

**Report of the West  
Berkshire Independent  
Remuneration Panel  
10<sup>th</sup> February 2011**



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## **1. Membership of the Independent Remuneration Panel**

1.1 Since the last meeting of the West Berkshire Independent Remuneration Panel (IRP) in August 2009, the Council advertised for new panel members in three local publications (Newbury Weekly News, Reading Chronicle and The Wokingham Times) and also on the West Berkshire Council website. Unfortunately, no responses were received. Officers therefore approached Mr Robin Cops, Chairman of the Wokingham Borough Council IRP who kindly agreed to join the Panel on this occasion. The membership and scope of the 2011 meeting of the West Berkshire IRP was agreed at the Special Council meeting held on 31st January 2011.

The current membership of the Panel is as follows:

John Marsh (Chairman)	A former Local Government Officer and Chairman of other Independent Remuneration Panels
Geoffrey Mayes	Chartered Civil Engineer
Robin Cops	Chairman of the Wokingham Borough Council Independent Remuneration Panel

1.2 The Council is required to ensure that the composition and regulation of its Independent Remuneration Panel accords with the 2003 Regulations. The Regulations require the following:

- (a) The Panel should consist of at least three members.
- (b) The members of the Panel cannot be members of any local authority in respect of which that Panel makes recommendations. Anyone who would be disqualified from being an elected member of a local authority is also disqualified from being a member of the Panel.
- (c) The members of the panel cannot also be members of a Committee or Sub-Committee of an authority in respect of which the Panel makes recommendations. This includes co-opted members and members of the Standards Committee.

Based on the above requirements, the Council's current Independent Remuneration Panel accords with the 2003 Regulations.

## **2. Terms of Reference**

2.1 The terms of reference of the Panel for this review were as follows:

To review the whole West Berkshire Scheme of Members Allowances as follows:

- Basic Allowance.
- Special Responsibility Allowances.
- Co-optees Allowance (including the independent members of the Standards Committee).
- Childcare and Dependents' Carers' Allowance.

- Appeals and Licensing Sub-Committee Allowances.
- ICT Allowance.
- Travelling Allowance.
- Subsistence Allowance.
- Conference Allowance.
- Pensions.
- The administration of the scheme.

### **3. Method of Working**

3.1 The Panel met, on 10th February 2011, to undertake this review and to receive evidence from Members of West Berkshire Council on the review areas.

### **4. Member Representations**

4.1 The Panel received representations from the following Members:

- Pamela Bale, Deputy Leader of Council
- Jeff Beck, Chairman of the Licensing Committee
- Jeff Brooks, Leader of the Opposition
- Roger Hunneman, Shadow Executive Member
- Graham Jones, Leader of the Council
- David Rendel, Shadow Executive Member
- Tony Vickers, Shadow Executive Member

### **5. Factors Leading to the Recommendations**

5.1 In preparing the recommendations, careful consideration was given to the:

- Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).
- New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances (July 2003).
- Local Government Act 1972 with reference to the payment of the Conference Attendance Allowance.
- The current West Berkshire Scheme of Members Allowances.
- The current Scheme of Members Allowances from Bracknell Forrest, Reading, Slough, Windsor and Maidenhead and Wokingham Borough Councils.
- The Independent Remuneration Panel report - August 2009.
- The comments received from Members of both Groups (see paragraph 4).
- Comparative data from local authorities across the South East Employers Region.

5.2 The Panel is also mindful of Paragraph 72 of the guidance issued in July 2003 which states the following in relation to the total number of Special Responsibility Allowance (SRA's) and the number of SRA's payable to any one Member:

5.3 "However, these are important considerations for local authorities. If the majority of Members of a Council receive a Special Responsibility Allowance the electorate may rightly question whether this was justified. Local Authorities will wish to consider very carefully the additional roles of Members and the significance of

these roles, both in terms of responsibility and real time commitment before deciding which will warrant the payment of a Special Responsibility Allowance”.

## **6. Basic Allowance**

- 6.1 The Panel recognises that in comparison with other Local Authorities, the Basic Allowance paid to West Berkshire Council Members is relatively low. However, given the Council’s current financial situation, the Panel does not wish to recommend any increase to the Basic Allowance at this time. The Panel does feel that the level of Basic Allowance should be reviewed in future with a view to possibly re-addressing the comparative imbalance with other authorities.
- 6.2 References to the payment of allowances to those Members involved in the Licensing and Appeals processes currently included in the Basic Allowance section of the Scheme of Allowances should be removed in line with paragraph 10 and recommendation 17.6.

## **7. Special Responsibility Allowances**

- 7.1 The Panel notes the proposal to remove the five Select Committees from the current decision making process and understands that this proposal will be considered by Council on 3<sup>rd</sup> March 2011. The Panel’s recommendation regarding the allowances paid to the Select Committee Chairmen is therefore based on this proposal being agreed.
- 7.2 With reference to the proposed removal of the Select Committees from the decision making process, the issue of the proportionality of the allowances between the two current political groups was raised. The Panel believes that this is not an issue that should be considered by them and is more a matter that should be resolved constitutionally if this is felt to be appropriate.
- 7.3 With regard to the payment of allowances to the Shadow Executive Members or Opposition Spokesman, the Panel suggests that the scheme should make it clear that ‘up to’ seven Members can be in receipt of the allowance. If any group in opposition were to find itself with only seven Members, the Panel feel it may not be appropriate for all of them to be in receipt of an allowance. Again, this is a matter that should be addressed in the Council’s constitution.

## **8. Co-optees Allowances (including those for members of the Standards Committee)**

- 8.1 The Panel feels that the allowances set for co-optees in 2009 are appropriate and recommends no change at the current time.

## **9. Childcare and Dependents’ Carers’ Allowance**

- 9.1 A number of Members the Panel spoke to highlighted the difficulty that the political groups have in recruiting new Councillors particularly with reference to the time commitment required and the relatively low level of remuneration. The Panel noted that in order to attract candidates from more diverse backgrounds, it is necessary to attempt to mitigate some of the factors that may dissuade some people from standing for election.

- 9.2 It believes one such area may be a lack of access to paid care for children or dependents when Members are required to carry out their Council business. We therefore recommend that the Childcare and Dependents' Carers' allowance be increased to £6.00 per hour up to a maximum of 40 hours per month per Councillor.

## **10. Appeals Allowances (including Licensing)**

- 10.1 The Panel gave consideration to the allowances paid to those Members currently involved in the Licensing Sub-Committee (Appeals) processes which are currently linked to the Basic Allowance. The Panel notes that the number of Licensing Sub-Committees that Members are expected to attend per year has reduced considerably since the introduction of the Licensing Act in 2003. Six Licensing Sub-Committees were held between 1<sup>st</sup> April 2009 – 31<sup>st</sup> March 2010 and four have been held from 1<sup>st</sup> April 2010 to date. The Panel notes that West Berkshire Council is the only authority in Berkshire that continues to pay Members for attending Licensing Sub-Committee meetings.
- 10.2 The Panel notes that Members are also involved in the appeals process which mainly involves the consideration of Home to School Transport appeals. It understands that these appeals take place on a monthly basis. It notes that West Berkshire Council is also the only authority in Berkshire that continues to pay Members for attending appeals such as Home to School Transport.
- 10.3 The Panel notes that the District Councillors who are currently involved in the Standards Committee hearings do not receive any recompense for doing so and there is currently a disparity between the different types of 'appeals' processes. It is the opinion of the Panel that the completion of the necessary training for and the attendance at Licensing Sub-Committees and appeals should be covered by the Basic Allowance as is the case with Standards Committee hearings. The Panel therefore recommends that the current allowances paid to Members involved in the Licensing and Appeals processes be removed from the scheme.

## **11. ICT Allowance**

- 11.1 The Panel heard representations from a number of Members on the issue of Members IT and the associated allowance. The Panel notes that the political groups are currently being consulted on the provision of IT equipment following the Election in May 2011 and understand that Members value the provision of IT equipment (laptops and printers) and would not wish to see this provision removed. The panel understands from Officers that the proposal put forward from the Member Development Group would be that if Members are re-elected in May 2011 they would keep the equipment they currently have. Newly elected Members would be given a choice of IT equipment from a pre-agreed list.
- 11.2 The value of colour printers versus black and white printers was discussed and preference seems to vary from one Councillor to another. The high cost of the colour cartridges appeared to be the main problem with the existing colour printers and some of the Members said they would prefer a black and white printer for this reason.
- 11.3 One Member said that it would be helpful to be able to access software for dealing with casework but realised there would be a cost implication for this. The same

Member asked for a central electronic archive of all minutes (including Task Groups) that could be accessed by all Members. The Panel asks that Officers give consideration to these matters.

- 11.4 As the future provision of IT equipment is yet to be resolved, the panel believe the current monetary ceiling of £200 per Councillor per annum for the supply of IT consumables by the Council is appropriate and should not be amended. Members should continue to receive the sum of £200 within their existing basic allowance for the provision of broadband. This issue will need to be readdressed once a decision on IT equipment for Members has been resolved.

## **12. Travelling Allowance**

- 12.1 The Panel noted the comment made regarding the cost of fuel at the present time and the view that the current mileage rate may not adequately compensate Members. However, the Panel believes that it remains appropriate that travel allowance rates should continue to be in line with Inland Revenue approved rates and that they should only rise in accordance with any increase in the Inland Revenue rates.

## **13. Subsistence Allowance**

- 13.1 The Panel received no representation on this subject. The Panel believes that the current amounts payable are appropriate and should not be amended at the current time.

## **14. Conference Attendance Allowance**

- 14.1 The Panel gave consideration to the payment of the Conference Attendance Allowance of £30.39 for whole or part days away from home and note that West Berkshire Council is the only authority in Berkshire which continues to pay this allowance. The Panel notes that when a Member attends a conference, the conference fee is paid by the Council and the Member in question is entitled to claim travelling and subsistence allowances. The Panel therefore believes it is not appropriate to pay an additional attendance allowance and recommends that the payment of this allowance is removed from the scheme.

## **15. Pensions**

- 15.1 The Panel received no representations on this subject and recommends no change to the current arrangements.

## **16. The administration of the scheme**

- 16.1 The Panel noted that it could recommend that allowances could be index linked for up to a maximum of four years. The current scheme is index linked in line with the Local Government Pay Award and the Panel recommends that this should remain the case until 2015.
- 16.2 The Panel understands that the majority of Members submit their claim forms within the recommended two months of the date of the meeting in respect of which the entitlement to the allowance arises but some take much longer. The Panel

would encourage all Members to submit timely claims to aid the administrative and budget processes.

## **17. Recommendations**

- 17.1 The Basic Allowance of £6,148.95 (including an IT allowance of £200 to cover Broadband) remains unchanged. The associated payments to those Members involved in the Licensing and Appeals processes be removed from the scheme and be no longer paid (see recommendation 17.6).
- 17.2 The Special Responsibility Allowances remain unchanged. In the event of the deletion of the Select Committees from the Council's Governance structures the role of Chairmen of these committees will disappear along with their appropriate allowances.
- 17.3 With reference to the payment of Special Responsibility Allowances to Opposition Spokesmen, the payment scheme be amended to clarify that the allowances are payable to 'up to' seven Members of the opposition.
- 17.4 The allowances paid to co-opted members be retained and not amended.
- 17.5 The Childcare and Dependents' Carers' Allowance be increased to £6.00 per hour up to a maximum of 40 hours per month per Councillor.
- 17.6 The allowances paid to those Members involved in Licensing Sub-Committees and Appeals processes (up to £750 per annum) be removed from the scheme and no longer paid.
- 17.7 The provision of ICT consumables by the Council up to a monetary ceiling of £200 per Member per year be retained and not amended.
- 17.8 The existing Travelling Allowance rates be retained and not amended.
- 17.9 The existing Subsistence Allowances be retained and not amended.
- 17.10 The Conference Attendance Allowance of £30.39 for whole or part days away from home be removed from the scheme and no longer paid.
- 17.11 The current pension arrangements be retained and not amended.
- 17.12 The Administration of the Scheme remain unchanged. Allowances to be index linked to the Local Government Pay Award until 2015.
- 17.13 The current West Berkshire Scheme of Members Allowances be amended in line with the recommendations above. The new Scheme be implemented from 5<sup>th</sup> May 2011.

## **18. Chairman's Conclusions**

- 18.1 The panel would like to thank Councillors Bale, Beck, Brooks, Hunneman, Jones, Rendel and Vickers who made representations to them and whose input helped to inform our recommendations. Likewise, our thanks go to Andy Day, Moira Fraser and Jo Watt for the helpful support they gave to us during this review.



John Marsh  
Chairman of the West Berkshire Independent Remuneration Panel  
14<sup>th</sup> February 2011