

## MEMBERS' ALLOWANCES SCHEME

### Governance Committee - 2 February 2017

Report of Chief Officer Corporate Services

Status: For Decision

Key Decision: No

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Portfolio Holder Cllr. Firth

Contact Officer Jim Carrington-West, Ext. 7286

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#### Recommendation:

That Council be recommended to approve the amendments to the Members' Allowances Scheme set out in this report.

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**Reason for recommendation:** Members are increasingly being invited to meetings and events to represent the Council at the request of the Leader, Cabinet Members or Chief Officers. It is necessary to amend the Constitution so as to allow the expenses of such attendance to be claimed.

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#### Introduction and Background

- 1 The Member's Allowances Scheme ('the Scheme') is set out in Appendix G to the Council's Constitution and was made under the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 (the 2003 regulations). In making the Scheme, the Council had regard to recommendations made by the Joint Independent Remuneration Panel.
- 2 The Scheme may be amended at any time and is updated annually, although mere updating for the purposes of reflecting the increases in allowances which arise due to the National Joint Council for Local Government Services pay award does not constitute an amendment.
- 3 The Scheme provides for a Basic Allowance and Special Responsibility Allowances. It also allows Members to be reimbursed travel, subsistence, Child and Dependent Carer's Allowance and conference expenses (subject to these listed expenses having been incurred when undertaking approved duties).
- 4 The Constitution provides a definition of approved duties and it is proposed to add to the list of approved duties to fully reflect the obligations placed upon Members. There is no intention to reduce the scope of the Scheme and only limited increases are proposed.

## Proposed amendments

- 5 The current scheme lists approved duties and at Schedule 2 provides a list of example approved duties. It is proposed to add to the list on page 4 as a new letter 'i' the following description as an approved duty: "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."
- 6 It is understood that there are some further minor drafting anomalies within the Scheme, such as a reference in paragraph 2.4 (pensionable allowances) to an irrelevant date. It is proposed that the Head of Legal and Democratic Services be authorised to remove such anomalies and to undertake all necessary minor amendments.
- 7 Finally, it is proposed that it be reiterated as a new second sentence to paragraph 3.1 that 'no expenses claimed more than three months after they were incurred will be paid'.

## Other Options Considered and/or Rejected

- 8 If the Scheme were not amended it would fail to reflect the changing obligations faced by Members.
- 9 It was considered whether to adopt the four point allowances scheme adopted by Kent County Council but it was considered that this did not fully reflect the currently well-observed practices and procedures of the Council. For the avoidance of doubt, the County Scheme lists the following approved duties (adapted in sense for Sevenoaks District Council):
  - a. Attendance at Council premises to undertake Council business, including attendance at Council, Cabinet and Committees (including group meetings) and to undertake general Member responsibilities;
  - b. Representing the Council at external meetings, including Parish and Town Councils and those of voluntary organisations where the Members are there on behalf of the Council;
  - c. Attendance at events organised by the Council and/or where invitations have been issued by or on behalf of Chief Officers or Members (including Chairman's events and other corporate events);
  - d. Attendance at meetings/events where the Member is an official Council representative or requested by the Leader, relevant Cabinet Member or Chief Officer.

## **Key Implications**

### Financial

- 10 Minimal. It is believed that the additional expenses claimable will not be significant. Nevertheless, the change is deemed necessary in order fairly to reflect the obligations of Members.

### Legal Implications and Risk Assessment Statement.

- 11 The Member's Allowances Scheme is a constitutional document made under the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 (the 2003 regulations). In making the scheme, the Council must have regard to any recommendations made by the Joint Independent Remuneration Panel. The Scheme is administered by Legal and Democratic Services and questions of interpretation fall to the Chief Executive and in his absence the Monitoring Officer.

### Equality Assessment

- 12 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.

## **Conclusions**

- 13 For the reasons set out in this report it is proposed that the suggested amendments to the Scheme be recommended to Council.

## **Appendices**

The Constitution of Sevenoaks District Council -  
Appendix G: Members' Allowances Scheme  
(2016/17)

**Jim Carrington-West**  
Chief Officer Corporate Services