

**Report of The**

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

**5<sup>th</sup> November 2010**

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## **1. Panel Membership**

The members of the Independent Review Panel are as follows:

Andrew Taylor (Chair)  
Ian Brown  
Chris West  
Lynn Knowles  
Stephen Thornton  
Fiona Weston

The meeting of the panel took place on Friday 5<sup>th</sup> November 2010.

The following officers attended the panel meetings:

Carl Whistlecraft, Head of Governance and Democratic Services  
Lindsay Foody, Service Administration Manager, Legal & Governance Service  
Deborah Nicholson, Councillor Support Team Leader, Legal & Governance Service

## **2. Terms of Reference**

The Panel's terms of reference are:

- a. To advise council on what would be the appropriate level of remuneration for councillors having regard to the:
  - Roles councillors are expected to fulfil.
  - Varying roles of different councillors.
  - Practice elsewhere and 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. Council retains its power to remove a discredited Panel member.
- e. The Panel can appoint its Chair from amongst its members.

The last meeting of the Panel took place on 29<sup>th</sup> October 2009 and its subsequent recommendations were considered by Full Council in March 2010

## **3. Re-election of Independent Review Panel Members**

Andrew Taylor and Stephen Thornton were both re-elected as Panel Members for a further one year term.

## **4. Election of Chair of Independent Review Panel**

Andrew Taylor was re-elected Chair of the Independent Review Panel.

## 5. The Rate of Allowances for 2011/12

The Panel gave detailed consideration to the issue of setting a rate for the basic allowance and Special Responsibility Allowances (SRAs) for the period 2011/12. Whilst once again wishing to acknowledge the important role played by all councillors, both in their wards and as part of special responsibilities undertaken, the Panel were mindful of the current climate within which their deliberations were taking place. The Panel recognised the need to balance the fundamental principles underpinning the scheme with an acknowledgement of the wider economic climate and its implications on local people and the public sector as a whole. **In light of this the Panel recommends:**

- **That from the 1<sup>st</sup> April 2011 the rate attached to the basic allowance is maintained at the rate agreed for 2010/11 - £12,566 per year.**
- **That from the 1<sup>st</sup> April 2011 the rates attached to the special responsibility allowances within the scheme are maintained at the rates agreed for 2010/11**

The Panel wished to place on record its intention to revisit and review this issue at its next meeting in 12 months' time.

In light of the constitutional changes made at Annual Council in May 2010, the panel gave consideration to the following SRAs:

- a. Chair of Overview and Scrutiny  
**The Panel recommends no change to this SRA.**
- b. Scrutiny Lead Members  
The Panel considered the consequences of the recent Review of Overview and Scrutiny on this role and noted the likely changes to workload, particularly of a strategic dimension and the likely increase in the number of meetings attended.  
**The Panel recommends no change to this SRA at this time but will revisit at the next Panel meeting where the necessary evidence relating to the impact on the role will be considered.**
- c. Overview and Scrutiny Management Committee  
The Panel noted the reduction in frequency of these meetings and removal of topic-based scrutiny work as part of the Committee's work programme.  
**The Panel recommends that this SRA be reduced from Band E to Band E1.**
- d. Chairs of Town and Valley Committees  
The Panel noted the creation of 7 multi ward Town and Valley Committees which had consequently seen the removal of single ward Area Committees. **The Panel recommends that all Chairs of Town and Valley Committees receive an SRA at Band E.**

The Panel also considered the following SRAs:

- e. Fostering and Adoption Panel Members  
The Panel noted the increase in case numbers over the last 12 months in respect of both Fostering and Adoption Panels which was proving too onerous for two councillors alone to manage.

**The Panel recommends the payment of up to 4 allowances for membership of the Fostering Panel or the Adoption Panel.**

f. **Chair of Appeals Panel**

The Panel noted the reduction in the number of dismissal appeals considered by Councillors over the last 12 months.

**The Panel recommends that this SRA be reduced from Band C1 to Band D1.**

6. **Minor/Consequential Changes to the Scheme**

The Panel considered a number of issues relating to the scheme including:

a. **Travel and Subsistence**

- Car mileage and daytime subsistence payable for approved duties, as set out in Regulation 8(1) of the 2003 Regulations.

**The Panel recommends that such duties outside the district should be paid at HMRC rates which are 40p per mile for the first 10,000 business miles in the tax year and then 25p per mile thereafter. This represents a decrease in the current rate.**

b. **Dependants' Carers' Allowance**

- Provision for payment of dependants' carers' allowance in respect of such expenses as arranging for the care of their children or dependants as are necessarily incurred in carrying out duties set out in Regulation 7(1) of the 2003 Regulations.

**The Panel recommends that the rate of dependants' carers' allowance from the 1st April 2011 (and subsequent years) is that of the National Minimum Wage for age 21 and above.**

c. **Mobile Phones / Information Technology**

- The Panel considered the current telephony arrangements in place to support councillors in their varying roles. In light of the complexity and importance of this matter, along with the whole issue of information technology, it was felt that current arrangements should continue for the time being.

**The Panel recommends that a full review of the telephony and information technology support for councillors is carried out by the Panel as part of its next meeting. This to specifically focus on how such technology can be used as a means of improving the effectiveness of councillors and delivering value for money for the council.**

d. **Publicity**

- The Panel noted that the current regulations place certain duties on local authorities in connection with publicising the recommendations made by their independent remuneration panel, their scheme of allowances and the actual allowances paid to councillors in any given year.

The Panel noted that these were publicised in newspapers in both North and South Kirklees and the associated costs.

**The Panel recommends that the Head of Governance and Democratic Services write, on behalf of the Panel, to the Secretary of State for Communities and Local Government to seek a review of these regulations given the current financial climate.**

## **7. Any Other Business**

The Panel received information on the following areas:

- The likely need for the Panel to consider the future arrangements with regards to the Standards Committee in light of the developing proposals as part of the Localism Bill.
- Continued progress with regards to Councillor Development in Kirklees. The Panel noted that the Council had recently received Charter Plus status for its achievements in this area.
- A recent audit of the Members' Code of Conduct which had acknowledged the robustness of management and administration of Councillors' Allowances. The Panel asked that thanks to Deborah Nicholson, Lindsay Foody and Carl Whistlecraft be put on record.

## **8. Date of Next Meeting**

The Panel will hold its next meeting in the Autumn of 2011 unless there is a need to convene before that time.