a) There had been a no increase in Member Allowance in 2021/2022. The Panel had recommended there be no increase due to the public sector pay freeze. The recommendation had been agreed by Full Council on 22 February 2021.
- (b) The Panel acknowledged that the CDC Members' Allowances are relatively low in comparison to other similar councils and elected members therefore represented good value for money.
- (c) The increasing complexity, responsibilities and burden of local government made it imperative for individuals representing all of society to be able to stand for election as Councillors. Allowances are not the only means of overcoming obstacles to wider democratic representation, but the absence of a national baseline for Member remuneration did not help efforts to attract a diverse range of people in the local community to consider becoming councillors.
- (d) The Panel proposed applying the same cost of living increase to Members' allowances as that awarded to staff.
- (e) Due to the increase in ad-hoc meetings of the Appeals Panel, Licensing Committee, Personnel Committee and Standards Committee, the Panel proposes that the capped limit be increase from four to five. An annual allowance equivalent to the ad-hoc allowance for chairing a meeting should continue to be paid irrespective of how many meetings are held.
- (f) The conditions for claiming dependants' carers' allowance and childcare allowance differed slightly in the current scheme. Childcare allowance cannot be paid to a member of the claimant's household but can be to a member of a dependants' carers' household. The Panel proposed that these should be brought into line and neither should be paid to a member of the claimant's household
- (g) Members are supported by the IT service in relation to their IT need but the current approach is inconsistent. A number of longer serving Members have their broadband paid for by the council and IT kit, including laptops, tablets, mobile phones and printers, provided, however as new Members have been

elected, this is not offered as a matter of course. Councillors use their own broadband connection and the majority of councillors use their own devices.

Given the importance and reliance on IT in the way Members now work, it is important that no current or potential councillor is negatively impacted and unable to perform their role as they do not have suitable equipment. The Panel therefore proposes a more consistent and transparent approach with a one off increase in the basic allowance to subsidise IT incidental expenses.

- 4.2 It is the view of the Independent Remuneration Panel that the proposals represent realistic and fair levels of allowance for 2022/2023 and recommend adoption.

5.0 Consultation

- 5.1 Details set out in paragraph 5.7 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 has been included in the draft 2022/2023 budget for Members' Allowance with an increase in Members' allowance in line with the staff cost of living increase and a £300 increase in the basic allowance for the introduction of an IT allowance, as recommended by the Panel.
- 7.2 If Members were minded to alter the levels of the allowances over and above those recommended by the Panel, this would be above the provision included in the draft budget.

Comments checked by:

Michael Furness, Assistant Director of Finance, 01295 221845,
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:
Chris Mace, Solicitor, 01295 221808, christopher.mace@cherwell-dc.gov.uk

Risk Implications

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

Comments checked by:
Louise Tustian – Head of Insight and Corporate Programmes Tel: 01295 221786
Louise.tustian@cherwell-dc.gov.uk

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:
Steven Fairhurst Jones, Senior Policy Officer
07392 318 890, steven.fairhurstjones@oxfordshire.gov.uk

Sustainability Implications

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

Comments checked by:
Sandra Fisher-Martins, Climate Action Mobilisation Manager
07584 174682, sandra.fisher-martins@oxfordshire.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: n/a

Community Impact Threshold Met: n/a

Wards Affected

All

Lead Councillor

Councillor Tony Ilott, Lead Member for Finance and Governance

Document Information

Appendix number and title

- Appendix 1 - Report of the Independent and Parish Remuneration Panel on the Review of Members' Allowances for the 2022/2023 Financial Year

Background papers

None

Report Author and contact details

Lesley Farrell, Democratic and Elections Officer

Contact details: lesley.farrell@cherwell-dc.gov.uk 01295 221591