



Epping Forest District Council

MEMBER REMUNERATION PANEL **Wednesday, 11th January, 2017**

Place: Committee Room 2, Civic Offices, High Street, Epping

Room: Committee Room 2

Time: 6.30 pm

Democratic Services Officer S. Tautz Tel: (01992) 564180
Email: democraticservices@eppingforestdc.gov.uk

Members:

D Jackman, Ms R Kelly and S Lye

1. ELECTION OF CHAIRMAN

(Director of Governance) To elect a Chairman of the Panel for the duration of the meeting.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on the agenda for the meeting, pursuant to the Council's Code of Member Conduct.

4. MINUTES OF PREVIOUS MEETING (28.9.16) (Pages 3 - 6)

(Director of Governance) To confirm the minutes of the meeting of the Panel held on 28 September 2016.

5. CHAIRMAN & VICE-CHAIRMAN OF COUNCIL - SPECIAL RESPONSIBILITY ALLOWANCE (Pages 7 - 14)

(Director of Governance) To consider the attached report.

6. ANY OTHER BUSINESS

(Director of Governance) To consider any additional items of business for the meeting.

7. DATE OF NEXT MEETING

Member Remuneration Panel

Wednesday, 11 January 2017

(Director of Governance) To consider arrangements for future meetings of the Panel, if required. Otherwise, the next meeting will be held at 6.30pm on a date to be arranged in September 2017.

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Member Remuneration Panel	Date:	Wednesday, 28 September 2016
Place:	Committee Room 2, Civic Offices, High Street, Epping	Time:	7.15 - 7.45 pm
Members Present:	D Jackman, Ms R Kelly and S Lye		
Officers Present:	S G Hill (Assistant Director (Governance & Performance Management)), S Tautz (Democratic Services Manager)		

12. ELECTION OF CHAIRMAN

RESOLVED:

That Ms. R. Kelly be elected as Chairman of the Remuneration Panel for the duration of the meeting.

13. DECLARATIONS OF INTEREST

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

14. MINUTES OF PREVIOUS MEETING (30.9.15)

RESOLVED:

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

15. MEMBERS' ALLOWANCES SCHEME - ANNUAL REVIEW

The Democratic Services Manager reminded the Panel that the annual review of the Council's Member Allowances Scheme commenced in September each year, in order to ensure that any recommendations for revision to elements of the Scheme could be considered by the time that the authority's budget was approved for the following financial year.

To commence the review process for 2017/18, a general invitation had been extended to all elected and co-opted members on behalf of the Panel, to express any suggestions or concerns with regard to the current operation of the allowances scheme. It was reported that, other than in relation to the Special Responsibility Allowance (SRA) applied to the Chairman of the Standards Committee, no representations had been received as a result of such invitation.

Members' Allowances Scheme

The Democratic Services Manager reported that, at its meeting on 15 December 2016, the Council had agreed the implementation of 100% of the amount of Basic Allowance for each member with effect from the commencement of the 2016/17 municipal year, in line with the recommendations of the Panel over a number of

years. It was noted that the Council had also agreed that, from 2016/17, consideration of the amount of SRA applied to the positions of the Chairman and Vice-Chairman of the Council be added to the responsibilities of the Panel and that the level of such SRA should therefore be considered as part of the Panel's review of the Members' Allowances Scheme for 2017/18 and subsequent years.

Housing Appeals and Review Panel - Special Responsibility Allowance

The Panel was advised that the operation of the Housing Appeals and Review Panel had been ceased with effect from the commencement of the 2016/17 municipal year, resulting in a slight saving to the members' allowances budget.

Standards Committee - Special Responsibility Allowance

The Panel was advised that the Council established a Standards Committee for each municipal year, to promote and maintain ethical standards amongst its members and local councillors. Although the Standards Committee was a committee of the authority, over one-third of its membership comprised members of town or parish councils and independent people that had been appointed to provide views on complaints made under the Council's Code of Conduct.

The Democratic Services Manager reported that, in adopting its new Constitution in April 2016, the Council had agreed that the Standards Committee should be convened only when there was business to be transacted, and that the Remuneration Panel be asked to consider the appropriate level of SRA for the Chairman of the Committee.

The Panel considered comments submitted by the present Chairman of the Standards Committee (Councillor G. Chambers), in relation to the level of SRA currently applied to the position. In his submission, Councillor Chambers suggested that the allowance should remain unchanged for 2017/18 or be subject to a slight increase. The Panel noted that Councillor Chambers felt that there was often work for the Chairman of the Committee that took place with regard to telephone conversations and email correspondence outside of formal meetings of the Committee and that he had suggested that the Chairman was often asked questions on standards matters by other members of both the district and town/parish councils.

The Democratic Services Manager reported that the Monitoring Officer and Deputy Monitoring Officer undertook the local assessment of complaints arising from the Code of Conduct, including making judgment on specific matters. Whilst the Monitoring Officer (and Deputy Monitoring Officer) worked closely with the Standards Committee, reporting about Code of Conduct complaints, training and other related issues, the number of complaints required to be considered by the Committee was currently very low.

The Panel considered the views put forward by the Chairman of the Standards Committee but concluded that, as the current standards regime was now well established, that insufficient evidence had been presented to justify recommending an increase in the current level of SRA applied to the position of the Chairman of the Committee. Moreover, in recognition of the increased role and responsibilities of the Monitoring Officer (and Deputy Monitoring Officer) and the independent persons in assessing Code of Conduct matters, the Panel considered that such SRA should, in future, be made on the basis of the payment of £110.00 for each meeting of the Committee that the Chairman attended, rather than as the current flat-rate allowance of £500.00 per annum. The Panel considered that this approach would also bring the Standards Committee into line with similar arrangements pertaining to the quasi-

judicial responsibilities of other member bodies such as the Staff Appeals Panel.

Planning Site Visits – Approved Duties

The Panel was advised that the Members' Allowances Scheme classified informal site visits (i.e. those not arranged by officers or at the request of the District Development Management Committee or an Area Plans Sub-Committee) by individual councillors in respect of their duties as members of an Area Plans Sub-Committee, as an approved duty for the purpose of the payment of travelling and subsistence expenses.

The Democratic Services Manager reported that some local authorities specifically excluded informal site visits from their definition of approved duties and that the acceptance of informal site visits as such duties may not be widely appreciated by members, as the number of claims received for travelling expenses arising from such visits was small. The Panel agreed that the Council's current approach in this regard should be maintained.

Travel Expenses - Taxation and National Insurance Implications

The Panel was been advised that, with effect from 6 April 2016, legislation introduced as part of the Finance Bill 2015 exempted the payment of councillors' travel expenses from income tax. This included expenses paid for journeys between the councillor's home and most frequently used local authority office, except where the councillor's home was more than 20 miles from the boundary of the local authority area.

The Democratic Services Manager reported that the purpose of the change was to recognise that councillors performed an important constitutional role in representing communities, carrying out their duties in their own time, often in addition to other professional and personal commitments, and that many received no payment other than allowances in recognition of time and expense incurred. The measure was intended to help ensure that individuals were not discouraged from undertaking a role as a councillor by the tax treatment of travel expenses paid by their local authority.

The Panel noted that this change would require appropriate revision to Section 5 (Travelling and Subsistence) of the Members' Allowances Scheme, to ensure that the scheme reflected the current tax position for the payment of members' travel expenses between home and the Civic Offices.

Audit and Governance Committee/Standards Committee - Combination

The Democratic Services Manager reported the introduction of a combined 'Audit and Standards Committee' was not being progressed further at the present time.

RESOLVED:

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

- (a) that no change be made to the implementation of the full amount of Basic Allowance of £4,300.00 per member per annum, currently included in the Council's Members' Allowances Scheme; and**
- (b) that, with effect from the commencement of the 2017/18 municipal year, the Special Responsibility Allowance**

applicable to the position of the Chairman of the Epping Forest Standards Committee, be applied at the rate of £110.00 per meeting, rather than as a flat-rate annual allowance as currently applied; and

- (2) That arrangements be made for the Panel to meet with the current Chairman and Vice-Chairman of the Council early in 2017, to discuss the current application of Special Responsibility Allowance in terms of the responsibilities of the positions of Chairman and Vice-Chairman;
- (3) That the Director of Governance undertake appropriate benchmarking in respect of the level of SRA applied to the positions of Chairman and Vice-Chairman (or equivalent) amongst other similar local authorities;
- (4) That the Director of Governance review Section 5 (Travelling and Subsistence) of the Members' Allowances Scheme, to ensure that this reflects the current tax position for the payment of councillors' travel expenses arising from legislation introduced as part of the Finance Bill 2015; and
- (5) That the report of the Panel be made to the Council at its meeting on 15 December 2016, to be presented by S. Lye.

16. ANY OTHER BUSINESS

The Director of Governance reported that there was no other business for consideration at the meeting.

17. DATE OF NEXT MEETING

The Panel agreed that its next meeting be held on a date to be arranged during January 2017, to review the background to the level of Special Responsibility Allowance currently applied to the positions of the Chairman and Vice-Chairman of the Council.

CHAIRMAN



Report to Member Remuneration Panel

Date of meeting: 11 January 2017

Subject: Chairman & Vice-Chairman of Council - Special Responsibility Allowance

Responsible Officer: S. Tautz (01992) 564180

Democratic Services Officer: S. Tautz (01992) 564180

Recommendations/Decisions Required:

That the Panel consider the background to the Special Responsibility Allowance currently applied to the positions of the Chairman and Vice-Chairman of the Council, with a view to the consideration of the level of such allowance as part of the review of the Members' Allowances Scheme for 2018/19 and future years.

Report:

1. (Director of Governance) As the Panel will be aware, its annual review of the Council's Members' Allowances Scheme commences in September each year, in order to ensure that recommendations for revision to elements of the Scheme are considered before the authority's budget is approved for the following financial year. The report of the Panel with regard to the Members' Allowances Scheme for 2017/18 was considered by the Council on 20 December 2016.
2. The Council agreed at its meeting in December 2015 that, from the 2017/18 municipal year, consideration of the amount of Special Responsibility Allowance (SRA) applied to the positions of the Chairman and Vice-Chairman of the Council be added to the responsibilities of the Remuneration Panel. As part of its recent report, the Panel made no recommendation for change to the level of such SRA for 2017/18, but has requested an opportunity to gain an understanding of the current application of SRA in terms of the responsibilities of the Chairman and Vice-Chairman of the Council, in order that the level of SRA can be considered as part of its review of the Members' Allowances Scheme for 2018/19 and subsequent years.

Chairman of the Council

3. The Chairman is formally appointed to office at the first meeting of the Council in each municipal year. The Chairman of the Council represents the authority at civic and ceremonial events and is the First Citizen of the District, taking precedence over all other citizens, other than in situations when Royalty or the Lord Lieutenant visits the District.
4. The Chairman chairs full meetings of the Council in accordance with the Constitution of the authority, ensuring that proceedings are conducted in a fair and impartial manner. The Chairman cannot be a member of the Cabinet, although they may be a member of any of the Council's committees or other regulatory and decision-making bodies, but only in their capacity as an ordinary member of the authority.

5. The current Chairman (Councillor J. Lea) and Vice-Chairman (Councillor D. Stallan) of the Council will be attending the meeting to assist the Panel to gain an understanding of their roles and responsibilities. A general invitation has been extended to all serving past Chairmen of the Council to also attend the meeting, to express any suggestions or concerns with regard to the current level of SRA for the positions.

Benchmarking

6. The Director of Governance will report to the Panel with regard to the background to the current level of SRA for the Chairman and Vice-Chairman of the Council, which was last reviewed by the Governance Select Committee in December 2015. A copy of the report considered by the Select Committee at that time is attached as Appendix 1 to this agenda.
7. Additional benchmarking has recently been undertaken in respect of the levels of SRA applied by other district local authorities in Essex and the Council's 'family group' of comparable authorities. The results of this exercise are attached as Appendix 2 to this report. In a number of instances, SRA levels are based on multipliers of the Basic Allowance made to members.
8. A number of those local authorities with which benchmarking have been undertaken operate a 'mayoral' structure. Local authorities that have been granted Borough status have no more powers than District Councils, but the Chairmen and Vice-Chairmen of Borough Councils have the right to be styled as a 'Mayor' and 'Deputy Mayor'. However, these remain civic and ceremonial roles and none of the councils that have provided benchmarking information have an elected mayor responsible for exercising powers and functions. All such authorities are therefore regarded to be roughly similar.

Recommendation

9. The Panel is requested to consider the background to the level of SRA currently applied to the positions of Chairman and Vice-Chairman of the Council, with a view to the assessment of such allowance as part of the review of the Members' Allowances Scheme for 2018/19 and future years.

Report to Governance Select Committee

Date of meeting: 1 December 2015

Subject: Chairman's Expenditure and Allowances

**Officer contact for further information: Tom Carne
(01992 56 4039)**

Committee Secretary: Mark Jenkins (01992 56 4607)



Recommendations/Decisions Required:

- (1) To review Civic Ceremonial expenditure and the current levels of member allowances in respect of payments made to the Chairman and Vice-Chairman of Council.
- (2) To consider whether the Chairman's and Vice-Chairman's Allowances should be referred to the Member Remuneration Panel for review; and
- (3) To recommend revisions to current levels of Civic Ceremonial expenditure as members consider appropriate.

Report:

1. The Chairman and Vice-Chairman of Council receive special responsibility allowances in recognition of the particular expenses incurred by the Civic and Ceremonial role. An anomaly in recompense for transport costs was addressed by the adoption of a motion (Minute 31 – 28 July 2015) at Full Council that:

2. That section (5)(1) of the Members Allowances Scheme be amended to include payment of mileage and public transport claims for approved civic duties carried out by the Chairman and Vice-Chairman of the Council including Schedule 2 of that scheme which shall include a further subparagraph (p) for which payment can be made, as follows:

‘(p) Attendance at any civic event to which the Chairman or Vice-Chairman is attending in that capacity (or representative) for which Council funded transport is not provided’

3. That payment of such claims be met from the within the existing members allowances budget; and

4. That the budget for Chairman and Vice-Chairman of the Council be reviewed and referred to the Governance Select Committee.”

Reason for decision:

5. Full Council requested that a review be conducted into the current levels Civic Ceremonial budget by the Governance Select Committee.

6. In addition to the discharge of the task specifically placed upon Governance Select Committee by Full Council, Members of the Governance Select Committee may wish to consider the potential role of the Member Remuneration Panel in respect of the personal allowances received directly by the Chairman and Vice-Chairman separately from officer controlled elements of the Civic Ceremonial budget.

7. Chairman's and Vice-Chairman's allowances are contained with the Civic Ceremonial Cost Code DR140. Chairman's and Vice-Chairman's Allowances are managed directly by the Chairman and Vice-Chairman.

8. In addition to the Chairman's and Vice-Chairman's individual allowances, 'spending' budgets designed to directly support the work of the Chairman and Vice-Chairman amount in total to £22,530. These budgets are maintained under the supervision of the Public Relations Officer as follows:

(a) Vehicle Leasing Charges (Hire cars and Taxis)	£4,000
(b) Civic Hospitality (including catering at Full Council)	£2,620
(c) Other Miscellaneous Expenses (such as Community Services Medals and Awards)	£2,270
(d) Other Miscellaneous Expenses (Civic Awards Reception, Carol Service, Chairman's Lunch)	£14,000
Total	£22,530
(e) Chairman's Allowance	£7,760
(f) Vice-Chairman's Allowance	£3,040

9. For further reference, the fully itemised budget sheet is reproduced at the end of the report as Appendix 1:

10. In order to assist members of the Governance Select Committee, officers conducted a survey of Civic Ceremonial expenditure by other Essex and neighbouring councils. Returns were received from;

- (i) Southend
- (ii) Chelmsford
- (iii) Rochford
- (iv) East Herts
- (v) Braintree
- (vi) Essex County Council

11. Differing budget structures make direct comparisons with Epping Forest District Council difficult. Some councils weight expenditure towards allowances directly administered by the Chairman and Vice-Chairman. Other councils weight expenditure in favour of officer controlled budgets with less direct member control.

12. Officers conducted additional online research to establish levels of Chairman's and Vice-Chairman's allowances.

13. The following table summarises the main points of comparison.

Council	Chairman's Allowance	Vice-Chair Allowance	Other Civic Budgets	Total	Comments
Epping Forest District Council	£7,760	£3,040	£22,530	£33,330	
Southend Unitary	£14,00	£7,000	£7,900	£28,900	
Chelmsford City	£17,000	See comments	£54,000	£71,000	Mayor and Deputy combined
Rochford District	£8,500	N/A	£11,000	£19,500	
Braintree District	£3,810	£1,030	£12,500	£17,340	
East Herts	£6,500*	£1,450	£22,250	£30,200	*Net after tax

District					and NI
Essex County Council	£30,000	£10,856	£25,000	£65,856	
Colchester Borough	£11,800	£2,700			Source Essex Chronicle
Harlow District Council	£2,500	£500			Source Online
Castlepoint Borough	£6,137	£2,888			Source Online
Brentwood Borough	£3,300	£750			Source Online
Maldon District Council	£4,590	£459			Source Online
Uttlesford District	£4,000	£2,000			Source Online

14. Each council will hold different expectations of the Civic Ceremonial role. Epping Forest District Council hosts three major events each year, the Civic Awards, Civic Carol Service and the Civic Lunch (for the chairmen and mayors of neighbouring authorities). Each Chairman carries out a wide range of additional engagements. The scope and volume of such engagements will vary from year to year depending on the number and type of invitations accepted.

15. Levels of staff-support also vary considerably between different councils. Following the Phase 2 Structural Review of Epping Forest District Council the part-time (21.5 hours per week) Chairman's Officer transferred from the Democratic Services Section to the Public Relations Section. Further support is provided by officers of the Public Relations and Democratic Services teams ranging from technical advice and assistance through to event management and support.

16. External factors such as family, work and voluntary commitments have an impact upon the time each Chairman can devote to Civic Ceremonial duties. Each Chairman also adopts their own personal approach to the Chairman's Charity with different levels of commitment and support from outside organisations.

17. Fundraising for the Chairman's Charity is also dependent upon the voluntary support and goodwill of many people including other councillors and staff. In the last ten years the Chairman has raised £14,500 per year on average for the Chairman's Charity. Awareness-raising can be equally or more important to work on behalf of the Chairman's Charity than fundraising. For example, previous Chairmen have worked hard to promote issues as diverse as mental health awareness and the personal benefits of volunteering for newly retired people.

18. The Vice-Chairman can also play an important part in supporting the Civic Ceremonial role of the Chairman. Custom and practice has dictated that in most instances the Chairman of Council has previously served a year as Vice-Chairman. Most Chairmen find the experience gained during their year as Vice-Chairman to be invaluable preparation.

19. At times, the role of the Vice-Chairman has taken on additional prominence, for example where the Chairman has become unavailable due to illness or family commitments.

20. Taken over the last ten years, the Chairman of Epping Forest District Council accepted approximately 120 to 140 invitations per year (some more and some less). These engagements are in addition to civic duties such as chairmanship of Full Council and Local Councils Liaison meetings.

21. The chairmanship of the Council is an honoured position reserved to Members who have earned the respect and admiration of colleagues across the Council Chamber. The Chairman holds the unique position of representing the whole Council and all its Members.

22. The Chairman is the public representative and face of the Council to local residents, businesses and other stakeholders. The Chairman is also the representatives of the everyone who lives and works within the District to the wider world.

23. The Chairman is the Council's foremost ambassador and promoter of the District. Unlike most other roles within the Council, the Civic Ceremonial role of the Chairman is defined to a large extent by the character and interests of the individual Chairman. Each brings their own personality and style to the role with varying degrees time and personal resources.

Appendix 1 Civic Ceremonial Budget 2015/16

Class	Type	Code	Job Cost	Budget
Transport Related Expenses	Vehicle Leasing Charges	2310		£4,000
Supplies And Services	Members Allowances	A OC001	Chairman's Allowance	£7,760
Supplies And Services	Members Allowances	A OC002	Vice-Chairman's Allowance	£3,040
Supplies And Services	Civic Hospitality	3840		£2,620
Supplies And Services	Other Miscellaneous Expenses	3850		£2,270
Supplies And Services	Other Miscellaneous Expenses	3850 OC003	Chairmans Award	£14,000
Support Services	Managerial & Professional	A		£36,990
Support Services	Office Services	A		£500
Support Services	Print Operations Internal	A		£970
Internal Recharges	Other Recharges	A OC025	HRA Corporate Recharge	(£15,870)
Total				£56,280

Resource implications: Existing resources shown at Appendix 1

Legal and Governance Implications: None

Safer, Cleaner Greener Implications: None

Consultation Undertaken: Survey of neighbouring and Essex councils for comparative data. Online desktop research. Referral to Overview and Scrutiny – Governance Select Committee

Background Papers: Minutes of Full Council (Minute 31 – 28 July 2015), survey returns, online research printouts, Spending Control Budget Book

Impact Assessments:

Risk Management: N/A

Equality: N/A

CHAIRMAN & VICE-CHAIRMAN - SPECIAL RESPONSIBILITY ALLOWANCE BENCHMARKING (DECEMBER 2016)

FAMILY GROUP AUTHORITIES

SPECIAL RESPONSIBILITY ALLOWANCE	BROXBOURNE BOROUGH COUNCIL*	BRENTWOOD BOROUGH COUNCIL*	EAST HAMPSHIRE DISTRICT COUNCIL	EAST HERTS DISTRICT COUNCIL	EPPING FOREST DISTRICT COUNCIL	GUILDFORD BOROUGH COUNCIL*	HERTSMERE BOROUGH COUNCIL	HORSHAM DISTRICT COUNCIL
Chairman	£4,690.00	£3,300.00	£3,000.00	£10,833.60	£7,760.00	£5,293.00	Not reflected in Allowances Sheme	£4,910.00
Vice-Chairman	£515.00	£750.00	£0.00	£2,054.59	£3,040.00	Not reflected in Allowances Sheme	Not reflected in Allowances Sheme	£1,640.00
ALLOWANCE	MID-SUSSEX DISTRICT COUNCIL	REIGATE & BANSTEAD BOROUGH COUNCIL*	SEVENOAKS DISTRICT COUNCIL	SPELTHORNE BOROUGH COUNCIL	ST. ALBANS CITY & DISTRICT COUNCIL	TANDRIDGE DISTRICT COUNCIL	THREE RIVERS DISTRICT COUNCIL	WAVERLY BOROUGH COUNCIL
Chairman	£6,572.00	£12,465.00	£9,852.00	£13,306.00	Not reflected in Allowances Sheme	£2,885.00	Not reflected in Allowances Sheme	£548.00
Vice-Chairman	£2,251.00	£2,575.00	£4,279.00	£8,782.00	Not reflected in Allowances Sheme	£1,443.00	Not reflected in Allowances Sheme	£0.00

ESSEX AUTHORITIES

ALLOWANCE	BASILDON BOROUGH COUNCIL*	BRAINTREE DISTRICT COUNCIL	BRENTWOOD BOROUGH COUNCIL*	CASTLE POINT BOROUGH COUNCIL	CHELMSFORD CITY COUNCIL*	COLCHESTER BOROUGH COUNCIL*	HARLOW DISTRICT COUNCIL	MALDON DISTRICT COUNCIL
Chairman	150% of Basic Allowance	£4,635.00	£3,300.00	Not reflected in Allowances Sheme	£12,066.00	£11,800.00	£2,500.00	£4,692.00
Vice-Chairman	25% of Basic Allowance	Not reflected in Allowances Sheme	£750.00	Not reflected in Allowances Sheme	£4,020.00	£2,700.00	£500.00	£469.20
ALLOWANCE	ROCHFORD DISTRICT COUNCIL	TENDRING DISTRICT COUNCIL	THURROCK UNITARY AUTHORITY*	SOUTHEND-ON-SEA UNITARY AUTHORITY	UTTLESFORD DISTRICT COUNCIL			
Chairman	£8,500.00	£6,266.00	£12,856.32	£13,009.00	£4,040.00			
Vice-Chairman	£2,125.00	£2,209.00	£3,000.11	£8,673.00	£2,020.00			

*These authorities operate a mayoral structure

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