

Executive Summary and Recommendations

Title of Report: Members' Allowance Scheme 2009/10

Date: 24 February 2009

1. Summary of this Report

- 1.1 This report asks the Committee to consider recommending the Council to adopt a Members' Allowance Scheme for the year 2009/10 with effect from 1 April 2009.
- 1.2 The Independent Remuneration Panel, established by London Councils', issued an updated report in 2007 which the Committee and the Council took into account in drawing up the proposals agreed as part of the 2007/08 scheme and the current year's scheme. In reaching decisions on a scheme the Committee and the Council must have had regard to the recommendations of the Panel; a copy of the report of the Panel is listed as a background document and is available on request. Similarly regard must be had to relevant statutory guidance issued by the Secretary of State; this is also listed as a background document to the report. This has been considered by the Committee and the Council previously and no new issues arise as a result of the proposals in this report.
- 1.3 In drawing up the revised Members' Allowances Scheme, regard has been had to the Independent Panel's report. The Panel recommended that their recommendations should be adopted in full.
- 1.4 It is proposed that in view of the current financial position, following discussion with the Chief Whip of the Majority Party and the need to review carefully all Council expenditure, to set the Members' Allowances Scheme for 2009/10 at the same levels as those in the 2008/09 scheme. The General Purposes Committee is therefore asked to recommend the Council to agree the Members Allowances Scheme for 2009/10 on this basis.

2. Recommendation

- 2.1 That the Council be recommended to approve the Members' Allowances scheme attached to the report for 2009/10 with effect from 1 April 2009.



City of Westminster

General Purposes Committee Report

Item No:	
Date:	24 February 2009
Classification:	For General Release
Title of Report:	Members' Allowance Scheme 2009/10
Report of:	Head of Administrative Services
Wards involved:	None
Policy context:	Management of the Council
Financial summary:	There are no additional financial impacts arising from the proposals set out in this report.
Report Author:	Mick Steward
Contact details	Tel: 020 7641 3134 Email: msteward@westminster.gov.uk

3. Background

- 3.1 There is a requirement for Local Authorities, who so wish, to adopt a Members' Allowance Scheme on an annual basis, with effect from 1 April in each year.
- 3.2 The General Purposes Committee have previously considered the Independent Panel's findings and recommendations. The Panel's most recent report updated the original recommendations, which are broadly the same as those in the original report. These were fully considered when the scheme was approved last year and in previous years.

Members' Allowances

- 3.3 The current Members' Allowances Scheme was adopted by the Council on 12 March 2008. When considering a new scheme, or amending an existing scheme, Local Authorities must have regard to the report of the London Councils' Independent Panel on the Remuneration of Councillors and relevant guidance from the Secretary of State. The Committee and the Council gave consideration to both of these when agreeing previous schemes and these documents are available as background papers to this report.
- 3.4 The Chief Whip of the Majority Party has, as in previous years, been consulted on the proposals. In view of the current financial position it is proposed to make no changes to the level of allowances agreed for 2008/09.

Basic Allowance

- 3.5 The basic allowance payable to all Members is currently £10,250 pa. This payment continues to be broadly in line with the level recommended by the Independent Panel and is intended to cover the costs associated with all travel within the Greater London area and for any Carers costs, which the Independent Panel have recommended should not be the subject of separate claims.

Special Responsibility Allowance (SRA)

- 3.6 Most Special Responsibility Allowances were increased generally in line with the recommendations of the Independent Panel contained in its most recent report in 2006. It is proposed that the rates set out in Appendix B remain payable in 2009/10.

Travel and Subsistence Allowance

- 3.7 The Council's scheme goes slightly further than the Panel's recommendations and only allows for travel claims for approved duties outside of the Greater London area (not just intra-borough). No change to this part of the scheme is proposed.

Co-opted Members' Allowances

- 3.8 In accordance with the Independent Panel's recommendation these payments were commenced to Co-opted Members, upon request, of £100 per meeting up to a maximum of £500 per annum as part of the scheme agreed for 2008/09.

4. Legal Implications

- 4.1 In addition to those set out elsewhere in the report, there is a requirement that Councils, who wish to have such a Members Allowance Scheme must make a scheme for the following year, commencing on 1 April each year. Schemes can be amended at any time but new schemes can be introduced only from the start of each year commencing on 1 April. Recommendation 2.1 in this report, if adopted, will meet the requirement to adopt a scheme for the year commencing on 1 April 2009. The approval of the full Council is necessary to any amendments to existing schemes or the adoption of new schemes.
- 4.2 Regulations relating to Members Allowances require the publication more widely of the report of the Independent Remuneration Panel, the scheme of allowances and details of the total sums paid to each Member under each category of allowance in each year. The statutory guidance in respect of publicity requirements suggests that details of allowances paid are made available on the Council's website together with information on the responsibilities of elected Members and the duties and time commitment which the basic allowance is intended to remunerate. The Committee have previously agreed to this.

5. Financial Implications

- 5.1 The Members' Allowances budget for 2009/10 is £971,300. The proposals in this report will generate savings of £31,000 in 2009/10.

If you have any questions about this report, or wish to inspect one of the background papers, please contact Mick Steward: 020 7641 3134;
Email: msteward@westminster.gov.uk

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS

The documents referred to in compiling this report are as follows:

- Report of the Independent Remuneration Panel
- Guidance Issued by Secretary of State

MEMBERS' ALLOWANCES SCHEME FROM 1 APRIL 2009 TO 31 MARCH 2010

1. This Scheme is made under, and in accordance with, the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003.
2. The rates of allowances specified will apply until the Scheme is amended or replaced, in which event the revised rates of allowances will be paid from the date from which the amendment takes effect.
3. Subject to the relevant form being completed at the appropriate time, entitlement to allowances under the Scheme commences on the date upon which a Member is elected to the Council or is elected or appointed to an office qualifying for special responsibility. The entitlement ceases on the date upon which a Member ceases to hold a qualifying office or ceases to be a Member of the Council. An apportionment of the relevant allowances will be made in the same proportion as the number of days that the Member held Office or was a Member, bears to the number of days in the relevant year.
4. Any Member may by notice in writing to the Head of Administrative Services elect to forego for any period any part of an entitlement to an allowance under the Scheme which will take effect from the date upon which the notice is received by the Head of Administrative Services.
5. Allowances will be paid by equal monthly instalments on the 20th day of each month. The £1,000 lump sum Basic Allowance for Members to purchase ICT equipment paid on 20 June 2006 (or subsequently to any Member elected at a by-election) is due to be paid again to all Members elected in May 2010.
6. Except where so authorised by the Head of Legal Services any claim for travel and subsistence allowances must be made within two months of the date of the duty to which the claim relates.

Basic Allowance

7. A Basic Allowance of £10,250 pa from 1 April 2009 will be paid to every Member of the Council who formally elects to receive it.

Special Responsibility Allowance

8. Payments of Special Responsibility Allowances will be made to Members of the Council who hold special offices unless they formally elect not to receive them. Attached as Annex A is a list of the Special Responsibility Allowances payable from 1 April 2009.

Conferences

9. Councillors are entitled to have their Conference fees met and to receive payments at the approved rates for travel and subsistence in respect of the attendance approved by the appropriate Cabinet Member, Committee or the Head of Legal Services at conferences held outside the City to discuss matters relevant to the discharge of the Council's functions.

Travel Expenses

10. Members and Co-opted Members are entitled to claim payment of Travel Allowances where expenditure has necessarily been incurred to enable them to attend an approved duty, defined as set out in Annex C at the rates of allowance set out in Annex B only when travelling outside the Greater London area. Members of Education Admissions and Exclusions Appeal Committees are entitled to claim travel allowances for attendance at meetings relating to their co-option at the rates set out in Annex B.

Subsistence

11. Subsistence may be claimed only for accommodation or meals at conferences (approved in accordance with paragraph (i) of Annex C where such costs are not included in the conference fee, subject to the maximum allowance referred to in Annex B.

Annual Increase

12. Basic allowances and Special Responsibility Allowances shall, subject to approval of the new scheme, be increased with effect from 1 April each year at the percentage rate of the retail price index used in preparation of the City Council's budget.

Payments whilst under Suspension

13. Payments of allowances, basic and special responsibility, shall not be paid to a Member who is suspended or if partially suspended that element of special responsibility allowance which may be payable in respect of an office held by the Member to which the partial suspension relates.

Pensions

14. No Members of the Council shall be entitled to membership of the Local Government Pension Scheme in accordance with Section 7 of the Superannuation Act 1972.

Publication

15. This scheme will be published as required by legislation. At the end of each financial year the City Council is required by legislation to publish the sums paid to Councillors under the Scheme.

ANNEX A AMENDMENT TO MEMBERS ALLOWANCE SCHEME – SPECIAL RESPONSIBILITY ALLOWANCES WITH EFFECT FROM 1 APRIL 2009

Office Holders	Allowances (from 1.4.09)	Total Cost (from 1.4.09)
Leader/Deputy Leader	£	£
Leader of the Council (Chairman of the Cabinet)	42,000	42,000
Deputy Leader of the Council (Vice Chairman of the Cabinet)	22,500	22,500
Cabinet Members		
Each Cabinet Member (excluding the Leader and the Deputy Leader) (x8)	10,250	82,000
Opposition Leader/Whips		
Leader of the Opposition	7,700	7,700
Chief Whip (Majority)	3,000	3,000
Chief Whip (Minority)	3,000	3,000
Westminster Scrutiny Commission Members and 1st Vice Chairmen of Overview and Scrutiny Committees		
Each Scrutiny Commission Member (x6)	7,750	46,500
Each Committee 1 st Vice Chairman (x4)	1,900	7,600
Other Committee/Sub-Committee Chairmen		
Audit and Performance	7,700	7,700
General Purposes	3,000	3,000
Standards (see note below)	2,000	2,000
*Planning and City Development	7,700	7,700
Planning Applications Sub-Committee (x3)	2,200	6,600
Licensing Sub-Committees (x5)	2,200	11,000
Deputy Cabinet and Lead Members		
	2,000	30,000
Each Deputy Cabinet Member appointed to support a Cabinet Member and the Lead Members as appointed by the Leader of the Council (x15)		

Panel Members of the Licensing Sub-Committees, Members of the Planning and City Development Committee and the Planning Applications Sub-Committees receive an SRA at a special rate of £1,275 (x24 - £30,600). This separate SRA is not payable to the Chairmen of these bodies.

* SRA only payable if Chairman is not a Member of the Cabinet.

Council Members of Adoption and Fostering Panels £2,000 each x2 = £4,000

NOTE REGARDING SPECIAL RESPONSIBILITY ALLOWANCES PAYABLE IN RESPECT OF THE STANDARDS COMMITTEE

The Special Responsibility Allowance proposed to be payable to the Independent Chairman of the Standards Committee shall become payable from their appointment. Until such appointment has been made the existing Special Responsibility Allowance to the Chairman will continue to be paid on a pro rata basis.

The Independent Members on the Standards Committee, other than the Chairman, shall be entitled to claim a Special Responsibility Allowance of £100 per meeting up to a maximum of £500 per annum.

ANNEX B

TRAVEL AND SUBSISTENCE ALLOWANCES: (OUTSIDE THE GREATER LONDON AREA)

(A) TRAVEL

(a) Travel by own private vehicle

Motor Mileage Allowance	Pence Per Mile
Motorcycles:	
Up to 150cc	8.5
151-500cc	12.3
Over 500cc	<u>16.5</u>
 Cars & Tri cars:	
500cc-999cc	35.8
1000-1199cc	39.9
Over 1199cc	<u>49.4</u>

(b) Travel by Public Transport

The ordinary fare or any reasonably available cheap fare actually paid.

(c) Travel by Taxi

Members are not permitted to claim for travel by taxi except as part of onward or return travel to or from a conference held outside the Greater London area where a claim for other travel expenses has or could be made.

The Head of Administrative Services shall be authorised to reimburse claims for taxi fares, on an exceptional basis, for example on medical advice, to and from approved duties. Such authority to be obtained in advance, if possible.

(d) Travel by Rail and Air

(i) The ordinary fare or any available cheap fare actually paid.

(ii) Actual expenditure incurred on:
Reservation of seats
Sleeping accommodation for an overnight journey
Deposit on portorage of baggage

(iii) Travel by Air shall only be allowed when included as part of the formal approval of the attendance at a conference or overseas visit. In the case of overseas visits the cost to be met from the budget of the relevant service.

(e) Additional Travel Expenses

The rates specified above may be increased by not more than the amount of any expenditure incurred on tolls, ferries, parking fees or cost of overnight garaging of a motor vehicle, except that reimbursement of the Central London Congestion Charge shall not be permitted.

(B) SUBSISTENCE

Subsistence claims for the reasonable costs of overnight accommodation or meals not included in the Conference fee can only be claimed, up to a maximum of £180 per day, upon production of relevant receipts.

(C) RECEIPTS

Claims for reimbursement of expenditure by main line rail, air or any other additional expenses, or subsistence, must be accompanied by a receipt.

ANNEX C

LIST OF APPROVED DUTIES FOR TRAVEL AND SUBSISTENCE ALLOWANCE:

The following are the categories of duties which qualify for payment of travel and subsistence allowance, where such expenditure has been incurred (although separate payments will only be reimbursed for travel outside the Greater London area).:

- (a) Meetings of the Council, the Cabinet, their Committees, Sub-Committees, Panels and Staff Consultative Committees and meetings of the Westminster Scrutiny Commission and the Policy and Scrutiny Committees and Task Groups of which the Councillor is a member or at which a Councillor who is not a member of that body attends to address the meeting with the prior permission (where such permission is required under Standing Orders) of the Chairman.
- (b) Attendance as the Council's representative at a meeting of any joint authority or Committee of local authorities or of any Committee or Sub-Committee of the body of which the Council is a constituent member.
- (c) Attendance as the Council's representative at meetings of any association of authorities or Committee or Sub-Committee of the association of which the Councillor is a member.
- (d) Attendance at duties which qualify for attendance allowance as single member duties as specified in the Regulations, currently:

Meetings to determine the attendance of individual pupils at special schools.

Rota and other visits to inspect establishments on behalf of the Cabinet Member for Children's Services and Health and Adult Social Services.

- (e) Attendance at any other meeting convened by the Council, the Cabinet, a Committee or Sub-Committee to discuss matters relevant to the discharge of the Council's functions and to which Members of more than one Party Group have been invited.
- (f) Attendance at any meeting, which is an induction training session, seminar, presentation, or briefing arranged by Chief Officers of the City Council for all Members of a Committee, Sub-Committee or Panel to discuss matters relevant to the discharge of the Council's functions and to which Members of more than one Party Group have been invited.
- (g) Attendance as the Council's representative in connection with the discharge of the Council's functions at meetings of outside bodies (excluding local authority maintained schools), their Committees and Sub-Committees. The Head of Administrative Services maintains a list of such representatives and has

delegated powers to add and remove bodies to this category to reflect formal appointments made by the City Council.

- (h) Attendance at visits and inspection of sites and premises arranged by officers or approved by Cabinet/Committee (eg opening of new facilities).
- (i) Attendance approved by the appropriate Committee or by the Head of Administrative Services, in accordance with his delegation at conferences convened by other authorities and organisations to discuss matters relevant to the discharge of the Council's functions.
- (j) Attendance by the Leader of the Council, Cabinet Members, Deputy Cabinet Members, Leader of the Opposition, and Chief Whips on matters concerning the discharge of the Council's functions.
- (k) Attendance by Cabinet Members, Chairmen and Vice-Chairmen of Committees and Sub-Committees concerning the discharge of functions relevant to the work of their portfolio or their Committees or Sub-Committees, including Chairman's Call-over meetings and site visits.
- (l) Attendance before Parliamentary Committees, official bodies and inquiries to give evidence or make representations on the council's behalf.
- (m) Attendance as the Council's appointee or nominee at any meeting. (This excludes party group meetings but includes single member duties where one member has been appointed, appearing as a Council witness at a Planning Inquiry or court proceedings or member-level working groups appointed by a Committee and representation on any outside body which is not eligible for attendance allowance).