

**EPPING FOREST DISTRICT COUNCIL  
MEMBER REMUNERATION PANEL  
NOTES OF A MEETING HELD ON WEDNESDAY, 12 OCTOBER 2005  
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING  
AT 6.00 - 8.35 PM**

**Present:**

**Members of the Panel:** M R Donn, D Jackman and S A Lye.

**Apologies for Absence:** (none)

**Officers Present** I Willett (Head of Research and Democratic Services), A Scott (Head of Information, Communications and Technology), G Lunnun (Democratic Services Manager) and S G Hill (Senior Democratic Services Officer)

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**1. CHAIRMAN**

S Lye was elected Chairman of the meeting.

**2. MEMBERS' CONNECTIVITY SCHEME**

The Panel noted that the Council had agreed an IT Strategy for Research and Democratic Services with the aim of setting timescales for the implementation of an electronic Committee Management System and to determine the means for Member Connectivity to the Council's network.

Members had been canvassed on the provision by the Council of IT equipment but over 70% of the respondents had advised that this was not their favoured option as they already had equipment in their homes and did not want another computer provided by the Council.

Following a tendering exercise during the Autumn of 2004, Nte (product name Modern.Gov) had been appointed to provide an electronic Committee Management System. Implementation of the system had taken place during the period January-March 2005 and the system had become live on 1 April 2005.

Since 1 April, the Council had:

- (a) gone live on its website with all publicly available agenda and minutes;
- (b) undertaken a printed distribution review to establish the need for paper copies and implemented as far as practicable (results of the review); and
- (c) discussed and drafted a Member Connectivity Scheme.

The Panel considered the proposed Connectivity Scheme based on an annual grant of £500.00 to each member. In order to obtain the grant it was proposed that members would need to undertake to:

- (a) provide their own computer with Internet access capability;

- (b) provide their own Broadband access to the Internet via a provider;
- (c) provide their own paper and print consumables except Members' headed stationery which would continue to be provided by the Council; and
- (d) only be provided with paper copies of agenda for those committees on which they were a member or were otherwise required to attend (e.g. as a member of the Cabinet).

A Scott and S Hill reported that in researching the Scheme, officers had found two other examples of authorities providing a grant for this purpose, Basildon Council (£500 per annum paid monthly) and East Cambridgeshire Council (£375 per annum). However, most authorities who had undertaken Connectivity Schemes had provided equipment and were prescriptive about its use. Those Schemes were resource intensive in view of the officer support required. Budget provision of £28,000 per annum had been available since 1 April 2005 but any scheme was unlikely to be implemented until January/March 2006. It was understood that at present less than 20 Members of the Council did not have their own computer although it was recognised that the majority probably did not currently have Broadband.

I Willett advised that the proposed grant was in effect a proposal that the basic allowance be increased by £500 for each member. Accordingly, the views of the Panel were being sought on the principle and the proposed amount of the grant.

The Panel questioned whether the grant would be taxable. It was suggested that if it was used solely for Council purposes it should not be taxable. It was pointed out that if the grant was taxable, the members in the higher tax bracket would only receive £300 net. Officers were asked to research the liability for tax.

The Panel suggested that £500 would not be sufficient for a member to acquire a computer, Broadband, a printer and supplies. However, for those members already having a suitable computer and printer, the sum appeared very generous. Officers were asked if the various elements could be broken down and members only paid for those elements they needed to acquire. It was pointed out that as part of the basic allowance, the same amount had to be offered to all members. S Hill advised that those members signing up to the Scheme by 1 December 2005, would receive the full year's grant for 2005/06 of £500 which should help those needing to purchase hardware.

The Panel suggested that there were parts of the District where Broadband was currently unavailable. S Hill advised there was possibly two members on the Council could not currently obtain Broadband. A Scott advised that the Essex On-Line Partnership (Local Authority Group) was putting pressure on BT to provide Broadband on all exchanges in the County.

In conclusion, the Panel agreed to support the payment of a grant of £500 per annum as a supplement to the basic allowance but:

- (a) questioned where the grant should be taxable as it appeared to cover a necessary expense for councillors;
- (b) expressed concern about a grant being paid to all members as it was felt that the amount of £500 per annum was high for those members already having their own computer/printer etc; requested that members should be advised that there will be an

expectation for those already having their own equipment to opt not to receive all or some of the grant;

(c) suggested that a review be undertaken in relation to the payment of the grant in March 2009, i.e. after 4 financial years, by which time all members of the Council would be expected to have their own equipment.

I Willett advised that the Panel's views would be reported to the Council meeting in December and that prior to finalising the report, clarification would be sought on the tax position. He also confirmed that those members signing up to the Scheme by 1 December 2005 would receive the full amount of the grant for the current financial year (£500 less tax, if necessary) and that from the next financial year (2006/07 those members signed up to the scheme would receive payments quarterly in arrears as part of their basic allowance. He agreed to circulate the final report including clarification of the tax position to Members of the Panel via email.

### **3. MEMBER REMUNERATION SCHEME - REVIEW 2006/07**

The Panel considered a report regarding possible changes to the Scheme in relation to (a) Licensing Committee;

(b) Overview and Scrutiny;

(c) Cabinet

The Panel was advised that currently the Panel had implemented a basic allowance of 80% and special responsibility allowance at 40% of the figures originally recommended by the Panel. I Willett further advised that it was for the District Council to consider questions of implementation but that changes to the Scheme could not be made without the Council first having considered a report from this Panel.

#### **(a) Licensing Committee**

The Panel noted that in February 2005, the Council had assumed responsibility for the licensing of persons, premises and events involving the sale of alcohol. This included off licences, public houses, clubs, restaurants, supermarkets and the proprietors of those premises. The licensing provisions also covered special events held which involved the sale of alcohol. Over the period 7 February to 24 November 2005 all licence holders were required to apply for the transfer of a licence to the District Council from the Magistrates' Court. Following 24 November 2005, all licences would in future be issued by the District Council. Prior to these changes in the law, the Council had been responsible for entertainments licensing (public and private), hackney carriage licensing and hire car vehicles together with a wide range of other licences of various sorts. These original licensing functions remained with the District Council.

I Willett advised that in the light of these changes, the Council had altered its arrangements for dealing with licensing applications and renewals. A new Licensing Committee (replacing the former Licensing Panel) had been appointed. The Committee comprised 15 Members including a Chairman and Vice-Chairman and had decided that any three councillors drawn from the main committee should constitute a sub-committee to hear and rule on applications. Some aspects of the new licensing regime had been delegated to the Head of Environmental Services and

there were provisions whereby objections to decisions made by him under delegated authority could be aired before the sub-committee.

The Panel considered the Licensing Committee's terms of reference, the list of functions and delegated authorities and the Council's Statement of Licensing Policy. The Panel was advised that the period from February to November 2005 could be seen as a transitional phase. The Council had been required to process a large number of licence transfers in a relatively short period and in order to meet the workload a Licensing Sub-Committee had been meeting at regular intervals, sometimes weekly/sometimes fortnightly. After November 2005, it was not clear would need to continue at this frequency.

The Panel reviewed the special responsibility allowances in respect of Licensing Committee Members. Currently the Scheme provided for payment of £630.00 per annum (40% of the full amount) to the Chairman of the Licensing Committee. There was no specific provision for other members of the Licensing Committee to receive additional payments to reflect special responsibility allowances and the special responsibility allowance was only payment to councillors who had duties or positions which could not be reflected through the basic allowance.

The Panel considered the following options:-

- (a) whether the range of licensing responsibilities of the Council warranted a different level of special responsibility allowance;
- (b) whether this allowance should be extended to all members of the Licensing Committee bearing in mind that the Chairman of the Licensing Committee did not necessarily chair every meeting of a sub-committee; and
- (c) whether this might set a precedent for Area Plans Sub-Committees (meeting monthly) which carried out an equivalent function within the Council, as did the Complaints Panel (meeting infrequently), Staff Appeals Panel (meeting infrequently) and the Housing Appeals Panel (meeting monthly).

The Panel concluded that a special responsibility allowance for all members of the Licensing Committee could not be supported as it appeared that the increase in workload would cease in November 2005. It was agreed that the issue should be reviewed by the Panel next year.

#### **(b) Overview and Scrutiny - New Committee Structure**

The Panel noted that with effect from May 2005, the Council had altered its Overview and Scrutiny Committee structure. Previously there had been three Overview and Scrutiny Committees and three standing working groups called Policy Advisory Working Groups. The three Overview and Scrutiny Committees and their Policy Working Groups had been specifically linked to groups of Cabinet Portfolios. Membership of the three Committees had been set at 17 each and the Policy Working Groups at 11 each. The Chairmen of the Committees and the Working Groups had each received a separate responsibility allowance which up to the current financial year had been set at a minimal level. If the three Committees had been in existence in the current year, each Chairman would have received a 40% special responsibility allowance (currently £2,520 per annum). The Chairmen of the Working Groups would have received 40% special responsibility allowance (currently £630 per annum).

I Willett reported that as a result of changes made by the Council in May 2005:

- (a) the three Overview and Scrutiny Committees had been disbanded;
- (b) the three Policy Working Groups had been disbanded;
- (c) a new Overview and Scrutiny Committee comprising 11 members had been appointed, with a Chairman and Vice-Chairman;
- (d) in place of the former Policy Working Groups, a new system of Panels had been introduced, some of these (known as Standing Panels) would continue in being as they were concerned with recurring functions for the Council; each of these Standing Panels comprised 10/11 members and had a Chairman and Vice-Chairman appointed by the Council; the remaining Panels had been called "Task and Finish" Panels and had been designed to carry out reviews and then be disbanded; there had also been many other procedural changes in the way in which the Overview and Scrutiny process functioned and these were designed to move away from the traditional committee/working group format and towards more formal meetings offering more direct involvement by councillors.

I Willett reported that the Cabinet had asked this Panel to examine the level of special responsibility allowance for the Chairman of the Overview and Scrutiny Committee. This was because the Council's rules now envisaged that the Chairman of the Overview and Scrutiny Committee would effectively be the lead member on the whole Overview and Scrutiny process. This role was akin to that of the Council Leader in respect of Cabinet business. Previously the role had been split between three separate members and the Remuneration Scheme equated the roles of Leader and the three Overview and Scrutiny Chairmen in that they received the same special responsibility allowance. The Task and Finish and Standing Scrutiny Panels would provide an equivalent place in the structure to the former Policy Working Groups although they operated in a different way.

The Panel concluded that it would be inappropriate for the Chairman of the Overview and Scrutiny Committee to receive a higher special responsibility allowance than the Leader of the Council. Accordingly, the Panel agreed to recommend that no change be made to the amount paid to the Chairman of the Overview and Scrutiny Committee. In relation to the Standing Panels, it was agreed that these were similar to the former Policy Working Groups and that the Chairmen of those Panels should receive special responsibility allowances equivalent to those which had previously been agreed for the Chairmen of the Policy Working Groups. However, in relation to the Task and Finish Panels, it was agreed that as they had a limited existence, special responsibility allowances for the Chairman of those Panels would be inappropriate.

**(c) Cabinet**

The Panel was advised that when the Cabinet had first been established it comprised 10 members with discrete portfolios. In November 2004, this number had been reduced to nine with the Portfolios of Corporate Support Services and ICT being combined. This had meant that during the current year one less special responsibility allowance had been paid compared to previous years. As a result the Cabinet had asked this Panel to look specifically at the issue of special responsibility allowances for Cabinet members bearing in mind that the responsibilities had been spread over fewer members.

The Panel reviewed its previous discussions following requests from members to consider recommending different amounts of special responsibility allowance for different Portfolio Holders. These discussions had not reached a conclusion as members had not come forward with an acceptable basis for calculation of the allowances.

Based on the limited information available to it, the Panel did not feel able to recommend any change to the current amounts for Portfolio Holders. However, in recognition that this issue is a matter of concern to members it was agreed that a further review be undertaken with a view to amending the scheme for 2007/8. It was suggested that members should be invited to rank the Portfolios into, say three divisions, having regard to workload, budget, staff, perception. Set amounts would then be recommended for those Portfolio Holders falling within the first division, those falling within the second division and those falling within the third division.

I Willett agreed to pursue this suggestion with Group Leaders.

#### 4. TRAVELLING ALLOWANCES

I Willett advised the Leader of the Council had received a number of representations about the increase in fuel prices. The view being expressed was that rates per mile currently applied by the scheme did not reflect that increase.

The Panel was advised that the mileage rate had not changed since 2000/01, which had been the last year in which the Government had specified a maximum rate. It was now up to councils to determine their own rates after considering the views of their Independent Remuneration Panels. When the new proposals had been introduced, the Local Government Association in consultation with the Employers' Organisation had agreed to circulate the annual mileage rates for employees as guidance for councils and panels when considering the rates for members.

The Panel noted that the Council's current rates for members were:

Not exceeding 999 c.c. - 34.6p per mile  
Not exceeding 1199 c.c - 39.5p per mile  
Exceeding 1199 cc - 48.5p per mile

The current rates for employees - (casual users) which had taken effect on 1 April 2005 were:

451	- 999 c.c.	38.7p per mile
1000	- 199 c.c.	42.0p per mile
1200	-1450 c.c	52.7p per mile

The Panel agreed to recommend that the rates to apply regarding the reimbursement of travel expenses for car use by members should equate to the rates paid to employees.