

 <p><b>Brent</b></p>	<p align="center"><b>Full Council</b></p> <p align="center">22 February 2016</p> <p align="center"><b>Report from the Chief Legal Officer</b></p>
For Action	Wards Affected: ALL
<p><b>Members' Allowance Scheme</b></p>	

## 1.0 Summary

- 1.1 This report proposes changes to the Members' Allowance Scheme which sets out the allowances Members are entitled to receive for carrying out their responsibilities.

## 2.0 Recommendations

- 2.1 That Full Council makes the Members' Allowance Scheme attached to this report at Appendix 2 for the financial year 2016/17.
- 2.2 That Full Council authorises the Chief Legal Officer to comply with the statutory requirements to publicise the Council's Members' Allowance Scheme.

## 3.0 Detail

### ***Background***

- 3.1 Brent Council's Members' Allowance Scheme was most recently reviewed in 2014 following publication of a report by the independent remuneration panel for London borough councils. The report titled "The Remuneration of Councillors in London 2014 – Report of the Independent Panel" was published in June 2014 and is attached to this report at Appendix 1.
- 3.2 It is for the Council to make a scheme for the payment of allowances to its Members specifying the amount of entitlement by way of basic allowance (which is mandatory) and other allowances such as special responsibility and

dependants' carers' allowances (which are discretionary). Such a scheme has to be in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and the Council is required to have regard to the recommendations made by an independent remuneration panel.

- 3.3 The most recent independent review can continue to inform the Council's decision making in respect of its Members' Allowance Scheme for a maximum period of four years. Clearly, therefore the recommendations in the 2014 Report remain valid for the Scheme proposed for the financial year 2016/17 (see Appendix 1).
- 3.4 Members are reminded that the 2014 Report advocates the setting of allowances at a level that enables people to undertake the role of councillor while not acting as an incentive to do so. It is equally important, as acknowledged, that there should not be a financial disincentive.
- 3.5 It is also worth mentioning that in 2014 Members allowances were set at a reduced, or much reduced, level than the amount recommended by the independent panel. The difficulty in increasing allowances for Members given the current financial austerity, was recognised by the independent panel.
- 3.6 As for special responsibility allowances, the independent panel's report notes that they should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

### ***Proposed changes***

- 3.7 The proposed new Scheme is attached at Appendix 2. The proposed changes have been tracked and can be summarised as follows.
- 3.8 In line with many other councils it is proposed that Members be entitled to claim reasonable travelling and subsistence expenses for attending conferences outside of the borough of Brent. Claims will be reimbursed at the same rate as the Council reimburses expenses claimed by officers and no more than the actual amount incurred may be claimed.
- 3.9 Currently, the Scheme allocates a special responsibility allowance of £12, 785 to the Group Leader of the Principal Opposition Group, namely the Conservative Group, and a second allowance to another member of that Group. It is proposed that the additional workload of the Group Leader of the Brent Conservative Group justifies a special responsibility allowance of £9,000 too. It is also proposed, however, that the second special responsibility allowance currently payable to the Deputy Leader of the Conservative Group be deleted.
- 3.10 The allocation of special responsibility allowances anticipates the approval by Full Council of a new two committee scrutiny structure. It is proposed that the new scrutiny structure will be implemented on 19 May 2016 which is when the matching allowances will become payable.

- 3.11 The allowance payable to the Chair of Planning Committee has been increased to the same level as the Chair of Scrutiny Committee as the significance and demands of the additional responsibilities warrant an equal footing approach.

### ***Annual Uplift***

- 3.12 Members are also asked to note that, in accordance with the provisions of the Scheme, a 1% uplift has been applied to all basic and special responsibility allowances, which is equal to the agreed inflation pay award for staff.

### ***Publicity***

- 3.13 As soon as reasonably practicable after the making of a Scheme, copies of the Scheme have to be made available for inspection at the Civic Centre and a notice has to be published in a local newspaper. It is recommended that the Chief Legal Officer be authorised to comply with these requirements.

## **4.0 Financial Implications**

- 4.1 The potential additional costs of the proposed new scrutiny structure are discussed in a separate report to be considered by Members at the same Full Council meeting as this report. That accounts for the single biggest increase in costs. The net effect of the other proposed changes will add to those costs. The actual costs cannot be calculated in advance because Members undertaking two or more roles attracting special responsibility allowances, would only be entitled to receive one such allowance.
- 4.2 In addition, the cost of reimbursing travelling and subsistence expenses for attending conferences outside of the borough of Brent cannot be calculated in advance either.
- 4.3 Members' allowances are currently met out of Member Services budget and the increase in costs will be budgeted for.

## **5.0 Legal Implications**

- 5.1 The proposed Members' Allowance Scheme complies with the relevant provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003; the Local Government and Housing Act 1989 and the Local Government Act 2000.

## **6.0 Diversity Implications**

- 6.1 None.

## **Background Papers**

None

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