

**Members' Allowances Review for
Oadby and Wigston Borough Council
Report of the Independent Remuneration Panel**

March 2021

SUMMARY OF RECOMMENDATIONS

The Panel makes the following **RECOMMENDATIONS:**

- 1.
- 1.1 The Council approves that the basic allowance remains at a level of £4,750 per annum.
- 1.2 Special Responsibility Allowances (SRA) be agreed as set out in Column 2 of the Table below: and
- 1.3 That the current attendance allowances currently detailed in Schedule 1 of the current Members Allowance scheme be discontinued.

Table of Special Responsibility Allowance Payments

Special Responsibility	SRA (£)
Leader of the Council	10,000
Deputy Leader of the Council * halved where shared	2,500*
Leader of the Opposition Group # pro rata based on the total membership of groups where applicable	2,500#
Chairman of Policy, Finance & Development, Service Delivery, Development Control Committee, and Mayor	3,500
Committee Vice Chairman and Deputy Mayor	1,000
Chairman of Licensing & Regulatory Committee	2,500
Generic Task Group (pro rata if the Group disbands), and Forum Chairman	1,000

- 1.4 The Members Allowance Scheme included at Schedule 1 to this report be adopted, to be effective for the period from 11 May 2021 to 9 May 2022.
- 1.5 The Guidance for Use of Delegated Power by the Chief Executive in respect of Members' Conferences, Seminars and Meetings, attached at Schedule 2 be adopted as part of the Scheme.

2. INTRODUCTION

- 2.1 The Local Authorities (Members' Allowances) (England) Regulations 2001, requires Local Authorities to establish and maintain an Independent Remuneration Panel (IRP). The Local Authorities (Members' Allowances) (England) Regulations 2003, placed additional responsibilities on the role of the Panel.

- 2.2 The purpose of the Panel is to make recommendations to the Authority about allowances to be paid to Elected Members. The Panel has a duty, each year, to advise the Authority on its scheme and the amounts to be paid. The Council must have regard to this advice.

3. MEMBERSHIP OF THE PANEL

- 3.1 The Panel comprises of the following individuals:-
Mr Laurie Faulkner - retired Head of Business Development and Magistrate
Mr David Wood - Self Employed Local Resident
Mr John Whiting - Local Resident and retired Tax Inspector and Magistrate

4. PROCESS OF REVIEW

- 4.1 The Panel has addressed the requirements of the Regulations in drawing up the recommendations for the Council's 2021/22 scheme. The Panel's work, like much else has been affected by the impacts of the Covid19 pandemic which has caused difficulties in communicating but the Panel have been able to meet remotely on a number of occasions, both independently and with officers.
- 4.2 The Panel has previously assessed Members Allowances on the basis of the Council's current decision making structure and a comparison with a cluster of similar authorities.
- 4.3 Since the last report of the Panel in 2020 a number of the authorities that formed part of the 'comparison cluster' have either ceased to exist following local authority reorganisation or adopted Cabinet structures so they are no longer directly comparable. As a result the Panel, with assistance from officers, has had to identify a new cluster.
- 4.4 Inclusion within the cluster was based on three factors:
a) The authority had a similar population to OWBC
b) The authority had a similar number of councillors to OWBC; and
c) The authority had a similar governance structure to OWBC.
- 4.5 The membership and allowance details of the new cluster is set out below:

(Continued overleaf)

Authority	Population	Number of Councillors	Basic Allowance
Craven District Council	56,832	30	£4,690
Maldon District Council	63,975	31	£5,286
Ribble Valley Borough Council	60,057	40	£3,716
Richmondshire District Council	53,244	24	£3,083
Ryedale District Council	54,920	24	£3,958
West Devon Borough Council	55,528	31	£4,580
Average (excluding OWBC)	57,426	30	£4,219
Oadby and Wigston Borough Council	57,056	26	£4,750
OWBC/Average (excluding OWBC)	99%	87%	113%

4.6 Having reviewed the various Members Allowance Schemes the Panel propose that the Basic allowance remains at £4,750 which is the highest in the cluster and further propose to rationalise the scheme by:

- 1) Introducing a simplified scheme of Special Responsibility Allowances as set out below:

Special Responsibility	SRA (£)
Leader of the Council	10,000
Deputy Leader of the Council * halved where shared	2,500*
Leader of the Opposition Group # pro rata based on the total membership of groups where applicable	2,500#
Chairman of Policy, Finance & Development, Service Delivery, Development Control Committee, and Mayor	3,500
Committee Vice Chairman and Deputy Mayor	1,000
Chairman of Licensing & Regulatory Committee	2,500
Generic Task Group (pro rata if the Group disbands), and Forum Chairman	1,000

4.7 The simplified scheme of special responsibility allowances will result in a reduction in allowance for the vice chairman of the Policy, Finance & Development, Service Delivery and Development Control Committees from £1,150 to £1,000 but will rationalise allowance levels (giving a total of four SRAs).

- 4.8 The Panel also noted that £1,000 is still greater than the SRA for vice-chairman at most of the comparator authorities, one of which only pays an allowance if the vice chairman has to chair a meeting.
- 4.9 We also propose the removal of the hourly attendance allowances which we believe should be covered by the basic allowance (and Special Responsibility allowance where appropriate).
- 4.10 We noted when undertaking our research of the comparator councils that none of those councils has an hourly attendance rate as part of their scheme of allowances.
- 4.11 In the longer term the Panel intend to undertake a more detailed comparison of other SRA's across the cluster of similar authorities, including those for the Deputy Leader, Deputy Mayor and vice chairman roles, in consultation with members.

Schedule 1

OADBY AND WIGSTON BOROUGH COUNCIL SCHEME OF MEMBERS' ALLOWANCES – 2020/21/22

Oadby and Wigston Borough Council, in exercise of the powers conferred by the Local Authorities' (Members' Allowances) (England) Regulations 2003, hereby makes the following scheme:-

1. This scheme may be cited as the Oadby and Wigston Borough Council Members' Allowances Scheme and shall have effect for the period from 15 May 2021 to 14 May 2022.

2. In this scheme,

"Councillor" means a member of the Oadby and Wigston Borough Council who is a Councillor

"Year" means the period ending with 14 May 2020.

Basic Allowance

3.1 Subject to paragraph 6, a Basic Allowance of **£4,750** shall be paid to each Councillor.

3.2 Members' allowances are not intended to compensate for loss of earnings, nor are they to recompense for the total number of hours councillors spend on their duties, bearing in mind the voluntary element of service in fulfilling the role of a local councillor, as recognised in government guidance. Councillors are not paid employees of the Council and their allowances should not be treated as salary.

Special Responsibility Allowances

- 4.1 A Special Responsibility Allowance shall be paid to those Councillor (in addition to the Basic Allowance) who hold the special responsibilities in relation to the Authority that are specified in Paragraph 12 of this Scheme.
- 4.2 Subject to paragraph 6, the amount of each such allowance shall be the amount specified against that special responsibility in that Schedule.
- 4.3 Councillors be permitted to claim no more than two Special Responsibility allowances. Where it appears to a Councillor that this policy has brought about an inequitable situation, that person may appeal to have the matter reviewed, to the independent Adjudication Panel (see paragraph 6 (7) post).
- 4.4 The Chief Executive, in consultation with the Leader of the Council and having regard to the guidance provided at Schedule 2 below, be authorised to approve the attendance of Councillors at appropriate events where they would be representing the Council and to make payment of any other relevant travel and

subsistence expenses covered by the Scheme for the relevant period of absence from home, providing that authority for attendance is given by the Chief Executive in advance of the event taking place.

Claiming of Allowances

5. A Councillor may by notice in writing given to the Head of Law and Democracy to claim any part of his or her entitlement to an allowance under this Scheme.

Part-Year Entitlements

- 6.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to Basic and Special Responsibility Allowances to a Special Responsibility Allowance where, in the course of the year, this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor or accepts or relinquishes a Special Responsibility in respect of which a Special Responsibility Allowance is payable.
- 6.2 If an amendment to this Scheme changes the amount to which a Councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance to a Special Responsibility Allowance, 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 this 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.
- 6.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a Basic Allowance shall be to the payment to such part of the Basic 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.
- 6.4 Where this Scheme is amended as mentioned in sub-paragraph (2) above, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (2)(a) above, the entitlement of any such Councillor to a Basic Allowance shall be to the payment of such part of the Basic 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 which his or her term of office as a Councillor subsists bears to the number of days in that period.
- 6.5 Where a Councillor has during part of, but not throughout, a year special responsibilities as entitle him or her to a Special Responsibility Allowance, that Councillor's entitlement shall be to the payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.

- 6.6 Where this Scheme is amended as mentioned in sub-paragraph (2) above, and a Councillor has during part, but does have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a Special Responsibility Allowance, that Councillor's or Independent Person's entitlement 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 in that period during which he or she has such special responsibilities bears to the number of days in that period.
- 6.7 A meeting of an Adjudication Panel comprising the Chief Executive, a member of the Independent Remuneration Panel and a senior Councillor, be called to consider and decide upon any issue of uncertainty or ambiguity that might arise in interpretation of the Scheme.

Travelling and Subsistence Allowances

7. Councillors may claim Travelling and Subsistence Allowances in respect of the following categories of meetings, subject to them being held outside the Borough, at the rates prescribed in Schedule 2 to this Scheme.
 - Conferences and meetings where attendance is authorised by the Council, a Committee or by the Chief Executive
 - Outside Bodies to which the Councillor has been appointed by the Council, a Committee or by the Chief Executive

Note: Councillors may not claim Travelling and Subsistence Allowances in respect of any meetings held inside the Borough. Allowance for such expenses is reflected in the basic allowance.

Childcare and Dependant Carers' Allowance

8. Childcare and Dependent Carers' Allowances be paid for the actual receipted cost incurred to a Councillor, providing this does not exceed £10 per hour. The Allowances to cover attendance at any meeting of the Council for which the Councillor is a member or for attendance at any meeting of an outside body for which the Councillor is attending that meeting as a representative of the Council.

Claims

9. Claims for the payment of Travelling and Subsistence Allowances under this Scheme must be made on the official forms provided within two months of the date on which the meeting took place. These forms are available from Democratic Services.

Payments

- 10.1 Payments shall be made in respect of Basic and Special Responsibility Allowances, subject to paragraph 6(2), in instalments of one-twelfth of the amount specified in this Scheme direct into Councillor's bank/building society account on the 25th day of each month or as close thereto as is possible.
- 10.2 Where a payment of one-twelfth of the amount specified in this scheme in respect of basic allowance or a special responsibility allowance would result in a Councillor

receiving more than the amount to which, by virtue of paragraph 6, 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.

Updating

11. This Scheme shall be updated on 15 May in line with the level of the Retail Price Index in any year when there is no independent review.

Special Responsibility Allowances

12. A Special Responsibility Allowance at the amount specified below may be paid per annum to those Councillors who have the special responsibilities in relation to the Council as specified below:-

Special Responsibility	SRA (£)
Leader of the Council	10,000
Deputy Leader of the Council * halved where shared	2,500*
Leader of the Opposition Group # pro rata based on the total membership of groups where applicable	2,500#
Chairman of Policy, Finance & Development, Service Delivery, Development Control Committee, and Mayor	3,500
Committee Vice Chairman and Deputy Mayor	1,000
Chairman of Licensing & Regulatory Committee	2,500
Generic Task Group (pro rata if the Group disbands), and Forum Chairman	1,000

Travelling and Subsistence Allowances

A. Travelling

1. Motor Car – 50.5p per mile regardless of engine size *

Motor Car Passengers - 3.0p per mile for the first passenger and 2.0p per mile for the second and subsequent passengers up to 4 (to whom a travelling allowance would otherwise be payable)
2. Motor Cycle - 26p per mile
3. Bicycle - 10p per mile
4. Toll, ferry and parking fees (including overnight garaging) – actual cost on production of a receipt
5. Taxis - actual fare (plus reasonable gratuity) either in case of urgency or where no public transport is reasonably available
6. Public Transport - second class or any available cheap day fare unless there are exceptional circumstances approved by the Chief Finance Officer for first class fare.

* Mileage rate for Council officers.

B. Subsistence

1. Absence not involving absence overnight – up to the following limits on production of a receipt

- (a) Breakfast (leaving home before 7.30am) £ 6.50
- (b) Lunch (absent between 12 noon and 2pm) £ 8.00
- (c) Tea * (arriving home after 5.30pm) £ 6.00
- (d) Evening Meal *(arriving home after 8.30pm) £12.00

* only one of these may be claimed

2. Absence overnight covering continuous period of 24 hours – reasonable cost of accommodation and meals on production of a receipt

3. Main meals on trains (i.e. breakfast, lunch or dinner) – reasonable cost (inc. VAT) on production of a receipt (in lieu of the subsistence allowance for the appropriate meal period)

Schedule 2

GUIDANCE FOR USE OF DELEGATED POWERS BY CHIEF EXECUTIVE IN RESPECT OF MEMBERS CONFERENCES/SEMINARS/MEETINGS

Introduction

1. Under the Scheme of Delegation, the Chief Executive has been granted delegated authority, in consultation with the Leader of the Council, to approve attendance by Members at conferences, seminars or meetings which have not previously been approved by the Council.
2. In exercising his/her delegation the Chief Executive must have regard to these guidelines.

Guidelines

3. The Chief Executive must ensure that there is sufficient budgetary provision taking into account:-
 - a) The financial provision required for the support and development needs of all Members for the financial year in question.
 - b) The cost and quality of the seminar/conference/meeting where applicable.
4. The Chief Executive must ensure that:-
 - a) The meeting/conference/seminar is relevant to the Member's role and responsibilities at the Council, (i.e. by virtue of membership of a Committee, Sub Committee, Task Group, Panel or Outside Body) or, his/her position as Chairman or Vice-Chairman of a Committee, Sub- Committee, Task Group, Panel or Outside Body, OR
 - b) Attendance would be beneficial to the Council or non-attendance would be prejudicial to the Council or its standing in the wider community, OR
 - c) The conference/seminar/meeting provides necessary or relevant training or education to the Member in his her capacity as a Borough Councillor.