



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

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

for

Cherwell District Council

February 2023

Contents

1.0	Summary	3
2.0	Recommendations to Council.....	4
3.0	Introduction.....	9
4.0	The Independent Remuneration Panel.....	10
5.0	Terms of Reference of the Panel.....	11
6.0	The Panel's Adopted Approach	11
7.0	The Work of the Panel.....	12
8.0	Members' Allowance Scheme Annual Survey	13
9.0	Basic Allowance	17
10.0	Special Responsibility Allowances (SRA).....	18
11.0	Co-optee and Independent Persons Allowance	22
12.0	Dependants' Carers' and Childcare Allowance	23
13.0	Travelling and Subsistence Allowances	23
14.0	Non-Executive Directors on Council Owned Companies.....	25

Summary and Recommendations

1.0 Summary

- 1.1 The Independent Remuneration Panel (“the Panel”) has carried out a full review of the Cherwell District Council Members’ Allowances Scheme (“The Scheme”). This report sets out the Panel’s recommendations.
- 1.2 The Local Authorities (Members' Allowances) (England) Regulations 2003 specifically Regulation 19 provide that before an authority makes or amends a scheme of allowances, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel. The Council is required to have regard to the advice of the Panel on the levels and types of allowances to be paid under the Scheme.
- 1.3 In summary, it is the Panel’s view that the increasing complexity, additional responsibilities and burden of local government make it imperative for individuals representing all sections of society to be able to stand for election as councillors.
- 1.4 The Panel acknowledged that the Cherwell District Council (CDC) Members’ Allowances are relatively low in comparison to other similar councils.
- 1.5 As part of its 2022/2023 review of Members’ Allowances, the Panel recommended an increase in Members’ Allowances in line with the staff cost of living award agreed by Full Council on 28 February 2022. This increase was to be rounded to give 12 equal payments, and payment of the increase backdated to 1 April 2022, if not agreed by this time. The staff cost of living increase for 2022/2023 was agreed on 22 November 2022. For Members, this was a 4.04% increase to the Basic and all Special Responsibility Allowances backdated to 1 April 2022. The increased allowance amounts and backpay were made in December 2022.
- 1.6 In reaching its recommendations for the 2023/2024 Members’ Allowance Scheme, the Panel has carefully considered all of the submissions and representations made to it and the additional evidence that was available. In accordance with the Panel’s terms of reference, it has looked at the relevant elements of the Council’s existing Members’ Allowance Scheme. The Panel believes that this review of the Scheme and the recommendations it has made will give the Council a sound and comprehensive scheme of allowances until it is reviewed again.
- 1.7 The recommendations to Council are set out in their entirety at section 2 of this report. The rationale for the recommendations is set out in sections 9 – 14 with the corresponding recommendation included under the relevant section.

1.8 The Panel thanked the support team for the information provided to assist in their work.

2.0 Recommendations to Council

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

The Panel's Report

3.0 Introduction

3.1 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 the Panel to consider and make recommendations on new schemes.

3.2 The Regulations set out that the following issues are to be addressed by the Panel:

- **Basic Allowance:** each local authority must make provision for a basic, flat rate allowance for all elected Members. The allowance must be the same for all Members and can either be paid in a lump sum or in instalments.
- **Special Responsibility Allowance (SRA):** each local authority may make provision for the payment of SRAs to elected Members who have significant responsibilities. The Panel has to recommend the responsibilities that should be remunerated and the levels of allowance.
- **Co-optees' Allowance:** each local authority may make provision for the payment of an allowance to co-optees' for attending meetings, conferences, and seminars
- **Childcare and dependents' carers' allowance:** each local authority may make provision for the payment of an allowance to elected Members who incur expenditure for the care of children or dependent relatives whilst undertaking particular duties
- **Travel and subsistence:** each local authority may determine the levels of travel and subsistence allowances and the duties to which they should apply
- **Indexation:** each local authority may determine that allowances should be increased in accordance with a specified index and can identify the index and set the number of years (not exceeding four) for which it should apply
- **Backdating:** each local authority may determine that, where allowances are made to an allowance scheme, the allowances as amended may be backdated.

3.3 All Councils are required to convene their Panel and seek its advice before they make any changes or amendments to their Members' Allowances Scheme. Elected Members must "have regard" to their Panel's recommendations before setting a new or amended Members' Allowance Scheme.

- 3.4 As part of its 2022/2023 review of Members' Allowances, the Panel recommended an increase in Members' Allowances line with the staff cost of living award was agreed by Full Council on 28 February 2022. This increase was to be rounded to give 12 equal payments, and payment of the increase backdated to 1 April 2022, if not agreed by this time. The staff cost of living increase for 2022/2023 was agreed on 22 November 2022. For Members, this was 4.04% increase to the Basic and all Special responsibility Allowances backdated to 1 April 2022. The increased allowance amounts and backpay was made in December 2022.
- 3.5 This report has been prepared in accordance with the provisions of the Local Authorities (Members' Allowances)(England) Regulations 2003 (as amended). It outlines the Panel's findings following a review of the District Council's current Allowance Scheme and its recommendations for 2023/2024 in respect of:
- a) the Basic Allowance
 - b) Special Responsibility Allowances (SRA) and any adjustments or changes to SRAs
 - c) Co-optees and Independent Persons allowance
 - d) Dependants' Carers' and Childcare Allowances
 - e) Travelling and subsistence allowances
 - f) Allowances for Non-Executive Directors on Council Owned Companies
- 3.6 Throughout this report, all year references throughout this report, 2021/2022, 2022/2023 and 2023/2024 refer to the financial year, 1 April – 31 March. "Member" and "councillor" is used interchangeably throughout the report,

4.0 The Independent Remuneration Panel

- 4.1 The current membership of the Panel is:

Ms Jeanette Baker
Mr Andrew Hodges
Mr David Shelmerdine
Mr Christopher White

- 4.2 The Panel met on 16 November 2022 to consider and agree its recommendations for 2023/2024 financial year.
- 4.3 Mr Christopher White was appointed as Chairman of the Panel.
- 4.4 Shiraz Sheikh, Assistant Director of Law & Governance and Monitoring Officer, Natasha Clark (Governance and Elections Manager) and Liza Ellis (Commercial Governance Officer) provided the Panel with administrative advice and support.

5.0 Terms of Reference of the Panel

- 5.1 The Panel's terms of reference as originally agreed by the Council when the Panel was first constituted (as amended by the 2003 Consolidating Regulations which relate to the determination of local schemes for travelling and subsistence allowance) are outlined in its reports dated 3 July 2001 and 4 July 2003.
- 5.2 The principal matters on which the Panel can make recommendations are set out in the introduction. As the Panel currently meets annually to review the Scheme and make recommendations for the forthcoming financial year, indexation is not currently applied to the allowance scheme.
- 5.3 It is possible for the Council to apply indexation and for the Scheme to be confirmed on that basis annually for a period of up to four years. In this instance, Council would need to amend the Terms of Reference of the Independent Remuneration Panel that currently state it meets annually and to agree any level of indexation such as any annual pay award to staff.

6.0 The Panel's Adopted Approach

- 6.1 Since 2001, the Panel's approach has been that recommendations should be formulated appropriate to the circumstance of the Council, recognizing that the roles of Executive and Non-Executive Members are now well-established.
- 6.2 The following underlying principles continue to form the basis of the Panel's review process:
 - i. the allowances should take account, as far as possible, of the amount of time taken by Members to fulfil their roles.
 - ii. the scheme should ensure, as far as practical, that as wide a range of people as possible should be able to stand for election and that they

should not be financially penalized in so doing. This, in turn, should increase the likelihood of an inclusive approach to council services.

- iii. the levels of the allowances should not be treated as salary but rather as a level of 'compensation' and recognition of the time and level of responsibility that such public duty requires.
- iv. that an element of Members' time in terms of their work as a Councillor should be treated as voluntary and therefore should not be remunerated.
- v. the assumption that all Members will participate as fully as possible in Council business and play an active role in their Wards and that the importance of these mutually inclusive roles should be reflected in the level of the Basic Allowance.
- vi. the reviewed scheme should take account of the payments included in the current scheme and any increases which might be recommended should be balanced against the interests of the residents in the District, although we accept that the Council must consider the political implications of the levels of the allowances open to it to pay.
- vii. the reviewed scheme should continue to be subject to well informed periodic reviews.

7.0 The Work of the Panel

- 7.1 The Panel had previously determined the underlying principles on which the levels of Members' Allowances should be based, as outlined at paragraph 4.2 above.
- 7.2 The Panel's approach required an assessment of the amount of time Councillor's commit to their duties and their associated workloads in the context of the identified special responsibilities for Lead Members, Committee Chairmen and Council Chairman. It is important to highlight that the focus of the review is on the roles rather than the individuals who occupy them.
- 7.3 The Panel was aware of the responsibilities and workloads of Executive members with their specific portfolios.
- 7.4 The Panel noted the additional workload and complexity in the role of the Leader of the Council in leading the political direction of the Council, considerable responsibility for delivering the Council's budget and policy framework and steering the partnership dimension of the Council.

7.5 As part of its review, the Panel considered the following information which informed its conclusions:

- i. a copy of the Council's Members' Allowances Scheme for 2022/2023
- ii. a comparison of neighbouring authority Members' Allowances
- iii. comparative data from the Members' Allowances survey undertaken by South East Employers which outlines the Basic, Special Responsibility and other allowance payments made by Council's in the South East Region
- iv. the overall financial position of the Council
- v. the general economic climate
- vi. any recent changes in the roles, responsibilities, and workload of specific Member post
- vii. a summary of Members' responses to the Annual Survey (further details of the survey are set out in paragraphs 6.1 – 6.8)
- viii. any additional comments Members wished to make in respect of the current allowance scheme
- ix. the discussions with the Members who spoke to the Panel
- x. the increase in cost of living and level of CDC staff pay awards. As local negotiations for the annual staff pay award had not yet been finalized for 2022/2023, this information was not available for the Panel on the meeting date. However, subsequently the agreement on the 2022/2023 annual staff pay award was reached on 24 November 2022, so has been included as a post meeting note in the report.

8.0 Members' Allowance Scheme Annual Survey

8.1 The Panel continues to place great importance on the information gathered by way of the Annual Survey.

The purpose of the Annual Survey is to determine:

- i. the amount of time Members estimate they spend on Council business during an average month

ii. Members views on the adequacy, or otherwise, of the current levels of Members' Allowances at the Council; and

iii. whether Members would like to address the Panel in person.

8.2 The Annual Survey had been circulated to all 48 elected Members. 13 surveys were returned, which represents 27% of the Council's membership.

8.3 The Panel was very grateful to those Members who responded to the survey. The Panel agreed to repeat the exercise again as it firmly believes that the information requested was vital to its effort in undertaking proper and meaningful review.

8.4 The Panel was disappointed with the low survey return rate and surmised that those Members who did not respond to the survey were happy with the current allowance scheme. The Panel requested consideration be given to ways to increase the response rate in the coming year.

8.5 The Panel noted that those Members who responded to the Annual Survey continued to show a significant variation in the average number of hours they spent on their roles as a Councillor, ranging from 10 to 90 hours per month.

8.6 Results from questions 1 – 4 of the 13 surveys received were as follows:

Question 1- N/A (councillor name)

Question 2 – How long have you been a Councillor?

- Less than 1 year 6
- 1 – 4 years 4
- 4 – 8 years 2
- Over 12 years 1

Question 3 – What is your current role?

- Leader of the Council/Leader of Opposition/Group leader 1
- Deputy Leader of the Council Deputy Leader of Opposition/Deputy Group Leader 1
- Chairman/Vice Chairman of the Council 1
- Executive Member 1
- Committee Chairman/Vice Chairman 1
- None of the above 8

Question 4 – What is your employment status?

- Retired or otherwise not employed 2
- Employed full time 7
- Employed part time / self-employed 3
- Other 1

8.7 Questions 5 – 11 sought comments from Members on the level of Basic Allowance, Special Responsibility Allowances, travel, subsistence, childcare and dependents' carers' allowances, time commitment and voluntary aspects of time given and any additional comments.

- i. Eight of the respondents receive an SRA and considered that an average of 13.75 hours per month related to the post for which the SRA was received.
- ii. Two respondents considered that part of their time was given on a voluntary basis. One assumed 40% of their time was on a voluntary basis.
- iii. With regards to the current rate of allowance and if it was thought to be adequate.
 - Seven Members thought that the allowance should be increased in line with officer pay award.
 - One thought it should be increased by an amount not linked to the officer pay award
 - Four considered the allowance should be frozen at the current level, and
 - One thought that Members' Allowances should be assessed every 4 years and linked to the staff pay award.
- iv. Ten respondents commented on current levels of Basic and Special Responsibility allowances as follows:
 - Given the inflation we have this year, we need an increase.
 - It should not be a barrier to getting good councillors that need the allowance.
 - I think the council allowance is important so councillors can come from all walks of life
 - Can't justify any increases during the Conservative- created current cost of living crisis.
 - At a time when we can see far too many in the communities we represent struggling to pay for the most basic of things, struggling to even put food on the table, it would be unseemly and entirely wrong for councillors to take an increase their allowances. The community must come first.
 - I didn't even know there was an allowance before I started!

- In current cost of living crisis an appropriate decision should be made
 - Given the inflation we have this year we need an increase
 - Like any other remuneration, Councillor Allowances should increase at least in line with other employees in the organisation.
 - The CDC Councillor's allowance is currently about 12% less than some of the Councils within Oxfordshire
- v. With regards to Dependents' Carers' Allowance, Childcare Allowance, Travel and Subsistence Allowances, two respondents made the following comments:
- I am a disabled person with a rural ward and cannot drive. Expenses could rack up and I rely on lifts and friends, but this should be reflected to encourage diversity and inclusion. Currently only official council meetings are claimable as expenses.
 - Motorcycle allowance is far too low! It should be more related to a car than at present as a bicycle.
- vi. The following additional comments were made by three survey respondents:
- The allowances are very low
 - I didn't realise there was an allowance until after I was elected - but I do see how important it is so that it ensures that everyone can take on the role of Councillor
 - I am retired but am also "working" for Cherwell DC as I have a payroll and tax number plus, I require work insurance for my motorcycle and car.

8.8 Two Members requested to address the Panel at their meeting on 16 November 2023: Councillor Les Sibley in relation to consideration of the establishment of a Special Responsibility Allowance for the Chairman of the Council; and, Councillor Angus Patrick in relation to the list of approved duties for which travel and subsistence claims could be made. The Panel supported both requests.

8.9 In addressing the Panel, Councillor Sibley talked about the role and responsibilities of the Chairman and the reasons why, in his opinion, an SRA would be appropriate and proportional to the amount of work involved. Councillor Sibley subsequently answered questions from The Panel. The Panel thanked Councillor Sibley for his contribution to the review.

8.10 In addressing the Panel, Councillor Angus Patrick requested consideration be given to extending the list of approved duties to include ward councillor attendance at formal Parish Council meetings. Councillor Patrick expressed his opinion that to be fully inclusive and enable councillors to fully represent their

residents without personal cost, the list of approved duties in the Members' Allowances Scheme should include provision for Members to claim for attending formal meetings of Parish Councils within their district ward. The current Scheme does allow for such claims as there is discretion for the Assistant Director Law and Governance to approve claim requests not listed as an "approved duty". Councillor Patrick subsequently answered questions from The Panel. The Panel thanked Councillor Patrick for his contribution to the review.

9.0 Basic Allowance

- 9.1 The Panel considered the level of Basic Allowance. It is required in the relevant legislation that a Basic Allowance of the same value be provided to all members of the Council. The allowance is intended to remunerate councillors for their time spent as a councillor, covering incidental costs incurred by them as ordinary members of the Council, including the use of their homes.
- 9.2 In previous deliberations, the Panel has consistently used the annual pay settlement for Cherwell District Council (CDC) staff as one of their main considerations for recommending adjustment to the levels of the Basic and SRA paid to Members.
- 9.3 The Panel noted that alongside the agreement of the 2022/2023 staff pay award, agreement had been reached for 2023/2024. The staff cost of living increase effective 1 April 2023 would be 2.75%.
- 9.3 Having regard to the various calls on councillors' time, conscious that a proportion of time is voluntary, the levels of Basic Allowance paid by comparator councillors, and taking into particular consideration the current economic climate and the comments from the Members' survey:

The Panel recommends:

- (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

10.0 Special Responsibility Allowances (SRA)

- 10.1 The Panel reviewed Special Responsibility Allowances (SRA).
- 10.2 In line with its recommendation to increase the Basic Allowance for 2023/2024, the Panel agreed that, notwithstanding proposed changes to some SRA detailed below and in the recommendations, all SRAs should be increased on the same terms, namely in line with the agreed staff pay award for 2023/2024.
- 10.3 In respect of the introduction of an SRA for the Chairman of Council, the Panel had regard to the address from Councillor Sibley at their meeting. The Panel noted that CDC did not currently pay a Chairman's allowance under the Local Authorities (Members' Allowances)(England) Regulations 2003, rather a £2000 civic allowance is paid to the Chairman as permitted under the Local Government Act 1972. This had been introduced in July 2012 as part of the "Chairman's Scheme of Reference."
- 10.4 The civic allowance was intended to cover incidental expenses incurred in the role i.e. buying raffle tickets when at an event. The cost of attending events is paid for in advance with the Chairman's PA booking tickets and the cost being covered by the Civic budget. The civic allowance had not been reviewed or amended since its introduction as was not part of the Members' Allowance Scheme and therefore the increases agreed by Council for the Scheme are not applicable to the Chairman's allowance.
- 10.5 The Assistant Director Law and Governance confirmed that Section 5, Special Responsibility Allowance, of the 2003 Regulations do imply that it is acceptable to pay an SRA to the Chairman and Council. Indeed, many other local authorities do include such an allowance in their Members' Allowance Scheme.
- 10.6 Having regard to the information provided, the Panel considered that it would be reasonable for the level of SRA for the Chairman of Council to be equivalent to the current Basic Allowance. It would also be appropriate for the introduction of the SRA to be backdated to the start of the term of office of the current Chairman who had brought the matter to the Panel's attention. This would replace the current Civic Allowance which would cease from the date the SRA was effective, 18 May 2022.
- 10.7 With regards the SRAs paid to the Leader and Deputy Leader, which are currently set out as separate and paid in addition to the SRA for a Executive member holding a Portfolio, the Panel considered it would be more transparent for a single SRA to be paid to the Leader and Deputy Leader. The current SRA for each role should therefore be added to the SRA for Executive members holding a portfolio to give a single SRA comprising the total SRA for each role.

- 10.8 In respect of the SRAs for the Chairmen of the Appeals Panel, Personnel Committee, Licensing Committee and Standards Committee, which currently did not have scheduled meetings, rather meetings were scheduled on an ad-hoc basis when there was business for the relevant committee to consider and therefore the Chairmen of these committees receive a small SRA and an additional SRA for each ad-hoc meeting chaired capped at an equivalent of the annual allowance plus 5 ad-hoc meetings, the Panel noted that from 2023/2024, meeting of the Personnel Committee, Licensing Committee and Standards were scheduled as part of the Council's meeting calendar.
- 10.9 The Panel considered that in light of the move from ad-hoc to scheduled meetings, the Chairman of these Committees should receive a fixed allowance. The Panel agreed an appropriate SRA would be to the current ad-hoc allowance added to the ad-hoc meeting allowance multiplied by the number of scheduled meetings. The Panel agreed that this could be an area for review as part of their deliberations next year when there would be more information regarding the level of work for each Chairman.
- 10.10 Noting that there was no change to Appeals Panel meetings and they would continue to be arranged on an ad-hoc basis in accordance with the Panel's terms of reference and the council's employment policies, the Panel considered it would be appropriate for an ad-hoc SRA allowance to continue for the Appeals Panel Chairman.
- 10.11 Having regard to the allowances paid by comparator local authorities, the Panel noted that many local authorities did not have a separate Standards Committee responsible for matters relating to the Code of Conduct, rather this role and these responsibilities sat under the Audit Committee. Noting that the CDC Standards Committee had met very infrequently in recent years and, notwithstanding that two meetings per year were now scheduled, the Council may wish to consider combining the responsibilities of the Standards Committee and Accounts, Audit and Risk Committee. The Monitoring Officer advised that this could be considered as part of the review of governance by the Chief Executive and Monitoring Officer.
- 10.12 The current Members' Allowance Scheme does not include a cap on the number of SRAs that can be paid to an individual councillor. Whilst a cap is not stipulated in legislation, it is a practice that has been adopted by a number of other local authorities. Having regard to transparency, the Panel agreed to recommend that a cap on the number of SRAs 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.

The Panel recommends:

- (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.

11.0 Co-optee and Independent Persons Allowance

- 11.1 In considering co-optee and Independent Persons allowance, the Panel agreed a consistent approach to increase these allowances in line with the Basic Allowance and SRA's, namely, in line with the agreed staff cost of living increase for 2023/2024.
- 11.2 The Panel noted that whilst the Council currently has no co-optees, it currently has two Independent Persons, who support the Monitoring Officer with code of conduct matters and was in the process of recruiting two Independent Persons to be a non-voting member of the Accounts, Audit and Risk Committee, in line with best and recommend practice.
- 11.3 Having regard to the role of Independent Persons in contrast to a co-optee, the Panel recommended that these roles be separated in the Members' Allowance Scheme and agreed that they undertake a more detail review of the roles as part of their deliberations in autumn 2023 to feed into their recommendations for the Members' Allowance Scheme 2024/2025.

The Panel recommends:

- (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
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Co-optee	£804	£828
Independent Person	£804	£828

12.0 Dependants' Carers' and Childcare Allowance

- 12.1 In considering the dependants' carers' and childcare allowances, the Panel noted that these allowances were claimed very infrequently but agreed that the availability of the allowances was extremely important to encourage those with families or care responsibilities to stand as a councillor.
- 12.2 The Panel agreed that the dependants' carers' and childcare allowance should be maintained with no change to the rates payable.
- 12.3 All conditions to claim the allowance would remain the same.

The Panel recommends:

- (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

13.0 Travelling and Subsistence Allowances

- 13.1 In reviewing the current level of Travelling and Subsistence Allowances, the Panel noted that all travel rates are set at the specified HM Revenues and Customs rates and consequently had no implications for the tax liabilities of Members. Travel rates for motorcycles and motor vehicles are paid regardless of the cc of motorcycle or motor vehicle concerned and remain the same.

- 13.2 Whilst the HMRC approved milage rates remain unchanged, the Panel noted that in the current cost of living crisis, there have been calls for the HMRC to increase its rates. The Panel agreed to recommend that any change in HMRC rates be applied to Members’ travel allowances.
- 13.3 In relation to Subsistence Allowances, the Panel had originally agreed that allowances should be paid up to the maximum rates notified by the National Joint Council for Officers index linked to the Retail Prices Index (including mortgages). Since 1996 when the National Joint Council for Officers ceased to produce nationally agreed subsistence rate for local government staff, subsistence rates have been a subject for local determination. The Council applies the Local Government Association rates. The Panel considered it appropriate to continue the apply these levels.
- 13.4 With regards the “approved list of duties”, the Panel had regard to the information provided by Councillor Patrick and gave due consideration to the request to include “ward councillor attendance at formal Parish Council meetings” to this list.
- 13.5 Whilst such attendance was not currently within the approved list of duties, the Panel was assured that such claims were approved and paid under the discretion granted to the Assistant Director Law and Governance. The Panel agreed that it would review the approved list of duties as part of its deliberations in autumn 2023 to feed into the Members’ Allowance Scheme 2024/2025 and requested officers to provide information about the arrangements at comparative authorities and to include specific questions in the Members’ Survey to ensure the Panel could make an informed recommendation.
- 13.6 Expenses incurred by councillors appointed as Non-Executive Directors of companies will continue to be paid at the same rate and recharged to the relevant company.

The Panel recommends:

- (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.

14.0 Non-Executive Directors on Council Owned Companies

- 14.1 In 2018 it was agreed that Members who were Non-Executive Directors (NED) of both Graven Hill Companies (Graven Hill Development Company Limited, (DEVCO) and Graven Hill Village Holdings Limited (HOLDCO)) should receive an allowance comparable to the Special Responsibility Allowance paid to the Planning Committee Chairman.

- 14.2 In line with the recommendations for SRA's, the Panel agreed to recommend a consistent increase to the NED allowance.
- 14.3 Allowances paid to NEDs are paid through Cherwell District Council and recharged to the companies.

The Panel recommends:

- (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

Mr Christopher White (Chairman)
Independent Remuneration Panel
December 2022.