

**APPENDIX TO REPORT ON SCHEME OF MEMBERS ALLOWANCES AND
ALLOWANCES**

CHESTER-LE-STREET DISTRICT COUNCIL



**REPORT OF
THE INDEPENDENT
REMUNERATION PANEL**

31 JANUARY 2007

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INDEPENDENT REMUNERATION PANEL REPORT – JANUARY 2007

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1. **CHAIRMAN'S INTRODUCTION**

- 1.1 I am pleased to personally introduce this Report on behalf of the Independent Remuneration Panel (the Panel) and hope that you, the reader, will find it interesting and enlightening.

Purpose

- 1.2 The Report sets out our conclusions and recommendations regarding:-
(a) the Scheme of Members' Allowances; and
(b) members' allowances for the period 1 April 2007 to 31 March 2007 with indexation linking up to 31 March 2011, for consideration of the District Council.
- 1.3 The Members of the Panel are independent of the District Council and the Panel is set up to provide advice and recommendations to the District Council on the Scheme of Members' Allowances and the amounts to be paid under their members' allowance scheme.

Duty of the District Council

- 1.4 The District Council must have regard to our recommendations in deciding what to pay members, including co-opted members.
- 1.5 Additionally the District Council must also publish our recommendations and conclusions, together with the approved scheme (please see later in the Report at Part 8 'Publicity').

Legal Framework

- 1.6 *What is the law?* Members' allowances are governed by the current regulations (made under section 18 of the Local Government and Housing Act 1989 as amended by section 99 of the Local Government Act 2000) which are The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI No. 1021) <http://www.opsi.gov.uk/si/si2003/20031021.htm> as amended by The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003 (SI No.1692) <http://www.opsi.gov.uk/si/si2003/20031692.htm> .

Government Guidance

- 1.7 *What guidance is there?* Guidance has been issued by the then Office of the Deputy Prime Minister (see <http://www.hmrc.gov.uk/manuals/eimanual/EIM65960.htm>).

Not Covered

- 1.8 Parish Councils - The Panel has not reviewed any matters in relation to parish councils as that is for a Parish Remuneration Panel to undertake and we note that parish councils were consulted last year (2006) by the District Council but that no parish council requested a Parish Remuneration Panel to conduct a review. As authorities have to have regard to the recommendations of a Remuneration Panel, any parish council wishing to pay any members' allowances will have to request the District Council in good time to set up a Parish Remuneration Panel.

Timing of this Review

- 1.9 Review - As the last Report was in 2003, and local government has evolved since then with, for instance, the creation of an Audit Committee and also additional local government responsibilities (such as alcohol licensing, local determinations of standards issues and the imminent implementation of the Gambling Act 2005), the Panel was of the opinion that a review was long overdue and required.
- 1.10 The Panel was therefore reconstituted by the District Council in April 2006 and a recruitment process commenced and completed.

Considerations

- 1.11 Affordability - In this drawing up this Report, the Panel have been and are mindful of the public view and perception regarding allowances paid to members and the increasingly very difficult financial position of certain members of the public, given the history of local government taxation throughout the country. In addition, the Panel are acutely conscious of the very difficult financial position which local authorities are now facing and are likely to face for some time to come, given the increasing expectations of the public. Affordability is a factor which is highly relevant. There is a Scandinavian view of service provision and an American view of taxation.
- 1.12 Underpinning Democracy - Nevertheless, the Panel recognises that the health of the democratic process is dependent upon the competence of those who give their time to public service and therefore it stresses the importance of encouraging people with a wide range of backgrounds, experience and skills to serve the public well as Members. It is after all 'government of the people, by the people and for the people' and must be representative.

- 1.13 Scheme Purpose - The purpose thus of any Scheme of Members' Allowances (and the level of allowances thereunder) should be to continue to support and enhance a vigorous and healthy local democratic process by providing the opportunity for people from a wide range of backgrounds and with a wide range of skills to serve as members and to remove the barrier of significant financial disadvantage to such participation.
- 1.14 The issue is what financial payment, advantage or reward should there be.
- 1.15 Changes - The Modernisation Agenda of Local Government has brought into being changes. It is therefore necessary to recognise both the considerable time and commitment now expected of all members and also the level of responsibilities undertaken by individual members, including training.
- 1.16 The increasing complexity of the roles of a Member as an elected representative, for example, in the management of modern authorities and the government of local communities (including their community leadership role) means that the workload extends significantly beyond simply attendance at Council, Committee, Executive meetings etc. As elected representatives, Councillors are involved in public engagement and representation with extensive deliberations and consultations with or on behalf of constituents and their community when representing their needs and aspirations within the Council and to other organisations.
- 1.17 Even the role of Co-opted Members has increased as is evidenced by the part which is played by them, for example, on the Standards Committee with its enhanced responsibilities to conduct, should the need arise, local hearings of any alleged breach of the Members' Code of Conduct. If the proposals to filter at local level referrals of written allegations of breaches of the Members' Code of Conduct go ahead, then this will further increase their role.
- 1.18 Those undertaking additional responsibilities are required to commit considerable time to the development and implementation of policy, the administration and management of specific service areas and the representation of the community at various levels.
- 1.19 Need for Balance - Whilst the Panel acknowledges that it is only right and proper for the public on their part have to bear the financial cost in supporting the local democratic framework of local government which serves them, a balance has to be struck between paying the "rate for the job" and controlling expenditure. Money does not grow on trees - if only it did!

Reasoning

- 1.20 The Panel records its conclusions and makes its recommendations after very careful consideration of all the evidence we received in such a way that they are, we believe, transparent, logical, understandable and defensible in public. It is of course a matter for the District Council to decide whether or not they would wish to adopt our proposals.

Acknowledgements

- 1.21 Finally, on behalf of the Panel, I would like to express our sincere thanks to all elected Members and Co-opted Members of the District Council who made the effort and submitted their views and to the Officers who were made available notwithstanding a shortage of staff to assist the Panel in carrying out our task.
- 1.22 I would also thank the authors of the various reference materials which have greatly assisted the Panel in its task.

2. MEMBERSHIP OF THE PANEL

There are four Members of the Independent Remuneration Panel, namely:-

- David Stowers (Chair)
- Steve Allen
- Jim Armstrong
- Leigh Henderson

3. TERMS OF REFERENCE

3.1 Paragraph 3 of the Guidance states: '*...Councils are required to establish and maintain an independent remuneration panel which will broadly have the functions of providing the local authority with advice on its scheme, the amounts to be paid and the pensionability of allowances where relevant. Local authorities must have regard to this advice*'. We therefore gathered information, heard and considered evidence and make our recommendations to the District Council on:-

- the Scheme of Members' Allowances
- the amount of basic allowances to be paid to members
- those positions that should receive special responsibility allowances, and the level of those allowances
- dependents' carers allowance
- travel and subsistence allowance
- co-optees' allowance
- pensions
- publicity

3.2 The Panel's terms of reference regarding the Scheme of Members' Allowances are laid down in Regulation 19(1) of The Local Authorities (Members' Allowances) (England) Regulations 2003 which appear in **Appendix A** to this Report.

3.3 The Panel's terms of reference regarding allowances are those set out in Regulation 21 of The Local Authorities (Members' Allowances) (England) Regulations 2003 which for ease of reference are reproduced in **Appendix B** to this Report.

4. PREVIOUS RECOMMENDATIONS

4.1 In our last Report of 2003 we presented our recommendations as set out in **Appendix C** to this Report which was considered by the District Council at its Meeting on 18 December 2003.

5. METHODOLOGY ADOPTED BY PANEL IN ITS REVIEW

5.1 Although the Government has issued guidance on how Independent Remuneration Panels are to reach their recommendations, there is no single approved methodology.

5.2 The consolidated guidance issued by the then Office of the Deputy Prime Minister (ODPM) ('the Guidance') in July 2003 is available on the website (see <http://www.hmrc.gov.uk/manuals/eimanual/EIM65960.htm>) and the Panel had regard to it where relevant. A paper copy of it was issued to each Panel Member.

- 5.3 Fact finding can of course take place using a variety of means.
- 5.4 *What information was needed?* The Panel first determined what information it needed in order to reach its conclusions and make its recommendations.
- 5.5 This was information about Schemes of Members' Allowances elsewhere, the structure of modern local government and the way it operates and discharges its functions, about the business of the District Council, current Member appointments, the nature of the roles, responsibilities or duties of Members (including their variable workloads), and what the job was thought to be worth (without losing sight of the concept of public service) was sought. The Panel also choose to seek information about the work of other independent remuneration panels as mentioned as an option in the Guidance referred to in paragraph 5.2 above.
- 5.6 Paragraphs 62-63 state:
- '62. The local authority will need to ensure that the panel is clear about its remit and the timetable in which it is working. The local authority will need to provide the panel with information about the roles of councillors in the authority and the way in which the authority operates and discharges its functions. The panel will need information about the business of the council.*
- 63. The panel will need to have regard to this information. In addition, the panel may itself consider recent research on the role of councillors, or perhaps seek information about the work of other independent remuneration panels.'*
- 5.7 The Panel gave thought as to how the required information ought to be gathered and decided to use the following methods:-
- (a) a questionnaire to Members;
 - (b) written invitation to submit comments;
 - (c) comparative research with comparative data being obtained from the Chartered Institute of Public Finance and Accountancy (CIPFA) nearest neighbours and also the district councils in County Durham and Northumberland (see **Appendix D**).
- 5.8 Questionnaire - A questionnaire was devised and despatched to all Members with the intention of ascertaining, amongst other things, the current time commitments associated with being a Member (see **Appendix E**). If Members felt that the level of allowances was insufficient to recognise the new level of responsibilities, the questionnaire asked them to produce evidence to support this contention.

- 5.9 Written Comments - In order to have an 'inclusive approach' to engaging with Members, the Panel offered all Members an opportunity to submit written comments, if they so wished.
- 5.10 Comparative Data - With regard to comparative data, the Panel noted that care needed to be exercised when undertaking simple comparison between authorities, due to the fact that there may be significant differences in population, revenue-raising capabilities and type and volume of service provided to the public.
- 5.11 Context - The District Council is one of the smallest district councils in County Durham. Six wards out of a total of 16 wards in the District are within the 20 per cent most deprived in the country. It covers a geographical area of approximately 66 sq.km in size, with a mix of urban and rural parts. It has a population around 53,693 people (Figures from 2001 Census).
- 5.12 There are 34 Elected Members and 6 Co-optees (4 Independent Representatives and 2 Parish Representatives on the Standards Committee). The current political profile of the Elected Members is 29 Labour Councillors, 1 Conservative Councillor and 4 Independent Councillors. The District Council employs about 550 staff and has a net general fund revenue budget of £8.1 million (2007/2008 draft budget).
- 5.13 The Panel also had regard to the District Council's Constitution, particularly Schedule 2 of Part 2 of the Constitution which deals with the roles and responsibilities of Members. A copy of the Constitution is on the District Council's website (www.chester-le-street.gov.uk) or can be inspected at the District Council's main office at the Civic Centre, Newcastle Road, Chester-le-Street, Co. Durham. The Panel noted for future reference that the District Council is moving towards the use of 'Job Descriptions'.
- 5.14 Paragraph 4 of the Guidance issued by the Government states: *'The approach, therefore, is one where questions as to the amounts payable to members are matters for local determination. In this way, councils can take full account of their particular circumstances, including the precise form of their new constitution, and be directly accountable to their electorate. This accountability is sharpened through each council being advised on its own allowances scheme by a local panel whose members are required to be independent.'*
- 5.15 Mechanism to determine outcomes - Gathering facts was an initial stage. The Panel then had to determine the mechanism by which that information could inform and determine the outcomes. It ascertained that there were various mechanisms available for particular decisions on the level of allowances which included:-

- (1) The Time-Based Approach;
- (2) The Comparative Approach;
- (3) The Factor Approach;
- (4) The Actual Cost Approach.

5.16 Time-Based Approach

5.16.1 The Time-based Approach operates on the number of hours worked. However, this had to be seen in the context of the particular decision being sought. For example, as regards the basic allowance, it is (according to the regulations) a flat-rate allowance. This means that a tailored approach to each individual Member is not possible. The average needs to be ascertained. An average is a value that is typical of a list of figures. However, there is more than one type of average value. There is a mean value, median value and a mode value.

5.17 The Comparative Approach

5.17.1 The Comparative Approach as the name suggests is where one seeks to draw comparisons between one situation and another.

5.17.2 The Panel has already mentioned at para. 5.10 the potential dangers of seeking to compare chalk with cheese. That said, there are some similarities and the Chartered Institute of Public Finance and Accountancy (CIPFA) has identified nearest neighbours with similar profiles.

5.18 The Factor Approach

5.18.1 The Factor Approach uses a ratio. One matter is used as the yardstick and another is calculated as a proportion of that yardstick.

5.19 The Actual Cost Approach

5.19.1 The Actual Cost Approach simply reflects the cost charged by the service supplier which usually is higher than the base cost due to an element of profit being built in by the supplier.

5.20 Agreed Approach

The Panel decided to adopt a comparative approach to assist them in reaching their recommendations but retained the factor approach in order to calculate the relative amount of particular special responsibility allowances.

The Panel rejected the time-based approach as the response to the questionnaires confirmed that hours varied greatly from one person to the next and so even an average was of not real assistance.

The Panel rejected the actual cost approach as being unaffordable and administratively time-consuming.

6. FINDINGS AND CONCLUSIONS

6.1 Schemes of Members' Allowances

- 6.1.1 Mandatory - A Scheme of Members' Allowances is mandatory. However, there is no agreed universal format. The Panel noted after seeing a number of other Schemes that there is a large common element which was only to be expected given the statutory basis behind the Schemes. The Panel concluded that the District Council's Scheme was capable of further improvement in the light of the Regulations and best practice.
- 6.1.2 The Panel was impressed by the clarity of some of those Schemes and by the fact that a number of Councils had copies of those Schemes on their websites in order to inform the public. Mere reliance on the statutory publication regime was not thought good practice as the public could not gain access easily when they wanted.
- 6.1.3 Paragraph 88 of the Guidance conforms this by stating: *'All these publicity requirements are statutory minimum requirements. Local authorities should publicise more widely the report from their panel, their scheme of allowances and the sums paid to each member. This should include, where possible, publishing this information on their web site and in the council's own newspaper (where they have one). Local authorities may also wish to consider including in their notice some detail about the responsibilities of elected members and the duties and time commitment which the basic allowance is intended to remunerate.'*
- 6.1.4 The Panel concluded that the District Council should include a reminder about the statutory publication requirement in its Scheme. Paragraph 32 of the Guidance reminds local authorities of the need to publicise the Scheme every year. *'...The scheme must be publicised each year, whether or not it has been amended.'* (See later in this Report at Part 8).
- 6.1.5 Option to withhold - The effect of a suspension or partial suspension under the Members' Code of Conduct was considered by the Panel. It was of the firm view that where a member is suspended or partially suspended from his or her responsibilities or duties as a member in accordance with the statutory ethical framework, the Panel felt that the Scheme ought to include a provision whereby the basic allowance, any special responsibility

allowance, travelling and subsistence or co-optees allowance may be withheld by the Council for that period for which the member is suspended or partially suspended. Regulations 4(3), 5(3), 8(2) and 9(3) of the 2003 Regulations permits the inclusion of such terms.

6.1.6 Paragraphs 23 – 28 of the Guidance states:

‘23. Certain allowances may be withheld as a result of full or partial suspension of a member of an authority. Where authorities would like to provide for this option, they should include provision for withdrawal of allowances in their schemes. An authority may provide in its scheme for the repayment of any allowances which have been paid in respect of a period during which a member has been suspended.

24. Where a councillor is fully or partially suspended from their duties, their basic allowance may be fully or partly withheld.

25. Travel and subsistence allowances maybe withheld where a councillor has been suspended from duties or responsibilities which attracted these allowances.

26. Where a councillor is fully or partially suspended from any duties or responsibilities which attract special responsibility allowance, those allowances may be withheld by the authority.

27. Co-optees’ allowance may also be withheld where a co-optee is partially or fully suspended from their duties.

28. Dependents’ carers’ allowance may not be withheld from councillors.’

6.1.7 In addition, the Panel welcomed the role and function of the Standards Committee in investigating non-attendance and where appropriate an allowance could be withheld. The Panel concluded that the Scheme should include a suitable provision to reflect this right to withhold, including where there is no good reason for non-attendance.

6.1.8 Option to claw-back - The Panel considered the need to include a right to require repayment from a member in the Scheme of Members’ Allowances. Regulation 10(7) of the 2003 Regulations covered the position i.e. the option to impose the right of claw-back where a member had been suspended or partially suspended, ceased to be a member or was in any other way not entitled to the allowance for the relevant period. The Panel concluded that to protect public money such a term should be included in the Scheme of Members’ Allowances.

6.1.9 Option of Indexation of Allowances – The Panel looked at whether to recommend the inclusion of a provision in the Scheme of Members’ Allowances for an annual adjustment of allowances. Adjustment could be upwards or downwards. The Panel thought that in order to facilitate the democratic process there ought to be an indexation provision. Regulation 10(4) of the 2003 Regulations permits the inclusion of such an annual

adjustment, though Regulation 10(5) prevents reliance on any such provision for longer than a period of four years without a further recommendation from the Panel. The issue was what should the mechanism adopted for indexation.

6.1.10 Paragraph 32-34 of the Guidance state:

‘32. A scheme of allowances may make provision for an annual adjustment of allowances to be ascertained by reference to an index as may be specified by the authority and contained in the scheme. The scheme must be publicised each year, whether or not it has been amended.

33. Where the only change made to a scheme is that caused by the annual impact of an index contained within that scheme, the scheme shall not be deemed to have been amended, and thus an authority will not have to seek a recommendation from its independent remuneration panel.

34. Where a panel makes a recommendation that allowance levels should be determined according to an index, it should also make a recommendation as to how long the index should run before reconsideration. In any case, an index may not run for more than four years before a further recommendation on it is sought from an independent remuneration panel.’

6.1.11 The Panel was mindful of the changes in local government and was of the opinion that there should be an indexation provision by reference to the Retail Price Index (RPI). Comparison with officer awards was felt inappropriate as the role of Members is distinct from that of officers. The Panel therefore believed that allowances should be varied with effect from the beginning of the year in accordance with the Retail Price Index (RPI) for the previous year (using that previous April figure) except the levels of travelling and subsistence allowance which should be the same as Officers and change in line with the travelling and subsistence scheme applicable to Officers.

6.1.12 Option to permit limited backdating to 1 April of the amendment year –
The Panel had regard to paragraphs 29 – 31 of the Guidance which state:
‘29. When a scheme of allowances is amended, an authority may choose to apply the amendment retrospectively to the beginning of the financial year in which the amendment is made.
30. Where a councillor takes on duties entitling them to a different level of allowances (e.g. where a councillor is appointed to the executive, and thus entitled to special responsibility allowance), the new level of allowances may be applied retrospectively to the time at which the circumstances changed.
31. Independent remuneration panels may make recommendations, where relevant, as to whether the payments on which they made a

recommendation may be backdated. Authorities will be required to have regard to these recommendations.'

The Panel concluded that where an amendment is made which affects an allowance, the Scheme of Members' Allowances should include the option to backdate the entitlement to 1 April in the year of amendment as permitted by Regulation 10(7) of the 2003 Regulations.

6.1.13 Right to forego allowances – The Panel had regard to paragraph 35 of the Guidance which states: *'A scheme must provide that a person may forgo all or part of any allowance to which they are entitled. To do this they must give notice in writing to the proper officer of the authority.'* Before considering the allowances below, the Panel concluded that Members should be reminded that they are not obliged to accept the whole or any part of any entitlement, and that accordingly the Scheme of Members' Allowances should include a suitable forbearance provision.

6.2 Allowances

6.2.8 The allowances which must or may be payable under the 2003 Regulations are:-

- (a) Basic Allowance;
- (b) Special Responsibility Allowance;
- (c) Dependants' Carers' Allowance;
- (d) Travelling and Subsistence Allowance;
- (e) Co-optees' Allowance
- (f) Pensions

6.2.9 Use of principles - The Panel recognised the sense in attempting to formulate and use clear remuneration principles in order to make its recommendations, especially when set against a background of a constantly developing and evolving local government structure. The Modernisation Agenda was and is continuing to change the face of local government across the country, including the demarcation line between member and officer responsibilities.

6.2.10 Member/Officer Interrelationship - Since its last review in 2003 the Panel noted that the District Council had undergone significant change including to its management structure of the officers. The Panel was anxious to find out what implications there were for the work of Members and in particular Executive Members. The interrelationship between officers and members needed to be understood.

6.2.11 Constitution - The Panel observed that the District Council had greatly revised its Constitution in May 2005 (with a minor revision in May 2006) with the objective, amongst other things, of enabling the Council to be 'fit for purpose'. A central theme was to give greater delegation of powers to officers to create more strategic capacity at member level. This followed on from certain recommendations of the Audit Commission.

6.2.12 South Lakeland District Council's Independent Remuneration Panel has the following remuneration principles which the Panel decided to adopt:-

- Allowances should reflect the responsibilities and commitment expected of Councillors but be set at levels which recognise the well-established culture of voluntary unpaid public service
- Any scheme of remuneration should neither encourage nor discourage people from becoming Councillors *for financial reasons*
- Recommendations on remuneration should be arrived at following logical and consistent analysis of relevant information
- Expenses for travel should not contain any element of "profit"; and
- Any scheme of remuneration should be linked to a system of performance management whereby the performance of individual Councillors and the Council as a whole is reviewed regularly and achievements communicated clearly to the public.

6.2.6 Performance - With regard to the system of performance management, the Panel recognises with approval the provision which the District Council inserted into its Constitution in May 2005 which permits where appropriate the withholding of any payment of allowance where there has been non-attendance. Article 9 of the Constitution gives the Standards Committee the role and function of investigating 'any non-attendance of individual Members, with powers to withhold payment of an allowance or allowances in any case where the Standards Committee/Sub-Committee feels appropriate.' The Panel concluded that the Scheme of Members' Allowances should include this right to withhold payment in such circumstances. It did however fully recognise that performance is ultimately a matter for the electorate to judge at the ballot box.

6.2.7 Basic Allowance

- 6.2.7.1 Mandatory - The Basic Allowance is a mandatory allowance. It has to be paid but the level of the allowance is to be determined locally (having regard to the Panel's recommendations) which ensures accountability at local level through the ballot box. Regulation 4 of the 2003 Regulations refers.
- 6.2.7.2 Flat Rate - The Panel noted that paragraph 9 of the Guidance issued by the Government states: *'Each local authority must make provision in its scheme of allowances for a basic, flat rate allowance payable to all members. The allowance must be the same for each member. The allowance may be paid in a lump sum, or in instalments through the year'*.
- 6.2.7.3 Payable to All - The equality of application to all councillors is laid down in Regulation 4 (1)(a) of The Local Authorities (Members' Allowances) (England) Regulations 2003.
- 6.2.7.4 Payment Pattern - The Panel concluded that payment should be by instalments monthly in arrears as this arrangement best protects the public purse from having to recover overpayments in the event of a member ceasing to be a member part way through their term of office and at the same time gives regularly of income to a member throughout the year.
- 6.2.7.5 *What does the basic allowance include?* Paragraph 10 sets out the sorts of things basic allowance is intended to cover' namely: *'Basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes'*.
- 6.2.7.6 The Panel observed that best practice was to give particular examples to ensure that the scope of the Basic Allowance was fully understood by all concerned.
- 6.2.7.7 **Appendix F** to this Report details examples of what is included.
- 6.2.7.8 The Panel noted that some authorities regard 'incidental costs' as including with the basic allowance travel and subsistence expenses that Members can reasonably be expected to incur as part of their duties within their Council boundaries. Part of the explanation of this approach is to firmly answer the question as to whether or not

Members should be able to claim travel expenses in respect of their journey to and from attending meetings at the Council. Officers are not entitled to claim travel and subsistence to get to and from work. This then highlights a misunderstanding (actual or perceived) which might occur on occasions as to exactly when Members are working and from what work base. Members are not just at work when in the Council Chamber. Members work from home on occasions and their role puts them firmly amongst the community, not just as an advocate for the community but as leaders of their community. To avoid any confusion which might arise and be destructive to confidence in local democracy it is concluded that the basic allowance includes travel and subsistence costs within the District of Chester-le-Street.

- 6.2.7.9 *How is the basic allowance calculated? Paragraph 67 of the Guidance states: '.....Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the numbers of hours for which, councillors ought to be remunerated'.*
- 6.2.7.10 The Panel noted that paragraph 68 of the Guidance then went on to state: *'It is important that some element of the work of members continues to be voluntary – that some hours are not remunerated. This must be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained.'*
- 6.2.7.11 Paragraph 69 of the Guidance suggested that *'The local authority may wish to agree a rate for remuneration. They chose to be guided by the LGA daily rate which is based on the national (male) median white-collar wage. Alternatively they may wish to look at local and regional wage rates as these may seem more appropriate as measures for the allowances paid to members of its community. Local authorities may also wish to consider the allowances and remuneration which is paid to other members of the voluntary sector e.g. members of local health trusts.'*
- 6.2.7.12 Ascertaining the Hours - Looking at the evidence gathered as to what local councillors do, and the hours devoted to these tasks, the Panel had regard to the fact that there was inherently no constant picture and workload inevitably varied from matter to matter, from time to time, from area to area (e.g. ward, rural and urban, parished and unparished) and from councillor to councillor dependent on variable factors (such as specific constituency concerns such as for

example applications for planning permission for telephone masts). The Panel recognised that flexibility of response to citizen concerns was very much part and parcel of the work of a local councillor. Work loads fluctuate, quantitatively and qualitatively and this neatly illustrates the need for the Panel to conduct regular reviews and make timely recommendations.

- 6.2.7.13 Increases - Factors tending to increase workload include the greater recognition of overview and scrutiny based work as a means of involving Members in the process of governance to scrutinise, examine and assist in policy formulation.
- 6.2.7.14 Decreases - Factors tending to reduce workload include the greater use of delegated powers by officers, and the use of sub-Committees such as the Licensing Sub-Committee dealing with private hire and hackney carriage matters.
- 6.2.7.16 Ward Role - Constituency work undertaken by Members continues to be a significant part of the time commitment of Members and the Panel views constituency work as the bedrock of local democracy.
- 6.2.7.17 Training - Induction and on-going training was and remains a prerequisite for a Member to be fully effective in the discharge of their duties. This commitment to training by definition required a time commitment. The Panel received evidence as to the considerable improvement in the Members Training Programme since 2003 which had this year (2006) resulted in the award of the Members Charter. The Panel recognised the fundamental role of training and the inevitable demand on the time of Members, especially as training had to be delivered as and when required as a continuing professional development process and was not a “one-off” event front loaded following election or appointment. The disparity between activity levels of Members has some correlation with variations in levels of understanding of the processes which enable people to be effective as Members and the Panel welcomed the District Council’s commitment to training.
- 6.2.7.18 Relationship of Remuneration to Job Satisfaction - The Panel looked at the role of remuneration in enabling Members to feel satisfied with their work following the contention that Members who feel satisfied with their work are more likely to be more effective and want to continue in office.

- 6.2.7.19 Time Commitment Restraint - The Panel however ascertained that it is the time commitment to being a Member which is the principal constraint to attracting and retaining Members, not the remuneration level.
- 6.2.7.20 Furthermore, the time constraint is perhaps felt most keenly by people with young families or those professionals concentrating on their careers. These are probably the kinds of people who, many feel, would make excellent councillors and would more than redress the imbalance in the current age profile. This balance would be unlikely to change totally unless being a councillor were fully regarded as a career in itself and remunerated accordingly.
- 6.2.7.21 Fully Remunerated Career - The Panel reminded itself, however, that the Guidance issued by the Government and current thinking did not advocate the creation of a fully remunerated career grade for politicians to supplement or replace, in whole or in part, the officer corps.
- 6.2.7.22 Recognition of Service - The Panel nevertheless had to reach a conclusion on the appropriate level of the mandatory Basic Allowance applicable as a flat rate payable to all Members. It based its findings on the evidence obtained (including the affordability of any recommendations) and applied the above remuneration principles, noting that the principal role of remuneration is to provide a mark of recognition of service to the community and not a wage.
- 6.2.7.23 Officer Salary Scale Link - The Panel was of the opinion that some equation to hourly rate or assimilation to a point on the staff salary scale for the purpose of calculating the Basic Allowance itself cannot reasonably be arrived at nor was it felt relevant in view of the guidance.
- 6.2.7.24 Mechanism Adopted - The Panel adopted a comparative approach to assessing the level of basic allowance due to the inherent difficulties of using a time-based approach. To reach its decision on the amount of the basic allowance the Panel ascertained comparative data from other district councils in County Durham, Northumberland and also from CIFPA's Nearest Neighbours.
- 6.2.7.25 Present total cost - The present total amount of just the Basic Allowance is £139,590.40 per year, based on there being 34 District Councillors.

- 6.2.7.26 The Panel noted that if increases were applied based on the RPI increases of 3.2% (April 2005) and 2.6% (April 2006) then the individual basic allowance would be £4,347.14 (an increase of £241.54 on the April 2004 level).
- 6.2.7.27 New Cost – If the Council decides to agree to the Panel’s conclusions as to the level of the Basic Allowance, the cost will be £147,802.76 if all 34 Elected Members claim their entitlement. This represents an additional increase of £8,212.36 (or put in context the first increase since April 2004 and 22p per day rise from the current level). The existing budget provision is however £145,870 so a shortfall of £1,932.76 would have to be found.
- 6.2.8 Special Responsibility Allowance
- 6.2.8.1 Discretionary - This is a discretionary allowance which may be paid to Members of the Council.
- 6.2.8.2 Not to all - Special responsibility allowance is as the name suggests not paid to all members but is paid only where significant ADDITIONAL responsibilities have been identified as a matter of local determination. Regulation 5 of the 2003 Regulations refers.
- 6.2.8.3 The Panel observed that paragraph 70 of the Guidance expands upon this. *‘Special responsibility allowance (SRA) may be paid to those members of the council who have significant additional responsibilities, over and above the generally accepted duties of a councillor. These special responsibilities must be related to the discharge of the authority’s functions.’*
- 6.2.8.4 Additional significant responsibilities - Paragraph 11 of the Guidance issued by the government states:
‘Each local authority may also make provision in the scheme for the payment of special responsibility allowances for those councillors who have significant responsibilities. The authority, or the panel, has to identify the special responsibilities for which the allowance is to be paid, and the amounts of allowance to be paid for each such responsibility’.
- 6.2.8.5 Paragraphs 71 – 74 of the Guidance gave the Panel a good insight into how to approach this element of the task:-
‘71. The Regulations do not limit the number of special responsibility allowances which may be paid, nor do the regulations prohibit the payment of more than one special responsibility allowance to any one member.’

72. However, these are important considerations for local authorities. If the majority of members of a council receive a special responsibility allowance the local electorate may rightly question whether this was justified. Local authorities will wish to consider very carefully the additional roles of members and the significance of these roles, both in terms of responsibility and the real time commitment before deciding which will warrant the payment of a special responsibility allowance.

73. It does not necessarily follow that a particular responsibility which is vested to a particular member is a significant additional responsibility for which a special responsibility allowance should be paid. Local authorities will need to consider such particular responsibilities very carefully. Whilst such responsibilities may be unique to a particular member it may be that all or most members have some such responsibility to varying degrees. Such duties may not lead to a significant extra workload for any one particular member above another. These sorts of responsibilities should be recognised as a time commitment to council work which is acknowledged within the basic allowance and not responsibilities for which a special responsibility allowance should be recommended.

74. In addition, any particular local authority will need to look carefully at the nature of its constitution when determining its scheme. New arrangements will mean that there are inevitable changes in the positions of responsibility on the Council, both in terms of number and workload. Some councillors will be spending significantly more of their time on council duties than has ever previously been the case. On the other hand, changes in the traditional committee structure will mean that there are far fewer committees and, as a consequence, fewer councillors engaged as chairs and vice-chairs of numerous committees.'

6.2.8.6 Which positions have additional significant responsibilities? - The Panel received evidence regarding particular positions and found that the following posts carried with them significant responsibilities:-

- (a) The Leader of the Council
- (b) The Deputy Leader of the Council
- (c) Executive Portfolio Holders (6 including the Leader and Deputy Leader)
- (d) The Leader of the Opposition Group
- (e) The Chairs of Overview and Scrutiny Committees (currently three)
- (f) The Chair of the Licensing Committee and the Statutory Licensing Committee
- (g) The Chair of the Planning Committee.

- 6.2.8.7 As the District Council is currently divided into political groups for the purposes of the Local Government and Housing Act 1989 and regulations made thereunder, the Panel has therefore had regard to Regulation 5(2) of The Local Authorities (Members' Allowances) (England) Regulations 2003 which requires the payment of a special responsibility allowance to at least one minority group member. Paragraph 13 of the Guidance states: *'Where one political group is in control, and where an authority has decided to pay special responsibility allowances, the authority must make provision for the payment of a special responsibility allowance to at least one member of a minority group.'*
- 6.2.8.8 The posts identified at paragraph 6.2.8.6 come within the categories listed in Regulation 5(1) of the 2003 Regulations as a precondition to eligibility for a special responsibility allowance.
- 6.2.8.9 The Panel concluded that those posts specified merited the award of a special responsibility allowance. For example, many decisions were still being taken to the full Executive as delegation to individual Executive Members of decision-making had not yet taken place. It was of the opinion that the post of Chair of the Licensing Committee and the Statutory Licensing Committee should remain on par with the Overview and Scrutiny Committees.
- 6.2.8.10 Special Responsibility Allowance Restrictions - However, the Panel was of the opinion that (a) the total number of special responsibility allowances at any one time should be under 50% of the total number of Elected Members in office and (b) no post-holder shall be entitled to receive more than one special responsibility allowance at any one time in respect of any such special responsibility duties.
- 6.2.8.11 *How is the Special Responsibility Allowance calculated?* When making its recommendations below as to the level of special responsibility allowance, the Panel has made use of fact that a special responsibility allowance does not have to be a flat rate and can vary from post to post to reflect the relative significant responsibilities. Paragraph 5 (2)(a) of the 2003 Regulations refer.
- 6.2.8.12 Paragraph 76 of the Guidance issued by the government states: *'Having determined which duties should be acknowledged as significant additional responsibilities, the local authority will need to consider the levels of special responsibility allowance which are attached to each post. A good starting point in determining special responsibility allowances may be to agree the allowance which*

should be attached to the most time consuming post on the Council (this maybe the elected mayor or the leader) and pro rata downwards for the other roles which it has agreed ought to receive an extra allowance. One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a multiple of this allowance as an appropriate special responsibility allowance for either the elected mayor or the leader.'

- 6.2.8.13 The Panel considered that there were a number of methods which could be used to calculate the level of a particular special responsibility allowance. There was the 'Time-Based Approach' referred to earlier in this Report. There was the 'Comparative Approach' which compared the position against a particular benchmark group such as CIFPA's 'Near Neighbours'. And there was the 'Factor Approach' whereby the Leader of the Council's special responsibility allowance is a factor of the basic allowance. The Panel notes that the 2003 Guidance as mentioned at para. 6.2.8.8 specifically refers to this latter approach.
- 6.2.8.14 Mechanism adopted - The Panel noted that no single method stands head and shoulders above any other and therefore reaffirmed its previous approach.
- 6.2.8.15 Leader of the Council - Having considered the matter, therefore, the Panel was of the opinion that the special responsibility allowance of the Leader of the Council should be set at 2.5 times the rate of the Basic Allowance.
- 6.2.8.16 Others - It was then for the Panel to determine the level of the other special responsibility allowances. The Panel decided that the current ratios had appeared to work satisfactorily and concluded that no change in those ratios was needed.
- 6.2.8.17 Present Cost - When the present special responsibility allowances are all added together, the cost to the public purse is £36,950.40 (based on a sliding scale of special responsibility allowance given to 12 Members as there are only currently 6 members of the Executive).
- 6.2.8.18 New Cost – If the Council decides to agree to the Panel's conclusions as to whom and the various levels of the Special Responsibility Allowances (SRA), the cost will be £39,124.27 if all 12 Members claim their full entitlement. This represents an increase of £2,173.87 (again put in context as the first rise in SRA since April 2004). The existing budget provision is however £40,580 so no extra funding would be needed as there is £1,455.73 surplus.

- 6.2.8.19 Civil Dignitaries Allowance - With regard to the two posts of Chairman of the Council and Vice-Chairman of the Council, the Panel notes that section 3(5) of the Local Government Act 1972 and section 5(4) of that Act respectively permits the District Council (if it so wishes) to pay the Chairman and/or Vice-Chairman 'for the purpose of enabling him to meet the expenses of his office such allowance as the council think reasonable' i.e. a 'civic expenses allowance' or as the Guidance states at paragraph 90 it is often known as 'civil dignitaries allowance'. The Panel is therefore of the opinion that the posts of Chairman of the Council and Vice-Chairman of the Council do not merit a special responsibility allowance.
- 6.2.9 Dependants' carers' allowance
- 6.2.9.1 Discretionary - This is a discretionary allowance which may be paid to Members of the Authority. Regulation 7 of the 2003 Regulations refers.
- 6.2.9.2 Open Access - Bearing in mind the intention to ensure that no-one is financially disadvantaged from serving as an elected member, the Panel noted the optional allowance and concluded that the Panel ought to recommend the availability of such an allowance to elected Members of the Council.
- 6.2.9.3 Purpose of a Dependants' Carers' Allowance - Paragraph 15 of the Guidance issued by the Government states:
'A scheme of allowances may also include the payment of a dependents' carers' allowance to those councillors who incur expenditure for the care of children or other dependents whilst undertaking particular duties'.
- 6.2.9.4 It is important to stress that this allowance is in respect of expenditure 'for the care of children or other dependents whilst undertaking particular duties'. It cannot be used to pay for carers for any Member themselves.
- 6.2.9.5 *How is the Dependants' Carers' Allowance to be calculated?*
Paragraph 78 of the Guidance issued by the Government states:
'Local authorities will wish to consider whether this allowance should be set at an hourly rate which may vary depending on the sort of care which has been required. They may wish to consider whether the allowance should be subject to a maximum cap or

alternatively, whether the allowances paid will be equal to the costs incurred.'

- 6.2.9.6 Duties for which the Dependants' Carers' Allowance payable - The Panel was of the opinion that the particular duties for which a dependents' carers' allowance should be payable were all those laid down in Regulation 7 (1) of the 2003 Regulations except for those duties set down in Regulation 7(1)(g) which had no application to district council duties.
- 6.2.9.7 Mechanism adopted – The Panel decided that the Actual Cost Approach should be adopted up to a maximum hourly rate and with a maximum cap. The Panel was of the view that to simply pay actual cost was not appropriate because it could send out a message to service providers that the sky is the limit with a consequential risk that bills might escalate due to a belief that there is an open chequebook. Instead, the Panel therefore thought that a maximum hourly rate with a maximum cap was the preferred alternative. But at what hourly rate and at what cap? The Panel decided to recommend adopting the prevailing maximum hourly rate recommended by Durham County Council which is presently £4.85 per hour and that the capped figure should be £1,000.
- 6.2.9.8 Dependants' Carers Allowance Restrictions – The Panel looked at whether or not there ought to be a limit on the payment of the allowance in respect of the upper age of a child. It decided against setting such a restriction as age is not a good enough determinant of maturity to be left alone. It also considered the impact of the Childcare Act 2006 on the availability of child care e.g. for children under 5. Given the obligation to save public money, the Panel was of the opinion that the allowance should not be payable in respect of any child where it was reasonable for free child care to be used by the Member. In addition, it was felt that the allowance should not be payable to persons who are normally resident in the Members household (except where that residency arose solely in order to care for the dependant(s)).
- 6.2.9.9 Present Cost –No claims have been made.
- 6.2.9.10 New Cost – This is difficult to predict as it depends the personal circumstances of Members and the take-up rate.
- 6.2.9.11 Special Need for Review - The Panel noted that the need for individuals not to be financial disadvantaged is particularly relevant in the context of assessing the level of dependent carers' allowance. Relevant members are affected by the fluctuating

market forces of service providers and therefore the Panel recognises the special need to keep this particular allowance under regular review if it is to remain 'fit for purpose'.

6.2.10 Travelling and subsistence allowances

6.2.10.1 Discretionary - This is a discretionary allowance which may be paid to Members including Co-opted Members. Regulation 8 of the 2003 Regulations refers.

6.2.10.2 Paragraphs 16 -17 of the Guidance states:

*'16. Each local authority may also make provision in its scheme for the payment of a travelling and subsistence allowance to its members, including co-opted members
17. This may include provision for the payment of an allowance for those members who travel by bicycle or other non-motorised transport.'*

6.2.10.3 The Panel had regard to paragraphs 79 – 80 of the Guidance which states:-

*' 79. The panel may recommend that allowances are made available to members in respect of travelling and subsistence. It may recommend which duties shall attract travel and subsistence allowances, and the levels of any such allowance
80. Panels should consider a level of allowance which might be reasonably expected to cover a member's travel and subsistence costs. The panel may recommend, for example, a system of direct invoicing or an annual or monthly allowance designed to cover all travel and subsistence within a particular period. In making their recommendation, the panel should take into account the need for a system which can operate efficiently and cost-effectively.'*

6.2.10.4 The Panel was of the view that there should be a separation out of travel and subsistence into two broad categories, namely (1) travel and subsistence expenses that Members can reasonably expect to incur as part of their duties within the District of Chester-le-Street and (2) travel and subsistence expenses incurred undertaking approved duties outside the District of Chester-le-Street ('travel and subsistence allowance').

- 6.2.10.5 The basic allowance level would reflect an element to cover category (1) and the travel and subsistence allowance would cover category (2). For the avoidance of doubt the Panel makes clear that any journey commenced within the District of Chester-le-Street with a destination outside should be covered within category (2), with any claim for travel and subsistence having to be properly justified before payment could be made. Return journeys from outside the District of Chester-le-Street on approved duties ending within the District of Chester-le-Street would likewise be within category (2) subject to the same standard safeguards.
- 6.2.10.6 The Panel did specifically wish to draw the District Council's attention to fact that the travel and subsistence allowance does permit payment in respect of travel by bicycle or by other non-motorised form of transport. The Panel was of the opinion that, for green travel purposes to reduce harm to the environment, the District Council might wish to avail themselves of this opportunity to promote more sustainable forms of transport and set an allowance at an appropriate level.
- 6.2.10.7 The Panel therefore concluded that the current arrangements whereby Members' travelling and subsistence is assimilated with and indexed to those of the Officers is logical and works satisfactorily and no change in this system is recommended other than to (a) exclude the right for travel and subsistence claims to be made by Members in respect of cases wholly within the District of Chester-le-Street and (b) to have regard to giving an allowance in respect of non-motorised transport.
- 6.2.10.8 Costs – It is difficult to predict the annual cost of such allowances as it is dependent upon fluctuating demand.

6.2.11 Co-optees' Allowances

- 6.2.11.1 Discretionary Allowance - This is a discretionary allowance which cannot be paid to Members of the Council but only may be paid to a person who is a member of a committee or sub-committee of an Authority (e.g. an Independent Member of the Standards Committee). Regulation 9 of the 2003 Regulations refers.
- 6.2.11.2 Paragraphs 20 - 22 of the Guidance state:
'20. Each local authority may also make provision in its scheme for the payment of a co-optees' allowance, for attendance at conferences and meetings, to any co-opted and appointed members of a council's committees or sub-committees.
21. The co-optees' allowance will in general be an annual allowance, and it may vary from one co-opted member to another.

Authorities have the ability to pay a proportion of the annual allowance in proportion to part of the year for which a member of a relevant committee or sub-committee serves on that committee or sub-committee.

22. Where either a co-opted or an appointed member is appointed chair of the committee on which they are co-opted or appointed, the co-optees' allowance they receive must be of an amount no less than the equivalent special responsibility allowances being made available to chairs of equivalent committees of the council.'

6.2.11.3 Paragraph 81 of the Guidance goes on to state: *'The panel may recommend payments for those who serve on the committees or subcommittees of an authority but who are not members of an authority. It may also make a recommendation as to the level of such an allowance. In doing so it may wish to consider the degree of time and effort put in by co-optees. Some element of the contribution made by co-optees should be voluntary. However, consideration should be given for the need to encourage non-councillors to give their services to local government, and to ensuring that co-optees are not financially disadvantaged by their civic activity.'*

6.2.11.4 The Co-optees' Allowance is payable in respect of attendance at conferences and meetings.

6.2.11.5 The current system is based on an hourly rate and the duration of meetings. The Panel is of the view that no change was needed other than no travel or subsistence should be payable in respect of matters wholly within the District.

6.2.11.6 Costs – It is difficult to predict the annual cost of such allowances as it depends on the number of co-optees, the amount of work they and their willingness or otherwise to claim.

6.2.12 Pensions

6.2.12.1 Discretionary – There is no obligation on the Council to permit eligible Members to apply for entry in the Local Government Pension Scheme. Indeed, there is a precondition even before the Council can consider a pension as an option for any of its Members. By virtue of Regulation 11(2) of The Local Authorities (Members' Allowances)(England) Regulations 2003 the Panel can prevent the Council from including pensions in its remuneration package. It states: 'In making such provision an authority may only include someone who has first been recommended by the independent remuneration panel established in respect of that

authority for such entitlement under regulation 21'. Therefore, the Panel can in effect stop any pension option being considered by the Council by making a blocking recommendation not to recommend that Members apply to join the Local Government Pension Scheme. The Council cannot then override such a recommendation.

- 6.2.12.2 Pension Option - Taking into account the financial pressures on the public and the District Council, and that the view of the Panel that the office of member should not be regarded as a full-time career, the Panel however saw considerable merit in the view that the office should not attract pensionable rights.
- 6.2.12.3 Mechanism Adopted. The Panel noted that there were already detailed national rules regarding the Local Government Pension Scheme.
- 6.2.12.4 Calculation of Pensionable Pay - The Panel sought the opinion of Members as to whether or not both Basic Allowance and Special Responsibility Allowance should be used to calculate pensionable pay if following this Report there was a decision that pensions should be payable to eligible Members of the Authority. The Panel noted the response and was of the view that both Basic Allowance and Special Responsibility Allowance should be so used.
- 6.2.12.5 Costs - The Panel observed that there could also be a significant financial cost to the District Council and hence to the public in respect of employers' National Insurance contributions (currently at 24% of the 'qualifying pay'). The cost of pensions depends on the take-up rate. However, there needs to be an awareness that greater take up of pensions would result in the employer's liability increasing. Each Member of the Authority within the Pension Scheme would themselves also contribute 6% of 'qualifying pay'. It noted that currently six Members had joined the LGPS.
- 6.2.12.6 Conclusion - Although the Panel did see considerable merit in the view that there should be no pensions, the Panel was of the opinion that the decision as to whether or not there should be pensionable rights was one properly left to the District Council in view of the Council's democratic legitimacy and accountability through the ballot box. It therefore concluded that, subject to eligibility under the terms of the Local Government Pension Scheme itself, pensions should be available to all Members should the District Council so wish. This would then enable the District Council to decide on affordability and suitability grounds whether to give all Members the option or only certain Members and to decide whether qualifying pay should be the Basic Allowance and any Special Responsibility

Allowance or just to Basic Allowance only. There would in any event, like any allowance, be the option for individual Members to decline to join the Local Government Pension Scheme.

- 6.2.12.7 Overall the Panel noted that the Council's performance is improving from its low base and this continuous improvement has been acknowledged by external agencies such as the Audit Commission in its Progress Assessment Report issued in March 2006 when it reported 'good progress'. The Panel also observed that there still further progress to be made with no-one sitting on their laurels.

7. RECOMMENDATIONS

7.1 Scheme of Members' Allowances

- 7.1.2 It is recommended that the Council adopts the draft Scheme of Members' Allowances set out in **Appendix G** to this Report which includes backdating and indexation provisions applicable for a maximum of four years. To save repetition below, the following recommendations also incorporate recommendations for indexation as set out in the said draft Scheme, except as regards the travel and subsistence allowance which is linked to that Scheme which from time to time applies to Officers.

7.2 Basic Allowances

- 7.2.1 The Panel recommends that the level of Basic Allowance should be £4,347.14 per annum from 1 April 2007 (costing £147,802.76 per year based on 34 Elected Members).

7.3 Special Responsibility Allowances

- 7.3.1 The Panel recommends that a Special Responsibility Allowance be paid as from 1 April 2007 to those post-holders set out and at the level per annum indicated in **Appendix G** to this Report, with the restriction that no Member be entitled to more than one Special Responsibility Allowance at any one time.

7.4 Dependants Carers' Allowance

- 7.4.1 The Panel recommends that the Dependants Carers' Allowance be applied to elected Members undertaking any or all those duties laid down in Regulation 7 (1) of the 2003 Regulations except for those duties set down in Regulation 7(1)(g) which had no application to district council duties and subject to the restriction that no such allowance shall be made to any person who is normally resident in that particular Member's household as a part of that household.

7.4.2 The Panel further recommends that the Dependents Carers' Allowance payable as from 1 April 2007 should be a maximum £1,000 per annum as indicated in **Appendix G** hereto

7.5 Travelling and Subsistence Allowance

7.5.1 The Panel recommends that the Travelling and Subsistence Allowance shall be that which applies to Officers as may be varied from time to time subject to Members not being able to claim for travel and subsistence wholly within the District of Chester-le-Street.

7.5.2 The Panel recommends that actual expenditure should be claimed, any claims should be accompanied by official receipts and should not exceed the approved rates. (Members should be reminded that where they use their motor vehicles for Council business it is their responsibility to ensure that their policy of motor insurance covers them for such use otherwise they would be uninsured and committing an offence which would have a number of consequences including under the Members' Code of Conduct).

7.6 Co-optees Allowance

7.6.1 The Panel recommends that Co-optees be paid £10 per hour or part thereof.

7.7 Pensions

7.7.1 The Panel recommends that, subject to eligibility under the Local Government Pension Scheme, pensions should be available to all Members if the District Council thinks it appropriate and that if so that both Basic Allowance and Special Responsibility Allowance should be used as 'qualifying pay' in the calculation of pensionable pay.

8. RECORDS AND PUBLICITY

8.1 The Panel therefore reminds the District Council of the minimum statutory record and publicity requirements as regards:-

(1) The Independent Remuneration Report

(a) the public inspection of copies of this Report

[Reg. 22 (1) (a) states: 'Once an authority receives a copy of a report made to it by an independent remuneration panel in accordance with regulation 21, it shall, as soon as reasonably practicable – (a) ensure that copies of that report are available for inspection by members of the public at the principal office of the authority, at all reasonable hours....'];

(b) the newspaper notice setting out the prescribed information

[Reg. 22 (1) (b) states: 'Once an authority receives a copy of a report made to it by an independent remuneration panel in accordance with regulation 21, it shall, as soon as reasonably practicable –... (b) publish in one or more newspapers circulating in its area, a notice which – (i) states that it has received recommendations from an independent remuneration panel in respect of its scheme; (ii) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of that authority; (iii) states that copies of the panel's report are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and (iv) specifies the address of the principal office of the authority at which such copies are made available.']

(c) the right of the public to purchase copies of this Report.

[Reg. 22 (2) states: 'An authority shall supply a copy of a report made by an independent remuneration panel in accordance with regulation 21 to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.']

(2) Scheme of Members' Allowances

(a) the public inspection of copies of the Scheme of Members' Allowances at all reasonable hours

[Reg.16 (1) (a) states: 'An authority shall, as soon as reasonably practicable after the making or amendment of a scheme, make

arrangements for its publication by – (a) ensuring that copies of the scheme are available for inspection by members of the public at the principal office of the authority, at all reasonable hours....’]

(b) the newspaper notice setting out the prescribed information

[Reg.16 (1) (b) states: ‘An authority shall, as soon as reasonably practicable after the making or amendment of a scheme, make arrangements for its publication by -(b)publishing in one or more newspapers circulating in its area, a notice which –

- (i) states that the authority has made or amended a scheme and specifies the period of time for which the scheme has effect;*
- (ii) describes the main features of the scheme and specifies in the amounts payable in respect of each allowance mentioned in the scheme;*
- (iii) describes any responsibilities or duties specified in the scheme in accordance with regulations 5(1) and 8(1) in relation to special responsibility allowance and travelling and subsistence allowance;*
- (iv) confirms that in making or amending the scheme, the authority complied with any duty arising under regulation 19 to have regard to the recommendations of an independent remuneration panel;*
- (v) describes the main features of that panel’s recommendations and specifies the recommended amounts of each allowance mentioned in its report for that authority;*
- (vi) states that copies of the scheme and copies of a record kept in accordance with regulation 15(1) and (2) are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and*
- (vii) specifies the address of the principal office of the authority at which such copies are made available.’]*

(c) the right of the public to purchase copies of the Scheme of Members’ Allowances [Reg. 16(3)].

[Reg. 16(3) states: ‘An authority shall supply a copy of the scheme to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.’]

(3) Annual Notice of Scheme of Members’ Allowances

A notice of the Scheme of Members’ Allowances must be published every 12 months, whether or not there have been any amendments

[Reg. 16(2) states: ‘An authority shall ensure that a notice in the form required under sub-paragraph (b) is published in one or more newspapers

circulating in its area as soon as possible after the expiration of twelve months after the previous publication of such a notice, irrespective of whether the scheme has been amended during that twelve month period.']

(4) End of Year Allowance Totals Notice – Asap after 31 March

[Reg. 15(3) – ‘As soon as reasonably practicable after the end of a year to which the scheme relates, an authority shall make arrangements for the publication within the authority’s area of the total sum paid by it in the year under the scheme to each recipient in respect of each of the following –

- (a) basic allowance*
- (b) special responsibility allowance*
- (c) dependants’ carers’ allowance*
- (d) travelling and subsistence allowance; and*
- (e) co-optees’ allowance’].*

(5) Record of Allowance Payments Made

[Reg.15(1) states: ‘An authority shall keep a record of the payments made by it in accordance with a scheme.’]

(a) record must specify amount and nature of the payment and to whom made

[Reg.15(2)(a) states: ‘Such a record shall – (a) specify the name of the recipient and the amount and nature of each payment...’]

(b) record to be available for public inspection at all reasonable time

[Reg. 15(2)(b) states: ‘Such a record shall -(b) be available, at all reasonable times, for inspection and at no charge...’]

(c) right to a copy of the record upon payment of reasonable fee

[Reg. 15(2)(c) states: ‘Such a record shall -....(c) be supplied in copy to any person who requests such a copy and who pays to the authority such reasonable fee as it may determine.’]

8.2 The Panel reproduces the paragraphs about publicity in the Guidance below:-

Paragraph 82 states:-

'The 2003 Regulations place certain duties on local authorities in connection with publicising the recommendations made by their independent remuneration panel, their scheme of allowances and the actual allowances paid to members in any given year.'

Paragraph 83 states:-

'The regulations require that as soon as reasonably practicable after receiving a report from their panel which sets out the panels recommendations, local authorities must ensure that copies of the report are available for inspection at their principal office at all reasonable hours. Local authorities must also, as soon as reasonably practicable after they receive the report, publish a notice in at least one newspaper circulating in their area which:

- states that the authority have received recommendations from an independent panel about their scheme of allowances*
- states that copies of the report detailing the panels recommendations are available for inspection at their principal office at all reasonable hours*
- states the address of their principal office*
- describes the main features of the panel's recommendations including the amounts of allowances the panel has recommended should be payable to elected members'*

Paragraph 84 states:-

'The 2003 Regulations also require that members of the public may take copies of the panel's report on payment of such reasonable fee as the local authority may determine.'

Paragraph 85 states:-

'In respect of a local authority's scheme of allowances the regulations require that as soon as reasonably practicable after determining a scheme of allowances, local authorities must ensure that copies of the scheme are available for inspection at their principal office at all reasonable hours. Local authorities must also, as soon as reasonably practicable after determining the scheme publish a notice in at least one newspaper circulating in their area which:

- states that the authority has adopted a scheme of allowances and the period for which that scheme has effect*
- states that copies of the scheme are available for inspection at their principal office at all reasonable hours*
- states the address of their principal office*
- describes the main features of the scheme including the amounts of allowances payable to elected members under the scheme*
- states that in determining the scheme the authority had regard to the recommendations of an independent remuneration panel*

- *describes the main features of the panel's recommendations including the amounts of allowances the panel has recommended should be payable to their elected members*
- *describes any responsibilities or duties in the scheme which would merit the payment of special responsibility allowance and travelling and subsistence allowance.*

Local authorities must ensure that such a notice is published every 12 months even if the scheme has not been amended since the last notice.'

Paragraph 86 states:-

'The 2003 Regulations also require that members of the public may take copies of the scheme on payment of such reasonable fee as the local authority may determine.'

Paragraph 87 states:-

'The final publicity requirement in the regulations is that as soon as reasonably practicable after the end of a year to which a scheme relates, local authorities must make arrangements for the publication in their area of the total sum paid to each member in respect of basic, special responsibility, travelling and subsistence, co-optees' and dependants' carers' allowances.'

Paragraph 88 states:-

'All these publicity requirements are statutory minimum requirements. Local authorities should publicise more widely the report from their panel, their scheme of allowances and the sums paid to each member. This should include, where possible, publishing this information on their website and in the council's own newspaper (where they have one). Local authorities may also wish to consider including in their notice some detail about the responsibilities of elected members and the duties and time commitment which the basic allowance is intended to remunerate.'

9. **NEXT REVIEW**

- 9.1 The Panel recommends that the Independent Remuneration Panel convenes in June 2007 following the District Council elections to review matters relating to Members' Allowances.

Appendix A

Extract of Regulation 19(1) of The Local Authorities (Members' Allowances) (England) Regulations 2003 SI No.1021

'Duty to have regard to recommendations

19. – (1) Before an authority referred to in regulation 3(1)(a)....makes or amends a scheme, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel.'

Regulation 3(1)(a) refers to a district council.

Appendix B

Regulation 21 of The Local Authorities (Members' Allowances) (England) Regulations 2003

'Recommendations of panels

21. – (1) An independent remuneration panel shall produce a report in relation to the authority or authorities in respect of which it was established, making recommendations -

- (a) as to the responsibilities or duties in respect of which the following should be available –
 - (i) special responsibility allowance
 - (ii) travelling and subsistence allowance; and
 - (iii) co-optees' allowance;
- (b) as to the amount of such allowances and as to the amount of basic allowance
- (c) as to whether dependents' carers' allowance should be payable to members of the Council, and as to the amount of such an allowance;
- (d) as to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with regulation 10 (6)
- (e) as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;
- (f) as to which Members of the Council are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972
- (g) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable in accordance with a scheme made under section 7 of the Superannuation Act 1972.

Appendix C

CHESTER-LE-STREET DISTRICT COUNCIL

REPORT OF THE INDEPENDENT REMUNERATION PANEL

REVIEW OF MEMBERS ALLOWANCES AND PROVISION OF PENSIONS TO MEMBERS

1 INTRODUCTION

- 1.1 The basis of the Panel's work is provided by the Local Authorities (Members Allowances)(England) Regulations 2003, which came into force on 1 May 2003 and requires Councils to establish a new scheme of allowances by 31 December 2003. The 2003 Regulations principally consolidate existing arrangements and broadly replicate the previous provisions for allowance schemes contained in the Local Authorities (Members Allowances) Regulations 1991 as amended and the Local Authorities (Members Allowances)(England) Regulations 2001.

2 COMPOSITION OF THE PANEL

- 2.1 The Panel was first established in accordance with the provisions of the Local Government Act 2000 and the Local Authorities (Members Allowances) (England) Regulations 2001.
- 2.2 The Panel consists of the following Members:-

David Stowers (Chairman)
Steve Allen
Ken Brown

3 TERMS OF REFERENCE TO THE PANEL

- 3.1 In accordance with the provisions of the Local Authorities (Members Allowances)(England) Regulations 2003, the functions of the Panel were as follows:-

To make recommendations:-

- (a) as to the responsibilities or duties in respect of which the following should be available

- (i) special responsibility allowance;
 - (ii) travelling and subsistence allowance; and
- (b) as to the amount of such allowances and as to the amount of basic allowance;
 - (c) as to whether a co-optee allowance should be payable;
 - (d) as to whether dependants' carers' allowance should be payable to members of an authority, and as to the amount of such an allowance;
 - (e) as to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payments of allowances may be backdated from the beginning of the year in which the amendment is made;
 - (f) as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;
 - (g) as to which members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972; and
 - (h) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable in accordance with a scheme made under section 7 of the Superannuation Act 1972.

3.2 In addition to these functions, the Regulations also provide that the Panel should make recommendations as to the payment of the following discretionary allowances for Parish Councils:-

- Parish basic Allowance to the Chair only or each of its Members (expressed as a % of the amount recommended as the level of basic allowance for the District Council of up to 100%).
- Travel and Subsistence Allowance.

3.3 A Parish Council may forego the payment of these allowances.

4 RECOMMENDATIONS

(a) Basic Allowance and Special Responsibility Allowance

The Panel has previously dealt with the level of Basic and Special Responsibility allowances for 2003/2004. In addition to the previously identified positions Special Responsibility Allowance be also paid to the Chair of the Licensing Committee at the same level as that paid to Chairs of Advisory and Review Panels.

It is recommended that from 1 April 2004 these allowances be increased by an amount equal to the RPI for October 2003. The Panel intends to meet in the second half of 2004 to further review these allowances with effect from 1 April 2005 following interviews with a selection of Members.

The October RPI was 2.64% and a schedule of recommended Basic and Special Responsibility Allowances is attached.

(b) Dependent Carer's Allowance

This to remain as in current scheme.

(c) Co-optees Allowance

A co-optees allowance be paid for attendance at meetings by co-opted Members of the Council's Committees/Panels. This to be based on the duration of meetings and paid at the hourly rate of £10 per hour or part thereof.

(d) Travelling Allowance

Travelling Allowances should be payable to Members in respect of travelling undertaken in connection with or relating to approved duties.

The scale of travelling allowances should be in accordance with the scale agreed by the National Joint Council for Local Government Services and DETR guidelines.

The Panel recommends payment of the level of travelling allowance paid to Officers, which currently is:-

451cc - 999cc	-	36.4p per mile
1000cc -1199cc	-	40.2p per mile
1200cc and above	-	49.9p per mile

For travel outside of the county, payment of mileage rate or standard rail fare whichever is the cheaper.

For long distance travel, arrangements be made by Civic Centre staff utilising APEX or similar discount arrangements wherever possible. However, first class travel be permitted whenever the Member is required to make an outward and return journey on the same day.

(e) Subsistence Allowance

The Panel recommends that subsistence be in accordance with the level of allowance paid to Officers which currently is:-

Breakfast Allowance	£4.92
Lunch Allowance	£6.77
Tea Allowance	£2.67
Evening Meal Allowance	£8.38

Where a Member attends a seminar or course which requires an overnight stay and accommodation is not provided the following rates are payable:-

£91.04 per night – London and LGA courses anywhere in the country.

£79.82 per night – Outside London.

The overnight stay rates include all meals for a twenty-four hour period. Where organisers of the seminar or course provide meals and, therefore, the Member does not incur any expense then the appropriate meal allowance rate is deducted from the overnight stay allowance.

All subsistence allowance payments must be supported by receipts and payment should only be made on production of receipts.

It is the Panel's opinion that actual expenditures should be claimed, the claim should be accompanied by official receipts and should not exceed the approved rates.

(f) Pensions

All Members of the Council under the age of 70 be eligible for the payment of a pension and both basic and special responsibility allowances be pensionable. We note that this can be backdated to 1 May 2003 when the Regulations came into force and we recommend that this should be a matter for the Council to determine.

(g) **Suspension or Partial Suspension**

Where a Member is suspended or partially suspended from his/her responsibilities or duties as a Member of an Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part, the parts of basic allowance, special responsibility allowance, or any travelling and subsistence allowance payable to him/her in respect of the responsibilities or duties from which he/she is suspended or partially suspended should be withheld by the Council.

This should also apply to co-optees allowances.

(h) **Effective Date**

The new provisions to apply from 1 April 2004.

6 PARISH COUNCILS

6.1 The Council are asked to note that the Panel in its role as Parish Remuneration Panel also make the following recommendations to Parish Council's in respect of Parish Council's Basic Allowance and Travelling and Subsistence:-

(a) **Basic Allowance**

A Parish Council may pay to each of its Members a basic allowance based upon the following table:-

Band	Electorate	Maximum % of District Based Allowance	Current Maximum per annum
1	15,000 and over	10%	£500
2	10,000 to 15,000	7½% - 8%	£375/£400
3	5,000 to 10,000	5% - 6%	£250/£300
4	2,000 to 5,000	4%	£200
5	Up to 2,000	2%	£100

N.B. This recommendation does not affect a decision made by a Parish Council to pay their Chair a personal allowance in respect of civic duties.

(b) **Travelling Allowance**

Parish Councils may pay to each of it's Members a travelling allowance in respect of travelling undertaken outside of the Parish boundaries in

connection with or relating to approved duties set out in Regulation 26(1) of the Local Authorities (Members' Allowances)(England) Regulations 2003 and those included in their Members' Allowances Scheme.

The Panel made no recommendations on the rates of travel allowances.

David Stowers (Chairman)

Steve Allen

Ken Brown

December 2003

SCHEDULES OF ALLOWANCES

1	BASIC ALLOWANCE	-	£4,105.60
2	LEADER OF THE COUNCIL	-	£10,264.00
3	DEPUTY LEADER	-	£5,132.00
4	CABINET MEMBERS WITH PORTFOLIO	-	£2,052.80
5	CHAIRS OF ADVISORY AND REVIEW PANELS	-	£2,052.80
6	LEADER OF THE OPPOSITION GROUP	-	£2,052.80
7	CHAIR OF PLANNING COMMITTEE	-	£3,079.20
8	CHAIR OF LICENSING COMMITTEE	-	£2,052.80

Appendix D

COMPARATIVE DATA OF LEVELS OF MEMBERS' ALLOWANCES ELSEWHERE

CO. DURHAM DISTRICTS

BASIC ALLOWANCE – 2006/2007 RATES			
AUTHORITY	ANNUAL £	MONTHLY £	DAILY £
Chester-le-Street District Council (District – 34 Elected Members)	4,105.60	342.13	11.25
Derwentside District Council (District - 55 Elected Members)	4,524.00	377.00	12.39
Durham City Council (District – 50 Elected Members)	5,129.28	427.44	14.05
Easington District Council (District – 51 Elected Members)	5,664.36	472.03	15.52
Sedgefield Borough Council (District – 50 Elected Members)	6,360.00	530.00	17.42
Teesdale District Council (District – 32 Elected Members)	3,500.00	291.67	9.59
Wear Valley District Council (District – 40 Elected Members)	4,632.16	386.01	12.69

COMPARATIVE DATA OF LEVELS OF MEMBERS' ALLOWANCES ELSEWHERE

– NORTHUMBERLAND DISTRICTS

BASIC ALLOWANCE – 2006/2007 RATES			
AUTHORITY	ANNUAL £	MONTHLY £	DAILY £
Alwick District Council	2,420	201.67	6.63
(District – 30 Elected Members)			
Berwick-upon-Tweed Borough Council	2,490	207.5	6.82
(District – 29 Elected Members)			
Blyth Valley Borough Council	3,169	264.08	8.68
(District - 50 Elected Members)			
Castle Morpeth Borough Council	3,396	283	9.30
(District – 33 Elected Members)			
Tynedale	3,091.68	257.64	8.47
(District – 52 Elected Members)			
Wansbeck	Data Requested		
(District – 45 Elected Members)			

CIPFA NEAREST NEIGHBOURS

BASIC ALLOWANCE – 2006/2007 RATES			
AUTHORITY	ANNUAL £	MONTHLY £	DAILY £
Ashfield District Council (District – 33 Elected Members)	6,195.00	516.25	16.97
Blyth Valley Borough Council (District – 50 Elected Members)	3,169.00	264.08	8.68
Bolsolver District Council (District – 37 Elected Members)	9,197.57	766.46	25.20
Broxtowe Borough Council (District – 44 Elected Members)	3,234.00	269.50	8.86
Cannock Chase District Council (District – 41 Elected Members)	4,564.00	380.33	12.50
Chorley Borough Council (District – 47 Elected Members)	3,989.00	332.42	10.93
Derwentside District Council (District – 55 Elected Members)	4,524.00	377.00	12.39
Erewash Borough Council (District – 50 Elected Members)	3,741.00	311.75	10.25
Gedling Borough Council (District – 50 Elected Members)	3,432.00	286.00	9.40
Kettering Borough Council (District – 44 Elected Members)	3,446.40	287.20	9.44
Mansfield District Council (District – 47 Elected Members)	5,875.20	489.60	16.10
North East Derbyshire DC (District – 53 Elected Members)	4,587.00	382.25	12.57
North Warwickshire DC (District – 35 Elected Members)	4,647.00	387.25	12.73
Sedgefield Borough Council (District – 50 Elected Members)	6,360.00	530.00	17.42
Wyre Forest District Council (District – 42 Elected Members)	4,698.00	391.50	12.87

COMPARATIVE DATA OF LEVELS OF MEMBERS' ALLOWANCES ELSEWHERE

CO. DURHAM DISTRICTS

SPECIAL RESPONSIBILITY ALLOWANCE – 2006/2007 RATES FOR LEADER OF THE COUNCIL			
AUTHORITY	ANNUAL £	MONTHLY £	DAILY £
Chester-le-Street District Council (District – 34 Elected Members)	10,264.00	855.33	28.12
Darlington Borough Council (Unitary – 53 Elected Members)	21,780.00	1,815.00	59.67
Derwentside District Council (District - 55 Elected Members)	18,314.04	1,526.17	50.18
Durham City Council (District – 50 Elected Members)	14,058.00	1,171.50	38.52
Easington District Council (District – 51 Elected Members)	16,295.52	1,357.96	44.65
Sedgefield Borough Council (District – 50 Elected Members)	17,680.00	1,473.33	48.44
Teesdale District Council (District – 32 Elected Members)	1,277.00	106.42	3.50
Wear Valley District Council (District – 40 Elected Members)	13,556.92	1,129.74	37.14

**COMPARATIVE DATA OF LEVELS OF MEMBERS' ALLOWANCES
ELSEWHERE**

– NORTHUMBERLAND DISTRICTS

SPECIAL RESPONSIBILITY ALLOWANCE – 2006/2007 LEADER OF THE COUNCIL RATES			
AUTHORITY	ANNUAL £	MONTHLY £	DAILY £
Alnwick District Council (District – 30 Elected Members)	3,629	302.42	9.94
Berwick-upon-Tweed Borough Council (District – 29 Elected Members)	5,604	467	15.35
Blyth Valley Borough Council (District - 50 Elected Members)	8,306	692.17	22.76
Castle Morpeth Borough Council (District – 33 Elected Members)	7,420	618.33	20.33
Tynedale (District – 52 Elected Members)	7,065.60	588.80	19.36
Wansbeck (District – 45 Elected Members)	Data Requested		

CIPFA NEAREST NEIGHBOURS

SPECIAL RESPONSIBILITY ALLOWANCE – 2006/2007 RATES FOR LEADER OF THE COUNCIL			
AUTHORITY	ANNUAL £	MONTHLY £	DAILY £
Ashfield District Council (District – 33 Elected Members)	17,040.00	1,420.00	46.68
Blyth Valley Borough Council (District – 50 Elected Members)	8,306.00	692.17	22.76
Bolsolver District Council (District – 37 Elected Members)	13,796.64	1,149.72	37.80
Broxtowe Borough Council (District – 44 Elected Members)	11,720.00	976.67	32.11
Cannock Chase District Council (District – 41 Elected Members)	8,433.00	702.75	23.10
Chorley Borough Council (District – 47 Elected Members)	12,037.00	1,003.08	32.98
Derwentside District Council (District – 55 Elected Members)	18,314.04	1,526.17	50.18
Erewash Borough Council (District – 50 Elected Members)	12,402.00	1,033.50	33.98
Gedling Borough Council (District – 50 Elected Members)	9,480.00	790.00	25.97
Kettering Borough Council (District – 44 Elected Members)	10,488.24	874.02	28.73
Mansfield District Council (District – 47 Elected Members)	50,475.36	4,206.28	138.29
North East Derbyshire DC (District – 53 Elected Members)	15,768.00	1,314.00	43.20
North Warwickshire DC (District – 35 Elected Members)	9,381.00	781.75	25.70
Sedgefield Borough Council (District – 50 Elected Members)	17,680.00	1,473.33	48.44
Wyre Forest District Council (District – 42 Elected Members)	11,742.00	978.50	32.17

Appendix E

QUESTIONNAIRE

Chester-le-Street District Council



INDEPENDENT REMUNERATION PANEL

QUESTIONNAIRE – 2006

Introduction

The District Council has in accordance with The Local Authorities (Members' Allowances) (England) Regulations 2003 SI 1021 appointed the Independent Remuneration Panel to carry out a review of Members' Allowances.

*To enable it to reach conclusions based on the fullest information and views, the Independent Remuneration Panel would be grateful if you would please complete this questionnaire and return it **BY FRIDAY 27 OCTOBER 2006** to:*

*Chris Potter
Secretary to the Independent Remuneration Panel
Chester-le-Street District Council
Civic Centre
Newcastle Road
Chester-le-Street
Co. Durham
DH3 3UT*

If you have any questions please call Chris Potter on 0191 387 2011.

Please be aware that by returning this form you consent pursuant to the Data Protection Act 1998 to the use by the Independent Remuneration Panel and the Council of any of the information for any of its statutory purposes including the completion of the Independent Remuneration Panel's statutory report.

MEMBERS' ALLOWANCES QUESTIONNAIRE

QUESTION 1

(ALL TO ANSWER)

CATEGORISATION	
Are you a District Councillor?	YES* - Please go to Question 3
(* Please delete as appropriate)	
	NO* - Please go to Question 2

QUESTION 2

(CO-OPTED MEMBERS ONLY TO ANSWER)

CO-OPTED MEMBER?	
If you are not a District Councillor, are you a Co-opted Member such as, for example, an Independent Representative or Parish Representative on the Standards Committee?	YES – Please go to Question 3 NO – Please state your connection with the District Council

QUESTION 3

(ALL TO ANSWER)

LENGTH OF SERVICE	
Please tell us how long you have been an Elected Member or a Co-opted Member of the District Council. (Tick ONE box only)	
Less than 1 year	
1 year up to 2 years	
Between 2 years up to 3 years	
Between 3 years up to 4 years	
Between 4 years up to 8 years	
Between 8 years up to 12 years	
12 years or over	

QUESTION 4

(ALL TO ANSWER)

NON-RELATED EMPLOYMENT/OTHER COMMITMENTS	
Please tell us about any employment/other commitments <u>not</u> connected with your role as a Member, Elected or Co-opted.	
FULL-TIME	
Are you working full time?	YES/NO*
(*Please delete as appropriate)	
PART-TIME	
If not, are you working part-time?	YES/NO*
(*Please delete as appropriate)	
Less than 10 hours per week	
Between 10 hours per week and 20 hours per week	
Over 20 hours per week but less than 25 hours per week	
Over 25 hours per week but less than 37 hours per week	
SELF-EMPLOYED	
Are you self-employed?	
RETIRED	
Are you fully retired?	
CARER RESPONSIBILITIES	
Are you a Carer?	
VOLUNTARY WORK	
Are you involved with voluntary work?	
Are you a Parish Councillor?	
Other (Please state)	

QUESTION 5

(ELECTED MEMBERS ONLY TO ANSWER)

PUBLIC SERVICE PAYMENT	
Please state what PERCENTAGE of time spent on District Council work should Members be compensated financially.	%

QUESTION 6

(ELECTED MEMBERS ONLY TO ANSWER)

BASIC ALLOWANCE	
If you are an ELECTED Member, do you think that the current level of the Basic Allowance (£4105.60 per year) is adequate?	YES/NO*
(*Please delete as appropriate)	
If no, please state what level is appropriate, giving reasons.	£ per year because

QUESTION 7

(CO-OPTED MEMBERS ONLY TO ANSWER)

CO-OPTEEES' ALLOWANCE	
If you are a CO-OPTED Member, do you think that a co-optees' allowance should be a flat annual amount?	YES/NO*
(*Please delete as appropriate)	
How much do you feel a co-optees' allowance should be?	

QUESTION 8

(ELECTED MEMBERS ONLY TO ANSWER)

DEPENDANTS' CARERS ALLOWANCE	
Please state whether you are currently in receipt of a Dependants' Carers Allowance (*Please delete as appropriate)	YES/NO*
Do you feel that the current level of Dependants' Carers Allowance is adequate? (*Please delete as appropriate)	YES/NO*
If no, please state on what basis do you feel that the current level of Dependants' Carers Allowance is inadequate?	

QUESTION 9

(ALL TO ANSWER)

TRAVEL & SUBSISTENCE ALLOWANCE	
Do you feel that the current level of Travel & Subsistence Allowance is adequate? (*Please delete as appropriate)	YES/NO*
If no, please state on what basis do you feel that the current level of Travel & Subsistence Allowance is inadequate?	

QUESTION 10

(ELECTED MEMBERS TO ANSWER ONLY)

AVERAGE MONTHLY TIME COMMITMENT	
In order for the Independent Remuneration Panel to gain an understanding of what it means to be a District Councillor, please tell us BELOW how many hours PER MONTH on average you spend on your DISTRICT Council duties. (Please tick one box only. Please do not include work for other public authorities or party political activities since these are NOT District Council duties).	
Less than 10 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>
Between 10 hours and 25 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>
Between 25 hours and 34 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>
Between 35 hours and 44 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>
Between 45 hours and 54 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>
Between 65 and 74 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>
Between 74 hours and 85 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>
Between 85 hours per month and 95 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>
Over 95 hours per month	<input type="checkbox"/>
	<input type="checkbox"/>

QUESTION 11

(ELECTED MEMBERS ONLY TO ANSWER)

YEARLY TIME COMMITMENT - ANALYSIS	
The Independent Remuneration Panel would like to know how your time is split between the types of District Council duties you carry out each YEAR. Please tell us, using the space provided below, approximately how many hours you spend on each of the following activities. If you are not involved in a particular activity, please leave it blank. Please DO NOT include travelling time as obviously this varies according to where members live.	
<u>Time spent on councillors' work</u> <u>NOT attributable to any position of special responsibility</u>	
	<u>NO. OF HOURS PER YEAR</u>
<u>Direct District Council Work</u>	
<u>Full Council</u>	
Attendance at Full Council	
Preparation and research prior to attendance at Full Council	
<u>Executive</u>	
Attendance at the Executive	
Preparation and research prior to attendance at the Executive	
<u>Overview and Scrutiny Committees</u>	
Attendance at O&S Committees	
Preparation and research prior to attendance at O&S	
<u>Appeals Committee</u>	
Attendance at the Appeals Committee	
Preparation and research prior to attendance at the Appeals Committee	

<u>Audit Committee</u>	
Attendance at the Audit Committee	
Preparation and research prior to attendance at the Audit Committee	
<u>Electoral Arrangements Advisory Group</u>	
Attendance at Electoral Arrangements Advisory Group	
Preparation and research prior to Electoral Arrangements Advisory Grp	
<u>Licensing Committee and Statutory Licensing Committee (incl. sub-committee(s))</u>	
Attendance	
Preparation and research prior to attendance	
<u>Parish Liaison Meetings</u>	
Attendance at informal Parish Liaison Meetings	
Preparation and research prior to attendance at Parish Liaison Meetings	
<u>Performance Committee</u>	
Attendance at Performance Committee	
Preparation and research prior to Performance Committee	
<u>Personnel Committee (including Appeals Panel)</u>	
Attendance at Personnel Committee	
Preparation and research prior to Personnel Committee	

<u>Planning Committee</u>	
Attendance at Planning Committee (including site visits)	
Preparation and research prior to Planning Committee	
<u>Standards Committee</u>	
Attendance at Standards Committee	
Preparation and research prior to Standards Committee	
<u>Other Meetings (Please state)</u>	
Attendance	
Preparation and research prior	
<u>Indirect District Council Work</u>	
Representation of the District Council on outside bodies	
<u>Other Constituency Work</u>	
Constituency surgeries	
Community based work in your constituency, letters, e-mails or telephone calls to you at home or at the Council as District Councillor from members of the public	
<u>Member Development/Training</u>	
Internal Training	
External Training	
TOTAL PER YEAR:	

QUESTION 12

(ALL TO ANSWER)

SPECIAL RESPONSIBILITY ALLOWANCE	
Please state whether you are currently in receipt of a Special Responsibility Allowance (SRA)?	YES/NO*
(*Please delete as appropriate)	
If yes, please state in what capacity?	
How much time do you spend on work attributable to any position of special responsibility IN ADDITION to your answers to Question 11 above?	
<u>Time spent on councillors' work attributable to any position of SPECIAL responsibility</u>	
	<u>NO. OF HOURS PER YEAR</u>
<u>Direct District Council Work</u>	
<u>Full Council</u>	
Attendance at Full Council	
Preparation and research prior to attendance at Full Council	
<u>Executive</u>	
Attendance at the Executive	
Preparation and research prior to attendance at the Executive	
<u>Overview and Scrutiny Committees</u>	
Attendance at O&S Committees	
Preparation and research prior to attendance at O&S	

<u>Appeals Committee</u>	
Attendance at the Appeals Committee	
Preparation and research prior to attendance at the Appeals Committee	
<u>Audit Committee</u>	
Attendance at the Audit Committee	
Preparation and research prior to attendance at the Audit Committee	
<u>Electoral Arrangements Advisory Group</u>	
Attendance at Electoral Arrangements Advisory Group	
Preparation and research prior to Electoral Arrangements Advisory Grp	
<u>Licensing Committee and Statutory Licensing Committee (incl. sub-committee(s))</u>	
Attendance	
Preparation and research prior to attendance	
<u>Parish Liaison Meetings</u>	
Attendance at informal Parish Liaison Meetings	
Preparation and research prior to attendance at Parish Liaison Meetings	
<u>Performance Committee</u>	
Attendance at Performance Committee	
Preparation and research prior to Performance Committee	

<u>Personnel Committee (including Appeals Panel)</u>	
Attendance at Personnel Committee	
Preparation and research prior to Personnel Committee	
<u>Planning Committee</u>	
Attendance at Planning Committee (including site visits)	
Preparation and research prior to Planning Committee	
<u>Standards Committee</u>	
Attendance at Standards Committee	
Preparation and research prior to Standards Committee	
<u>Other Meetings (Please state)</u>	
Attendance	
Preparation and research prior	
<u>Indirect District Council Work</u>	
Representation of the District Council on outside bodies	
<u>Other Constituency Work</u>	
Constituency surgeries	
Community based work in your constituency, letters, e-mails or telephone calls to you at home or at the Council as District Councillor from members of the public	

<u>Member Development/Training</u>	
Internal Training	
External Training	
TOTAL PER YEAR:	

Do you feel that your time commitment and the responsibility that you carry is adequately reflected in the current level of Special Responsibility Allowance applicable to you? (*Please delete as appropriate)	YES/NO*
If no, please state on what evidential basis do you feel that the current level of Special Responsibility Allowance is inadequate?	

QUESTION 13

(ALL TO ANSWER)

FULL-TIME JOBS	
Do you feel that the position of Leader of the Council ought to be regarded as full-time and remunerated accordingly? If so, why? If not, why not? (*Please delete as appropriate)	YES/NO*
Do you feel that any other positions held by Members ought to be regarded as full-time and remunerated accordingly? If so, why? If not, why not? (*Please delete as appropriate)	YES/NO*

QUESTION 14

(CO-OPTED MEMBERS ONLY)

TIME COMMITMENT	
How many hours PER YEAR do you spend undertaking your duties attending or preparing or researching for meetings?	
Less than 10 hours per year	
Between 10 hours and 24 hours per year	
Between 24 hours and 36 hours per year	
Between 36 hours and 48 hours per year	
Between 48 hours and 60 hours per year	
Between 60 hours and 72 hours per year	
Between 72 hours and 84 hours per year	
Over 84 hours per year	
<u>Development/ Training</u>	
Internal Training – How many hours per year?	
External Training – How many hours per year?	
Total:	

QUESTION 15

(ALL TO ANSWER)

COMPUTER USE	
Following the advance in Information and Communication Technology and the District Council's e-government project, the Independent Remuneration Panel are keen to know whether you have use of <u>a District Council provided computer equipment</u> at home in connection with your duties as a Member. Has the District Council made such computer equipment available to you as a Member at home?	Yes/ No*
(*Please delete as appropriate)	
If no, do you have use of your own computer equipment for District Council business?	Yes/No*
(*Please delete as appropriate)	
If no, are you aware of the computer equipment which the District Council makes available for use by Members at the Civic Centre?	Yes/No*
(*Please delete as appropriate)	
Do you ever use any computer equipment in connection with your duties as a Member?	Yes/No*
(*Please delete as appropriate)	

QUESTION 18

(ALL TO ANSWER)

INTERVIEW	
Do you wish to be interviewed by the Independent Remuneration Panel?	YES/NO*
(*Please delete as appropriate)	
If you do not wish to be interviewed, then please feel free to provide the Independent Remuneration Panel with any written submissions (see e.g. Question 15 above)	

QUESTION 19

(ALL TO ANSWER)

PROCESS IMPROVEMENTS	
Please make any constructive suggestions as to how the Independent Remuneration Panel may better undertake its task	
(For more space please continue overleaf)	

THANK YOU FOR TAKING THE TIME AND EFFORT IN COMPLETING THIS QUESTIONNAIRE

PLEASE RETURN BY FRIDAY 27 OCTOBER 2006 TO:

Chris Potter
Secretary to the Independent Remuneration Panel
Chester-le-Street District Council
Civic Centre
Newcastle Road
Chester-le-Street
Co. Durham
DH3 3UT

Appendix F

WHAT THE BASIC ALLOWANCE INCLUDES

The Basic Allowance covers all the roles and activities of Members other than those that involve significant additional responsibility.

Basic Allowance includes

- i. Membership of, preparation for and attendance at meetings of Full Council, Committees, the Executive, and all other meetings of Members and meetings with officers
- ii. Site Meetings
- iii. Training
- iv. Attendance at conferences
- v. Preparation for other meetings
- vi. Constituency work
- vii. Attendance at Parish Council meetings (if appropriate) as District Councillor
- viii. IT costs such as ASDL/ ISDN provision (Broadband)
- ix. Telephone rental
- x. Telephone calls to office
- xi. Telephone calls, fax, correspondence etc.
- xii. Postage and stationery.
- xiii. Travel and subsistence wholly within the District of Chester-le-Street.

NB. There is no separate telephone allowance.

Appendix G

RECOMMENDED SCHEME OF MEMBERS' ALLOWANCES

Part 6



The District Council of Chester-le-Street ('the Council'), in exercise of the powers conferred by Section 18 of the Local Government and Housing Act 1989 as amended by Section 99 of the Local Government Act 2000, Section 100 of the Local Government Act 2000 and The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended), and all other powers hereby makes the following Scheme:

Citation and commencement

1. This Scheme may be cited as the Chester-le-Street District Council Members' Allowances Scheme ('the Scheme'), and shall replace all other Members' Allowances Schemes which are hereby revoked from 1 April 2007. The Scheme shall apply to the year commencing on 1 April 2007 and to subsequent years until further notice.

Definitions

2. In the Scheme,

"Co-optee" means a person who serves on the Council's committee(s) or sub-committee(s) but who is not an elected councillor of the Council;

"Councillor" means a member of the Council who is an elected Councillor;

"Member" means a Councillor or a Co-optee;

"Political Groups" has the meaning given under the Local Government and Housing Act 1989 as amended and regulations made thereunder.

"Regulations" means The Local Authorities (Members' Allowances) (England) Regulations 2003 (as may be amended) and "regulation" shall be construed accordingly;

"year" means the 12 months ending with 31st March.

Basic Allowance

3. Subject to the following provisions of the Scheme, for each year a basic allowance as set out in Appendix 1 hereto shall be paid to each Councillor.

Special Responsibility Allowances

4. (1) For each year a special responsibility allowance shall be paid to those Members who hold the special responsibilities in relation to the Council that are specified in Appendix 1 hereto, except that no Member shall be entitled to receive more than one special responsibility allowance.
- (2) Where the members of the Council are divided into different political groups and a majority belongs to one of those groups, a Special Responsibility Allowance shall be paid to at least one member who does not belong to the group to which the majority belongs.
- (3) Subject to the provisions of the Scheme, the amount of each such special responsibility allowance shall be the amount specified against that special responsibility set out in Appendix 1 hereto.

Dependants' Carers' Allowance

5. Subject to the following provisions of the Scheme, a Councillor shall be entitled to be paid a dependants' carers' allowance at the rate specified in Appendix 1 hereto to enable him or her to provide for the care of children or other dependants only whilst the Councillor is engaged on the approved duties set out in Appendix 3 hereto except that such an allowance shall not be paid in respect of carers who are parents, spouses, partners or members of the same household as the Councillor.

Travelling and Subsistence Allowance

6. (1) Subject to the following provisions of the Scheme, a Member shall be entitled to be paid travelling and subsistence allowance at the rates specified in Appendix 2 hereto in respect of travelling and subsistence undertaken in connection with or relating to the duties set out in Appendix 3 hereto except that no travelling and subsistence allowance shall be payable in respect of any travel made wholly within the District of Chester-le-Street or in respect of any subsistence within the District of Chester-le-Street.

- (2) The rates for subsistence shall be reduced by a corresponding amount in respect of any meal provided free of charge by the Council or by a third party.
- (3) The rates for subsistence shall be reduced to the actual cost of the meal if less than the allowance.

Co-optees' allowance

7. (1) Subject to the following provisions of the Scheme, a co-optees' allowance as set out in Appendix 1 hereto shall be paid each year to each Co-optee.
- (2) Where a Co-optee undertakes the special responsibilities of the chair of a committee of which he/she is a member, the Co-optee shall be paid an allowance equivalent to the appropriate special responsibility allowance as set out in Appendix 1 hereto but only where he/she chairs a committee equivalent to any committee which attracts a special responsibility allowance. In such a case, such an allowance shall replace that indicated in (1) above.

Prevention of Replication of Allowances

8. Where a Member is also a member of another authority, that Member may not receive allowances from more than one authority in respect of the same duties.

Pensions

9. All Councillors shall be eligible for access to the Local Government Pension Scheme as may from time to time exist and that both the basic allowance and the special responsibility allowances shall be treated as pensionable pay for the purposes of such a pension.

Suspension etc. of a Member

10. (1) Where a Member is suspended from his or her responsibilities or duties as a Member in accordance with Part III of the Local Government Act 2000 or regulations made thereunder the part of any allowance payable to him or her in respect of the period for which he or she is suspended or partially suspended shall be withheld by the Council.
- (2) Where an allowance has already been made in respect of any period during which the Member concerned

- (a) is suspended or partially suspended from his responsibilities as a Member in accordance with Part III of the Local Government Act 2000 or regulations made thereunder;
- (b) ceases to be a Member; or
- (c) is in any other way not entitled to receive an allowance in respect of that period

the Member shall repay to the Council such part of the allowance as relates to any such period.

Election to forgo allowances

11. A Member may elect (by notice in writing given to the Chief Executive) to forego his or her entitlement or any part thereof to any allowance under the Scheme.

Part-year entitlements

12. (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Member to an allowance where, in the course of a year, the Scheme is amended or that Member becomes, or ceases to be, a Member, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (2) If an amendment to the Scheme changes the amount to which a Member is entitled then in relation to each of the periods
- (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under the Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (3) If an amendment to the Scheme changes the duties specified in the Scheme the entitlement to an allowance shall be to the payment of

the amount of the allowance under the Scheme as it has effect when the duty is carried out.

- (4) Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year, the entitlement of that Member to allowances shall be to the payment to such part of the allowance as bears to the whole the same proportion as the number of days during which his or her term of office subsists bears to the number of days in that year.
- (5) Where the Scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Member does not subsist throughout the period mentioned in sub-paragraph (2)(a), the entitlement of any such Member to a allowance shall be to the payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Member subsists bears to the number of days in that period.

Claims and payments

13. (1) Payments of basic, special responsibility and co-optees' allowances shall be payable monthly in arrears through the Council's payroll.
- (2) Claims by Members in respect of dependants' carers' allowance, co-optees' allowance and travelling and subsistence allowances should be made monthly and shall in any event be made by no later than 7th April next following the end of a year. Payments shall be made to each Member monthly in arrears.
- (3) Where a payment of one-twelfth of the amount specified in the Scheme in respect of a basic allowance or a special responsibility allowance would result in the Member receiving more than the amount to which, by virtue of paragraph 10, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

Indexation

14. (1) The levels of the basic allowance, special responsibility allowance, dependants' carers' allowance and co-optees' allowance specified in the Scheme shall be varied with effect from the beginning of the year in accordance with the April Retail Price Index increase for that previous year.

- (2) The travelling and subsistence allowance rates shall be varied in line with the scheme applicable to Officers.
- (3) No indexation for the purpose of annual adjustment of allowances can be relied upon for longer than a period of four years before seeking a further recommendation from the Independent Remuneration Panel established in respect of the Council on the application of an index to the Scheme.

APPENDIX 1

1. Basic Allowance (Paragraph 3)

The existing rate of basic allowance payable to each Councillor of £4,105.60 per annum shall from 1st April 2007 be £4,347.14 per annum. Indexation shall apply from subsequent years as per paragraph 14 above.

2. Special Responsibility Allowance (Paragraph 4)

The amounts of special responsibility allowances and the special responsibilities for which they shall be payable shall be from 1st April 2007 as set out in the Table immediately below. Indexation shall apply from subsequent years as per paragraph 14 above.

Allowance	Existing £ pa	1.4.07 £ pa
Leader (incl. Executive Portfolio)	10,264.00	10,867.85
Deputy Leader (incl. Executive Portfolio)	5,132.00	5,433.93
Leader of Opposition	2052.80	2,173.57
Executive Members with Portfolios	2052.80	2,173.57
Chairs of Overview and Scrutiny Panels	2052.80	2,173.57
Chair of Planning Committee	3,079.20	3,260.36
Chair of Licensing Committee and Statutory Licensing Committee	2052.80	2,173.67
Co-optees	£10 per hour or part thereof	£10 per hour or part thereof

3. Dependants' Carers' Allowance (Paragraph 5)

From 1st April 2007 the dependants' carers' allowance is a maximum of £1,000 per annum payable by way of reimbursement of costs incurred to the satisfaction of the Director of Resources up to the maximum hourly rate (or part thereof) of the then prevailing rate recommended by Durham County Council or its successor authority.

Indexation shall apply from subsequent years as per paragraph 14 above.

4. Co-optees' Allowance (paragraph 7)

The rate of the co-optees allowance is £10 per hour or part thereof as from 1 April 2007.

Indexation shall apply from subsequent years as per paragraph 14 above.

APPENDIX 2

TRAVELLING AND SUBSISTENCE ALLOWANCES

The same travelling and subsistence scheme which applies from time to time to Officers shall be applicable to Members subject to the earlier provisions of the Scheme.

Members shall be treated as if they were Officers graded SCP29 or above for the purposes of rail travel entitlement.

APPENDIX 3

1. **STATUTORY APPROVED DUTIES** **(Regulation 8(1)(a)-(f))**

- (a) Attendance at a meeting of the Council or of any Committee or Sub-Committee of the Council or any other body to which the Council makes appointments or nominations or of any committee or sub-committee of such a body.
- (b) Attendance at any other meeting the holding of which is authorised by the Council or a Committee or Sub-Committee of the Council or a Joint Committee of the Council and one or more other Authorities or a Sub-Committee of such a Joint Committee, provided that where the Council is divided into two or more political groups, it is a meeting to which the Members of at least two such groups have been invited.
- (c) Attendance at a meeting of any association of authorities of which the Council is a member.
- (d) Attendance at meetings of the Cabinet and of any committees appointed by the Cabinet.
- (e) Duties in pursuance of any standing order requiring a Member or Members to be present while tender documents are opened.
- (f) Duties in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises.

**2. APPROVED DUTIES - OUTSIDE BODIES
(Regulation 8(1)(h))**

- (a) Association of North East Councils
- (b) Association of Public Service Excellence
- (c) Age Concern
- (d) Chester-le-Street Amateur Swimming Club
- (e) Chester-le-Street and City of Durham Enterprise Agency
- (f) Chester-le-Street Community Association
- (g) Chester-le-Street District Youth and Community Committee
- (h) Chester-le-Street and District Scout Executive Committee
- (i) Chester-le-Street and Durham Victim Support Group
- (j) Chester-le-Street Learning District Executive Committee
- (k) Chester-le-Street Unit of Sea Cadet Corps Committee
- (l) Chester-le-Street Youth Centre Management Committee
- (m) Citizens Advice Bureau Management Committee
- (n) Coalfields Communities Campaign
- (o) County Durham e-Government Partnership
- (p) County Durham Health Scrutiny Sub-Committee
- (q) Crime Prevention Panel
- (r) Durham County Association of Local Authorities
- (s) Durham County Waste Partnership
- (t) Durham County Valuation Tribunal
- (u) Durham Rural Community Council
- (v) Great North Forest
- (w) Groundwork West Durham
- (x) Keep Britain Tidy Group Regional Committee
- (y) Local Agenda 21
- (z) Local Police/Public Consultative Committee
- (aa) Local Government Association General Assembly
- (ab) Local Arts Forum
- (ac) North East Assembly
- (ad) North Eastern Regional Employer's Organisation
- (ae) Northern Consortium of Housing Authorities
- (af) Northern Regional Executive Committee for National Housing and Town Planning Council
- (ag) Northern Regional Home and Leisure Safety Council
- (ah) Pelton Community Association
- (ai) Roseberry Grange Golf Course Committee
- (aj) Sacriston Development Group
- (ak) Town Twinning Association
- (al) Chester-le-Street Pelaw Infants School
- (am) Chester-le-Street Cestria Junior and Infant School
- (an) Chester-le-Street Newker Primary School
- (ao) Chester-le-Street Bullion Lane Junior and Infant School
- (ap) Pelton Roseberry Junior and Infant School

- (aq) Chester-le-Street Park View Joint Shared Use Scheme
- (ar) Chester-le-Street Park View Community Association Committee

**3. OTHER APPROVED DUTIES
(Regulation 8(1)(h))**

- (a) Any duties by Executive Members for the purpose of or in connection with the discharge of the functions of the Executive.
- (b) Attendance at emergency planning courses at the Home Office Emergency Planning College or equivalent.
- (c) Duties in connection with emergency planning including training and attendance at rest centres
- (d) Attendance at approved conferences.
- (e) Attendance at approved seminars and training courses.
- (f) Attendance at briefing meetings.
- (g) Attendance at the offices to receive petitions.
- (h) Attendance at meetings of advisory groups, working groups and sub-committees appointed by the Executive, Executive Members and Scrutiny and Overview Committees.
- (i) Attendance at liaison meetings with Durham County Council.
- (j) Attendance at meetings of County Durham Joint Leaders Group.
- (k) Consultation with constituents.

APPENDIX H – REFERENCE MATERIAL CONSULTED

1. The Local Authorities (Members' Allowances) (England) Regulations 2003
SI No. 1021
2. ODPM Guidance on Members' Allowances issued in 2003
3. Darlington Borough Council's Members' Allowance Scheme
4. Derwentside District Council's Members' Allowance Scheme
5. Durham City Council's Members' Allowance Scheme
6. South Lakeland District Council's Members' Allowance Scheme
7. Wear Valley District Council's Members' Allowance Scheme