

**INDEPENDENT REMUNERATION PANEL**

**REPORT ON MEMBERS' ALLOWANCES FROM**  
**1 APRIL 2018 TO 31 MARCH 2019**

**FOR**

**MID DEVON DISTRICT COUNCIL**

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#### **1. INTRODUCTION**

The Local Authorities (Members' Allowances) (England) Regulations 2003 require the Council to have regard to the recommendations of an Independent Panel in agreeing allowances paid to councillors.

The Independent Panel operates under the provisions of the Local Authorities (Members' Allowances) (Regulations) 2003. These regulations require that all councils set up independent panels and take account of their advice before agreeing their councillors' allowances scheme.

#### **2. MEMBERSHIP**

There has been one change to the membership of the Panel since the last set of recommendations was presented to Council in February 2017. Mrs Sylvia Vallis has resigned from the Panel, meaning that the remaining Panel members are as follows:

- Richard Watkins – retired business man
- Paul Baker – Deputy Director for Primary Care, NHS
- Jonathan Rich – Solicitor
- Karen Stone – Business Manager, South West Councils

#### **3. CONDUCT OF THE REVIEW FOR 2018/19**

The Panel met at Phoenix House on 8 November 2017 for the purposes of reviewing the Mid Devon District Council Scheme of Members Allowances for 2018/19. In advance of the meeting they had received the following information:

- The current MDDC Members Allowances Scheme and the previous Panel report.
- Benchmarked data showing Members Allowances from similar councils across Devon and the surrounding authorities for the financial year 2016/17.
- Information relating to the fact that the Cabinet had recently reduced in number from seven to six Members.

#### **4. SCHEME OF ALLOWANCES**

##### **4a Basic Allowance**

The Panel had reviewed the range of Basic Allowances paid to other similar South West councils and noted that an amount of £4865 p.a. continued to be approximately the average amount paid with the exact average being a lesser amount of £4815 p.a. They therefore continue to recommend that the Basic Allowance paid to all Members of Mid

Devon District Council remain at £4865 and that this continue to be increased in line with any staff pay award.

4b. **Special Responsibility Allowances (SRA)**

The Local Authorities (Members' Allowances) Regulations 1991 provide that 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. In setting the SRAs, the Panel in the past concluded that the best approach was to use the Basic Allowance as the starting point and then give a weighting to the role attracting the SRA which could be applied to the Basic Allowance. The Panel remain of the view that the link between the Basic Allowance and SRA is an important one.

The Panel continue to be of the view that the weightings applied to the agreed Basic Allowance are appropriate - and therefore recommend a continuation of the current levels until 31 March 2019. These are as follows:

Position	Weighting x basic	SRA
Leader of the Council	3.00	£14,595
Deputy Leader	1.50	£7,298
Cabinet Member	1.25	£6,081
Scrutiny Committee Chair	1.25	£6,081
PDG Chair	0.75	£3,649
Audit Committee Chair	0.75	£3,649
Planning Committee Chair	1.25	£6,081
Licensing/Regulatory Chair	0.25	£1,216
Standards Chair	0.25	£1,216
Chairman of the Council	0.50	£2,433

The Panel continues to recommend that Members should not be entitled to claim more than **one** SRA.

The Panel again reflected on the role of the Planning Committee members. They recognised that some planning applications would always be contentious with members of the committee being contacted by those 'for' and those 'against' an application. They acknowledged that there was also a great deal of time-consuming reading as a Planning Committee member. However, membership on the committee was voluntary and there was not a requirement to undertake significant additional work outside of formal site visits and the committee meetings. It was a matter for each individual Planning Committee member to decide how to deal with their correspondence and if they undertook significant additional work in relation to this, this was a matter of personal choice.

The Panel considered the role of the Deputy Leader and were informed that his workload had increased with regard to devolution, joint committee work, and also the Culm Garden Village. He was chairing the project board for the Garden Village. The Board met every two

months and there was lots of additional work in between. It was recognised that the Planning and Economic Regeneration Portfolio had a large remit, but that the possible increase in workload was linked to the Cabinet Member role not that of Deputy Leader, in other words it was possible for another Cabinet Member with a different portfolio to be Deputy Leader. In conclusion, it was felt that it was still early days for some of these pieces of work and that more evidence was needed if the Panel were to recommend any increase related to a permanent increase in workload of the Deputy Leader.

They were particularly keen to hear from both the Leader and Deputy Leader in 12 months' time as to the effect of these responsibilities on their workloads - and to that end requested that the individuals concerned keep appropriate records which could be used to ascertain whether an increase could be justified next time. In addition to this the Panel were mindful of the fact that SRA's related to the 'responsibility' of a role and not the 'workload', for example being heavily involved in a multimillion pound project may be a significant influencing factor when recommending a possible increase.

The Panel had been informed that the Cabinet had reduced from seven Members to six and that the Environment portfolio had been divided between three other Cabinet Members with the greater portion going to the Leader. Having reflected on this, it was felt that this had been a fairly recent change and that it was too soon to ascertain the effect of this on the three Cabinet Members involved. It was not clear whether or not the Cabinet number would remain at six, or revert back to seven in due course. The Panel did, however, wish to revisit this at the next review.

**4c. Chairman's Allowance**

There was no change to the Panel's previous recommendation that the allowance paid to the Chairman of the Council be split between his civic role and his constitutional role. That is, a small budget (not exceeding £2,000 and to be agreed each year during the budget setting process) be allocated for civic functions. The Special Responsibility Allowance paid at the above rate should be for the constitutional role in chairing Full Council meetings.

**4d. Carers' Allowance**

There is no change to the Panel's previous recommendation that the carers' allowance should be the hours of the care required at the actual expenditure up to the national living wage for a person over the age of 25 - which from 1 April 2018 will be £7.83.

**4e. Travel and Subsistence Allowances**

They continue to recommend that reimbursement of approved mileage remain at the rates published by HMRC which for 2017/18 are (these figures to be amended in line with the HMRC rates as from 1 April 2018 once they are known):

### Travelling Allowances

- 45p per mile for the first 10,000 miles
- 25p per mile thereafter
- 5p per mile per passenger carried (up to a maximum of 4 passengers payable to the driver)
- 25p per mile for pushbikes
- 24p per mile for motorcycles

### Subsistence Allowances

The Panel recommends that subsistence allowances should be the same as for employees which for 2017/18 are (these figures to be amended in line with the HMRC rates as from 1 April 2018 once they are known) in each case up to a maximum of:

- Breakfast - £7.20
- Lunch - £9.94
- Tea - £3.91
- Dinner - £12.30 all with receipts

#### **4f. IT Allowance**

The Panel felt that it was appropriate to give it another year before considering a change to the digital allowance, as the provision of iPads was still at the roll-out stage. The only reason to suggest an increase would be if councillors were incurring extra costs but no evidence to suggest this was happening had been forthcoming.

The Panel continues to be of the view that the use of digital devices needs to be incentivised and therefore continues to recommend that one sum of £150 per annum be paid as an overall IT allowance only to those Members going 'paperless'.

#### **4g. Pensions**

The Government has now removed the entitlement of elected councillors to join the Local Government Pensions Scheme.

### **CONCLUSION**

The Panel concluded that Members workloads and responsibilities were currently in a fairly stable position, but that the Council was heading into a period of change. The evidence to support an increase to any of the allowances was not yet available and it would be premature to reach a judgement on that at the current time. Therefore other than to increase the Basic Allowance in line with the staff pay awards increase, to increase the travel and subsistence rates in line with annually updated HMRC rates and to increase the Carers' Allowance in line with the annual National Living Wage increase, the Panel are not recommending any additional increases at the current time.

## SUMMARY OF RECOMMENDATIONS

The Panel recommends that from 1 April 2018 until 31 March 2019:

- a. The Basic Allowance to be paid to all Councillors remains at the current level of £4865, with any increases being linked to the staff pay award.
- b. Special Responsibility Allowances be paid to the following Members at the levels indicated:

Position	Weighting x basic	SRA
Leader of the Council	3.00	£14,595
Deputy Leader	1.50	£7,298
Cabinet Member	1.25	£6,081
Scrutiny Committee Chair	1.25	£6,081
PDG Chair	0.75	£3,649
Audit Committee Chair	0.75	£3,649
Planning Committee Chair	1.25	£6,081
Licensing/Regulatory Chair	0.25	£1,216
Standards Chair	0.25	£1,216
Chairman of the Council	0.50	£2,433

- c. No Member should be entitled to claim more than **one** Special Responsibility Allowance.
- d. Carers' allowances be calculated on the current basis namely, the actual expenditure up to the national living wage of a person over 25.
- e. That travel allowances be linked to HMRC rates and calculated at the national levels indicated, currently:
  - 45p per mile for the first 10,000 miles
  - 25p per mile thereafter
  - 5p per mile per passenger carried (up to a maximum of 4 passengers payable to the driver)
  - 25p per mile for pushbikes
  - 24p per mile for motorcycles

NB: To be increased in line with HMRC rates from 1 April 2018 once known.

- f. That subsistence allowances be linked to those of the staff, currently these are as follows in each case up to a maximum of:
  - Breakfast - £7.20
  - Lunch - £9.94
  - Tea - £3.91
  - Dinner - £12.30

- g. That all claims for travel and subsistence reimbursement be accompanied by an appropriate receipt.
- h. That an annual digital allowance of £150 continues to be paid to Members using digital devices only.
- i. That Members of the Authority are not entitled to pensions and therefore neither the basic allowance nor SRA be treated as an allowance in respect of which pensions are payable.

## **ELECTIONS**

The regulations provide that a Member may, by notice in writing, given to the proper officer (the Director of Finance, Assets and Resources) elect to forgo any part of his or her entitlement to an allowance under the scheme.

Paul Baker  
Jonathan Rich  
Karen Stone  
Richard Watkins

February 2018