

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Member Remuneration Panel **Date:** Tuesday, 17 November 2015

Place: Conference Room, Civic Offices, High Street, Epping **Time:** 6.30 - 7.20 pm

Members Present: Mr. D. Jackman and Mr. S. Lye

Apologies: Ms. R. Kelly

Officers Present: S. Hill (Assistant Director (Governance & Performance Management)),
S. Tautz (Democratic Services Manager)

6. ELECTION OF CHAIRMAN

RESOLVED:

That S. Lye be elected as Chairman of the Panel for the duration of the meeting.

7. DECLARATIONS OF INTEREST

No declarations of interest were made by members of the Panel pursuant to the Council's Code of Member Conduct.

8. MINUTES OF PREVIOUS MEETING (30.9.15)

RESOLVED:

That the minutes of the meeting held of the Panel held on 30 September 2015 be taken as read and signed by the Chairman as a correct record.

9. MEMBERS ALLOWANCES SCHEME - ANNUAL REVIEW

The Panel considered a report of the Director of Governance in connection with a number of matters related to the review of the Council's Members' Allowances Scheme for 2016/17, that had been raised at its meeting on held on 30 September 2015. The Panel also further considered the matters to be subject of its recommendations to the Council in connection with the review of the Members' Allowances Scheme.

The Assistant Director (Governance and Performance Management) indicated that the recommendations of the Panel should ideally be made to the meeting of the Council to be held on 15 December 2015, in order to ensure that any changes to the Scheme were considered by the time that the Council's budget for 2016/17 was approved.

Basic Allowance

The Panel considered the results of additional benchmarking undertaken by the Director of Governance in respect of the level of Basic Allowance applied by other

similar local authorities and the district councils in Essex. Although members appreciated that comparisons could not necessarily be made on a like-for-like basis, the Panel noted that the Council's implemented level of Basic Allowance (£3,435.00) remained amongst the lowest of those authorities for which data had been obtained.

The Panel was of the opinion that the Council's application of Basic Allowance was continuing to fall behind that of comparable authorities and that, by paying a relatively low level of Basic Allowance, there was a danger of undervaluing the role of councilors, which could make it more difficult to attract potential candidates to stand for election in future. Whilst appreciating that implementation was a matter for the Council to determine and that there was a need for restraint in setting the authority's budget, the Panel reiterated its long-standing view that the level of implementation of the Basic Allowance should be increased on a full or phased basis as soon as possible.

Special Responsibility Allowance

The Panel was advised that the Council established a Licensing Committee for each municipal year, to exercise the policy functions of the authority in relation to a range of licensing, registration, permit and consent functions. The Members' Allowances Scheme did not currently provide for a Special Responsibility Allowance (SRA) to be applied to the position of the Chairman of the Licensing Committee, as the Panel had been of the view that this would be a shared responsibility of the chairmen of the separate Licensing Sub-Committees, when new licensing arrangements were introduced in 2005. However, on the basis of the representations made by the Chairman of the Licensing Committee as part of the review of the Members' Allowances Scheme for 2016/17, members considered that such SRA would now be appropriate, given the importance of the policy functions handled by the Chairman of the Committee.

The Panel considered that an SRA of £500.00 per annum would be appropriate in this regard, to reflect the licensing policy responsibilities of the Committee and the knowledge and experience required of its chairman. Members proposed that this amount be met from the SRA of £2,362.00 that was currently implemented for the Chairmen of the Licensing Sub-Committees. It was noted that the application of this additional SRA could be therefore be contained within the existing budget provision for members' allowances.

Licensing Sub-Committees

The Democratic Services Manager reported that, for each municipal year, the Council also established six Licensing Sub-Committees and appointed six members as chairmen of these sub-committees. Members were advised that the Sub-Committees dealt with specific licensing applications under delegation from the Licensing Committee and that the Members' Allowances Scheme currently provided for the implementation of an annual SRA of £2,362.00 to be divided equally between the appointed chairmen of the sub-committees.

The Panel considered an analysis of the frequency with which the six members appointed by the Council as chairmen of the Licensing Sub-Committees, had chaired meetings of the sub-committees over the last two-years (and during 2015/16 to date). Whilst this suggested that meetings of the sub-committees were not necessarily chaired on an equal basis by the six appointed chairmen, members were advised that meetings of the sub-committees were often held on an ad-hoc basis and with regard to prescriptive timescales for the consideration of licensing matters, and that

the chairmanship of meetings was often therefore dictated by the availability of individual members to attend meetings of a sub-committee at short notice.

In order to ensure equity, the Panel considered that the SRA for the chairmen of the Licensing Sub-Committees should in future, be made on the basis of payment to members that actually chair meetings, rather than as a fixed annual allocation of one-sixth of the total SRA amount each. As the 'new' SRA of £500.00 that the Panel proposed be applied to the position of the Chairman of the Licensing Committee would be met from the total implemented annual SRA of £2,362.00 for the Licensing Sub-Committees, an amount of £1,862.00 would remain to be allocated as SRA to those members that chaired meetings of the sub-committees during each year. The Panel proposed that this SRA be calculated on the basis of the division of £1,862.00 by the total number of meetings of the Sub-Committees held each year, and that the resultant SRA for each meeting then be multiplied for each relevant member according to the number of those meetings at which they had acted as chairman. Members considered that this approach would more accurately reflect the actual responsibilities involved in chairing meetings of the sub-committees.

The Democratic Services Manager reported that, if this proposal was agreed by the Council, actual payment of the SRA would only be able to be at year-end, once details of the number of meetings chaired by each member were available. The Panel noted that this approach to the future payment of SRA for the chairmen of the Licensing Sub-Committees would also be contained within the current SRA provision and the overall budget for members' allowances.

Constitution Working Group

The Director of Governance reminded the Panel that the Constitution Working Group was currently undertaking a review of the Council's Constitution, which it was anticipated would be completed by the end of March 2016. The review of the constitution was an important and complex piece of work and the Council had previously agreed a recommendation of the Panel that an SRA of £2,150.00 be applied to the position of the Chairman of the Working Group.

Members noted that it was likely that, on completion of its review of the constitution, that the Working Group would only need to meet as occasionally necessary thereafter to consider specific constitutional issues. The Panel therefore considered that the level of SRA applied to the position of the Chairman of the Working Group should be reduced to £500.00 (from £2,150.00) per annum with effect from the commencement of the 2016/17 municipal year. Members noted that this approach to the future payment of SRA for the Chairman of the Constitution Working Group would result in a reduction in the overall budget requirement for members' allowances.

Child Care and Dependent Carers Allowance

The Democratic Services Manager reported that the Child Care and Dependent Carers Allowance element of the Members' Allowances Scheme had been reviewed to ensure that application of the allowance reflected current best practice. Members noted that the Local Authorities (Members' Allowances) (England) Regulations 2003 did not prescribe any basis for the calculation of such allowance, although benchmarking undertaken with other local authorities suggested that most currently applied such allowance at the prevailing rate of the National Minimum Wage.

The Panel considered that, whilst other approaches were available for the calculation of Child Care and Dependents' Carers' Allowance, it should in future be based on the prevailing rate of the National Living Wage to be introduced in April 2016, which

would commence at £7.20 per hour. The Director of Governance reported that, although this proposal represented an increase in the level of the Child Care and Dependents' Carers' Allowance, until very recently the allowance has not been claimed and that the proposal of the Panel was therefore unlikely to have any particular budgetary implications at the present time.

Audit and Governance Committee/Standards Committee - Combination

The Assistant Director (Governance and Performance Management) reported that the Council's Chief Internal Auditor was currently developing proposals for the possible combination of the Audit and Governance Committee and the Standards Committee from the 2016/17 municipal year. Members noted that, whilst this matter had yet to be formally considered by the Council, the introduction of any combined 'Audit and Standards Committee' would need to be reflected in the Members' Allowances Scheme in terms of any appropriate level of SRA for elected members and the co-optees allowance for independent members. The Panel was advised that this matter would be subject of a report to a future meeting.

RESOLVED:

- (1) That the following recommendations be made to the Council:

Basic Allowance

- (a) That no change be made to the full amount of Basic Allowance of £4,300.00 per member per annum, currently included in the Members' Allowances Scheme;
- (b) That the Council consider and agree the level of implementation of the Basic Allowance for the 2016/17 municipal year;
- (c) That in formulating future budgets, the Council be encouraged to increase the level of implementation of the Basic Allowance to achieve the full amount of £4,300.00 as soon as possible;

Special Responsibility Allowance

- (d) That, with effect from the the commencement of the 2016/17 municipal year:
 - (i) a Special Responsibility Allowance of £500.00 be applied to the position of the Chairman of the Licensing Committee;
 - (ii) the Special Responsibility Allowance applied to the position of the Chairmen of the six Licensing Sub-Committees be calculated on the basis of an allocation of the remaining Licensing Committee allowance according to the number of meetings chaired each year, so as to more accurately reflect the actual responsibilities involved in chairing meetings of the Sub-Committees; and
 - (iii) the Special Responsibility Allowance currently applied to the position of the Chairman of the Constitution Working Group, be reduced to £500.00;

- (e) That no other changes be made to the application of Special Responsibility Allowances currently included in the Members' Allowances Scheme;

Child Care and Dependent Carers Allowance

- (f) That, with effect from the the commencement of the 2016/17 municipal year, the Child Care and Dependents Carers' Allowance element of the Members' Allowances Scheme be based on the prevailing rate of the National Living Wage; and

Revised Scheme and Guidance

- (g) That, subject to the Director of Governance undertaking appropriate drafting changes to the Members' Allowances Scheme to reflect the current position in respect of pensionable status and the Council's current operational and management structure, the revised Members' Allowances Scheme and Guidance for 2016/17 be adopted and implemented with effect from 26 May 2016;
- (2) That S. Lye present the recommendations of the Panel to the Council at its meeting on 15 December 2015; and
 - (3) That the results of the benchmarking exercise undertaken by the Director of Governance in respect of the authority's implementation of Basic Allowance, be contained within the Panel's report to the Council for illustrative purposes.

10. ANY OTHER BUSINESS

The Democratic Services Manager reported that that there was no urgent business for consideration by the Panel.

11. DATE OF NEXT MEETING

The Panel agreed that, subject to the agreement of the Council to its recommendations in respect of the review of the Members' Allowances Scheme for 2016/17, the next meeting be constituted as the Parish Remuneration Panel on a date to be arranged, to consider issues arising from the meeting held on 30 September 2015 in connection with the Remuneration Schemes for individual town and parish councils within the district.

CHAIRMAN