

**Report of the Independent Remuneration Panel
on Members' Allowances – Financial Context**

Purpose of report

1. To set the financial context for the following report on the agenda from the Independent Remuneration Panel (the Panel).

Main Considerations for the Council

2. The Panel's remit is to recommend to the Council a scheme of allowances. It has, however, no remit over the budget for allowances as this is a matter for the Council.
3. The Council is asked to take into account the information contained within this report when considering the recommendations of the Panel.
4. The Panel has recommended the following changes to the current Scheme:

Rec No.	<u>SRA</u>	Current scheme provision	Recommendation	Variation
8	Chairman of Overview and Scrutiny Management Committee	35% of Leader SRA - £11,210	Increase to 40% of Leader SRA - £12,812	£1,602
10	Chairman of Police and Crime Panel	30% of Leader SRA - £9,608	Reduce to 22.5% of Leader SRA - £7,206	(£2,402)
17	Chairman of Strategic Planning Committee	15% of Leader SRA - £4,804	Increase to 20% of Leader SRA - £6,405	£1,601
24	Lead representative on South West Councils	not banded as a % of Leader SRA - £2,254	Remove	(£2,254)
Rec no	<u>Non-SRA</u>	Current scheme provision	Recommendation	Variation
26	Group Leaders Allowance	Conservative £3,900 Lib/Democrat £1,500 Independent £850 Labour £650	£8,000 £6,000 £1,400 £600	£4,100 £4,500 £550 (£50)

26	Group Responsibility Allowance	Conservative £6,800 Lib/Democrat £2,000 Independent £700 Labour £300	Remove all	(£6,800) (£2,000) (£700) (£300)
27-30	Co-optees	Total £19,532	application of uplift from 2013 Total £20,366	£834
	Indexing to basic SRAs co-optees	£1,255,556 (total) £572,493 (total) £20,366 (total)	Staff pay increase backdated	£12,556 £5,725 £204
			Total cost of recommendations in 2017/18	£17,166

5. The Council adopts the annual pay award to the majority of council staff, subject to the NJC local government services terms and conditions as the index by which annual adjustments are made to the basic allowance, currently £12,811.80. The Panel is recommending the index will continue to apply, and also apply to the special responsibility allowances (SRA) payable to individual councillors and co-opted members. Indexing would apply for the period up to 2020/2021. The figures above estimate a 1% increase for the pay award, as estimated in the council budget for 2017/18.
6. The Panel recommends that all of the allowances referred to above are backdated to 8 May 2017, being the first day of office for elected councillors and to be rounded to the nearest pound. This is reflected in the above costings.
7. Other changes recommended by the Panel that don't have any additional financial implications include:
 - The scrutiny fund, which is intended to reward Councillors performing specific scrutiny functions such as chairing task groups, rapid scrutiny exercises, serving on active project boards and acting as Vice Chairmen of Select Committees, to be retained within the scheme at £15,000.

The fund is to be allocated according to a scheme to be approved annually by the Overview and Scrutiny Management Committee.
 - confirmation of the decision of Council made in February 2017 to remove the payment of a Technology Allowance of £250 per Councillor from the scheme.
 - To remove paragraph 15 of the scheme concerning the withholding of allowances to reflect changes in legislation relating to standards of conduct.
8. All other aspects of the scheme are, for the avoidance of doubt, recommended to be confirmed as remaining unchanged.

Budget Provision 2017/18

9. The recommendations from the Panel as shown above total approximately £0.017 million in 2017/2018. The current estimated cost of members' allowances is £1.864 million (excluding National Insurance contributions). If the Council were to agree the Panel's recommendations in full, the overall estimated cost would be approximately £1.881 million.
10. Employer's National Insurance contributions are payable against both the basic and special responsibility allowances . These total approximately £0.140 million.
11. Should the Council agree the recommendations in full or in part, compensating savings will be required. These will be identified within the appropriate budget monitoring reports to Cabinet as well as the 2018/19 budget setting process and medium term financial strategy. If it is also agreed to backdate any awards to May 2017 then this additional cost in 2017/18 will be funded as a one off from General Fund Reserves.

Future Budget Provision

12. The Panel's recommendations are intended to cover the period of this Council from 2017 to 2021.
13. The Panel has, therefore, recommended that the Council adopts the annual pay award to the majority of council staff, subject to the NJC local government services terms and conditions, as the index by which annual adjustments are made to the basic allowance, currently £12,811.80. The same index will apply to the SRAs payable to individual councillors. Indexing will apply annually for the period up to 2020/2021.
14. Subject to the Council approving this recommendation, these additional costs will need to be taken into account in the budget setting process for 2018/19 and future years.

Risk Assessment

15. There are no specific risks associated with the proposals in this report.

Financial Implications

16. These are explicit in this report and the Chief Financial Officer has been consulted in the preparation of this report.

Legal Implications

17. The review of the scheme of allowances has been conducted in accordance with The Local Authorities (Members' Allowances) (England) Regulations 2003.

Safeguarding considerations

18. There are no safeguarding implications in respect of this report.

Public Health Implications

19. There are no public health implications in respect of this report.

Recommendation

20. **The Council is asked to determine a scheme of members' allowances for Wiltshire Council for the period from May 2017 to May 2021, having regard to the recommendations of the Independent Remuneration Panel as set out in their report, and the financial context as described in this report.**

Ian Gibbons
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Report of the Independent Remuneration Panel of Wiltshire Council

Review of the Members' Allowances
Scheme

17 October 2017

Members of the Panel

Mr Graham Russell
Mr Jeremy Payne
Mr David Stratton OBE

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SUMMARY OF RECOMMENDATIONS

The Independent Remuneration Panel recommends that:

- (1) The Council adopts the annual pay award to the majority of council staff subject to the NJC local government services terms and conditions as the index by which annual adjustments are made to the basic allowance, currently £12,811.80. The same index will apply to the special responsibility allowances (SRA) payable to individual councillors, co-opted members and the group leaders' allowance. Indexing will apply for the period up to 2020/2021.
- (2) All of the allowances recommended in this report are unless stated otherwise backdated to 8 May 2017, being the first day of office for elected councillors and will be rounded to the nearest pound. All figures given below are subject to that backdated indexing.
- (3) The Council maintains the maximum cap of 2 SRAs be payable to individual councillors. No third SRA to be payable.
- (4) The Leader's SRA remains at 250% of the basic allowance resulting in an SRA of £32,028.98 per annum (Band 1).
- (5) The Deputy Leader SRA remains at 80% of the Leader SRA or £25,622.56 per annum (Band 2).
- (6) The Cabinet Member SRA remains at 60% of the Leader SRA or £19,217.18 per annum (Band 3).
- (7) The Chairman of Council SRA remains at 40% of the Leader SRA or £12,811.80 (Band 4).
- (8) The Chairman of the Overview and Scrutiny Management Committee SRA is increased to 40% of the Leader SRA or £12,811.80 (Band 4).
- (9) The Chairman of the Health and Wellbeing Board SRA remains at 30% of the Leader SRA or £9,608.07 per annum (Band 5).
- (10) The Chairman of the Police and Crime Panel SRA be reduced to 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (11) The Portfolio Holders' SRA remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (12) SRAs for the Chairmen of the Children's Select Committee, the Environment Select Committee and the Health Select Committee remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (13) The Vice-Chairman of the Overview and Scrutiny Management Committee SRA remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).

- (14) The Chairman of Area Board SRA remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (15) The Vice-Chairman of the Council SRA remains at 20% of the Leader SRA or £6405.38 per annum (Band 7).
- (16) The Chairman of Area Planning Committee SRA remains at 20% of the Leader SRA or £6405.38 per annum (Band 7).
- (17) The Chairman of the Strategic Planning Committee SRA is increased to 20% of the Leader SRA or £6405.38 per annum (Band 7).
- (18) The Chairman of Licensing Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (19) The Chairman of the Audit Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (20) The Chairman of the Staffing Policy Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (21) The Chairman of the Wiltshire Pension Fund Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (22) The Chairmen of the Operational Flood Working Groups' SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (23) The Chairman of the Standards Committee's allowance remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (24) The allowance for the Lead representative on South West Councils SRA be removed.
- (25) (a) The scrutiny fund, which is intended to reward Councillors performing specific scrutiny functions such as charring task groups, rapid scrutiny exercises, serving on active project boards and acting as Vice Chairmen of Select Committees, is retained within the scheme at £15,000.
- (b) The fund is to be allocated by the Overview and Scrutiny Management Committee in accordance with a scheme which it will approve annually.
- (26) The Group Leader Allowance to be allocated as follows:
- (a) Group Leaders to receive a flat rate allowance dependent on level of representation on the council with the following proportions:
- I) For Groups holding at least 30% of seats the Leader will receive an allowance of £8000.00.
- II) For Groups holding at least 20% of seats the Leader will receive an allowance of £6000.00.

- III) For Groups holding at least 10% of seats the Leader will receive an allowance of £2000.00.
- IV) For Groups holding fewer than 10% of seats the Leader will receive a proportion of £2000 allowance

(b) The Group Responsibility Allowance be removed.

(c) The Group Leader Allowance remains exempt from the SRA per Councillor cap.

(d) The Group Leader Allowance to receive annual adjustment as detailed in recommendation 1, but not to be backdated to 8 May 2017.

- (27) The remuneration for the Independent Persons for Standards to be increased to £2,336.00 per annum
- (28) The Co-opted Members of the Standards Committee's allowance to be increased to £1,168.00 per annum.
- (29) The Co-opted Member of the Children's Select Committee's allowance to be increased to £934.00 per annum.
- (30) The Co-opted Members of the Police and Crime Panel's allowance to be increased to £2,008.00 per annum.
- (31) To confirm Panel agreement with the February 2017 decision of Council to remove the payment of a Technology Allowance of £250 per Councillor from the scheme.
- (32) To remove paragraph 15 of the scheme concerning the withholding of allowances to reflect changes in legislation.
- (33) All other aspects of the scheme are, for the avoidance of doubt, confirmed as remaining unchanged.

INTRODUCTION

1. Wiltshire Council's Independent Remuneration Panel was convened under The Local Authorities (Members' Allowances) (England) Regulations 2003. The Regulations require all local authorities to set up and maintain an advisory Independent [Members'] Remuneration Panel to review and provide advice on Members' allowances. All Councils are required to convene their Remuneration Panel and seek its advice before they make any changes or amendments to their allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.
2. The Local Authorities (Members' Allowances) (England) Regulations 2003 also stipulate the statutory content of an allowances scheme, and thereby require the Panel to make recommendations on:
 - the level of a Basic Allowance payable to all members of the Council;
 - the roles and responsibilities for which Special Responsibility Allowances (SRAs) should be payable and the level of each such allowance;
 - the level of allowances payable to Co-opted Members;
 - the inclusion of child care and/or dependent carers' allowances and the level of any such payments; and
 - the level of allowances for travel, subsistence and overnight stays;

BACKGROUND

3. The Independent Remuneration Panel ('the Panel') undertook a detailed review of the Members' Allowances Scheme ('the Scheme') in 2013. Since then it had been necessary for the Panel to meet to update the scheme following changes to the standards regime introduced by the Localism Act in 2012 and the new governance arrangements for the Health and Wellbeing Board and the Police and Crime Panel.
4. In discussion with council officers, following consultation with group leaders, the Panel was satisfied that a light touch approach to the review would be appropriate, bearing mind that a detailed examination had been carried out as part of the review in 2013. Nevertheless, the Panel recognised that it was open to them to explore in greater depth any significant issues arising from their review and the information submitted to them.
5. The Panel would also note elements of the scheme which they felt might require detailed consideration in a future review, including in particular future simplification of the Scheme through reducing the number of separate SRA bands.
6. Wiltshire Council's Independent Remuneration Panel consists of the following Panel Members:

Mr Graham Russell:

Mr Russell has considerable experience of local government and has served on a number of independent remuneration panels. He is a Senior Associate of South West Councils and has produced their regional guidance on councillors' allowances for those involved in the work of independent remuneration panels. Mr

Russell chaired the IRP in place of the previous chairman, Mr Albert Lampey, who had retired from the role.

Mr Jeremy Payne:

Mr Payne served on the IRP during the last review in 2013 and in previous years. He was the Managing Director of HTV Group until 2005. His media career has encompassed experience in newspapers, radio, public relations and independent commercial film production as well as television in the UK and internationally. He was the founding chairman of South West Screen and has chaired the South West Film and Television Archive.

Mr David Stratton OBE:

Mr Stratton also served as a member of the IRP when it conducted its last review in 2013 and previously. He ran his family's farm in Kingston Deverill from 1970-2006, and remains a partner in the business, with the day to day management of the farm undertaken by his son. He was High Sheriff of Wiltshire in 2001 and is a serving Deputy Lieutenant of Wiltshire.

7. The Panel received officer support from Paul Kelly, Head of Democracy and Performance, and Kieran Elliott, Senior Democratic Services Officer. The Panel members are very grateful for the support of these officers.
8. A list of Councillors who gave verbal evidence to the Panel is included at Appendix 1. In addition, 11 Councillors responded to the consultation as detailed below. The Panel would like to record its gratitude to those Councillors who provided evidence in either form.

PRINCIPLES

9. In revisiting the current Scheme, the Panel reviewed the principles it had adopted for previous reviews, as well as those adopted by other Independent Remuneration Panels. It resolved to retain the principles it had adopted for past reviews which were:
 - A. the level of remuneration should relate to a commonly accepted benchmark
 - B. a scheme should be simple and easy to understand by the public as well as councillors themselves
 - C. a scheme should not be bureaucratic
 - D. Wiltshire Council is one of many local authorities and it should not adopt a scheme which is significantly out of line with others
 - E. membership of a local authority is a voluntary public service and the level of allowances should reflect that; but people should not be prevented from standing for office on financial grounds

F. a scheme should provide reasonable recompense for the time commitment and duties involved, after allowing for an element of public service, in order to maintain the quality of representation and extend the opportunity for people to serve as councillors

G. a scheme should reflect the substantial time which the average councillor spends on casework, local community work and other council work

H. a scheme should recognise also the additional duties and responsibilities of office holders.

The Panel recognises that the legislation and guidance from the Government about members allowances dates from 2003. Wiltshire Council is a relatively new and large Unitary Authority with complex member and officer roles. Where appropriate, the Panel has been mindful of this in making its recommendations.

PROCESS AND METHODOLOGY

10. In undertaking the review, the Panel met on three occasions in August and September 2017 in addition to electronic communications. They considered a range of evidence, including:

Verbal evidence from Councillors

11. The Panel met with Councillors holding various roles of special responsibility, including the Leader of the Council, the Deputy Leader of the Council, Leaders of all opposition groups, the Chairman and Vice Chairman of the Overview and Scrutiny Management Committee, and the Chairman of the Audit Committee, Police and Crime Panel and an Area Board. The evidence they provided is referenced, where appropriate, throughout this report. A complete list of Councillors and officers who provided verbal evidence for the Panel is attached at Appendix 1.

Consultation

12. An email was sent to all councillors on 15 August 2017 providing details of the present scheme, the report of the IRP in 2013, and requesting any comment councillors might have on any aspect of the scheme by 11 September 2017. A total of four reminders were sent to all councillors with a total of 11 responses received with comments on the scheme. The evidence they provided is referenced, where appropriate, throughout this report.

Members' Allowance Schemes adopted by other councils

13. During its 2013 deliberations the Panel considered members' allowance schemes from a number of local authorities for comparative purposes, in particular other unitary councils and other councils within the South West region. The Panel requested an update as to the schemes of those authorities to compare for the 2017 review. The authorities compared are listed in Appendix 1.

14. The Panel considered the levels paid by these comparable councils, as well as other aspects of their schemes as appropriate. This assisted it in adhering to one

of its agreed principles: "Wiltshire Council is one of many local authorities and it should not adopt a scheme which is significantly out of line with others". See comment above.

15. Details of the sample of comparable councils referred to above and the comparative data presented before the Panel are attached at Appendix 2.

BASIC ALLOWANCE AND INDEXATION

Introduction

16. Under the 'Local Authorities (Members' Allowances) (England) Regulations 2003, a members' allowance scheme must make provision for a Basic Allowance, which must be paid at the same rate for all Councillors. The Statutory Guidance on the Regulations states that the Basic Allowance "is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meeting with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes." (ODPM, 2003). Incidental costs can be many, ranging from telephone calls to visiting constituents (Councillors Commission, 2007).
17. In its 2013 Review the Panel had extensively re-examined the principles on which the Basic Allowance was calculated, including consideration of average number of hours worked by councillors and several potential alternate rates on which to base the allowance.
18. The Regulations state that a scheme may make provision for an annual adjustment of allowances by reference to an index, which may be specified by the authority. It must not rely on this index to make annual adjustments to the scheme for a period of more than four years (after which it must seek a further recommendation from its Independent Remuneration Panel) (ODPM, 2003).
19. Following such index linked rises the present Basic Allowance is set at £12,811.80 for 2017/18 (subject to review following the Officers' pay award.).

Conclusions

20. The Panel in considering the Basic Allowance received no representations that the present level was either too high or too low. The level was also not out of keeping with comparative authorities. They therefore were satisfied the previous calculations undertaken during the last detailed review continued to adhere to the principles as set out earlier in this report.
21. Evidence received from councillors verbally and in writing supported either no increase to the Basic Allowance, or restricting any rise to the level of the annual pay award to council staff.
22. On that basis of the need to recommend a Scheme that would last the life of the Council (i.e. for four years), the Panel agreed that Basic Allowance should be updated annually in accordance with the pay award to council staff to the end period of the council, being 2020/2021.

23. It was further confirmed that the indexing and annual increase in accordance with the pay award to council staff should apply to all Special Responsibility Allowances (SRA) and Co-opted Member Allowances.

RECOMMENDATION 1

The Panel recommend that the Council adopts the annual pay award to the majority of council staff subject to the NJC for local government services terms and conditions as the index by which annual adjustments are made to the basic allowance, currently £12,811.80. The same index will apply to the special responsibility allowances (SRA) payable to individual councillors and Co-opted Member Allowances. Indexing will apply for the period up to 2020/2021.

BACKDATING

24. The Panel recommends that all of the allowances recommended herein are backdated to the appropriate date in 2017.

RECOMMENDATION 2

The Panel recommend that all of the allowances recommended herein are unless stated otherwise backdated to 8 May 2017, being the first day of office for elected councillors and will be rounded to the nearest pound. All figures given in this report are subject to that backdated indexing.

SPECIAL RESPONSIBILITY ALLOWANCES (SRAs)

Introduction

25. The Regulations state that “a special responsibility allowance [SRA] may be paid to those members of the council who have significant additional responsibilities over and above the generally accepted duties of a councillor. These responsibilities must be related to the discharge of the authority’s functions.” (ODPM 2003).

26. The Regulations list the categories of responsibilities which might call for an SRA. They state that SRAs may be payable for duties which fall within the following categories:

- acting as leader or deputy leader of a political group;
- membership of the executive, where an authority is operating executive arrangements;
- presiding at meetings of a committee, sub-committee, or joint committee;
- representing the authority at meetings of another body;
- membership of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods;
- acting as a spokesperson for a political group on a committee or sub-committee;

- membership of an adoption appeals panel or panel dealing with licensing or controlling any activity;
- any other activities in relation to the discharge of the authority's functions as to require equal or greater effort of the member than any of the activities listed above.

27. The Regulations also state that where one political group is in control, and where an authority has decided to pay SRAs, the authority must make provision for the payment of a special responsibility allowance to at least one member of a minority group.

28. The Panel noted the Government's guidance that "it should not necessarily follow that a responsibility which is vested to a particular member is a significant additional responsibility for which an SRA should be paid. Whilst such responsibilities may be unique to a particular member it may be that all or most members have some such responsibility to varying degrees. Such responsibilities should be recognised as a time commitment to council work which is acknowledged within the basic allowance and not responsibilities for which an SRA allowance should be recommended" (ODPM, 2003). The Panel has indicated that it will take particular account of this guidance in its next full review of the Scheme, particularly relating to the lower bandings of the Scheme.

SRAs per Councillor

29. In its 2013 review the Panel recommended amending the Scheme to discontinue the limitation of one full SRA being payable to an individual councillor. In recognition of the expanded role for councillors in a large, unitary authority it was recommended, and approved by Council, to set a maximum cap of two full SRAs be payable to any one councillor.

30. No submissions made to the Panel suggested the cap should be reviewed, and accordingly the Panel confirmed its 2013 recommendation.

RECOMMENDATION 3

The Panel recommends that the Council maintains the maximum cap of two SRAs be payable to individual councillors. No third SRA to be payable.

SRA Methodology and Leader of the Council SRA

31. The Panel received no representations that it should alter its previous recommendation to utilise the widely adopted methodology of determining an SRA for the most time consuming post on the council, in this case the Leader SRA, and using proportions of that to calculate SRAs for all other positions.

32. This approach has the advantage that, when future adjustments to the SRAs are required, changing the Leader's SRA will have a proportionate and easily calculable impact on all other SRAs within the scheme. This approach also provides a clear, transparent and understandable scheme of allowances,

particularly when roles with comparable levels of 'special responsibility' are banded together (with each band attracting a set percentage of the Leader's SRA).

33. Therefore the Panel was satisfied the methodology in paragraph 31 should be retained.

34. Furthermore, that the SRA for the position of Leader of the Council continue to be set at 250% of the Basic Allowance. This had been recommended after extensive examination of the nature of the role and having regard to the structures in Wiltshire Council without a Chief Executive Officer, the level was now not out of keeping with comparative local authorities.

RECOMMENDATION 4

The Panel recommend that the Leader's SRA remains at 250% of the basic allowance resulting in an SRA of £32,028.98 per annum (Band 1).

Deputy Leader SRA

35. Like the other Cabinet Members the Deputy Leader holds responsibility for an executive portfolio, but performs the additional duty of deputising for the Leader so far as legally possible and permissible in the Leader's absence. S/he also assists and works closely with the Leader in delivering the Leader's usual functions and on budgetary planning and policy development.

36. The Panel examined closely the duties and responsibilities of this office-holder and in particular the differential between the Deputy Leader and other Cabinet Members. Although some representation was made that this SRA was set too high, the Panel remains satisfied that the size and breadth of the Leader's responsibilities in a large unitary council was also reflected in the role of the Deputy Leader. The role holds significant responsibilities and requires a time input almost comparable to that of the Leader to be performed effectively. This assistive responsibility is obviously in addition to the duties of a regular Cabinet Member.

37. The current Deputy Leader SRA is set at a level equidistant between that of the Leader and that of a regular Cabinet Member. This equates to an SRA set at 80% of the Leader SRA.

RECOMMENDATION 5

The Panel recommend that the Deputy Leader SRA remains at 80% of the Leader SRA or £25,622.56 per annum (Band 2).

Cabinet Member SRA

38. The main responsibilities of Cabinet Members are to give political direction to officers working within their portfolio and to support them in the implementation of

policy. They are accountable for individual delegated decisions and performance within their portfolio both internally and externally, to partners and the community. They have an overview of the performance management, efficiency and effectiveness of their portfolio and make executive decisions relating to it. The current Cabinet portfolios include Children, Education and Skills; Economic Development and Housing; and Highways, Transport and Waste.

39. The Panel continued to be satisfied that the role of Cabinet Member is third only to that of Leader and Deputy Leader in terms of the responsibilities and time demands of the role. Portfolio Holder roles to assist the Cabinet Members are additional resources providing extra capacity to the work of Cabinet Members, but that the demands of the Cabinet Member role as decision maker continued to justify the existing SRA.

RECOMMENDATION 6

The Panel recommend that the Cabinet Member SRA remains at 60% of the Leader SRA or £19,217.18 per annum (Band 3).

Chairman of Council SRA

40. As well as presiding over meetings of the Council, the Chairman of Council's role is to represent the Council at civic functions and on outside bodies and to promote public involvement in the Council's activities.
41. The Panel acknowledged the importance of the role of presiding over council meetings and representing the Council at a large number of events, and received no representations that the current SRA was at an inappropriate level.
42. However, the Panel did note that the current SRA was to some extent out of keeping with data from comparative authorities, and suggested that during a future full review the level of the SRA might need to be reassessed.

RECOMMENDATION 7

The Panel recommend that the Chairman of Council SRA remains at 40% of the Leader SRA or £12,811.80 (Band 4).

Chairman of the Overview and Scrutiny Management Committee SRA

43. In recommending SRAs relating to the Council's overview and scrutiny function the Panel received a detailed briefing from the Chairman and Vice Chairman of the Overview and Scrutiny Management Committee and the statutory scrutiny officer on the roles fulfilled by its scrutiny committees and their respective Chairmen and Vice-Chairmen.

44. The Panel recognised that Overview and Scrutiny was a statutory function that required robust leadership at member level. Its primary roles were as a backbench Councillor forum for challenging and scrutinising the decisions of the Cabinet; contributing to the monitoring of the Council's performance and to the development of Council policy.

45. In its 2013 review the Panel had concluded that the Overview and Scrutiny Management Committee's broader role meant that its Chairman is viewed as the functional lead at member level for the Council's Overview and Scrutiny function and the post-holder must undertake significant additional work outside of Committee meeting to this end. The Panel continued to be satisfied, therefore, that the Chairman of the Overview and Scrutiny Management Committee holds a greater level of responsibility than the Chairmen of the Select Committees and that a differentiation in the levels of their respective SRAs remains appropriate.

46. The Panel received submissions on how the overview and scrutiny function had developed since the last review in 2013, in particular the increased involvement prior to approval of major cabinet and council items such as the budget. It was considered that there had been a significant evolution of how the function operated, and an expanded role for the Chairman of the Overview and Scrutiny Management Committee.

47. Although not suggested by the present Chairman or Vice-Chairman, the Panel therefore concluded that the expanded role of overview and scrutiny, and concomitant increase in responsibility for the senior chairman, justified an increase in the SRA currently set at 35% of the Leader SRA. This would also remove a band (band 5) from the scheme to aid its simplification.

RECOMMENDATION 8

The Panel recommend that the Chairman of the Overview and Scrutiny Management Committee SRA is increased to 40% of the Leader SRA or £12,811.80 per annum (Band 4).

Chairman of the Health and Wellbeing Board SRA

The Health and Wellbeing Board is responsible for:

- Preparing the Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy (JHWS);
- Encouraging integrated working between health and social care commissioners in connection with the provision of health and social care services;
- Encouraging close working between commissioners and health-related services and the board itself; and
- Encouraging close working between commissioners of health-related services and commissioners of health and social care services.

48. The Board had a powerful role in joining up health and social care and in influencing over £2b worth of commissioning spend. In 2013 the Panel had concluded that the Chairman's role in understanding the complexity of this area and influencing partner organisations was critical to the success of the board and the joining up of health and social care.

49. Having received no submissions contradicting the findings of its 2013 review, the Panel continued to recognise the important role undertaken by the Board, with significant responsibilities attendant upon the Chairman. They therefore resolved to maintain the current SRA, although they felt the role and associated SRA should be reviewed in more detail in the future.

RECOMMENDATION 9

The Panel recommend that the Chairman of the Health and Wellbeing Board SRA remains at 30% of the Leader SRA or £9,608.07 per annum (Band 5).

Chairman of the Police and Crime Panel (PCP)

50. The Police and Crime Panel is a body which holds the Police and Crime Commissioner to account and scrutinises their work.

51. In its 2013 review the Panel had concluded the PCP was principally a scrutiny body, although it did contain some additional powers around budgetary and staffing matters and had set the SRA at 30% of the Leader SRA.

52. Some representations had been received about the level of the SRA and in particular the justification for this being higher than for the Chair of a Scrutiny Committee. Notwithstanding some additional powers, the Panel did not feel the PCP role was equivalent to that of the Chairman of the Health and Wellbeing Board. Its role was primarily that of scrutiny and that, the correct band was more appropriately equivalent to that of a Scrutiny Select Chairman.

RECOMMENDATION 10

The Panel recommend that the Chairman of the Police and Crime Panel SRA be set at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).

Portfolio Holder SRA

53. Following the elections in June 2009, the Leader appointed for the first time Portfolio Holders who sat outside of the Cabinet but whose primary role is to support the workload of Cabinet Members. They have no statutory decision-making powers but are an additional resource providing extra capacity to Cabinet Members' work, undertaking in-depth work with Directors and also functioning as

an extra contact point for non-executive Councillors. The role also serves as a development position for prospective Cabinet Members.

54. In 2009 and 2013 the Panel had examined the nature and extent of the work of the Portfolio Holders, including time commitments, and had set the SRA at 22.5% of the Leader SRA.

55. A number of representations were received in relation to the SRA, some suggesting the SRA should be elevated and others suggesting no change.

56. In spite of these comments the Panel considered that the role had not developed significantly since the last review. Additionally, although the number of Portfolio Holders was, at 16, higher than at any time since their creation in 2009, the impact was not sufficient to justify a change in the SRA at the present time given the nature of the role.

RECOMMENDATION 11

The Panel recommend that the Portfolio Holders' SRA remains at 22.5% of the Leader SRA or £7206.05 per annum (Band 6).

Overview and Scrutiny Select Committee SRAs

57. In addition to the Overview and Scrutiny Management Committee Wiltshire Council has three scrutiny select committees: Children's Select Committee, Environment Select Committee and the Health Select Committee.

58. In accordance with its 2013 review the Panel remained satisfied that the Council's Select Committees played an important overall role in the functions listed above in paragraph 43 and that their Chairmen's roles in facilitating this was sufficient to attract significant SRAs. These roles include leading their respective select committees as a team, acting as a key link with Cabinet Members and Senior Officers, being accountable to the Council for the actions of their Committees and for the chairmanship of Committee meetings.

59. The Panel received no representations against its previous conclusions that the SRA band for the Select Committee Chairmen should be set lower than the of the Chairman of the Management Committee. Whilst recognising the increased role of scrutiny as the function had evolved, at the present time the Panel did not feel an increase in the SRA for Select Committee Chairmen was justified.

RECOMMENDATION 12

The Panel recommend that SRAs for the Chairmen of the Children's Select Committee, the Environment Select Committee and the Health Select Committee remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6)

Vice-Chairmen of Overview and Scrutiny Management Committee

60. In its 2013 review the Panel had concluded based on the collaborative work between Chairman and Vice-Chairman of the Overview and Scrutiny Management Committee that the Vice-Chairman role should receive a significant SRA. Although the responsibilities differed, it was considered that the level of responsibility assisting in managing the overview and scrutiny function was equivalent to that of a Select Committee Chairman.
61. Some representations were received which felt that the SRA for the role was set too high and was not equivalent to that of an Area Board Chairman. However, from discussions with members and officers and on the basis of its previous reasoning, the Panel was satisfied the SRA remained at an appropriate level.

RECOMMENDATION 13

The Panel recommend that the Vice-Chairman of the Overview and Scrutiny Management Committee SRA remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).

Chairman of Area Board SRA

62. The creation of Wiltshire's eighteen Area Boards was a key aspect of the Council's bid for unitary status in 2009, intended to engage local people and devolve decision making, and that within a broad framework, the Boards operated differently to best reflect the needs of their particular locality.
63. The Panel had concluded that the Area Boards play a pivotal role in a large rural unitary authority such as Wiltshire. Boards met regularly and evidence received suggested most Boards still received significant engagement, and the Panel was informed further budgets had been devolved to them since the last review in 2013.
64. The Panel remained satisfied that although Chairmen of Area Boards had no specific delegated authority they played a key role in the success or failure of the Area Boards sufficient to justify a significant SRA.
65. Representations were made as to the level of SRA that the role should receive. Some considered that the role was not equivalent to that of a Portfolio Holder which currently received the same level of SRA, and others felt the responsibilities incumbent upon an Area Board Chairman had increased since the last review and therefore an increase in the SRA was perhaps justified.
66. At the present time the Panel concluded there was not sufficient evidence to justify either raising or lowering the SRA for Area Board Chairmen, however an in depth review at some point in the future might be necessary to ensure it was still within the most appropriate SRA banding.

RECOMMENDATION 14

The Panel recommend that the Chairman of Area Board SRA remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).

Vice-Chairman of Council SRA

67. The Vice-Chairman's role is to deputise for the Chairman, chairing Council meetings and attending events in the place of the Chairman when necessary. The Panel, as in previous reviews, acknowledged that, since there is no longer a two tier system of local government in Wiltshire, the Chairman and Vice Chairman will be invited to more civic receptions and functions than previously.
68. Having received no representations in opposition to the current SRA banding, the Panel concluded it should remain at its current level.

RECOMMENDATION 15

The Panel recommend that the Vice-Chairman of Council SRA remains at 20% of the Leader SRA or £6,405.38 per annum (Band 7).

Chairman of Area Planning Committee SRA

69. The Committees' role is to determine planning applications and matters such as the designation and amendment of conservation areas, Village Design Statements, Parish Plans, registration of common land for town and village greens, and public rights of way.
70. As of May 2017 the Area Planning Committees meet on a four week cycle with approximately 13 meetings per year. Having reviewed statistics of the Area Planning Committee meetings, the Panel was satisfied the level of work and the time commitment would remain significant in an area of great public interest, and that therefore the level of SRA should be maintained.

RECOMMENDATION 16

The Panel recommend that the Chairman of Area Planning Committee SRA remains at 20% of the Leader SRA or £6,405.38 per annum (Band 7).

Chairman of Strategic Planning Committee SRA

71. The Strategic Planning Committee is responsible for major strategic planning applications and the allocation of housing and sites for major waste and mineral applications among other matters.
72. Since its 2013 review, which had recommended an SRA at 15% of the Leader SRA, it was apparent in reviewing the committee statistics that the Strategic Planning Committee met far more frequently and considered more items than had previously been the case, and that this was a sustained increase in work. Even more so than the Area Planning Committees the Strategic Planning Committee also dealt with items of considerable public interest and importance. Representations were also made that the current SRA was set too low.
73. The Panel was made aware of an overview and scrutiny review of the planning process and that at some point in the future the Panel may need to take into account the findings of that review and any impact on members' allowances.
74. The Panel therefore recommended that the level of SRA be increased to that of the Area Planning Committee Chairman SRA. By implication this then removed another band from the scheme to aid simplification.

RECOMMENDATION 17

The Panel recommend that the Chairman of the Strategic Planning Committee SRA is increased to 20% of the Leader SRA or £6,405.38 per annum (Band 7).

Chairman of Licensing Committee SRA, Chairman of Audit Committee SRA, Chairman of Staffing Policy Committee SRA, Chairman of Wiltshire Pension Fund Committee SRA, Chairman of Standards Committee, Chairman of Operational Flood Working Groups SRA

75. All the SRA roles listed above currently receive an SRA of 10% of the Leader SRA
76. The Regulations state that "a special responsibility allowance [SRA] may be paid to those members of the council who have significant additional responsibilities over and above the generally accepted duties of a councillor. These responsibilities must be related to the discharge of the authority's functions." (ODPM 2003).
77. Reviewing its 2013 conclusions in accordance with the principles and following an additional four years of operation, the Panel had some reservations that such a minor SRA could continue to be justified in the longer term. The Panel maintains that attendance at meetings was an expected part of a councillors' role, and given meeting statistics and role changes, such as the inclusion of a further Operational Flood Working Group Chairman, questioned whether all the roles listed above incur an additional responsibility significant enough above the generally accepted duties of a councillor to justify an SRA for that role.

78. Nevertheless, in the absence of representations to that effect, and given the nature of the review, the Panel did not feel at this stage that it had a significant enough evidentiary basis to recommend any of the above SRAs be removed.
79. The Panel therefore recommended that all the roles above retain their current SRA level, but noted that at the next in depth review each role should be assessed to ensure if all the roles should still receive an SRA and, if so, if all should be at the same level.

RECOMMENDATION 18

The Panel recommend The Chairman of Licensing Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).

RECOMMENDATION 19

The Panel recommend that the Chairman of the Audit Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).

RECOMMENDATION 20

The Panel recommend that the Chairman of the Staffing Policy Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).

RECOMMENDATION 21

The Panel recommend that the Chairman of the Wiltshire Pension Fund Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).

RECOMMENDATION 22

The Panel recommend that the Chairmen of the two Operational Flood Working Groups' SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).

RECOMMENDATION 23

The Panel recommend that the Chairman of the Standards Committee's allowance remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).

Lead Representative on South West Councils

80. South West Councils is a body which acts as the regional voice of councils in the South West, as well as providing training, Human Resource advice and networking opportunities for councils.
81. Although not listed in the recommendations in the 2013 report of the Panel an SRA of £2,253.98 is included in the current Scheme. This is below the lowest listed band of 10% of the Leader SRA.
82. The Panel noted that South West Councils, according to their website, brings together 'Leaders or their Deputies', although councils could appoint other representatives. They also noted it was in effect simply an Outside Body, of which there were a great many in the council, with limited commitments and for which no SRA was payable.
83. Therefore, the Panel concluded that there was no justification for this particular Council appointee to have an entitlement to an SRA and that it should therefore be deleted from the Scheme of Members' Allowances.

RECOMMENDATION 24

The Lead representative on South West Councils SRA be removed.

Scrutiny fund

84. The current Scheme provides for a lump sum of £15,000 to be allocated annually to those members performing specific scrutiny functions, in recognition of the time commitment and to encourage councillors to engage with the statutory scrutiny function to enhance the democratic benefit it provides.
85. In its 2013 report the initial conclusion had been that the fund would be allocated by the Chairman of the Overview and Scrutiny Management Committee, although at its presentation to Council this was amended by the Panel, and accepted, to state that a scheme prepared by the Chairman would be approved by the Overview and Scrutiny Management Committee and that such approval must be on an annual basis. In practice this was presently the case.
86. In the interests of greater clarity and transparency over the control of this fund, the Panel concluded that the wording be amended to remove reference to the Chairman, giving all responsibility over the apportionment of the fund to the Overview and Scrutiny Management Committee, as well as further specifying the acceptable roles that could be remunerated .
87. The Panel further concluded that the level of the fund remain at £15,000 per annum.

RECOMMENDATION 25

The Panel recommend that:

(a) The scrutiny fund, which is intended to reward Councillors performing specific scrutiny functions such as chairing task groups and rapid scrutiny exercises, serving on active project boards and acting as Vice-Chairman of Select Committees, is retained within the Scheme at £15,000.

(b) The fund is to be allocated by the Overview and Scrutiny Management Committee in accordance with a scheme which it will approve annually.

Group Leader Allowances

88. Group Leaders are the main point of contact for officers and coordinate the activity of all political groups. Under the current Scheme, they receive two allowances:

- I. A flat rate of £500 per Group Leader, plus £50 per member in the Group. This recognises that the size of the Group may have some effect on the responsibilities of the Group Leader.
- II. The second allowance payable to Group Leaders is to reflect responsibilities within their Group (i.e. Secretary, treasurer, spokesperson) and this is paid at a rate of £100 per member, and is allocated by the Group Leader.

89. The current Scheme results in the allowances shown in **Table 1**.

Table 1 – Political composition of Wiltshire Council and amounts to be paid under the present Scheme

Political Group	Membership	1. Group Leader SRA (£500 flat + £50 per member)	2. Group responsibilities (£100 per member)	Total
Conservatives	68	£3,900	£6,800	£10,700
Liberal Democrat	20	£1,500	£2,000	£3,500
Independents	7	£850	£700	£1,550
Labour	3	£650	£300	£950

90. In discussions with Group Leaders and having reviewed other allowances schemes, several concerns were raised in respect of the Scheme explicitly providing funds for group positions which it was felt was the responsibility of the group themselves to provide. The Panel was concerned that these might be perceived as political roles rather than Council roles. The Panel therefore resolved to remove the £100 per capita Group Responsibility Allowance.

91. The Panel, having considered the previously approved methodology inadequate due to the above concerns, considered various alternatives. As seen in the comparative council data in Appendix 2, councils adopt a wide range of approaches when providing group leader allowances, including only providing to opposition groups, to groups of certain sizes or not at all.
92. The Group Leader of the Liberal Democrat Group, like their predecessor in 2013, made specific representation that the role of leader of the main opposition group was qualitatively distinct from other opposition group leaders, requiring significant additional time and resources in order to appropriately hold the administration to account.
93. The Panel took those representations into account, although they noted the level of support able to be provided to all councillors in the council constitution, including the right to request private meetings from senior officers on policy matters for political groups, and did not feel in itself that being the main opposition justified a significant allowance increase.
94. Nevertheless, in seeking an alternate allocation method having removed the Group Responsibility Allowance, the Panel considered that a lump sum graded approach should apply. This would mean increases for some groups and decreases for others, but was felt overall to be a fairer method than the present system, as well as being clearer and more transparent as to the total amounts to be received by each group leader.
95. Under such a method group leaders would receive an allowance depending on the percentage of seats their group holds on the council as follows:
- I) For Groups holding at least 30% of seats the Leader will receive an allowance of £8000.00.
 - II) For Groups holding at least 20% of seats the Leader will receive an allowance of £6000.00.
 - III) For Groups holding at least 10% of seats the Leader will receive an allowance of £2000.00.
 - IV) For Groups holding fewer than 10% of seats the Leader will receive a proportion of £2000 allowance
96. This would result in allocations as shown below in **Table 2**

Table 2 – Political composition of Wiltshire Council and amounts to be paid under the proposed Scheme

Political Group	Membership (% of council seats)	Total
Conservatives	30+%	£8,000
Liberal Democrat	20+%	£6,000
Independents	Under 10%	£1,400
Labour	Under 10%	£600

97. The totals paid would initially be £16,000 rather than the £16,700 under the present Scheme, subject to any future uplift as detailed in paragraph 98.
98. The Panel also recommended that Group Leaders' Allowances remain exempt from the two SRA per councillor cap, and that the Group Leaders' Allowance also be subject to uplift in accordance with the annual staff pay award from the next financial year.

RECOMMENDATION 26

The Group Leader Allowance to be allocated as follows:

- (a) **Group Leaders to receive a flat rate allowance dependent on level of representation on the council with the following proportions:**
- I) **For Groups holding at least 30% of seats the Leader will receive an allowance of £8000.00.**
 - II) **For Groups holding at least 20% of seats the Leader will receive an allowance of £6000.00.**
 - III) **For Groups holding at least 10% of seats the Leader will receive an allowance of £2000.00.**
 - IV) **For Groups holding fewer than 10% of seats the Leader will receive a proportion of £2000 allowance.**
- (b) **The Group Responsibility Allowance to be removed.**
- (c) **The Group Leader Allowance remains exempt from the SRA per Councillor cap.**
- (d) **The Group Leader Allowance to receive annual adjustment as detailed in recommendation 1, but not to be backdated to 8 May 2017.**

CO-OPTED MEMBERS

99. The Panel received no representations in respect of Co-opted member allowances, and reviewing its reasoning for the 2013 review accepted as reasonable the level of allowances that had been assigned to the roles.
100. The Panel did however note that the allowances for the three co-opted roles had not been subject to the same uplift in accordance with the annual staff pay award as had other roles, and so determined to recommend an increase to the amounts to where they would have risen to had the uplift been applied, and for the uplift to apply thereafter as recommended.
101. Additionally, the Panel felt that consideration should be given in any future review, to determining if it would be appropriate and reasonable to set two rates for co-opted members, one non-voting and one voting, which would provide a clear basis should any committees in future decide to co-opt members.

102. Whilst recognising that the remuneration set for the role of Independent Person does not form part of the allowances scheme, in line with the approach taken previously, the Panel considered that this should be increased to £ 2,336 to reflect the uplift the role would have received in accordance with the annual staff pay award, and then for the uplift to apply as recommended.

RECOMMENDATION 27

The Panel recommend that remuneration for the Independent Person for Standards be increased to £2,336 per annum.

RECOMMENDATION 28

The Panel recommend that the Co-opted Members of the Standards Committee's allowance be increased to £1,168 per annum.

RECOMMENDATION 29

The Panel recommend that the Co-opted voting Member of the Children's Select Committee's allowance be increased to £934 per annum.

RECOMMENDATION 30

The Panel recommend that the Co-opted Members of the Police and Crime Panel's allowance be increased to £2,008 per annum.

OTHER ASPECTS OF THE SCHEME

Technology Allowance

103. In 2013 the Panel had recommended payment of a Technology Allowance £250 per councillor be continued within the Scheme to contribute toward IT costs. The Council had removed this element of the Scheme as part of its budget setting process for 2017/18, and the Panel supported this change.

RECOMMENDATION 31

To confirm Panel agreement with the February 2017 decision of Council to remove the payment of a Technology Allowance of £250 per Councillor from the scheme.

Withholding Allowances

104. Paragraph 15 of the current Scheme provides for the withholding or repayment of allowances in the event of councillor or co-optee disqualification, removal or suspension. Following legal advice from officers, the Panel recommends that this paragraph is removed.

RECOMMENDATION 32

To delete remove paragraph 15 of the scheme concerning the withholding of allowances to reflect changes in legislation relating to standards of conduct.

Travelling and Subsistence Allowances

105. A representation was received suggesting that no meal allowance should be claimable unless a councillor was away overnight on Council approved business.

106. The Panel did not feel any other evidence supported such a change, and so resolved to recommend no changes to this or any other aspects of the Scheme.

RECOMMENDATION 33

The Panel recommend that all other aspects of the scheme are, for the avoidance of doubt, confirmed as remaining unchanged.

Concluding comments

107. As explained at the outset, this has been a light touch review. Inevitably, during the process of inviting evidence, issues have come to light which would normally require deeper analysis and review. Where such issues have been identified, the panel has flagged up its intention to review these in depth at the next fundamental review.

108. The Panel believes its overall recommendations make the scheme simpler by reducing the number of bandings and better reflects the needs of Wiltshire Council for the next 4 year period.

APPENDICES

Appendix 1 - Evidence sources and Councillors and Officers who met with the Panel

Appendix 2 - Council Comparative data

Appendix 3 - Recommended Revised Allowances Scheme

Appendix 4 - Issues to be considered at future reviews