

06 June 2023 at 7.00 pm  
Council Chamber, Argyle Road, Sevenoaks

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# Governance Committee

## Membership:

Chairman, Cllr. Esler; Vice-Chairman, Cllr. Penny Cole  
Cllrs. Barnes, Bayley, Clayton, Scott and Streatfeild

## Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. <b>Minutes</b> To agree the Minutes of the meeting of the Committee held on 2 February 2023, as a correct record.	(Pages 1 - 2)	
2. <b>Declarations of Interest</b> Any interest not already registered		
3. <b>Actions from the previous meeting (if any)</b>		
4. <b>Review of the Scheme for Members Allowances</b>	(Pages 3 - 36)	Martin Goodman Tel: 01732 227245 Adrian Rowbotham Tel: 01732 227153
5. <b>Work Plan</b>	(Pages 37 - 38)	

### EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or

have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk).

**GOVERNANCE COMMITTEE**

Minutes of the meeting held on 2 February 2023 commencing at 7.00 pm

Present: Cllr. Eyre (Chairman)

Cllr. Nelson (Vice Chairman)

Cllrs. Barnes, Bayley, Clayton and Harrison

An apology for absence was received from Cllr. Penny Cole

13. Minutes

Resolved: That the Minutes of the meeting held on 1 November 2022, be approved and signed by the Chairman as a correct record.

14. Declarations of Interest

There were none.

15. Actions from the previous meeting

There were none.

16. Appointment of Deputy Electoral Registration Officers

Members considered the report which set out the proposal to appoint Deputy Electoral Registration Officers (ERO) for Sevenoaks District Council, under section 52(2) of the Representation of the People Act 1983. The act allows for a Deputy Electoral Registration Officer to perform and exercise any of the duties and powers of the Electoral Registration Officer.

The Assistant Chief Executive set out that following the introduction of the Voter Identification Regulations 2022, the appointments would ensure new duties introduced by the Voter Identification Regulations, alongside all other duties permitted to be undertaken by a Deputy ERO could be fulfilled.

Members asked questions about the introduction of Voter Authority Certificates. There had been sixteen applications to date and the Council would be publicising the requirements further in the coming months.

Resolved: That it be recommended to Council that the Chief Officer Customer & Resources, the Electoral Services Manager and the Deputy Electoral Services Manager, be appointed as Deputy Electoral Registration Officers for Sevenoaks District Council.

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17. Work Plan

The work plan was noted.

THE MEETING WAS CONCLUDED AT 7.10 PM

CHAIRMAN

**REVIEW OF THE SCHEME FOR MEMBERS' ALLOWANCES**

**Governance Committee - 6 June 2023**

**Report of:** Monitoring Officer

**Status:** For consideration and decision

**Also considered by:** Council - 18 July 2023

**Key Decision:** No

**Contact Officer(s):** Martin Goodman, ext. 7245; Adrian Rowbotham, ext. 7153

**Recommendation to Governance Committee:**

- (a) That it be recommended to Council that either
- i) the current Scheme for Members' Allowances be retained with no change; or
  - ii) the recommendations of the Joint Independent Remuneration Panel be adopted with effect from 1 August 2023; or that
  - iii) a different recommendation be agreed.

**Recommendation to Council:**

- (a) That either
- i) the current Scheme for Members' Allowances be retained with no change;
  - ii) the recommendations of the Joint Independent Remuneration Panel be adopted with effect from 1 August 2023; or that
  - iii) a different recommendation be agreed.

**Reason for recommendation:** Section 19 of The Local Authorities (Members Allowances)(England) Regulations 2003 states that before an authority makes or amends a Members' Allowance scheme, the authority shall have regard to the recommendations made in relation to it by the Independent Remuneration Panel.

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### Introduction and Background

- 1 The Joint Independent Remuneration Panel (JIRP) was established jointly with Tonbridge and Malling and Tunbridge Wells Borough Councils in 2001. Its function is to make separate recommendations for each Council on their Scheme of Members' Allowances.
- 2 The JIRP has now completed its work in respect of the allowances paid to Sevenoaks District Council Members. This work was delayed by the Covid-19 pandemic and by the retirement of former panel members. This means that the current intake of Members will be considering their own allowances. However, Members have been given the opportunity to apply for a dispensation to do this: The dispensation will last for four years from the date of grant.
- 3 The function of the Governance Committee is to receive the report of the JIRP and to recommend any consequent changes to the Members' Allowance Scheme to the Council. By law, the Council must have regard to the recommendations of the JIRP.
- 4 Historically, Council has always ensured that the Scheme of Members' Allowances has stayed within budget. Any departure from this convention would require the Council to find savings in other areas.

### Recommendations

- 5 The report of the JIRP is attached as Appendix A. This recommends modest alterations to the Scheme, within the current budget. All Members were offered the opportunity to meet with the panel and express views. The JIRP also met with the Monitoring Officer and the Deputy Chief Executive and Chief Officer - Finance and Trading.
- 6 In summary, the recommendations of the JIRP are to reduce the Deputy Leader's allowance from £13,269 to £10,505 (pay award pending); to alter the allowance for opposition group leaders so that it applies only to leaders of groups in excess of five Members; to adjust the payment to opposition Leaders from £298 per group Member to £5,529 (pay award pending); and to delete the existing scheme for meal and/or subsistence allowances.
- 7 Any changes agreed by Council would come into effect from 1 August 2023 unless otherwise decided, so as to avoid the need to recoup payments from Members whose allowances decreased. The Members' Allowances Scheme for 2022/23 is Appendix B.

A summary of proposed changes is set out in the following table:

	Current	JIRP Recommendation
Deputy Leader	£13,269	£10,505

Opposition leaders:	£298 per Member	£5,529 if group has more than five Members
Examples:		
14 Members in group:	£4,172	£5,529
4 Members in group:	£1,192	£0
2 Members in group:	£596	£0
Subsistence:		
Lunch	£9.86	£0
Evening Meal	£12.21	£0

**Other options Considered and/or rejected**

Members have the full range of options open to them, including taking no action at all. If no action is taken, Member allowances will remain as they are. Whichever option is taken, allowances will continue to be updated annually in line with the National Joint Council for Local Government Services pay award.

**Key Implications**

Financial

The recommendations in the report are within budgetary provision. Nevertheless, if the recommendations of the JIRP are not adopted and an increase above the cost of the current scheme is agreed, savings will need to be found for the year 2023/24 and a growth item will be needed for the 2024/25 budget process.

Legal Implications and Risk Assessment Statement

The Council is required under the Local authorities (Members’ Allowances) (England) Regulations 2003 and subsequent amendments to establish and maintain an Independent Remuneration Panel to review and make recommendations to the Council on the range and levels of remuneration for elected Members.

Under the regulations, the Council is required to undertake a full review every four years. A full review was last considered by the Council on 21 November 2017, with its recommendations adopted with effect from May 2019.

Remuneration for Members is intended to ensure that there are no avoidable obstacles preventing people from taking part in the work of the Council. The level

## Agenda Item 4

of remuneration needs to be at an appropriate level. Any deviation from the recommendations should be justified with a written record being made.

The statutory basis for the JIRP is the Local Authorities (Members' Allowances) (England) Regulations 2003. The function of the JIRP is to make recommendations to Council in accordance with Statutory Instruments (Primarily 2003 No.1020 and No.1692).

The Council's current Members' Allowance Scheme is set out in Appendix G of the Constitution. A decision to agree a Members' Allowance Scheme within current budgets would be of low risk to the Council.

Upon request, Members have been and (if not already sought) will be granted a Dispensation under s.33 (1) of the Localism Act 2011, to allow participation in this item.

### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

### **Conclusions**

The basis of the current level of Members' Allowances for Sevenoaks District Council was established by the Panel in December 2001 following guidance issued by central government. Allowances have been revised following later Panel's recommendations to reflect the changing roles of Members. Until now, any changes have always kept within budget. Members are requested to consider the contents of this report and appendix before making a decision.

**Appendix A** - Recommendations of the Joint Independent Remuneration Panel.

**Appendix B** - Appendix G (Members' Allowances Scheme).

**Martin Goodman**

**Monitoring Officer**



**A REVIEW OF  
COUNCIL MEMBERS' ALLOWANCES  
FOR  
SEVENOAKS DISTRICT COUNCIL  
Spring 2023**

**Joint Independent Remuneration Panel [The Panel]  
for  
Sevenoaks District Council  
Tonbridge & Malling Borough Council  
Tunbridge Wells Borough Council**

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## **Appendices**

- 1. Regulations and Guidance for Independent Remuneration Panels**
- 2. Terms of Reference & Panel Members**
- 3. Comparative data from neighbouring Local Authorities.**
- 4. Revised Schedule of Recommended Members' Allowances**

## **1 Introduction**

1.1 The Council is required under the Local Authorities (Members' Allowances) (England) Regulations 2003 and subsequent amendments to establish and maintain an Independent Remuneration Panel [The Panel] to review and make recommendations to the Council on the range and levels of remuneration for elected Members (see Terms of Reference Appendix 2).

1.2 Under the Regulations the Council is required to undertake a full review every four years. A full review was last considered by the Council on 27 November 2012, but the Panel was requested to carry out a further review as the Council had adopted revised governance arrangements in May 2013. Further reviews were then considered by the Council in 2013 and 2017. This report is the result of the latest review conducted in Spring 2023.

1.3 The purpose of this review is to carry out the quadrennial update of local councillors' allowances required by legislation, considering Members' workload, responsibilities and required time commitment and then to recommend a fair level of recompense for those commitments. We are mindful always of our remit to assist in broadening the diversity of councillor representation by minimising financial barriers to participation in local government.

1.4 The Panel fully appreciates the sensitivity of making any increase in allowances in the current financial climate, and are mindful of the Council's budget for such purposes. Where we have proposed alterations to the existing scheme they are fair, simple to administer and reflect the significant time commitments given by individuals in this important tier of government.

1.5 The Panel also has the responsibility of reviewing allowances for both Tunbridge Wells and Tonbridge and Malling Borough Councils. The Panel's recommendations in late 2022 to Tunbridge Wells Borough Council, which included a reduction in Cabinet Member allowances and a rationalisation of Group Leader allowances, were rejected. The Panel has noted the differences in the role of the Cabinet and the Cabinet Advisory System in Sevenoaks compared with the two neighbouring councils, and that this is therefore reflected in a somewhat different allowances system.

## **2 Summary of Recommendations**

### **2.1 Basic Allowance**

The existing Basic Allowance of £6,044 per annum should continue at the current level. Previous JIRP reviews have based this on a formula which accounted for the required time commitment, a representative rate of hourly earnings of residents in the area but reduced by a discount factor to reflect the ethos of public service inherent in the elected representative's role. Though we have accepted this formula as the way in which the baseline was achieved in previous reviews, we have introduced more of a comparative approach in assessing the level of allowances. More detail on this approach is set out in section 5.

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### **2.2 Special Responsibility Allowances**

The Panel continues to support the 2007 guidance from the Councillors Commission which recommends that members should not receive more than one SRA, and notes the Council's existing allowances scheme makes reference to this.

The Panel's recommends that the majority of Special Responsibility Allowances remain unchanged from their current levels. For each role these recommendations are:

- Council Leader £22,114
- Deputy Leader £11,056
- Opposition Group Leaders £ 5,529 (5 > Members)
- Cabinet Members £ 7,741
- Deputy Cabinet Members £ 1,769
  
- Committee Chairs
  - Audit £ 2,765
  - Development Control £ 5,529
  - Governance £ 2,765
  - Health Liaison Board £ 2,765
  - Licensing £ 2,765
  - Scrutiny £ 2,765
  - Joint Transportation Board £ 2,211
  - Standards £ 1,769
  
- Advisory Committee Chairs (current 6 below for information)
  - Cleaner & Greener £ 2,765
  - Development & Conservation £ 2,765
  - Finance & Investment £ 2,765
  - Housing & Health £ 2,765
  - Improvement & Innovation £ 2,765
  - People & Places £ 2,765
  
- Committee Vice-Chair
  - Development Control £ 1,106
  
- Committee Members
  - Development Control £ 553
  - Licensing £ 149
  - Standards Co-optees £ 531

### **2.3 Carer Allowances**

Our recommendations are that the Child Care Allowance should be equivalent to the National Living Wage payable at the actual amount charged, subject to a maximum rate of **£10.42** per hour per child or and that the Dependant Carer's Allowance should be payable at the actual amount charged subject to maximum of **£18** per hour. The Panel is aware that councillors rarely claim for these allowances, but they should be available to ensure that those entitled to such allowances can more easily serve.

## **2.4 Uprating**

In future the allowances should be uprated in line with any annual increases in pay awards to Council staff, which the Panel understands is now the Council's approach.

## **2.5 Travel Expenses**

The Panel recommends that the current scheme for Members, based upon the HMRC approved rate should continue. It is noted that the majority of Members chose not to claim mileage allowances but it is important it remains available for any who may otherwise incur substantial costs as part of their responsibilities.

## **2.6 Subsistence Allowances**

Our discussions with Members and an examination of claims in previous years suggested that this allowance was rarely claimed. We therefore recommend that meal and subsistence allowances need no longer form part of the Council's allowances framework.

# **3 Background**

3.1 The basis of the current level of members' allowances for Sevenoaks District Council was established by the Panel in December 2001 following guidelines issued by central government [see Appendix 1]. These allowances replaced the previous system of attendance-based payments and have been revised in subsequent years to reflect cost of living increases and changes in council structure and responsibilities.

3.2 The process is that the Panel recommends a structure of allowances, after consultation with members and officers but that the final decision is the responsibility of the Council. The Panel has followed broadly the same methodology in its reviews 2013 and 2017, though for this latest review a somewhat simplified approach has been adopted – as set out in section 5.

3.3 The 2007 Councillors Commission paper on Members Remuneration suggested a set of basic principles to govern allowance schemes:

- The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors.
- Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage.
- Councillors should be compensated for their work and the compensation should have regard to the full range of commitment and complexity of their roles.
- The system should be transparent, simple to operate and understand.
- The system should not encourage the proliferation of meetings or provoke councillors into spending more time on council business than is necessary.
- The level of remuneration should relate to a commonly accepted benchmark, such as the median male non-manual salary.

These principles underpin the recommendations made in this report and are reflected in our Terms of Reference [Appendix 2].

## **4 Approach and Methodology**

4.1 Reflecting the approach taken by many other Independent Review Panels elsewhere in the country, we used a set of core principles to guide this review, as follows:

- To remove, where possible, the immediate financial barriers to becoming a councillor to assist in the diversity of the cohort of councillors, regardless of political background.
- To reflect as far as possible the current time commitment required to perform the role of ward councillor and the potential loss of earnings opportunities for councillors in doing so.
- To recognise the increasing levels of responsibility and accountability being devolved from central government to local government and its impact on the nature of leadership and scrutiny roles within the council.
- To retain an appreciation for the element of public service, *pro bono* contribution from elected councillors.
- To have due regard to the challenging financial position of many local authorities.
- To be mindful of the comparative position of our council members with those in similar roles in other Kent councils.
- To recommend allowances based on objective data with a simple and logical structure that can easily be updated in the future.
- To ensure that all recommendations have transparent and accessible rationales, allowing for greater public understanding and engagement.

In conducting the review at the Council, we offered the opportunity to elected Members to meet individually with the Panel. A small number of councillors, including the Council Leader, took this up. We also met with the Chief Finance Officer.

## **5 Allowance Calculations**

5.1 There are some important principles and guidance documents relating to the calculation of allowances which are detailed in our Terms of Reference [Appendix 2], and we have set out below some of the factors previous Panels have taken into account in their calculations. These have allowed allowance levels to reach their current levels across all three councils this Panel reviews.

### **Determining the Basic Allowance**

5.2 The statutory guidance for Local Authority Allowances says 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. Para 10]

5.3 There are three core elements which determine the Basic Allowance: time spent on councillor duties, a standard financial hourly rate and the public service discount element.

## Time Commitment

5.4 *“Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the ..... number of hours for which, councillors ought to be remunerated”* [ODPM 2003. Para 67].

5.5 The number of hours committed by individual councillors to their elected and representative duties varies widely between individuals and over time, which was mentioned during some of our Member interviews. It is also recognised that, for many councillors, the role is far more than just attendance at council meetings and will include, for example, constituency duties, committee meetings, meetings with officers and training courses.

5.6 Across previous reviews, the Panel has made various determinations of this time commitment. In 2008, it determined that the average time taken to satisfactorily perform a ward councillor role was an average of 15 hours per week, following a survey of members and soundings at all levels of the Council. This figure was also used for the 2012 review, but the Panel in 2017 determined that the time spent on Council business varied greatly (in part due to the 2013 change in governance arrangements) and it was not possible to draw a conclusion of the average productive hours spent.

## Hourly rate

5.7 For its review in 2017, the Panel attempted to calculate an hourly rate for councillor work using the median hourly pay for all employees who live within the Sevenoaks local authority area, using the Annual Survey of Hours & Earnings (ASHE) – published by the Office of National Statistics. The same exercise was repeated across the two other councils reviewed by the Panel, and the 2015 ASHE gave the hourly rates of:

- |                         |        |
|-------------------------|--------|
| • Sevenoaks             | £14.49 |
| • Tonbridge and Malling | £14.08 |
| • Tunbridge Wells       | £13.10 |

These figures gave an arithmetic mean of £13.89 per hour, and formed part of the basis for the Panel’s recommendations in 2017.

## The Public Service/Voluntary Principle

5.8 Central government guidance to Independent Remuneration Panels for setting the basic allowance states that “it is important that some element of the work of members continues to be voluntary – that some hours are not remunerated. This must be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained” [ODPM 2003. Para 68]

5.9 This idea that some work of members should remain voluntary is called the ‘public service principle’ and this is incorporated into the financial calculations as a percentage discount factor, agreed locally. The 2007 Councillors Commission report indicated that considerable variations of between 20-50% apply. Our meetings with members and Council leaders confirmed that this principle is understood and generally supported by elected councillors.

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5.13 Since 2001 the Panel has, across multiple reviews, recommended a public service discount factor of 40% based on benchmarking with allowance schemes elsewhere.

### **Benchmarking Analysis**

5.14 The result of assessing time commitment, hourly rate and the public service principle over multiple reviews over nearly two decades has been the arrival at allowance levels for Sevenoaks which are broadly commensurate with those at other Kent borough/district authorities – including the other two councils this Panel reviews. There are some outliers between authorities, and for certain allowances Sevenoaks is at the upper thresholds, but overall the picture is relatively uniform.

5.15 Given this, and in keeping with the principles established in section 3, the Panel is recommending allowances based on a somewhat different premise – designed to achieve a certain level of parity with equivalent roles in other authorities. The complex time/hourly/service calculations in previous reports have been useful insofar as they have delivered a fairly consistent standard of allowance levels across the county. However, they are complicated to repeat on a regular basis, are convoluted and not particularly accessible, and also imply a regional variation on the value of councillors' work. Indeed, the 2017 Panel noted that the hourly rate calculations skewed the results somewhat due to a greater propensity for Sevenoaks residents to work in London.

5.16 Therefore, our approach has been to consider the current allowance levels in Sevenoaks and across Kent authorities as a baseline, calculate an average figure across the county, and recommend adjustments (where there is a plus/minus variance of 10% or more) to bring certain allowances into line with this.

5.17 It is worth mentioning at this stage that during our Member interviews a minority view was expressed that the allowances in Sevenoaks should be aligned more closely with those at London borough councils. This is not a position the Panel supports given the increased responsibility of London authorities, which are effectively unitary bodies.

### **Basic Allowance**

5.18 The current level of basic allowance on Sevenoaks is £6,044 per annum. Across the county, the mean is just over £5,400. Though this variance is slightly more than 10% of the average, given changing this allowance would impact every councillor and the adjustment would be negligible in impact, we consider the existing basic allowance to be at an appropriate level, and do not recommend a forced adjustment.

***RECOMMENDATION: that the Basic Allowance should be maintained at £6,044 per annum.***

## **6 Special Responsibility Allowances (SRAs)**

### **Council Leader**

6.1 The Panel's previous approach in 2017 was to recommend that the Leader's allowance should be four times the Basic Allowance. This was part of an ongoing effort



to align allowances across the Council with each other, and specifically as a proportion of the Leader's allowance.

6.2. The Leader's allowance has seen some growth in recent years and is now one of highest in Kent. The Panel appreciates that the governance arrangements in Sevenoaks may add an increased workload to the Leader's role. Nonetheless, at its current level the allowance is at the maximum of 10% over both the median and the mean across Kent, and if it were to increase further it would not remain commensurate.

***RECOMMENDATION: that the Special Responsibility Allowance for Council Leader should be maintained at £22,144 per annum.***

### **Deputy Leader**

6.3 The Panel is aware that the Deputy Leader has an important role in standing in for the Leader where necessary, and that this can add an additional workload in addition to serving on Cabinet. The Panel believes this role merits an individual Special Responsibility Allowance, and notes the majority (though not all) of authorities in Kent include such an SRA within their allowances schemes.

6.4 However, the level of the allowance in Sevenoaks is not proportionate with others across Kent; indeed, it is over £4,000 higher than the mean and £3,000 higher than the median. Therefore, it is the Panel's view that this allowance should be reduced.

6.5 To bring this SRA into line with both the average across Kent, and in a way which aligns with the existing Sevenoaks scheme, our recommendation is that it should be set halfway between its current level and the SRA of a Sevenoaks Cabinet Member. This would reduce the Deputy Leader allowance to £10,505 per annum, and would bring it within 5% of the median across Kent.

***RECOMMENDATION: that the Special Responsibility Allowance for Deputy Council Leader should be reduced to £10,505 per annum.***

### **Opposition Group Leader**

6.6 We note that the Council's existing allowance scheme contains an allowance for opposition group leaders, of £298 per annum, per member of the relevant group.

6.7 This is a similar setup to that at Tunbridge Wells Borough Council, for which the Panel recommended a fixed figure rather than a group-size scale be adopted. Unlike at Tunbridge Wells, the Panel appreciates the scheme in Sevenoaks does not allow Group Leaders to claim this as a secondary SRA. Nonetheless, we would still recommend Sevenoaks adopts this fixed approach which we feel better recognises the additional burden of serving as an opposition leader, directly responsible for scrutinising the administration.

6.8 In setting further parameters for this allowance, our view is that its level should be set at that of the most highly compensated chair on the Council – in the case of Sevenoaks this is the chair of the Development Control Committee (receiving £5,529 per annum). In addition to this, there should be two further entitlement/qualifying requirements; that neither a Leader nor any members of the Leader's group can serve on Cabinet/the Executive, and that their group is comprised of at least 5 councillors.

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6.9 The treatment of opposition group leaders is not consistent across Kent authorities, making direct comparison of the SRA levels received for this less valuable. However, in the authorities which award a fixed figure, it does appear to be an amount equivalent to either the highest or second highest compensated committee chair.

***RECOMMENDATION: that the existing Special Responsibility Allowance for Opposition Group Leaders is replaced with a new mechanism; a £5,529 per annum allowance for leaders meeting the qualifying criteria above.***

### **Cabinet Members**

6.10 The Panel recognises that Cabinet arrangements are different in Sevenoaks than in many other councils, not least the existence of formal Deputy Cabinet Members. It is difficult to assess the impact this may have on workload without a more detailed discussion with Members, though our discussion with the Leader was helpful in this respect.

6.11 Across the county, one of the most diverse ranges in allowances is that for Cabinet Members, ranging from around £5,000 per annum (Canterbury) to just over £11,000 (Tunbridge Wells). However, the current allowance level in Sevenoaks is, in fact, the median for the county, and the Panel therefore does not see any need to recommend a change to this.

***RECOMMENDATION: that the Special Responsibility Allowance for Cabinet Members should be maintained at £7,741 per annum.***

### **Deputy Cabinet Members**

6.12 Amongst the authorities reviewed by this Panel, this role is unique. We are aware that these roles are long-standing part of the governance arrangements at Sevenoaks, and that Members generally appear content that they remain in place – and indeed, that they add value to the Council's executive setup.

6.13 In light of this the Panel recommends that the existing allowance for these roles remains in place, but would suggest that the administration following the 2023 elections may wish to consider the roles and formally evaluate their value.

***RECOMMENDATION: that the Special Responsibility Allowance for Deputy Cabinet Members should be maintained at £1,769 per annum.***

### **Chairs of Committees**

6.14 The Panel has reviewed the committee allowances using the same criteria and principles as set out previously. Though committee chair allowances vary across the county, and not all committees are ubiquitous across authorities, the current allowance levels are commensurate with Kent averages.

6.15 For example, the mean and median for Licensing chairs are £2750 and £2600 respectively, putting the current allowance in Sevenoaks well within the benchmarked range. Similarly, Planning or Development Control chairs are compensated to the tune of around £5,300 across the county, a margin which again Sevenoaks fits into without

adjustments being required. Therefore, for what might be termed the more ‘standard’ committees, the Panel does not recommend any alterations to existing allowances. These levels are reflected in the table below:

Committee	Recommended Allowance
Audit	£2,765
Development Control	£5,529
Governance	£2,765
Health Liaison Board	£2,765
Licensing	£2,765
Scrutiny	£2,765
Joint Transportation Board	£2,211
Standards	£1,769

6.16 The Panel recognises the importance that the Council puts on scrutiny function and work of the Advisory Boards; a factor raised during our interviews with Members. Such governance arrangements are not universal across Kent so benchmarking the allowance as we have done with others is not possible. However, the Panel has no objection with the Council continuing with these arrangements if it believes them to be of value and retaining the current level of allowances for their chairs:

Advisory Committee	Recommended Allowance
Cleaner & Greener	£2,765
Development & Conservation	£2,765
Finance & Investment	£2,765
Housing & Health	£2,765
Improvement & Innovation	£2,765
People & Places	£2,765

### **Vice-Chairs**

6.17 The role of vice-chairs came up during our interviews, and it was felt that the current level of allowance for the Development Control vice-chair was appropriate – given the additional workload on that committee. The Development Control vice-chair currently receives £1,106 per annum, and the Panel does not object to the continuation of this arrangement.

***RECOMMENDATION: that the Special Responsibility Allowance for committee/vice chairs be maintained at their current levels.***

### **Committee Members**

6.18 The Council has adopted the practice of making payments for members of certain committees to in light of their higher workload. The Panel has no objection to the continuation of the current levels of these payments, as below:

Development Control	£553
Licensing	£149
Standards Co-optees	£531

***RECOMMENDATION: that the existing allowances for certain committee members be maintained at their current levels.***

### **Council Chairman/Vice-Chairman**

6.19 The Chairman and Vice-Chairman of the Council currently receive allowances of £11,588 and £5,033 respectively. The Panel recognises the additional workload of the Chairman/Vice-Chairman and believes this should be reflected in an allowance.

6.20 As these are civic allowances rather than for executive, chair or scrutiny functions these do not necessary fall under the Panel's purview. However, we do note that the level of these allowances in Sevenoaks are significantly higher than those received by the Mayors and Deputies in Tonbridge and Malling (£5,990 and £1,420) and Tunbridge Wells (£5,380 and £1,080).

6.21 We appreciate that there will be differences in the ways in which these roles are performed between the authorities, but would suggest the level of these allowances is something Sevenoaks may want to consider as part of any wider review of allowance structures.

### **Uprating**

6.22 The Council currently uprates allowances in line with any increases in the remuneration of Council staff. The Panel is supportive of this and recommends it forms the basis of any future increases.

***RECOMMENDATION: that allowances are uprated in line with any increases in the remuneration of Council staff.***

## **7 Carers' Allowances**

7.1 Sevenoaks operate separate allowances for the costs of standard childcare and that of professional care for dependants with special requirements. These allowance levels are recommended as follows:

**Childcare Allowance:** for child-minding of the Member's dependent children. Payable at the actual amount charged, subject to a maximum rate of **£10.42** per hour per child. This would be a slight increase in the current level, adjusting it for national minimum wage as of April 2023.

**Dependant Carer's Allowance:** for professional care for elderly or disabled dependants, or other dependants with special requirements. Payable at the actual amount charged, subject to a maximum rate of **£18.00** per hour. This would be a continuation of the current level of this allowance.

7.2 In practice, these allowances have rarely been claimed by councillors in Sevenoaks, but the Panel continues to support the need for them.

***RECOMMENDATION: that the allowances for childcare and dependant care provision are set as above.***

## **8 Travel Expenses**

8.1 The Council currently operates a scheme based upon the HMRC approved rate and the Panel recommends that this continues.

***RECOMMENDATION: that the current travel expenses scheme based upon the HMRC approved rate, continues.***

## **9 Subsistence Allowances**

9.1 The Council currently has a scheme for subsistence/meal allowances, but our discussions with Members and analysis of previous claims suggests take-up of this is extremely low. Unlike carer or travel expenses any costs in this respect incurred by Members are likely to be minimal, and the Panel therefore recommends ceasing this provision.

***RECOMMENDATION: that the existing scheme for meal and/or subsistence allowances ceases.***

## **10 Conclusions**

10.1 The Panel has attempted in this review to propose levels of allowances to properly recognise the time commitments that individual Members offer in support of their local community, in a manner which recognises the contributions of elected councillors across the county.

10.2 We have also sought to propose a system that is easy to understand and update, consistent across authorities and which would remove financial barriers that deter potential candidates from standing for election.

## **11 Acknowledgements**

11.1 The Panel's thanks go to the officers and members who gave us their time and opinions which have helped to shape the Panel's thinking.

## Appendix 1

### **Regulations and Guidance for Independent Remuneration Panels**

- *The Local Authorities (Members' Allowances) (England) Regulations 2003*. Statutory Instrument 2003 No. 1021.
- *The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003*. Statutory Instrument 2003 No. 1692
- *The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2004*. Statutory Instrument 2004 No. 2596
- *New Council Constitutions: Consolidated Guidance on Regulation for Local Authority Allowances - 2003*
- *The Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003*. Statutory Instrument 2003 No. 1022
- *New Council Constitutions. Guidance on Consolidated Regulations for Local Authority Allowances*. Office of the Deputy Prime Minister and Inland Revenue. July 2003.
- *Members Remuneration – models, issues, incentives and barriers*. - Councillors Commission. Dept. of Communities and Local Government. December 2007
- *Representing the Future – Report of the Councillors Commission*. December 2007
- *Members' Allowances Survey 2008*. Report by the Local Government Association Research Department

## Appendix 2

# Joint Independent Review Panel for Sevenoaks District Council Tonbridge & Malling Borough Council Sevenoaks District Council

### Terms of Reference

#### Introduction

The Joint Independent Remuneration Panel (JIRP) for Tonbridge and Malling Borough Council, Tunbridge Wells Borough Council and Sevenoaks District Council was originally established in 2001 and now operates under the Local Authorities (Members' Allowances) (England) Regulations 2003. The function of the panel is to make recommendations to Council in accordance with Statutory Instruments (primarily 2003 No.1021 and No.1692).

The JIRP was established jointly by the three Councils but it considers each Council individually and makes separate recommendations for each according to the particular structures and requirements of the organisation.

Members of the Panel are appointed by the Councils but are independent members of the community with relevant professional backgrounds in remuneration and benefits.

#### **Membership – Joint Independent Remuneration Panel**

The members of the panel are:

- Ben Garland, a resident of Bromley
- Bharat Khanna, a resident of Sevenoaks
- David Mercier, a resident of Tonbridge and Malling

JIRP meetings normally involved all three Panel members, though some Member interviews took place with only two members present.

The Local Authorities (Members' Allowances) (England) Regulations 2003 determine that none of the Panel members may be a member of the local authority in question, or of its committees, or an employee of the council, but that this does not preclude participation by parish councillors.

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### **Panel Recommendations**

The 2003 Regulations require that councils must have regard to their Independent Remuneration Panel's recommendations, which must be publicised on the authority's website and in the authority's newspaper, if it has one. The Panel must be required to make recommendations whenever the council decides to revoke or amend its members' allowances scheme. However, Panel recommendations are not binding on authorities. After considering its panel's recommendations, a council can decide for up to four years on automatic indexation of members' allowances without the need for a review by the Panel.

### **Principles for Allowances Schemes**

There is currently little central prescription of members' allowance. However, there are some important constraints:-

- Attendance allowances are prohibited
- The basic allowance must be paid equally to all members
- Where one or more groups on a council form an administration, a special responsibility allowance must be paid to a member of the opposition. This is usually paid either to the leader of the opposition, if this post exists, or to a chair of a scrutiny committee

The report of the Councillors' Commission in December 2007 highlighted a 'universal principle' that members should not suffer financial loss as a direct result of their council activities and service. They went on to suggest a more detailed set of principles to govern allowance schemes:-

- The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors
- Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage
- Councillors should be compensated for their work and the compensation should have regard to the full range of commitment and complexity of their roles
- The system should be transparent, simple to operate and understand
- The system should not encourage the proliferation of meetings or provoke councillors into spending more time on council business than is necessary
- The level of remuneration should relate to commonly accepted benchmark, (for example, the median male non-manual salary)

The Panel will operate within the scope of these principles. Should any departure from these be considered necessary, the reasons for the variation will be made clear in the relevant report.

The core objective of the Panel is to present informed comprehensive recommendations that are fair and equitable.



## Appendix 3

**Comparative data from Kent Borough/District councils**

Authority	Basic	Leader	Cabinet Member	Chair Planning Cttee	Chair Overview/ Scrutiny	Chair Licensing
Ashford	£5,035	£16,471	£8,235	£6,588	£6,588	£1,647
Canterbury	£5,986	£20,300	£5,000	£4,500	£4,500	£4,500
Dover	£5,000	£18,000	£6,750	£4,500	£4,500	£1,125
Folkestone & Hythe	£5,433	£23,905	£10,866	£6,248	£6,248	£6,248
Gravesham	£5,041	£22,687	£5,041	£5,041	£2,521	£756
Maidstone	£5,065	£20,002		£8,000		£4,000
Sevenoaks	£6,044	£22,114	£7,741	£5,529	£2,765	£2,765
Swale	£6,786	£16,965		£6,786		£2,036
Thanet	£4,570	£18,082	£7,990	£5,204	£7,990	£3,216
Tonbridge & Malling	£5,175	£20,706	£8,802	£1,725	£2,589	£2,589
Tunbridge Wells	£5,500	£19,250	£11,000	£5,500	£1,375	£1,375

*[Source: for non-Sevenoaks figures, South East Employers Survey 2022 – final results]*

N.B. The Joint Independent Review Panel works on behalf of Sevenoaks District Council, Tonbridge and Malling Borough Council and Tunbridge Wells Borough Council but considers each Council individually and makes separate recommendations for each. It should be noted that members' allowances are currently under review at all three councils but the figures quoted above do not reflect any changes to be proposed by the JIRP as part of this review process.

**Revised Schedule of Recommended Members' Allowances****Sevenoaks District Council**

	<b><u>2017 JIRP Recommendation</u></b>	<b><u>Current</u></b>	<b><u>2023 JIRP Recommendation</u></b>
<b><u>Basic Allowance</u></b>	£5,359	£6,044	£6,044
<b><u>Special Responsibility Allowances</u></b>			
<b><u>Cabinet</u></b>			
Leader	£20,000	£22,114	£22,114
Deputy Leader	£12,000	£13,269	£10,505
Cabinet Member	£7,000	£7,741	£7,741
Deputy Cabinet Member	£1,600	£1,769	£1,769
<b><u>Opposition Leaders</u></b>	£270 per member	£298 per member	£5,529
<b><u>Committee Chairs</u></b>			
Advisory Committee (x6)	£2,500	£2,765	£2,765
Audit	£2,500	£2,765	£2,765
Development Control	£5,000	£5,529	£5,529
Governance	£2,500	£2,765	£2,765
Health Liaison	£2,500	£2,765	£2,765
Licensing	£2,500	£2,765	£2,765
Scrutiny	£2,500	£2,765	£2,765
Joint Transportation Board	£2,000	£2,211	£2,211
Standards	£1,600	£1,769	£1,769
<b><u>Committee Vice-Chair</u></b>			
Planning	£1,000	£1,106	£1,106
<b><u>Committee Members</u></b>			
Development Control	£500	£553	£553
Licensing	£135	£149	£149
Standards Co-optees	£480	£531	£531

*N.B. All figures are per annum.*

# APPENDIX G: Members' Allowances Scheme (2022/23)

## 1. INTRODUCTION

The Members' Allowances Scheme is made under the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 (the 2003 Regulations) and other Regulations which may come into force from time to time.

In making this Scheme, the Council must have regard to the recommendations made by the Joint Independent Remuneration Panel.

This Scheme has effect for the financial year appertaining to the year it is introduced and continues until amended or revised.

This Scheme may be amended at any time having regard to the recommendations of the Joint Independent Remuneration Panel.

For the avoidance of doubt, where the only change to this Scheme is effected by annual updating of allowances, this Scheme shall be deemed not to have been amended.

## 2. STATUTORY MEMBERS' ALLOWANCES SCHEME

### 2.1 Basic Allowance

Every District Council Member shall be paid an annual basic allowance as set out in Schedule 1 below. It will be paid in instalments of one-twelfth on the 15th of each month, with minor adjustments where necessary to ensure that the total annual sum is correct. The allowance is subject to annual updating - see paragraph 2.8 below.

The basic allowance covers time incurred by a District Council Member in carrying out his/her ordinary duties for the Council. However, it excludes travel and subsistence allowances for approved duties which are referred to separately below. Furthermore, the Council makes available to Members a certain amount of equipment over and above the basic allowance. Again, this is referred to separately below.

### 2.2 Special Responsibility Allowances

An annual special responsibility allowance (SRA) will be paid to certain Members. SRAs will be paid in monthly instalments. They are not payable when a Member temporarily steps into another's role (say, when the Vice-Chairman chairs a meeting). The special responsibility allowances are set out in Schedule 1 below.

### 2.3 Child and Dependant Carer's Allowance

Members may claim an allowance in respect of expenses necessarily incurred in relation to the provision of care for their children and other dependants while

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carrying out approved duties. Approved duties are listed in a separate section below. Claims should be made monthly in arrears, by attaching the receipt(s) to the submitted Member's claim form and entering the amount claimed on the form. Claims will not be paid without documented receipts.

The allowance to be paid per dependent child per hour during normal daytime working hours (8am to 6pm on Mondays to Fridays) and a single maximum payment per hour as set in Schedule 1 for child care arranged outside normal working hours, accompanied by an official receipt.

The dependent adults carer's allowance will be paid up to the figure in Schedule 1 per hour for the employment of a replacement carer for whom the Member is normally a full time carer. This will also apply where the Member has to arrange care for a disabled dependent child. In either case, the definition of dependant being as set out in the Employment Rights Act 1996 (s.57A), such claims to be supported by a doctor's letter confirming that the dependant is in need of constant or specialist care/supervision; (NB Carer's allowance and the allowance payable in respect of a disabled dependent child, is not payable in respect of the same child for the same period.).

### 2.4 Pensionable Allowances

Statutory regulations allow local authorities to make certain allowances pensionable, but only if so recommended by their independent remuneration panel. At Sevenoaks it has been agreed that the option to allow Members to participate in the Local Government Pension Scheme should not be introduced at this time.

### 2.5 Renunciation of Allowances

A Member may choose to forego all or part of his/her entitlement to basic or special responsibility allowances under this scheme. If this is the case, he/she should give notice of this in writing to the Chief Executive or Monitoring Officer, stating what element of his/her allowance entitlement he/she does not wish to claim. The notice should also state whether this is for the current municipal year or the remainder of the Member's term of office - if the notice does not specify a time period then it will be assumed to mean the remainder of the term of office.

A Member not wishing to claim the expenses described in section 3 below need not give notice in writing - he/she simply does not submit any expenses claim forms.

### 2.6 Publicising Allowances and Expenses Paid

As soon as reasonably practicable after determining a Scheme of Allowances, a copy of the Scheme will be made available for inspection and publication will take place in accordance with the 2003 Regulations.

As soon as practicable after 1<sup>st</sup> April each year arrangements will be made for the publication of the total paid to each Member in each category of allowance specified in this Scheme, in the preceding year.

## 2.7 Suspension of Allowances

Any Member/Co-optee who is suspended or partially suspended from his/her responsibilities or duties as a Member of the Council in accordance with legislation or regulations that may come into force from time to time may have his/her allowances withdrawn for the period of any suspension.

Where any payment allowance under this Scheme has already been made in respect of any period during which a Member/Co-optee is suspended or partially suspended or ceases to be a Member or Co-optee of the Council or is in any other way not entitled to receive the allowance in respect of that period the Council may require that such allowance or part of as relates to any such period be repaid to the Council.

## 2.8 Annual Updating

Members' allowances except for travelling expenses are updated annually in line with the National Joint Council for Local Government Services pay award.

## 3. **PAYMENT OF EXPENSES**

### 3.1 Approved Duties

Members/Co-optee members may claim reimbursement of travel, subsistence, Child and Dependent Carer's Allowance and conference expenses incurred whilst undertaking an approved duty. No expenses claimed more than three months after they were incurred will be paid.

Attendance at any of the following is an approved duty:

- (a) The attendance at a meeting of the District Council or of any committee or sub-committee or Working Group of the District Council, or of any body to which the Council make appointments or nominations, or any committee or sub-committee of such a body (If the outside organisation will pay travel and/or subsistence costs, then the Member should claim against that organisation and cannot claim from the District Council.);
- (b) The attendance at any meeting, the holding of which is authorised by the District Council, or a committee or sub-committee of the District Council, or a joint committee of the District Council and one or more local authority within the meaning of section 279(1) of the 1972 Act, or a sub-committee of such a joint committee provided that: -
  - (i) where the authority is divided into two or more political groups, it is a meeting to which members of at least two groups have been invited, or
  - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the District Council is a member

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- (d) the attendance at a meeting of the executive (Cabinet) or a meeting of any of its committees;
- (e) the attendance at pre-meeting briefings by Chairmen and Vice-Chairmen of Committees;
- (f) the performance of any duty in pursuance of any standing order made under section 135 of the 1972 Act requiring a Member or Members to be present while tender documents are being opened;
- (g) the performance of any duty in connection with the discharge of any function of the District Council by or under any enactment and empowering or requiring the District Council to inspect or authorise the inspection of premises (including site visits for planning matters); and
- (h) the attendance of any pre-arranged meetings with Officers relating to issues within the Members' responsibilities. This would encompass Portfolio Holder briefings etc. In the event of any question of interpretation, the Chief Executive, or, in his absence, the Monitoring Officer, will decide.
- (i) The attendance at meetings, training or other events where the Member is an official Council representative or requested to attend by the Leader, relevant Cabinet Member or Chief Officer.

### **Further Clarification of Approved Duties:**

In-house training and development seminars including Members' Induction, Staff Induction and service-specific seminars

Conferences or seminars arranged by a Chief Officer.

Expenses will not be paid for attendance at national and regional bodies if the Member was not appointed to the organisation or event by the District Council.

Travel and subsistence allowances for co-opted and lay/expert members of committees and panels will be paid, at the same level as for elected Members.

Schedule 2 sets out tables of examples of what are approved duties. In specific cases not covered by this schedule Members should contact the Democratic Services Team. A decision will be made by the Chief Executive or the Monitoring Officer and the table updated accordingly

### **3.2 Travelling, Subsistence and other Expenses**

#### **Travelling Allowances**

Travelling allowances are payable in accordance with the HMRC maximum tax free allowance from time to time:

Per mile up to and including 10,000 miles	45 pence
Over 10,000 miles	25 pence

Electric Vehicle Mileage is paid at HMRC rates, currently 5 pence per mile

Bicycles:

20 pence per mile tax free as per HMRC’s maximum tax free allowance for claims.

Motorcycles:

24 pence per mile tax free as per HMRC’s tax free allowance for claims.

Public Transport:

Authorised journeys taken using public transport should be reimbursed at the cost of standard travel.

Travelling allowances may be claimed by Members for attendance at meetings of the bodies or for the purposes listed in 3.1 above.

Car sharing is encouraged by the Council for duties involving more than one Member. Any claim should be made by the vehicle driver only.

Travel by taxi should only be used in exceptional circumstances and, if it is necessary, should involve more than one Member if possible.

### 3.3 Subsistence Expenses and Council Refreshments

- A Member may claim reimbursement of subsistence costs incurred personally while on approved duties. The latter are described at a separate section below. In order to qualify for reimbursement:
- the Member must be away from his/her usual residence for a minimum of four hours (this time period applying only to the time spent in travel to and from, and attendance at, the approved duty outside the District)
- there must be no meal provided at the approved duty, either by the Council or any other organiser for the event
- claims will only be reimbursed for subsistence purchased in the close vicinity of a local event, or in the vicinity of, or whilst travelling to or from, an event more distant.
- the Member should attach a receipt to his/her expenses claim form to show that a meal was purchased (and the amount paid will be the amount incurred and shown on the receipt up to the maximum limit shown below).

The rates payable are set annually when the annual pay award is agreed. They are currently as set out in the table below.

Subsistence type	Details	Payment amount
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Lunch allowance	Covers the period from 12 noon to 2 p.m.	£9.86
Evening meal allowance	For a period of absence ending after 7 p.m.	£12.21
Absence overnight	To cover hotel and associated expenses - but note that, in these cases, the Council will book and pay for hotel accommodation directly (see 'conferences' at separate section below)	£79.82 (increased to a maximum of £91.04 in certain circumstances, e.g. for meetings in London and for LGA meetings)

If a meal is taken on a train, this is taken to relate to the subsistence allowance which it most closely equates to (i.e. lunch or evening). The above conditions still apply.

The Council may provide refreshments for 'approved duty' meetings which last over the lunchtime period or which start between 4.30 p.m. and 6 p.m.

The District Council requires that Members ensure that any overnight stay bookings for approved duties and conferences are made by Council Officers. The Council will then pay for the cost of the accommodation and breakfast. Lunch and evening meal costs up to the subsistence amounts shown above and travel will be claimable.

### 3.6 Child and dependant carer's allowances

Members may claim an allowance (set out in Schedule 1 below) for the use of childminders, babysitters or other sitters for dependants while carrying out approved duties. See section 2.3 above for details. Claims must be supported by receipts for payments made.

### 3.7 ICT and other equipment

Members are securely able to access all Council information and communications from any internet access point, including a home computer, through the Members' Electronic Portal. In order to recognise that part of the cost of provision of such equipment is for the performance of Members' duties, Members may make claim for the following financial support:

- (a) In exceptional circumstances where a Member is unable to afford the purchase cost of a suitable computer the Council would consider assisting the Member by advancing a lump sum which would then be recovered via repayments from this allowance;
- (b) where a Member has been provided with a Council funded computer, no allowance will be paid; and



- (c) all such allowances are subject to tax along with Basic and Special Responsibility Allowances in the normal way.

### **3.8 Claims procedure**

Claims for travel, subsistence and dependant carer's allowances must be made each month using the Members' claim form. Members can either submit a claim in writing or on-line. If any Member wishes to submit claims on-line, he/she is required to sign a 'request to submit forms via e-mail' and return it to the Head of Legal & Democratic Services or Democratic Services Team Leader so that a members' claim form can be sent electronically for completion. All claims must be received by the Democratic Services Team by the twentieth day of the month. This is essential as they must be verified and approved by the twenty third day of the month in time for the monthly payroll run on the fifteenth of the following month. Any claims received after these dates will be paid on the subsequent pay run.

Members should ensure that they submit claims each month as claims stretching back over several months may be delayed owing to the increased difficulty of verifying them. Claims over 3 months old will not be paid. All claims to be finalised within one month of the start of the financial year.

The claim form must include receipts for all expenses claimed other than car mileage, and must be signed by the Member to declare that he/she is entitled to all amounts claimed and has not already been reimbursed for these amounts by the Council or any other organisation. For those claims submitted electronically, all relevant receipts must also be submitted to support the claim.

If a Member wishes to reclaim tax paid on subsistence allowances, he/she must provide relevant receipts to HMRC. If a Member applies for benefit, he/she must declare any allowances and expenses received from the Council on his/her application form.

Should it ever arise that the Council incurs expenditure on behalf of a Member's spouse or partner, then a debtor's account will be sent to the Member to recover all additional costs and a copy of the accounts will be placed with the file of payments to Members.

## **4. GUIDANCE FOR OFFICERS IN RESPECT OF PAYMENT TO MEMBERS**

All Officers must adhere to the above scheme when verifying and making payments to Members. The Head of Legal & Democratic Services or Democratic Services Team Leader must verify all Member claims prior to passing them for payment taking particular note of Schedule 2. The Finance Team will maintain a file of payments to Members. For all payments under the Members' Allowances Scheme, this must show the name of the recipient, together with the amount and nature of each payment. It is open for inspection free of charge by electors in the area, who may copy any part of it.

The scheme also applies to Officers incurring expenditure on a Member's behalf - if an Officer spends more than the prescribed limits shown above for a Member's

## Agenda Item 4

travel and/or subsistence then *the Officer cannot claim the excess, but must bear the cost personally*. If an Officer wishes to make a claim for Member travel and/or subsistence, he/she must complete an employee travel and subsistence expenses claim form in the usual way, but stating clearly which Member(s) were paid for, and the details of the payment (cost, time of day incurred) which will allow it to be checked against the prescribed subsistence scheme. A copy must be sent immediately to the Finance Team for recording in the file of payments to Members.

If any other issue of payment to a Member arises, other than one covered by the above Members' allowance scheme or a normal service issue, then prior written approval should be obtained from the Chief Executive or Monitoring Officer.

When a department arranges any seminar, conference, course or visit which will incur costs on behalf of a Member, the lead officer must liaise with the Chief Finance Officer to ensure that only permitted expenditure is incurred. The lead Officer of the event should keep a list of Members attending an approved event, and forward it immediately afterwards to the Head of Legal and Democratic Services or Democratic Services Team Leader and the Finance Team to ensure that any subsequent Member claims for travelling and/or subsistence can be verified.

Tours outside the Sevenoaks District may be arranged by the relevant department. They will still require formal committee/cabinet approval and adequate budgetary provision. Any overnight stop, unless paid for directly by the Council, and any lunch or evening meals purchased for the Members involved must adhere to the subsistence rates shown above. If air tickets are reserved, the cheapest rate of public air travel must always be used.

Any proposed payment or commitment of civic funds must be referred to the Chief Executive or Monitoring Officer for prior approval. These Officers must ensure all payments so made remain within budgeted levels of expenditure, and that any payments to or on behalf of Members are recorded in the file of payments to Members.

**Schedule 1**

**Members Allowances 2021/22**

With effect from the commencement of the municipal year  
2021/22

Description of Allowance	2021/22	
	Allowance per Member	
	£	
Basic Allowance (all Members)	5,715	
 <b><u>Special Responsibility Allowances:</u></b>		
Cabinet Chairman (Council Leader)	20,910	
Deputy Leader	12,546	
Cabinet members	7,319	
Deputy Cabinet Members	1,673	
Opposition Group Leaders:	282	per Group Member
Liberal Democrats (3 Members)	846	
Independents (3 Members)	846	
 <b><u>Chairmen</u></b>		
Advisory Committees (x7)	2,614	
Audit	2,614	
Community Infrastructure Levy (CIL) Spending Board	2,614	
Development Control	5,228	
Governance	2,614	
Health Liaison Board	2,614	
Licensing	2,614	
Scrutiny	2,614	
Sevenoaks Joint Transportation Board	2,091	
Standards	1,673	
 <b><u>Vice-Chairmen</u></b>		
Advisory Committees (x7)	0	
Audit	0	
Community Infrastructure Levy (CIL) Spending Board	0	
Development Control	1,046	

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Governance	0
Health Liaison Board	0
Licensing	0
Scrutiny	0
Sevenoaks Joint Transportation Board	0
Standards	0
<u>Committee Members</u>	
Development Control members	523
Licensing Committee members	141
<u>Other</u>	
Standards co-optees	502
Child Care (p/h/p/child max)	8.00
Dependent Carers (p/h max)	17.00

## Schedule 2

Members' Allowance Scheme - Approved Duties Specific Examples

- Attendance at a meeting of Council
- Attendance at a meeting of Cabinet (all Members)
- Attendance at a meeting of any Committee/Sub-Committee/Working Group/Board/Hearing of which you are a Member (attendance at Committee meetings as an observer is not considered an approved duty, the only exception to this being meetings of the Cabinet).
- Attendance at a meeting of any outside organisation that you are appointed to by the Executive or the Council
- Attendance at any Development Control Meeting and Development Control Site Meeting as agreed by the Chairman or Vice-Chairman of Development Control, if you are a member of Development Control or a local member for the ward concerned
- Attendance of any other site visit approved by Council, the Executive or any Committee/Sub-Committee/Working Group/Board/Hearing, if you are a member of the relevant body
- Attendance by a member of the Executive at any Committee/Sub-Committee/Working Group/Board/Hearing that is discussing matters within that member's Portfolio
- Attendance at any meeting organised by Officers of the Council to which at least two political groups have been invited
- Attendance at any training session organised by Officers of the Council to which the Member has been invited
- Attendance at any service-specific seminar organised by Officers of the Council to which the Member has been invited
- Attendance at any Conference or Seminar where prior agreement has been made by a Chief Officer of the Council
- Attendance at pre-meeting briefings by Chairman/Vice-Chairman of Committees/Sub-Committees/Working Groups/Boards/Hearings
- Attendance of members of the Executive at Briefing meetings
- Attendance of a member of the Executive that is required to attend a tender opening
- Attendance at any meeting pre-arranged by Officers of the Council relating to issues within the Member's responsibilities

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Governance Committee - 6 June 2023 - Work Plan (As at 10/5/23)

30 January 2024	Summer 2024	Winter 2025
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