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**REPORTS FROM THE EXECUTIVE AND COMMITTEE TO COUNCIL****1 REPORT OF THE EXECUTIVE – 10 DECEMBER 2008****INDEPENDENT REMUNERATION PANEL**

- 1.1 This item of business was referred by the Executive on 10 December 2008 to Full Council with a recommendation relating to adoption of the remuneration scheme proposed by the Independent Remuneration Panel for 2009/10. An extract of the key elements of the report of the Head of Information and Customer Services to the Executive is attached at Appendix A.
- 1.2 The Executive concurred with the recommendation of the outgoing Chairman of the Independent Remuneration Panel that the level of allowance available to Panel Members should be aligned with the allowance for the Independent Members of the Standards Committee.
- 1.3 It is proposed that Council **RESOLVES**
- (1) That the remuneration scheme proposed by the Independent Remuneration Panel for 2009/10 be adopted.
  - (2) That the level of allowance available to Members of the Independent Remuneration Panel be aligned with the allowance for the Independent Members of the Standards Committee with effect from 1 April 2009. (HICS)

**2 REPORT OF THE STANDARDS COMMITTEE – 11 DECEMBER 2008****MANDATORY TRAINING**

- 2.1 This item of business was referred by the Standards Committee on 11 December 2008 to Full Council with recommendations for the implementation of mandatory training. An extract of the key elements of the report of the Head of Information and Customer Services to the Standards Committee is attached at Appendix B.
- 2.2 It was noted that compulsory training requirements would apply for each municipal year. The Committee felt that:-
- It would be appropriate for the first Standards Committee in each municipal year to be held in June to facilitate consideration of any requests for dispensation.
  - Sufficient notice would need to be given of the dates of compulsory training sessions.

2.3 It is proposed that Council **RESOLVES**

- (1) That the detailed application of the arrangements for mandatory training for Members of the Development Control and Licensing Committees be as set out in paragraphs 3.3-3.10 of the officer report.
- (2) That the timetable of meetings includes provision for the first Standards Committee meeting in each Municipal Year be held in June. (HICS)

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## **INDEPENDENT REMUNERATION PANEL REPORT**

### **1 SUMMARY**

- 1.1 This report contains the recommendations from the Independent Remuneration Panel regarding Members' allowances for 2009/10.

### **2 BACKGROUND**

- 2.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require that each Council sets up an Independent Remuneration Panel to make recommendations about the level of allowances for Members.
- 2.2 The Council has to have regard to the advice of the Panel, except in the area of pensionable allowance where the view of the Panel is binding if it does not recommend implementation. The Panel has not recommended that any allowances should be pensionable.

### **3 DISCUSSION AND PROPOSALS**

- 3.1 The report of the Independent Remuneration Panel to Rochford District Council is attached at Appendix 1.
- 3.2 In summary, the main recommendations from the Panel in respect of District Council remuneration are as follows:-
- Basic and Special Responsibility allowances to be retained at the 2008/09 levels (see paragraphs 2.3 and 2.4 in Appendix 1).
  - Childcare and Dependant carer allowances to be retained at the 2008/09 levels (paragraph 2.5 of Appendix 1).
  - The mileage rate to remain at 40p per mile (the tax threshold) and other travel rates and subsistence allowances to be up-rated in line with officer rates (paragraph 2.6 of Appendix 1).
  - Allowance for Independent Members of the Standards Committee to be retained at the 2008/09 level (paragraph 2.7 of Appendix 1).
  - The outgoing Chairman of the Panel has recommended that the Council may wish to consider looking at the remuneration rate for members of the Panel (as it has remained static since the Panel was first established in 2001), in terms of alignment with Independent Member of the Standards Committee (paragraph 2.8 of Appendix 1).

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The Panel considered a number of options for remuneration levels for 2009/10, including an increase aligned to the pay award for officers.

**5 RISK IMPLICATIONS**

- 5.1 To minimise reputational risk the Council needs to have regard to the recommendations of the Independent Remuneration Panel.

**6 RESOURCE IMPLICATIONS**

- 6.1 The cost of the remuneration scheme with no increase for 2009/10 is estimated at £287,000 and is part of the core estimates. Any claims made for reimbursement of childcare or dependant care costs would be in addition to this, but based on experience this is likely to be minimal.

### **REPORT OF THE INDEPENDENT REMUNERATION PANEL TO ROCHFORD DISTRICT COUNCIL – DECEMBER 2008**

#### **1. BACKGROUND**

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require that each Council must establish and maintain an Independent Remuneration Panel to make recommendations about the level of basic allowance for all Members, the level of special responsibility allowances and to whom they should be paid, and on whether dependants' carers' allowance and travel and subsistence allowances should be paid and the levels of these allowances. The Panel also can consider whether any allowances should be pensionable and/or subject to an annual inflationary increase.
- 1.2 The Council has to have regard to the advice of the Independent Remuneration Panel except in the instance of pensionable allowances where the view of the Panel is binding if it does not recommend their implementation. The Panel has not recommended that any allowances should be pensionable.
- 1.3 The Panel met in April 2007 to advise on remuneration for the Executive Board and Area Committee Structure, and then reviewed this in December 2007. In April 2008 the Council moved to a stronger leadership model of governance with the leader appointed for a period of 4 years, supported by an Executive of 7 portfolio holders with delegated decision-making authority, and the Panel reconvened to consider the impact of this new structure in June 2008.
- 1.4 The same Independent Remuneration Panel is also required to consider the remuneration schemes for Parish / Town Councils.

#### **2. DISTRICT COUNCIL REVIEW**

- 2.1 The Panel held two meetings and considered the following documents:
  - comparative information about allowances in District Councils in Essex
  - the CPA Corporate Assessment report of September 2008
  - feedback from Councillor Mrs Lumley, Review Committee Chairman
  - summary of Overview & Scrutiny arrangements across Essex.
- 2.2 The Panel was advised of the view of the Executive that it would be appropriate for any proposed increase in allowances for 2009/10 to be in line with increases available to officers.
- 2.3 Special Responsibility Allowance – Review Committee Chairman

The Panel considered the evidence about the Review Committee, and the workload involved with and the importance of the role of the Review Committee Chairman in ensuring the Executive was held to account. The Panel recognised that the single Review Committee adopted in Rochford

## Appendix 1

District was not implemented universally in other Districts, meaning a potentially disproportionate workload for the Review Committee Chairman. The Panel were advised that the Review Committee arrangements may be refined in the coming year and in the context that the new Executive structure was still bedding in, concluded that the remuneration for this role should be re-considered at the next annual review.

**Recommendation:** That there be no increase in the special responsibility allowance for the Review Committee Chairman.

### 2.4 Basic and Special Responsibility Allowances

The Panel recognised the view of the Executive concerning alignment with pay increases for officers. However, taking account that allowances had increased significantly over the last few years, the new Executive structure had yet to fully bed in, there had been limited representation by Members to the Panel, and that an element of the Members' role is voluntary, the Panel felt that there should be no increase in Members' remuneration for 2009/10.

**Recommendation:** That there be no increase in Members' remuneration for 2009/10.

### 2.5 Dependant Carer's Allowance

The Panel was pleased that the Council had implemented a dependant carer's scheme in 2007/08 as it was one way of ensuring that as wide a range of people as possible were encouraged to put themselves forward for election as they would then be able to carry out the full range of public duties without compromising their carer responsibilities. The Panel had not received any feedback as to the level of allowances for 2009/10.

**Recommendations:** That childcare allowance be retained at £6 per hour maximum, subject to the following conditions: dependent children must be under the age of 16 and living at home with the member. Allowance is claimed on production of a signed statement which states care has been provided by a babysitter and can be paid to a member of the immediate family.

Dependant Carer allowance to be retained at £15 per hour maximum, subject to the following conditions: elderly or dependent relatives must be living at the same address as the member. Production of receipt from a professional carer must be supplied.

No cap to be applied to the overall annual level of carer's claims made by any individual member in recognition of the fact that Members are responsible in this regard and that the scheme is intended to reimburse actual expenditure incurred.

### 2.6 Travel and Subsistence Allowances

The Panel considered travel and subsistence allowances and believed that the mileage allowance should be retained at 40p per mile as this is the tax threshold. Other travel and subsistence allowances should be up-rated in line with the officer rates.

## Appendix 1

### Recommendations:

#### Travelling Expenses

Claims for travelling expenses must be based on one of the following:-

- Bus fare or standard class railway train fare
- A mileage allowance for use of the Member's vehicle of 40p per mile
- A passenger allowance of 5p per mile
- A motorcycle allowance of 24p per mile
- A bicycle allowance of 20p per mile
- In certain circumstances, the amount of the actual fare of a taxi cab. This will only be paid in cases where use of public transport is not available or where excessive travelling time would be involved.

#### Subsistence Allowance

When attendance at a conference, course, etc is as a representative of the Council and involves the purchase of meals and/or overnight accommodation away from home, subsistence allowance is payable. This allowance is intended to cover expenses incurred on meals and hotel accommodation during absence from home and can only be paid when the approved duty is as a representative of the Council.

The rates shall not exceed:-

In cases of an absence, not involving an absence overnight from the usual place of residence:-

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|---|--------|
| • Breakfast allowance (more than 4 hours from normal place of residence – before 11am)                                  | £6.45  |
| • Lunch allowance (more than 4 hours away from normal place of residence – including lunchtime between 12 noon and 2pm) | £8.91  |
| • Tea allowance (more than 4 hours away from normal place of residence including period 3pm to 6pm)                     | £3.52  |
| • Evening meal allowance (more than 4 hours away from normal place of residence, ending after 7pm)                      | £11.03 |

For overnight stays the actual cost of hotel accommodation will be claimable, subject to a maximum of £120 per night. This sum is increased to £180 per night if staying in Central London, meaning the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

Any rate determined under this scheme shall be deemed to cover a continuous period of absence of 24 hours.

## Appendix 1

The rates specified above shall be reduced by an appropriate amount in respect of any meal provided free of charge by an authority or body in respect of the meal or the period to which the allowance relates.

NOTE: Subsistence allowances will be amended as and when rates payable to officers are amended.

### Meals on Trains

When main meals (ie breakfast, lunch or dinner) are taken on trains during a period for which there is entitlement to a day subsistence allowance, the reasonable cost of the meals (including VAT) may be reimbursed in full within the limits specified below. In such circumstances, reimbursement for the reasonable cost of a meal should replace the entitlement to the day subsistence allowance for the appropriate meal period.

Limitations on reimbursement are:-

- (a) for breakfast, an absence of more than four hours before 11.00am
- (b) for lunch, an absence of more than four hours, including between 12 noon and 2.00pm
- (c) for dinner, an absence more than four hours, ending after 7.00pm.

### 2.7 Special Responsibility Allowance – Independent Members of the Standards Committee

**Recommendation:** That the allowance for Independent Members of the Standards Committee be retained at £425 per annum.

### 2.8 Special Responsibility Allowance – Independent Remuneration Panel

The level of this allowance has remained at £300 per review since the Panel was first established in 2001. The outgoing Chairman of the Panel recommended that this allowance be reviewed by the Council with a view to alignment with Independent Members of the Standards Committee. This change, if adopted, to be implemented for reviews from 1 April 2009.

## 3. PARISH/TOWN COUNCILS REVIEW

- 3.1 The Panel undertook a separate review of Parish/Town Council remuneration. The Panel has established a remuneration framework to recognise the relative responsibilities of Parish/Town Councils in providing services and managing budgets. The application of this framework will be matter for individual decision by each Parish/Town Council, but it will set a recommended maximum for each Council.
- 3.2 The full details of the Parish/Town Councils Remuneration Review is set out in a separate report.

Tony Payne (Chairman)  
Mike McDowall  
Owen Richards

December 2008

## MANDATORY TRAINING REPORT

### 1 SUMMARY

- 1.1 This report sets out recommendations for the implementation of the mandatory training requirements identified at the last meeting.

### 2 BACKGROUND

- 2.1 At its meeting on 2 October 2008 the Committee made recommendations to Council on mandatory training for Members of the Development Control Committee and the Licensing Committee when participating in licensing hearings. These were endorsed by Council on 28 October when it was agreed:-

- That attendance at two planning training sessions totalling 4 hours a year, or the making of alternative training arrangements with officers if unable to attend scheduled sessions, be a mandatory requirement of membership of the Development Control Committee in the next municipal year.
- That it be mandatory that Members of the Licensing Committee receive appropriate licensing training prior to participating in Licensing hearings in the next municipal year.
- That further information be provided relating to how the mandatory requirement that Members attend two planning-related training sessions and that Licensing Committee Members receive appropriate training be implemented, taking into account the availability of training, and enforced.

### 3 DISCUSSION AND PROPOSALS

- 3.1 Arrangements for mandatory training will be introduced with effect from the 2009/10 Municipal Year.

#### **Development Control Committee**

- 3.2 In considering the principle of mandatory training the Standards Committee has recognised the need to be mindful of the availability of training.
- 3.3 It is therefore suggested that in the annual Member training and development programme an initial mandatory session on development control (2 hours) will be held after the Annual Council meeting, by the end of May and prior to any meeting of the Development Control Committee in that municipal year. This will be a compulsory training session delivered as usual in the afternoon and repeated in the evening (officers will attempt to arrange a repeat session by the end of May if this becomes necessary). The final required two hours of planning training will need to be achieved by the end of December in any

year, and there will be at least two relevant sessions (including the Tour of the District) in the Member training and development programme to facilitate this.

- 3.4 It is suggested that failure to complete the first mandatory development control course by the end of May will result in removal from the Development Control Committee with effect from June.
- 3.5 Similarly, failure to complete the second two hours of planning training by the end of December will result in removal from the Development Control Committee with effect from January.
- 3.6 However, if any Member fails to meet these mandatory requirements but has good reason (such as illness) an application can be made to the Standards Committee for dispensation.

**Licensing Hearings**

- 3.7 Licensing hearings involve any three Members of the Licensing Committee (which comprises fifteen Members), with one Member identified as a reserve. Attendance at hearings is rotated.
- 3.8 It is suggested that the Member training and development programme includes a mandatory course for all Members of the Licensing Committee before the end of May each year and that failure to complete the course will result in removal from the Licensing Committee and the ability to sit on Licensing hearings.
- 3.9 If any Member has good reason for being unable to attend the course, an application can be made to the Standards Committee for dispensation.
- 3.10 It is suggested that the mandatory training requirements apply for each municipal year and start afresh each municipal year.