



Council – 25th April 2005

Members' Allowances

Summary of report

Council agreed in September 2004 to the establishment of an Independent Review Panel to review Members Allowances. This panel is currently being established. Until such time as this panel recommends an allowance scheme to the Council, there is a need to have an approved scheme in place for the forthcoming municipal year. For this purpose it is proposed that the scheme be the same as the scheme approved by Council for 2004/2005.

Recommendations

- (1) That a Members' Allowances Scheme be made under The Local Authority (Members Allowances) (England) Regulations 2003 for the municipal year 2005/2006, the scheme to be in the same terms as the scheme approved by Council on 1st March 2004 for the municipal year 2004/2005.
- (2) That the Council note the position with the regarding to the possible future payment of special responsibility allowances to Licensing and Safety Committee members dependent on the recommendations of an independent review panel.

Report detail

1. At its meeting on 10th November, 2003, the Council received a report of the Leader of the Council submitting the report and recommendations of the Black Country Members Allowances Independent Panel.
2. Having considered the Panel's report and recommendations, the Council approved a Members' Allowances scheme to be implemented with effect from 1st December, 2003, for the remainder of the 2003/2004 Municipal Year.
3. The statutory provisions relating to Members' Allowances provide that before the 31st March of each year an authority must make a scheme for the payment of allowances for that year.
4. At its meeting on 1st March 2004, the Council approved a scheme for 2004/2005 in the same terms as the scheme approved with effect from 1st December 2003.

5. A scheme may provide for an annual adjustment of allowances by reference to an index identified by the Council. The scheme adopted in December 2003 identified the index as the average non manual male wage for “All Industries Services” for the West Midlands Metropolitan County Area as published in the New Earning Survey. In a report to Council on 13th September 2004, it was reported that the index was no longer published.
6. At that same meeting the Council resolved that an Independent Review Panel be established to review the Council’s scheme of Members Allowances. This panel is currently being established.
7. The report recommendation proposes that the 2004/2005 scheme be replicated for 2005/2006, noting that the original index no longer is published and that the matter will be addressed by the Independent Review Panel to be established in accordance with the Council’s decision on 13th September 2004.
8. Under the provisions of the Licensing Act 2003 which came into effect on 7th February 2005, members of the Council’s Licensing and Safety Committee will be required to attend hearings in respect of premises and club premises licence applications which are contested. Three members will be required to attend each hearing.
9. At this point in time it is not possible to assess the likely demand on members’ time in attending hearings, but it is thought likely that during the transitional stage of the Act’s implementation, there will be a significant number of hearings necessary.
10. It is appropriate that consideration should be given to the need for a special responsibility allowance to be included in the scheme to reflect the additional commitment required of members should a significant number of hearings be necessary.
11. In this context it is recommended that consideration be given to the matter when the position regarding hearing numbers is clearer. Any special responsibility allowance would then be applied retrospectively.
12. It would be necessary for the Council to receive a recommendation of an Independent Review Panel on the matter before the scheme could be amended.

Resource and legal considerations

Provision for the payment of Members’ Allowances is made within Council budgets. The Council is required to make a Members’ Allowances Scheme under the Local Authority (Members Allowances) (England) Regulations 2003.

Background papers

The Local Authority (Members Allowances) (England) Regulations, 2003

The Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations, 2003

Signed:

Executive Director:

Date: 20th April 2005