

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Member Remuneration Panel **Date:** 30 October 2017

Place: Committee Room 2, Civic Offices, High Street, Epping **Time:** 6.30 - 7.45 pm

Members Present: D Jackman, S Lye

Apologies: Ms R Kelly

Officers Present: S Hill (Assistant Director (Governance)), S Tautz (Democratic Services Manager)

7. ELECTION OF CHAIRMAN

RESOLVED:

That D. Jackman be elected as Chairman of the Panel for the duration of the meeting.

8. DECLARATIONS OF INTEREST

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

9. MINUTES OF PREVIOUS MEETING (20.7.17)

RESOLVED:

That the minutes of the meeting of the Panel held on 20 July 2017 be taken as read and signed by the Chairman as a correct record, subject to the addition of the words 'with the exception of the Leader of the Council' after the words 'Many of the members present at the meeting considered that the duties of the Chairman were much more time consuming than other positions', in the eighth paragraph of Minute 21 (Chairman and Vice-Chairman of Council - Special Responsibility Allowance).

10. MEMBERS' ALLOWANCES SCHEME - ANNUAL REVIEW 2018/19

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 2018/19, 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 one representation 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 annual review of the Members' Allowances Scheme.

Basic Allowance

The Democratic Services Manager reported that, in considering the recommendations of the Panel in December 2016, the Council had agreed that no change be made to the payment of the full amount of Basic Allowance of £4,300.00 per member per annum to be included in the Members' Allowances Scheme, following an increase in the implementation rate of the Basic Allowance from 2016/17 in line with the recommendations of the Panel that the authority should implement 100% of the amount of Basic Allowance for each member, rather than the level of 80% previously applied.

The Panel did not consider it necessary to recommend any further changes to the application of Basic Allowance for 2018/19. However, members' considered that it would be appropriate to continue to revisit the application of Basic Allowance as part of the annual review of the Members' Allowances Scheme, notwithstanding that the implementation of any increase would be a matter for the Council to determine and that there remained a continued need for restraint in the setting of the authority's annual budget.

Special Responsibility Allowance

The Panel did not consider that it was necessary to make any changes to the Special Responsibility Allowance (SRA) applied to various member positions for 2018/19, as there had been no change in such responsibilities since the review of the Members' Allowances Scheme for the current year. However, the Panel wished to encourage the Council to increase the implementation level of the relevant allowances identified in the Members' Allowances Scheme, in order to achieve the full amount of each allowance as soon as possible.

Independent Members - Annual Allowance

The Panel considered comments submitted for consideration by Councillor G. Chambers (as Chairman of the Standards Committee), in relation to the level of allowance currently applied to independent members of the Standards Committee. Councillor Chambers had proposed that this be brought into line with the allowance presently applied to independent members of the Audit and Governance Committee. Members recognised that the independent persons appointed by the Council had an important role in advising the Standards Committee on standards matters and for working with the Monitoring Officer to determine whether complaints received about Members should be investigated. The Panel was therefore sympathetic to the proposal made by Councillor Chambers and considered that, with effect from the

commencement of the 2018/19 municipal year, the level of the annual allowance applied to the position of independent members of the Standards Committee, should be increased to £500.00 per annum.

Whilst Councillor Chambers had also proposed that the annual allowance applied to members of the Remuneration Panel similarly be increased to £500.00 per annum, the Panel did not consider that this was justified.

Special Responsibility Allowance – Vice-Chairmen of Committees

The Panel considered a proposal of Councillor Chambers, that SRA be applied to the position of vice-chairmen of committees etc., to reflect the occasional need for such members to chair meetings in the absence of the appointed chairman. Although the Panel recognised that it was often necessary for a vice-chairman to chair a specific meeting, members considered that SRA should continue to only be paid to councillors that held the special responsibilities identified in the Members' Allowances Scheme, as the allowance was designed to reflect the additional responsibilities of those office holders and was not intended to be calculated or applied on a 'per-meeting' basis. As the application of an additional SRA to the vice-chairmen of committees etc. would have implications for the Council's budget for members' allowances for 2018/19 and future years, the panel did not consider that this approach was justified.

Special Responsibility Allowance - Area Plans Sub-Committees

The Panel considered a proposal of Councillor Chambers that the SRA currently applied to the position of the chairmen of the Area Plans Sub-Committees should be reviewed, as meetings of the Sub-Committees could be lengthy and difficult to chair. Whilst the Panel appreciated that meetings of the three Area Plans Sub-Committees were held monthly during each municipal year and that, from recent experience, it has been necessary to bring forward the start time of some meetings to ensure the efficient transaction of business, members believed that SRA should continue to only reflect the additional responsibilities of specific office holders, rather than the frequency, duration or relative complexity of meetings.

The Panel was conscious that any increase in the application of SRA for the chairmen of the Area Plans Sub-Committees would need to be consistent with other similar positions, such as the chairmen of the District Development Management Committee and the Overview and Scrutiny Committee and would have implications for the Council's budget for members' allowances for 2018/19 and future years. Members did not therefore consider that this approach was justified.

Travelling and Subsistence

The Panel considered a proposal of Councillor Chambers that the process for claiming reimbursement of travel costs incurred on the Council's business should be reviewed, as he considers that this was a time consuming process and that use of 'contactless' methods of payment on the London Underground did not provide evidence of travel and encourage the use of public transport. Councillor Chambers had additionally suggested that the current system for the payment of travel costs be replaced with a one-off annual average travel allowance linked to actual attendance at meetings, which would generate savings in officer time for the administration of claims.

The Democratic Services Manager reminded the Panel that, whilst the Council's administrative processes for the reimbursement of travel costs incurred by members

were outside the scope of its responsibilities, the use of 'contactless' methods of payment on the London Underground could provide evidence of travel to satisfy the Council's requirements for the validation of claims, when debit/credit cards and 'Oyster' cards were registered for use on services provided by Transport for London (TfL). The Panel considered that the introduction of an annual average travel allowance linked to actual attendance at meetings would vary according to the number of approved duties attended by each member and that such arrangement would require additional time on the part of officers to process the payment of claims, payment for which would need to be made at year-end, rather than on a quarterly basis.

Although the Panel did not consider that this approach was justified, members requested that the Director of Governance include an article in the Council Bulletin outlining the validation requirements for travel claims, particularly with regard to the use of TfL services.

Chairman and Vice-Chairman of Council - Special Responsibility Allowance

Subsequent to its previous discussions with the current Chairman and Vice-Chairman of the Council and serving past-Chairmen in relation to the current application of SRA in terms of the responsibilities of the Chairman and Vice-Chairman, the Panel gave further consideration to the appropriate level of SRA for these positions.

The Panel sought to 'rank' the relative importance of the Chairman and Vice-Chairman of Council, in comparison with positions such as the Leader of the Council, Portfolio Holders and the chairmen of Committees and Panels etc. and considered that the responsibilities of the Chairman of the Council broadly equated to those of the Leader of the Council, specifically in terms of the importance of the Chairman's civic and ceremonial role and position as the First Citizen of the District. The Panel noted that those members that had provided personal experience with regard to the role and responsibilities of the Chairman and the current application of SRA, generally regarded the roles of Chairman and Leader of the Council as having similar levels of responsibility, albeit across significantly different roles.

The Panel expressed concern that some serving past-Chairman had indicated that the current application of SRA had not always adequately met expenses incurred in undertaking duties as Chairman of the Council and that some chairmen may therefore have incurred personal financial expenditure for which they may not have been recompensed by the authority.

The Panel considered that, from the 2018/19 municipal year, the annual SRA applied to the positions of the Chairman and Vice-Chairman of the Council should be £10,750.00 in total, to match the annual SRA for the Leader of the Council, although this was currently applied at £7,875.00 per annum (73%). The Panel proposed that this amount should be implemented on the basis of an 80:20 split, with the Chairman of the Council receiving £8,600.00 per annum and the Vice-Chairman receiving £2,150.00 per annum. These proposals meant that the annual SRA for the Chairman of the Council would increase by £840.00 and the SRA for the Vice-Chairman would reduce by £890.00. However, in the normal course of events whereby a member acceded to the position of Chairman of the Council after a year in office as Vice-Chairman, the total SRA applied to the postholder for the two-year period of their civic appointment, would therefore match that applied annually to the position of Leader of the Council. The net effect of the proposal of the Panel would result in an overall reduction of £50.00 in the current total allowance for the Chairman and Vice-Chairman of the Council.

Travelling and Subsistence

The Director of Governance advised the Panel that, over the course of the last year, a travel claim has been made by one member of the Council did not drive and that their spouse usually drove them to and from the Civic Offices to attend meetings or for other approved duties etc. The Panel noted that there was currently no specific provision within the Members' Allowances Scheme that covered this issue and the Scheme didn't state that a member had to have driven themselves to a meeting or other duty in order for a claim to be considered valid. To ensure consistency in the consideration of claims the Panel considered that an addition should be made to Section 5 (Travelling and Subsistence) of the Members' Allowances Scheme, to address this particular issue.

The Panel expressed its appreciation for the support and assistance received from the Assistant Director (Governance) and the Democratic Services Manager in undertaking the annual review of the Members' Allowances Scheme.

RESOLVED:

- (1) That the following recommendations be made to the Council at its meeting on 21 December 2017, in connection with the review of the Members' Allowances Scheme for 2018/19:

Basic Allowance

- (a) That, for the 2018/19 municipal year, no change be made to the level of Basic Allowance of £4,300.00 per member per annum, currently included in the Council's Members' Allowances Scheme;

Special Responsibility Allowance

- (b) That, for the 2018/19 municipal year, no change be made to the application or implementation of the Special Responsibility Allowances currently included in the Members' Allowances Scheme;
- (c) That the Council be encouraged to increase the implementation level of Special Responsibility Allowance applied to the responsibilities identified in the Members' Allowances Scheme, in order to achieve the full amount of each allowance as soon as possible;

Chairman and Vice-Chairman of Council

- (d) That from the 2018/19 municipal year, the annual total Special Responsibility Allowance for the positions of the Chairman and Vice-Chairman of the Council be £10,750.00, to be applied as follows:
 - Chairman of the Council - £8,600.00 per annum (80%); and
 - Vice-Chairman of the Council - £2,150.00 per annum (20%);
- (e) That from the 2018/19 municipal year, the application of Special Responsibility Allowance for the Chairman and Vice-Chairman of the Council be included within the Members' Allowances Scheme;

Independent Members

- (f) That, with effect from the commencement of the 2018/19 municipal year, the level of the annual allowance applied to the position of independent members of the Standards Committee, be increased to £500.00 per annum;

Travelling and Subsistence

- (g) That the following addition be made to Section 5 (Travelling and Subsistence) of the Members' Allowances Scheme (to be numbered paragraph 5.4):

'Claims for the payment of business and/or home to office mileage may be made by members that have been driven to the approved duty giving rise to the claim, other than by way of taxi or other form of public transport, subject to the Council's usual checks and controls and the provision of appropriate VAT receipts'.

Members' Allowances Scheme

- (h) That, subject to the above recommendations and other administrative matters set out in this report, the Members' Allowances Scheme and Guidance for 2018/19 attached as Appendix 1 to these minutes, be adopted and implemented with effect from 25 May 2018;
 - (i) That the Statement of Implementation of the Special Responsibility Allowances set out in the Members' Allowances Scheme, attached as Appendix 2 to these minutes, be agreed;
- (2) That no other changes be made to elements of the Members' Allowances Scheme for 2018/19; and
 - (3) That the report of the Panel be presented to the Council meeting by S. Lye.

11. ANY OTHER BUSINESS

It was reported that there was no other business for consideration at the meeting.

12. DATE OF NEXT MEETING

The Panel agreed that its next meeting be held on a date to be arranged during October 2018, to commence the review of the Members' Allowances Scheme for 2019/20.

CHAIRMAN