

## **EPPING 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)

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### **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**