

Report of the

**Kirklees MC
Members' Allowances
Independent Review Panel**

Friday 30 March 2007

held at
Kirklees MC
Civic Centre III, Huddersfield

The Membership of the Panel is as follows:

Andrew Taylor (Chair)

Ian Brown

Christopher Dicks OBE

Nasir Hussain

Stephen Thornton

The following officers attended the Panel meeting:

Philip Hume, Head of Policy and Governance

Julie Fothergill, Corporate Development Officer

Dahalia Hendrickson, Members' Services Manager

Vanda White, Members' Allowances Administrator

John Quarmby, Decision Support Officer

The Members' Allowances Independent Review Panel met on Friday 30 March 2007 to give further consideration to issues identified and discussed at its meeting held on 16 June 2006 and to review the allowances recommended by the panel in November 2005. These recommendations had been considered by the council on 18 January 2006 but had not been implemented in full.

1. **Presentations by councillors**

Councillor Andrew Cooper, Leader of the Green Group attended the meeting and discussed with the panel the provision of car park permits issued to councillors and special responsibility allowances available to small groups.

Councillor Cooper suggested that the car park permit which could be used at official council car parks throughout Kirklees was the equivalent to a financial allowance and that as such a deduction could be made from the basic (ward) allowance. For councillors who did not drive then an alternative to the car park permit could be offered - possibly a Metro Card.

Councillor Cooper then advised that he was aware of proposal by the three main political groups of the council to propose a reduction to the number of special responsibility allowances for small groups by removal of the allowance for the group business manager. He advised of the role of the business manager for the Green group and other work which they were expected to undertake in this role ie, responsibility for group training, membership of the Business Managers Sub-Committee, attendance at the all-party briefing session with the Mayor and Deputy Mayor prior to each council meeting and attendance at the 'star chamber' pre budget discussions. The general workload of a business manager of a small group did not change from that of a business manager of a large group.

The Chair thanked Councillor Cooper for attending the meeting.

The panel then discussed the issues raised by Councillor Cooper.

Councillor Mehboob Khan, Leader of the Labour Group, Councillor Andrew Palfreeman, Conservative Group, Cabinet Member for Policy Development and Councillor John Smithson, Deputy Leader of the Liberal Democrat Group attended the meeting.

These councillors raised the following issues with the panel:

- The introduction of a special responsibility allowance for 'Shadow' Cabinet Members from the two major opposition groups and Deputy Cabinet Members from the group forming the administration of the council based on four councillors per group. This would enable the two major opposition groups to undertake 'succession planning' so that in the event of their group forming the administration a number of councillors would be better prepared and informed to take Cabinet positions. They would have responsibility to shadow the work of the Local Public Service Boards in general and the Cabinet Member who chaired each board in particular. This arrangement would also apply to the Deputy Cabinet Members. Councillor Smithson indicated that he

would prefer to see a similar number of Shadow Cabinet Members appointed as that of the actual Cabinet which would make it easier for a group taking over the administration to take effective control. The Shadow Cabinet Members would be expected to attend all Cabinet meetings and meetings of the relevant Overview and Scrutiny Panels as part of their duties. Difficult issues facing the authority would be jointly discussed between Cabinet Members, Deputy Cabinet Members and Shadow Cabinet Members. It was suggested that Shadow Cabinet Members would only be appointed where a group had 15 or more Members.

- to reconsider the banding recommended for the chairs of Planning sub-committees and the chair of Appeals panel (Band B1) and the Chair of Licensing and Safety Committee (Band C1). There was a consensus among the three major groups that workload and levels of responsibility skills and knowledge required for these positions were less than that originally considered by the panel and that as such the special responsibility allowances should be decreased.
- to reconsider the special responsibility allowance recommended for payment to the smaller groups which currently entitled a small group to a leaders' allowance and a group business manager allowance, in those cases where a group consisted of two to nine Members. The councillors put forward the opinion that a small group should only get a special responsibility allowance for a leader and that where a group had 10% of the total number of councillors a special responsibility allowance for a group business manager.
- the councillors confirmed that there was agreement to the panel's recommendation for a special responsibility allowance for deputy group leaders.

The Chair thanked the councillors for attending the meeting.

The panel then discussed the issues raised by the three councillors.

The panel support the proposal put forward by Councillor Cooper that the council offer a 'Metro Card' to councillors as an alternative to the free car park permit. This is a matter for the council to determine.

The panel's deliberations and recommendations on the remaining issues in this section can be found at Appendix A of this report.

Recommendation:

The Panel recommend as follows:

The introduction of a 'Metro Card' as an alternative to the free car park permit.

2. Councillor development

The panel considered a report which outlined progress made in respect of councillor development since the previous meeting of the panel. The report advised that:

- the council had achieved the Charter for Member Development from LGYH and IDeA and that the award recognised work in the areas of commitment to councillor development, strategic approach to councillor development, councillor learning and development plan in place, learning and development being effective in building capacity and elected member development to promote work life balance and citizenship.
- 52 out of 69 councillors had undertaken personal development reviews as follows:
 - Conservatives - 18
 - Labour - 18
 - Liberal Democrat - 11
 - Green - 3
 - Independent - 2
 - BNP - 0
- there had been 21 development sessions between June 2006 and February 2007 specifically for councillors with attendance by 125 Councillors which included a small number from other authorities.
- guides for councillors were now available on the following topics:
 - Procurement in Kirklees Council
 - Corporate Complaints Procedure
 - Supporting Citizenship in Schools
 - Role of a Corporate Parent
 - Research and Consultation
 - 21st Century Workforce
 - Community Call for Action
 - Data Protection Act
 - Freedom of Information Act
- nine councillors had enrolled on the post graduate certification in Public Sector Modernisation and that the course comprised of two modules delivered between June 2006 and February 2007. Officers were currently in discussion about next year's course together with the possibility of developing a short course programme for councillors in the Yorkshire and Humber region and
- at its Budget Meeting held on 28 February 2007, the council had agreed funding for the post of Councillor Development Officer in the proposed new structure for the Policy and Governance Service.

Recommendation:

The panel:

- 1. Noted the report and thanked the Councillor Development Officer for the work undertaken in achieving the various improvements in councillor development.**
- 2. Continues to support personal development reviews for Councillors and recommend that all groups ensure that their members undertake such a review, as the panel was disappointed that 17 councillors had not participated.**

3. Pension for councillors

The panel at its meeting held on 30 November 2005 had recommended that the council should offer pension scheme membership on basic and special responsibility allowance payments from April 2006 which had been agreed by the council. The panel received an update report which informed them that out of 69 Councillors, 27 had joined the Local Government Pension Scheme.

Recommendation:

The panel noted the report.

4. Payment for Education Appeal panel members (who are not elected members of the council)

At the meeting held on 30 November 2005 the panel recommended that the council should pay an allowance of £110.81 for a full day meeting and £63.36 for meetings less than four hours to members of Education Appeals Panels. The recommendation had been agreed by council with effect from 1 April 2006. The panel considered a report which advised that from the period 1 April 2006 to 31 March 2007 the projected costs of allowances paid plus national insurance employers contributions would amount to £18,485.

Recommendation:

The panel noted the update report and the projected expenditure on allowances and asked for a further report at its next meeting when it will review the allowance payment.

5. Basic allowance

The panel considered a report which provided background information on the introduction of the basic allowance proposed by the panel in October 1999 and referred to percentage increases to that allowance which the panel had

proposed at subsequent meetings. The report went on to list issues raised by individual councillors during recent consultations with them about the basic allowance. The panel noted proposals outlined in the Government White Paper 'Vibrant Local Leadership' on proposals for councillors to become leaders of their localities and the champion of local people.

Recommendation:

That the basic allowance should be increased by 2% from £11,741.70 to £11,976 per year with effect from 1 April 2007.

6. Chair of Standards Committee

The panel considered several reports considered previously by Standards Committee and Council Business Committee which reviewed the role and structure of the Standards Committee consequent upon legislation which required the recruitment of external members and an external Chair to the Committee. Council Business Committee had authorised the council's Monitoring Officer to take all necessary steps to facilitate the process leading to implementation of the new proposals by the Annual Council Meeting in May 2007. The council requests the panel to determine a Co-optees Allowance for the external Chair of the Standards Committee. The panel considered the relevant section of the Local Authorities (Members Allowances) (England) Regulations 2003 which made provision for the payment of the Co-optees Allowance together with the relevant role profile for the Chair of Standards Committee.

Recommendation:

That the council approve a Co-optees Allowance of £2,454 per year for the external chair of Standards Committee (who is not an elected member of the council) with effect from the date of appointment (the council's annual meeting of the council scheduled for 23 May 2007).

(The panel agreed to review this allowance at its next meeting scheduled for September 2007 when more information will be known as to the actual workload rather than anticipated workload)

7. Payment of subsistence for single party events within Kirklees

The panel considered a report in respect of the above mentioned matter. The report reminded the panel that when the basic allowance was set by the panel in 1999, it included an element for travel and subsistence and that as a result councillors did not receive additional payment for travel and subsistence for duties carried out within the Kirklees district. This proposal was approved by council. Subsequent to the decision the panel had identified, recognised and supported the importance of training and development for councillors which matter had been taken on board by the groups as a whole and by councillors individually.

An anomaly had arisen around the payment of subsistence allowances for councillors when a group was holding its development event within the Kirklees district. As an example, a group might book an event at a hotel in Bradford and the council would pay for travel and related subsistence costs. However if a group booked an event at a hotel based in Kirklees, the council would not pay any expenses at the moment. A specific exception to the rule of not paying subsistence costs within the Kirklees district would overcome this anomaly.

Recommendations:

The panel supports the payment of subsistence for single party development events (and certain other events approved by Head of Policy and Governance Service) within the Kirklees District subject to the following criteria:

What the council will pay for:

- * **If the development is a one day event, the council will pay for lunch and incidental subsistence such as tea and coffee**
- * **Where the need for an overnight stay is justified as part of the development opportunity, the council will pay for lunch, tea, coffee, evening meal and overnight accommodation**
- * **The Head of Policy and Governance to confirm any development programme lasting for more than one day**
- * **Individual group training budgets to stand the cost of any training/conference rooms, trainer/facilitators fees and expenses.**

What the council will not pay for:

- * **The council will not pay for any alcoholic refreshments**
- * **The council will not pay for any expenses incurred by partners of training event attendees.**

8. Review of roles and responsibilities recommended in November 2005

At its meeting held on 30 November 2005, the panel recommended significant changes to individual special responsibility allowances to reflect the removal of the time element and changing role of councillors and the future needs of the council and local government. The panel also recommended an increase of 2.95% on the basic allowance, allowances for Cabinet members, daily meetings allowance for Chairs of Overview and Scrutiny ad-hoc panels and Licensing panels in line with the pay award to local government employees. The council did not approve the panel's recommendations in respect of special responsibility allowances. Subsequently the council approved an allowances scheme for 2006/07 based on an increase of 2.95% on the basic and existing special responsibility allowances, including daily meetings

allowances for the chairs of Overview and Scrutiny ad-hoc panels and Licensing panel members.

The panel was asked to review its earlier decision regarding special responsibility allowances and to reconsider its recommendation on specific allowances based on certain role profiles being amended. The panel was reminded that the role profiles have three main purposes:

- ✓ To provide clarity for both councillors and officers about what is expected of each role
- ✓ To provide guidance to the panel for the Members' Allowances Scheme
- ✓ To support councillors in their development by providing a check list to identify their development needs both for the roles they are currently undertaking and for future roles to support successive planning.
- The Chair of the panel had requested that the role and allowance of the chairs of area committees be reconsidered, as the council's proposals to move to seven area committees had not been implemented and there were still a number of single ward area committees.
- The panel had been asked to consider the introduction of a special responsibility allowance for deputy and shadow Cabinet members. After considering the views of the three main groups, the panel does not support the principal of a special responsibility allowance being attached to the positions of shadow cabinet members and deputy cabinet members. The panel has in the past made reference in its reports to proposals that opposition groups should consider arrangements for succession planning in view of the political balance of the council which may continue for some time. The panel view this as an issue for the individual groups to determine. The appointment of deputy cabinet members on a formal or informal basis is an issue of workload and responsibility of Cabinet Members. How the Cabinet wish to resolve those matters is for them to decide.
- Having listened to the views put forward by Councillor Cooper and the three councillors representing the larger groups, the panel is minded to support the proposals put forward that in order to receive a special responsibility allowance for a group business manager a group must have a membership equivalent to 10% of the total number of councillors.
- Having reviewed the workload, responsibilities, skills and knowledge required, the panel supports the proposals that the chairs of Planning sub-committees and the chair of Appeals panel be placed in Band C1 instead of Band B1, and that the chair of Licensing and Safety Committee be placed in Band D instead of Band C.

- Following a review of the role profiles for members of Overview and Scrutiny Management Committee, the panel reconsidered the special responsibility allowances for these roles and Overview and Scrutiny panel lead members
- The Panel undertook a further review of the remaining special responsibility allowances, taking into account the role profiles and the expectations attached. The individual special responsibility allowances proposed by the panel are based on the levels of responsibility, workload, skills and knowledge required for each particular role and take into account the observations of the three members of the larger groups who attended the meeting and referred to at Item 1 of this report.

The panel wish to advise the council that at its next meeting it intends to undertake a further review of the Leader of the Council's role which appears to be undervalued in the light of allowances paid to the leaders of other councils in West Yorkshire. The panel is however content at this stage to leave the special responsibility allowance for this position at the current figure of £24,066 plus 2% increase.

A copy of the proposed special responsibility allowances for 2007/08 is attached at Appendix A of this report.

Recommendations:

Chairs of area committees with multiple wards receive a special responsibility allowance of Band E

Chairs of area committees with a single ward receive a special responsibility allowance of Band E1

The panel does not support the principle of a special responsibility allowance for shadow and deputy cabinet members

A special responsibility allowance at Band D1 be payable to the leader of a group with two to six councillors

Group business manager (group membership) amended from 2-9 to 7-19 members

Opposition leader (group membership) amended from 10-29 to 7-29

Opposition leader (group membership) amended from 2-9 to 2-6

Deputy group leaders (group membership) amended from 10+ to 12+

That the Chairs of Planning Sub-Committees and the Chair of the Appeals Panel should receive a special responsibility allowance of Band C1

Chair of Licensing and Safety Committee receive a special

responsibility allowance of Band D

Members of Overview and Scrutiny Management Committee should receive a special responsibility allowance of Band E

That special responsibility allowance bandings, recommended by the panel in November 2005, should increase by 2%

That the council be recommended to approve the suggested special responsibility allowances with effect from 1 April 2007.

9. Terms of reference of the panel

The panel considered a report which advised that the Business Managers Sub-Committee at a meeting held on 1 March 2006 had confirmed the terms of reference of the panel as follows:

- (a) To advise council on what would be the appropriate level of remuneration for councillors having regard to the:
 - (i) role councillors as expected to fulfil
 - (ii) varying role of different councillors and
 - (iii) practice elsewhere in other Local Authorities.
- (b) To consider schemes of Members' Allowances for Town and Parish Councils as and when required.
- (c) To make recommendations and provide advice to the council on any other issues referred to the panel by regulation or by the council.
- (d) The council retains its power to remove a discredited panel member.
- (e) The sub-committee agreed that the panel could appoint its own chair from amongst its members and had agreed the terms of office of panel members.

Recommendation:

The panel noted the content of the report.

10. Development and training for members of the panel

The panel received details on various development events undertaken by panel members throughout the year. The panel went on to discuss the possibility of a further half-day session to discuss the role of councillors as outlined in the White Paper 'Vibrant Local Leadership', to discuss the role of the leader of the council and further discussions on the role profiles of

individual councillor positions as considered at the November 2005 meeting and at today's meeting.

Recommendation:

The panel requested officers to arrange a development session, later in the year, on the White Paper and its implications on the roles of the leadership and councillors.

11. Date of Next Meeting

28 September 2007.

Andrew Taylor
Chair
Members' Allowances Independent Review Panel

Appendix A

Proposed Special Responsibility Allowances

	£ per year
Leader	24,547
Deputy leader	18,410
Band A	
Cabinet member	12,274
Band A1	
Chair of Overview and Scrutiny	11,047
Opposition leader (30+ councillors)	11,047
Band B	
Opposition leader (7-29 councillors)	9,820
Group business manager (30+ councillors)	9,820
Band B1	8,592
Band C	
Group business manager (20-29 councillors)	7,365
Band C1	
Chairs of Planning sub committees	6,138
Chair of Appeals panel	6,138
Lead members of Overview and Scrutiny panels	6,138
Band D	
Group business manager (7-19 councillors)	4,911
Chair of Licensing and Safety committee	4,911
Band D1	
Opposition leaders (2-6 councillors)	3,684
Deputy group leaders (12+ councillors)	3,684
Band E	
Overview and Scrutiny management group	2,454
Chairs of Area committees (multiple-ward)	2,454
Band E1	
Chair of Council Business committee	1,227
Chairs of Area committees (single-ward)	1,227

Chairs of ad-hoc overview and scrutiny panels will receive an allowance of £38.37 per day - the number of days being determined by the Overview and Scrutiny Management Group.