

Council – 7th January 2013

Members Allowances 2013/14

Service Area: Legal and Democratic Services

Wards: None

1. Summary of report

The current scheme of members allowances was adopted in May 2007, making provision for the scheme to be adjusted in line with the national JNC award to officers up until April 2010.

In July 2010 a new Independent Remuneration Panel, consisting of three members entirely independent of the Council was established to review the allowances paid to elected members of the council. It was determined that this panel would meet on an annual basis to carry out an independent review of member allowances.

The Panel reconvened in November 2011 and produced a report which was considered by Council on 9th January 2012 when it was resolved:

“That the Council notes the recommendations of the Independent Remuneration Panel, thanks them for their work in producing the report and agrees to continue with the existing Members’ Allowances Scheme for the municipal year 2012/13.”

The Independent Remuneration Panel’s terms of reference are that they have unfettered discretion to make recommendations upon the scheme of allowances to elected members, and that Council has discretion as to whether or not to accept those recommendations.

In undertaking their review the Independent Review Panel, were given full details of the political arrangements of the Council; provided with copies of the Member Job Descriptions: provided with tabulated analysis of members allowance schemes for authorities in the Black Country, the West Midlands, and those of the relevant CIPFA family of authorities. In addition the group leaders were asked for their comments in relation to the existing scheme for consideration by the Independent Review Panel.

The recommendations of the current Panel are attached as Appendix 1 to this report.

The current Members Allowances Scheme is contained at Part 6 of the council’s constitution. (Appendix 2)

2. Recommendations

- 2.1 That the Council note the recommendations of the Independent Remuneration Panel and thanks the Panel for their work in producing their report.
- 2.2 That the Council consider the four options set out by the Independent Review Panel for a scheme of allowances to be implemented from 1 April 2013.
- 2.3 That the Council delegates authority to the Monitoring Officer to amend the Council's Constitution by the insertion of the new scheme in Part 6 of the constitution.
- 2.4 That the Council delegate authority to the Monitoring Officer to advertise the new scheme of allowances and payments made hereunder as required by statute.

3. Resource and legal considerations

The power to have a Members Allowances Scheme is conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 made under the Local Government and Housing Act 1989 and the Local Government Act 2000.

Under Part 4 of the above regulations Council has to have regard to the recommendations made in relation to its members allowance scheme by an Independent Remuneration Panel.

The Independent Remuneration Panel must produce a report making recommendations as to the responsibilities or duties in respect of the items contained between s21 (1) (a) to (g) of the regulations.

There is a requirement for the local authority to publicise the recommendations made by their independent remuneration panel as soon as reasonably practicable after receiving a report from the panel which sets out the panel's recommendations.

The overall cost of implementing the recommended changes can be contained within existing council budgets.

4. Member interests

The decision as to whether a member has to declare an interest in a report under consideration is ultimately a matter for the member to decide upon even where they have sought advice.

In relation to this report, paragraph 6(c)(iv) of the Code of Conduct for elected members, states that members do not have a disclosable pecuniary interest in any business of the authority where that business relates to the functions of the authority in respect of an allowance, payment or indemnity given to members.

5. Financial implications

The costs of the various proposals put forward by the Panel are set out in Tables 1 and 2 attached to the Panel's report.

The funding possibilities open to the Council depend upon what option is voted for and are set out in paragraphs 3.7 and 3.8 of the report of the Panel.

6. Citizen Impact

- 6.1 The whole process of determining elected members allowances is based upon openness and transparency. The public have a right to know the level of allowances that elected members are entitled to in carrying out their duties effectively under the democratic process. The legislation requires that the Council publishes the scheme for member allowances to ensure the same can be scrutinised by the public, not only in terms of the scheme itself but also in comparison to neighbouring authorities, and the amount recommended by the Independent Remuneration Panel.
- 6.2 Remuneration should not be an incentive for service as a Councillor. Nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local Councillors. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so. Councillors should be compensated for their work and that compensation should have regard to the full range of commitments and complexity of their roles.
- 6.3 The changes proposed to the scheme by the Independent Remuneration Panel acknowledge the different levels and complexity, and commitment of the roles undertaken by elected members.

7. Environmental impact

- 7.1 The scheme recommended by the panel encourages elected members to use public transport in carrying out their duties wherever possible. Where this is not possible expenses incurred can be reclaimed or where they use their own vehicle a car mileage allowance rates can be claimed. This is recommended to be paid at the same rates applicable to officers and the scheme encourages the use of more environmentally friendly vehicles.
- 7.2 Further, the new scheme encourages elected members to become connected to broadband. In time this could help reduce the volume of paper circulated and reduce number of queries members have to make for information, as more and more is available on the council intranet.

8. Performance and risk management issues

Council is obliged to adopt a new members allowance scheme every year. However, where an index is applied to the scheme, the council can rely upon that index for up to 4 years without the need to review the scheme. If the council fails to adopt a new scheme (even if it is to re-adopt the existing scheme) before the existing one expires, then the Council will be unable to pay its members allowances thereafter until a new scheme is adopted.

9. Equality implications:

None arising from this report

10. Consultation

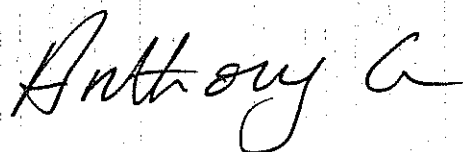
In accordance with statute the Council consults with and receives recommendations from the Independent Remuneration Panel, who have substantial information concerning councillors allowances, on which they base their recommendations. All the political group leaders of the Council were invited to provide comments to the independent remuneration panel for them to consider as part of their deliberations in reviewing the current scheme of allowances.

Background papers

Report of the Independent Remuneration Panel – December 2012

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A handwritten signature in black ink, appearing to read 'Anthony Cox', is written over a faint, dotted grid background.

Signed

Tony Cox
Head of Legal and Democratic Services

Date: 27th December 2012

Walsall Metropolitan Borough Council

Report of the Independent Panel on Members Allowances: December 2012

Introduction

- 1.1 The Panel was convened at the request of Walsall MBC, and met on 7 December 2012. Its membership comprises Professor Steve Leach (De Montfort University, Leicester) who chairs the Panel, Richard Hood (a Local Government Consultant) who has been a member of the Panel for the past six years and Roger Jewell (Executive Director of Hill International). The Panel wishes to thank John Garner and Joanne Whitehouse of Walsall MBC Democratic Services for their helpful support and the Mayor for the use of the Mayoral Annexe.
- 1.2 One Councillor asked for an opportunity to address the Panel which also benefitted from a briefing from John Garner and the experience of the long-term panel member. None of the group leaders were available to speak to the Panel, nor had any communication been received from them or from other council members. The panel concluded that there was no strong pressure from any party or individual to move from the status-quo, otherwise presumably they would have let us know.
- 1.3 The evidence which the Panel drew upon in its deliberations included the following:
 - (a) The previous report of the Walsall Independent Review Panel (IRP) (Dec 2011).
 - (b) Council papers and minutes for the meeting in 9 January 2012.
 - (c) Comparative data on members allowances from other West Midlands Metropolitan authorities and from Walsall MBCs CIPFA family.
 - (d) The substantive report of the Walsall IRP (Nov 2006) which proved a key reference point for subsequent reports.

John Garner and Jo Whitehouse supplemented this factual data with a helpful analysis of the political culture of Walsall MBC, and recent changes therein.

Analysis

- 2.1 The panel noted that the Council had, over the past two years, chosen not to adopt the increases in special Responsibility Allowances (SRA) recommended by the Panel for cabinet members, with only one exception (a £1,600 increase was awarded to the Council leader in January 2011). It well understands the Council's response in the climate of austerity facing all local authorities. It has assumed that

the Council is likely to continue to wish to respond to economic circumstances, and is unlikely to support any proposal involving a net increase in the members allowances budget (beyond any index-linked rise which may be felt to be acceptable – see below).

- 2.2 However the Panel supported the view of its predecessor (set out in the December 2011 report) that there was an inconsistency between certain of the SRAs allocated in Walsall, and what was paid in comparable authorities elsewhere.

‘It has been recognised over the past two years by the IRP that the levels of allowance in certain key areas fall well below the median level of allowances paid to elected members by the family group of comparators used by the IRP’ (December 2011 Report p2).

- 2.3 The Panel agreed with the view that in principle, on the criteria of fairness, it was important to remedy these inconsistencies. It did however recognise that there were potential dangers in arguing that authorities in this position, such as Walsall, should use such median payments as a benchmark, in that if all authorities adopted this approach, the median levels would rise inexorably. However in the particular circumstances of Walsall, it felt it was right to respond to the inconsistencies involved.
- 2.4 The Panel recognised, however, that if it wished to recommend increases in certain SRAs to respond to these inconsistencies, the proposals were more likely to prove acceptable if they could be financed within the current total sum allocated to (or spent on) members allowances. The Panel took this into account in framing its recommendations.
- 2.5 It was also made aware of two new positions for which a case for SRAs could be made; the Chair of the Standards Committee and the Chair of the Health and Well-Being Board (assuming, as seems likely, that this will be a Councillor).
- 2.6 The Panel looked first at whether savings could be made by reducing certain SRAs allocated in the current (2011-12) system, but recognised that there was little scope for savings from this source.
- (a) The ‘carers allowance’ (maximum £1,037.80) should not be scheduled as an SRA. (The Panel knows of no other authority which does include it as such). It belongs with the travel, subsistence and other reclaimable allowances scheduled by the Council.
 - (b) The Panel noted the (unusual) fact that the SRA for Chairs of Scrutiny Committees was the same as those received by cabinet members. However, it acknowledged the emphasis placed on the scrutiny function in Walsall (and its recent achievements) and, in absence of evidence to the contrary, saw no reason for change.
 - (c) The Panel noted the relatively generous (in comparative terms) SRA allocated to the Chairs of the Taxi Licensing, Audit and Employment Appeal Committees, but concluded that in each case (though for different reasons) the volume and/or nature of the responsibilities involved justified the current SRA levels.

(d) It noted from the information helpfully provided by the finance department that in the last municipal year (2011-12) the total allowances budget was underspent by a figure of just over £50,000. In the first seven months of the 2012-13 municipal year the underspend was £17,500, which implies an underspend of £30,000 by the year end. A significant proportion of these totals were attributable to unclaimed SRAs. This situation gives some limited scope for manoeuvre in 2013-14, if the Council wished to take advantage of it.

2.7 The Panel was aware that in the Chancellors autumn budget statement, a pay rise of 1% had been earmarked for public sector (including local government) employees for 2013-14. The Panel felt, given the commendable position adopted by the Council in the previous two years, that any index-linked increase in Councillors' allowance should match awards to public sector employees (zero, in both cases, as it happened), the Council may be prepared to apply a similar 1% index-linked increase to members' allowances. That would certainly be the panel's recommendation.

Recommendations

Criterion for annual updating

3.1 In relation to indexing allowances, one of the tasks which the Panel was asked to address was which criterion should be used in the updating process. It was clear that it was right to continue with the present criterion – JNC pay award equivalence – on the grounds that any other choice (e.g. cost of living index) would currently lead to a greater percentage increase for Councillors, an outcome which they are understandably reluctant to accept.

3.2 To deal first with the two new positions of responsibility – the Chairs of the Standards Committee and Health and Well-Being Board respectively – the Panel felt that the SRA's concerned should be set at the same level as those for the Audit, Taxi, Licensing and Employment Appeals committees ie £5,139. Both allocations should be subject to review, depending on their experience when up and running. The SRA for the chair of the Standards Committee could reasonably be backdated.

3.3 There are a number of possible options facing Walsall members regarding the pattern of allowances in 2013-14 (and beyond).

Option (1) The status quo. The council could simply reapply the allowances in the current (2011-12) schedule, whilst adding in SRA, for the two new posts, as recommended in 3.2 above. These additional SRA's could be financed using the 1% JNC – related increase (see 2.7 above) of £8,531, plus the saving made by transferring the carers allowance (£1037) from the SRA schedule, where it does not belong (see 2.6 above).

Option (2) Status Quo with 1% JNC-Related increase applied. As in Option 1 with the increase applied across the board, plus the two additional SRA's (funded from unspent expenditure in the 2012-13 allowances budget.)

- 3.4 Neither of these options would address the disparity between the SRA's currently paid to the leader, deputy leader and cabinet members, and the respective median levels of remuneration in comparable authorities (see 2.2 above). Members have already recognised these disparities and accepted that the increases proposed by the previous panel should be approved in principle, but have not implemented them because of the financial situation, and the Council's commendable desire to retain parity between increases in officers and members remuneration.
- 3.5 There is a further consideration here. The Panel has been informed that the Council wishes to operate members' allowances on a 4-yearly cycle, after this current review has taken place. It supports this objective, which is common practice elsewhere. But if the Council were to approve either of the two "Status Quo" options set out above this year, then exceptional circumstances apart, this outcome would set the pattern for the next few years. This would mean four more years with the inconsistencies in the current SRA system, which members have already acknowledged, remaining unresolved.
- 3.6 Thus this is the last year for four years that Walsall has the opportunity to deal with these inconsistencies. There is also the advantage that 2013 is not an election year in the Borough. The panel looked carefully at possibilities for recommending these increases (wholly or in part) within the existing allowances budget (plus the 1% 2012-14 increase), which it understands members are unlikely to wish to exceed (or to do so only marginally).
- 3.7 The one possibility that the panel identified emerged from the information helpfully provided to it by the Finance Department, (see 2.6 above), which showed that in 2011-12, the total members allowances budget had been underspent by a figure just over £50,000, and the projected underspend for 2012-13 was £30,000. In other words, over the past two years, the budget spent has fallen short of the budget allocated. If the Council were prepared to re-allocate these underspends to increase the relevant SRA's of executive positions, then progress towards its desired outcome could be achieved.
- 3.8 There are two possibilities. The first would be to use both underspends (total £80,000) to fund the requisite increase in SRA's, which total £54,710 (see Table 1 attached). The second is to use only the projected underspend for 2012-13 (£30,000) and to use this to move the SRA's concerned towards the median values. The most striking discrepancies are in the SRA's of the deputy leader and cabinet members vis-a-vis the comparative median values. If this option were supported, the Panel would favour increasing the SRA of deputy leader and cabinet members, to bring them up to the same percentage of the median value as that of the leader. To do so could be achieved at an overall cost of £25,786, and would mean that all cabinet post SRA's were set at 83.7% of the median values.
- 3.9 Table 2 (attached) sets out the recommended basic allowance and SRA's for each of the four options the Panel has identified, together with the implied net increase in allowances, and the way the changes could be funded at no overall extra cost to the Council and Council Tax payer.

3.10 The panel would wish to encourage the Council to consider seriously the last two options, as this will be the last opportunity for a few years for the Council to deal with the anomalies in the SRA allocations which it has itself recognised. However the Panel can only encourage and recommend. The final decision rightly rests with the Council.

Other issues

4.1 The Carers allowance should remain at its current level (up to an annual sum of £1,037.80) but should be included in the schedule of travel and subsistence expenses. All other such expenses should remain unchanged.

4.2 The Panel was impressed by the job profiles for SRA positions which had been adopted by the Council, which it felt was an example of good practice. However it considers that the job profile for the Deputy Leader needs expansion and strengthening, making the responsibilities involved more explicit. The case for an increased allowance for the Deputy Leader could not be sustained on the basis of the job profile as currently written. The Panel accepted the case on the basis of oral evidence.

4.3 Members' entitlement to pension rights should remain.

4.4 The Panel considered that the introduction of SRAs for non-councillor members of the Standards Committee and Audit Committee could not be justified. It is not common practice elsewhere (although some authorities have allocated small SRAs to members of their Standards Committees). To do so would further increase the number of SRAs in Walsall and set an unsustainable precedent for similar non-councillor positions (e.g. on Scrutiny Committees).

4.5 The Panel supports the proposal that from January 2013 onwards, the Panel should be convened every four years (i.e. next in December 2016) unless major changes in Council structures and responsibilities are introduced before then, in which case a further report would be required. Minor changes could be dealt with by the panel by phone/e-mail.

Summary of Recommendations

(1) Four options for Members Allowances have been set out in Table 2. The Council should consider which option best reflects its priorities.

(2) The present criteria for annual updating of members' allowances – equivalence with the annual JNC pay award for officers – should continue to be applied.

(3) The Carers allowance should continue at its current level, but not as an SRA. It should be transferred to the schedule of the Council's travel and subsistence rates.

(4) All other travel and subsistence rates should remain the same.

- (5) Members' entitlement to pension rights should be retained.
- (6) The job profile for the Deputy Leader should be provided in more detail.
- (7) SRAs should not be allocated to non-councillor members of the Standards and Audit Committees.
- (8) Henceforth the Independent Remuneration Panel should be convened every four years, rather than annually unless major changes in Council structures and member responsibilities are introduced.

Table One: Increases required in SRA's to attain Median Values

| | Current | Proposed | Proposed Net Increase |
|----------------------------|----------------|-----------------|------------------------------|
| Leader | £22,356 | £26,850 | £4,494 |
| Deputy Leader | £8,302 | £17,534 | £9,232 |
| Other Cabinet Members (x8) | £8,302 | £13,425 | £5,123 (x8) |
| | | TOTAL | £54,710 |

Table Two: Proposed Allowances: Options 1-4

| Allowance | 1 | 2 | 3 | 4 |
|--|-----------------|-----------------------|------------------------------------|---------------------------------|
| | Status Quo | Status Quo + 1% | Full Movement to SRA Median Values | 83% Target of SRA Median Values |
| Basic SRA | £10,378 | £10,481 | £10,481 | £10,481 |
| Council Leader | £22,356 | £22,580 | £26,850 | £22,356 |
| Deputy Leader | £8,302.44 | £8,385.49 | £17,534 | £14,500 |
| Cabinet Members | £8,302.44 | £8,385.49 | £13,425 | £11,143 |
| Group Leaders, Chairs of Scrutiny Committees, Chairs of Planning, Taxi, | £8,302.44 | £8,385.49 | £8,385.49 | £8,302.44 |
| Licensing Committee | £7,783.56 | £7,861.40 | £7,861.40 | £7,783.56 |
| Employment Appeals, Audit, Licensing and Safety, Standards, Audit, Health and Wellbeing Board | £5,139.04 | £5,240.93 | £5,240.93 | £5,189.04 |
| Total Budget | £853,974 | £870,950 | £924,366 | £876,930 |
| Increase on 2012-13 budget | £810 | £16,976 | £71,202 | £23,766 |
| Source of Funding | Negligible | 2012-13 Underspend | 2012-13 & 2013-4 underspend | 2012-13 underspend |

Note: In each option, the Carers Allowance has been deducted from the total allowances budget. In Options 1 and 4, the 1% increase has not been applied, and redistributed as indicated in the text.

Members' Allowances Scheme

The Walsall Metropolitan Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 made under the Local Government and Housing Act 1989 and the Local Government Act 2000 hereby make this Scheme:

- 1.1 This scheme may be cited as "The Walsall Metropolitan Borough Council Members' Allowances Scheme" and shall have effect from 1st April 2007.
- 1.2 The existing Members' Allowances Scheme is revoked upon the coming into effect of this scheme.
- 1.3 This scheme may be amended at any time but may only be revoked with effect from the beginning of a year.

2. In this Scheme:

"Councillor" means a Member of the Walsall Metropolitan Borough Council;

"Year" means the 12 months ending 31st March;

"Yearly Allowance" is the allowance due for the year within which the term of office of the Councillor falls.

3. Basic Allowance

Subject to the provisions of this scheme, for each year a basic allowance as detailed in Schedule 1 shall be paid to each Councillor, this allowance includes the cost of telephones and travel and subsistence in the borough of Walsall.

4. Special Responsibility Allowances

- 4.1 For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified in Schedule 1 to this Scheme.
- 4.2 Subject to the provisions of this scheme, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
- 4.3 When a Councillor takes on special responsibilities which would entitle that Councillor to the payment of more than one special responsibility allowance from the Council, the Councillor will be entitled to receive only one special responsibility allowance per year. The Councillor will be entitled to receive the higher allowance for which he/she qualifies.

5. Carers' Allowance

- 5.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, allowances shall be paid in respect of such expenses of arranging for the care of members' children or dependants as are necessarily incurred in the attendance at any meeting of a type specified in the Regulations and set out in Schedule 2 to this Scheme or the Performance of any duty specified in the Regulations and set out in Schedule 2 to this Scheme.
- 5.2 That where any elected Member is required to pay a carer in order to attend official Council business, the reasonable actual costs of that care should be reimbursed up to a total annual maximum amount of £1100.
- 5.3 Payments can be made for the care of dependants including children, elderly persons or those with some form of disability.
- 5.4 Councillors may claim for care provided by relatives and others provided they do not live in the family home.

6. Travelling and Subsistence Allowance

6.1 Travelling and subsistence within the West Midlands County Area

The cost of travel and subsistence within the West Midlands County area on official Council business shall be deemed to be included within the Basic Allowance and no further allowance shall be payable.

6.2 Travel and subsistence outside West Midlands County Area

- (i) That for all travel members should be encouraged to travel by public transport, the costs of which should be reimbursed or paid directly.
- (ii) That where public transport is not available or possible, the mileage rates applicable for travel by officers should be used.
- (iii) That where members are unable to take main meals in their normal place, the subsistence rates applicable for officers should be used.

7. Telephone Allowance

The cost of any charges related to the provision of a telephone by a Councillor, including call charges, incurred on Council related business shall be deemed to be included in the basic allowance. The cost of broadband connection can only be recoverable as an expense if it is a standalone expense and not a collateral contract forming a "free" additional package.

8. Co-optees' Allowances

No allowances shall be paid to co-optees on any of the Council's committees other than reimbursement of travel and subsistence expenses.

9. Pensions

Membership of the Local Government Pension Scheme shall be available to all Councillors in accordance with the provisions of the Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003. Both the Basic Allowance and Special Responsibility Allowance will be pensionable.

10. Renunciation

A Councillor may by giving notice in writing to the Chief Executive elect to forego any part of his/her entitlement to an allowance under this Scheme.

11. Part-year entitlement

11.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to the basic or special responsibility allowance where, in the course of a 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.

11.2 Amendment of amount of allowances

If any amendment to this scheme changes the amount to which a Councillor is entitled, during the year, by way of basic an/or special responsibility allowance then the amount of the amended allowance each Councillor shall be entitled to, shall be in direct proportion to the number of days remaining in the year and the amended yearly allowance. Such entitlement commencing upon the date of the amendment coming into effect. Entitlement to allowances due prior to the amendment is in direct proportion to the number of days from the beginning of the year, in which the scheme was amended, up to the date immediately prior to the amendment coming into effect and the amount payable for that year to amendment.

11.3 Amendment to special responsibilities eligible for allowance

If an amendment to this scheme changes the duties specified as eligible for special allowance which are approved from time to time for payment of an allowance; then the entitlement to allowance shall commence when the duty is carried out. The amount to which each Councillor is entitled is in direct proportion to the number of days remaining in the year, commencing upon the date when the duty is first carried out and the amended yearly allowance.

11.4 Amendment to term of office – basic allowance

Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of the year, the entitlement of that Councillor to a basic allowance shall be in direct proportion either to the number of days from the beginning of the year, to the date when the Councillor's term of office ends, or from the date when the term of office began to the end of the year; and the yearly allowance.

11.5 Changes in period of special responsibility

Where a Councillor has special responsibilities during part of but, not throughout a year that entitles him/her to a special responsibility allowance, then that Councillor's entitlement shall be limited to payment of such part of that allowance in direct proportion as to the number of days during which the Councillor has such responsibility bears to the number of days in that year. Where a Councillor's special responsibility straddles two different rates of allowance the Councillor's entitlement shall be in direct proportion to the number of days the special responsibility was/is performed and the allowance to that period of the year.

12. Payments

Payment of allowances shall be made in instalments of one-twelfth of the amount specified in the Scheme on the 28th day of each month or the nearest preceding working day. Payment will be by the Bacs system to the Councillor's nominated account. Where a payment of one-twelfth of the amount specified in this scheme would result in a Councillor receiving more than the amount to which he or she is entitled by virtue of paragraphs 3 and 4, 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.

13. Record of allowances

13.1 A record of all payments made in accordance with this scheme will be maintained by the Head of Payroll and Pension.

13.2 The record will:-

- (a) specify the name of the recipient of the payment and the amount and nature of each payment;
- (b) be available at all reasonable times for inspection free of charge by any local government elector for the area of the Borough Council;
- (c) be supplied in copy to any person who requests such a copy and who pays to the Council such reasonable fee as it may determine.

14. Inflation increases

The basic and special responsibility allowance will be varied with effect from 1st April in each year from April 2008 up to and including 1st April, 2010, in line with the JNC award for officers.

15. Suspension of Councillors

15.1 Where a Councillor is suspended or partially suspended from his/her responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of basic allowance and special responsibility allowance payable to him/her in respect of the period for which the Councillor is suspended or partially suspended may be withheld.

15.2 A decision to withhold an allowance shall be taken by the Council's Standards Committee.

15.3 Where payment of any allowance has already been made in respect of any period during which the Councillor concerned is:

- (a) suspended or partially suspended from his/her responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
- (b) ceases to be a Councillor;
- (c) is in any other way not entitled to receive the allowance in respect of the period,

the authority may require that such part of the allowance as relates to any such period must be repaid to the authority.

16. Membership of more than one authority

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

SCHEDULE 1

| | | |
|-----|-----------------------------------|-----------|
| (a) | BASIC ALLOWANCE | £10,378 |
| (b) | SPECIAL RESPONSIBILITY ALLOWANCES | |
| | Leader of the Council | £22,356 |
| | Deputy Leader and Cabinet Members | £8,302.44 |
| | *Other Group leaders | £8,302.44 |
| | Carers Allowance | £1,037.80 |
| | Regulatory Committee Chairs | |
| | Audit Committee | £5,189.04 |
| | Employment Appeals | £5,189.04 |
| | Licensing and Safety | £5,189.04 |
| | Planning Committee | £7,783.56 |
| | Taxi Licensing (sub) | £7,783.56 |
| | Scrutiny Committee Chair | £8,302.44 |

* The Group must hold a minimum of 6 seats or 10% whichever is greater of the Council membership.

Amended 23.5.12

SCHEDULE 2

CARERS' ALLOWANCE

- (a) The attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of a committee or sub-committee of such a body;
- (b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of Section 270(1) of the Local Government Act 1972 or a sub-committee of such a joint committee, provided that members of at least two political groups have been invited;
- (c) The attendance at a meeting of any association of authorities of which the authority is a member;
- (d) The attendance at a meeting of the Cabinet or of any of its committees;
- (e) The performance of any duty in pursuance of any standing order made under Section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- (g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purpose of Section 342 of the Education Act 1996 (approval of non-maintained Special Schools) and
- (h) The carrying out of any other duty approved by the authority, or any duty of a class so approved for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.