

**BRISTOL CITY COUNCIL**

**ANNUAL COUNCIL**

**26 May 2015**

**Report of:** Service Director, Legal and Democratic Services

**Title:** Report of the Independent Remuneration Panel

**Ward:** City Wide

**RECOMMENDATION**

That Council considers the report of the Members' Remuneration Independent Review Panel (IRP) and the recommendations contained therein AND determines whether to;

1. Accept the recommendations
2. Reject the recommendations

In the event that the recommendations are rejected the current allowance scheme will remain in place for 2015/16.

**Summary**

The current scheme was adopted by the full Council on 21 June 2011 for a period of four years, backdated to April 2011.

The Panel meets annually to ensure that the Scheme remains fit for purpose (referred within this report as 'mini review') and reports to full Council every year

This year, a full review of the Members Allowances Scheme has taken place and the report is attached at Appendix A.

**The significant issues in the report are:**

Set out in Appendix A

## Policy

1. The policy and procedure for the Members Independent Remuneration Panel are governed by The Local Authorities (Members' Allowances) (England) Regulations 2003 and subsequent amendments to the regulations.

## Consultation

### 2. Internal

The Mayor and a number of Councillors were interviewed by the Panel as part of their evidence gathering and deliberations.

### 3. External

No external consultation required

## Context

4. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)*. These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to set up and maintain an advisory Independent Remuneration Members' Allowances Panel to review and provide advice on members' allowances.
5. All Councils are required to seek the advice of its Independent Panel before they make any changes or amendments to their allowances scheme. They must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.
6. (i) The Panel comprises 6 independent members, appointed following a public advertisement, for a term of 4(?) years. Currently these are

**Michael Cole**, Management Consultant, Head of Branch Operation and Sales Force - Bradford and Bingley Bank (retired)

**Julie Hart**, Member Management Team, Lloyds TSB, Management (retired), Company Director.

**Rosa Hui**, Deputy Lieutenant of the City & County of Bristol and Director of Bristol and Avon Chinese Women's Group.

**Julian Legg**, Business Continuity Manager, RSA

**Peter Langan**, retired Circuit Judge

**Geralyn Meehan**, Senior HR Manager and Employment  
Tribunal member

(ii) The Panel met on 4 occasions - 31<sup>st</sup> October 2014, 28<sup>th</sup> November 2014, 19<sup>th</sup> December 2014 and 30<sup>th</sup> January 2015 - and interviewed the following Councillors:

Chris Jackson  
Gary Hopkins  
Geoff Gollop  
Brenda Massey  
Simon Cook  
Peter Abraham  
Richard Eddy  
Claire Hiscott  
Gill Kirk  
Anthony Negus  
Lesley Alexander  
Mark Bailey  
Christian Martin  
Rob Telford  
Ron Stone;  
Mayor George Ferguson

(iii) The Panel was given general terms of reference, namely to review the Bristol City Council's Members' Allowances scheme and to make recommendations to the City Council on the appropriate form and level of remuneration for

- Basic Allowances
- Special responsibility allowances;
- Childcare and dependant's carers' allowances
- Travel allowances;
- Allowances for co-optees; ;
- 

The Panel also received advice, help and support from Mr Graham Russell as an Independent Adviser

## **Proposals**

7. These are set out in the IRP's Report at Appendix A.

## **Other Options Considered**

8. Not applicable.

## **Risk Assessment**

9. The recommendations are set out in the IRP's Report at Appendix A. To not approve the recommendations would mean the scheme would continue in its current form.

## **Public Sector Equality Duties**

11. a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
    - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
    - tackle prejudice; and
    - promote understanding.
- b) Public Sector Equality Duties are taken into account by the Panel as part of its deliberations.

## Legal and Resource Implications

### Legal

12. The Local Authorities (Members' Allowances)(England) Regulations 2003 ("the Regulations") provide that it is for each local authority to decide its scheme and the amounts to be paid under that scheme. Councils are required to establish and maintain an independent remuneration panel which will broadly have the functions of providing the local authority with advice on its scheme, the amounts to be paid and the pensionability of allowances where relevant. Local authorities must have regard to this advice.
- The approach, therefore, is one where questions as to the amounts payable to members are matters for local determination. In this way, Authorities can take full account of their particular circumstances, including the precise form of their new constitution, and be directly accountable to their electorate. This accountability is sharpened through each Authority being advised on its own allowances scheme by a local panel whose members are required to be independent.

**(Legal advice provided by Shahzia Daya, Service Manager and Deputy Monitoring Officer)**

### Financial

#### (a) Revenue

There is no provision within the approved budget 2015/16 for any additional payments, as it is based on allowances paid in 2014/15. Any changes arising from this report would need to be funded from a corporate contingency for 2015/16 and adjusted in the base budget for future years.

### Appendices:

Appendix A – The report of the Independent Remuneration Panel

## LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

### Background Papers:

Please note the present Members Allowances Scheme can viewed as part of the constitution on the web page <http://www.bristol.gov.uk/page/council-and-democracy/constitution> or via the Councillor Allowances and Payments page at <http://www.bristol.gov.uk/page/council-and-democracy/councillors-allowances-and-payments#jump-link-6>

## **AGENDA ITEM 12 - APPENDIX A**

**Report of Independent Remuneration Panel to Bristol City Council**

# Report of Independent Remuneration Panel to Bristol City Council

February, 2015

## Introduction

1. Under the Local Government (Members Allowances) (England) Regulations, 2003, Councils have to set up an Independent Remuneration Panel to make recommendations on councillors' allowances.

2. The Panel comprises:

**Michael Cole**, Management Consultant, Head of Branch Operation and Sales Force - Bradford and Bingley Bank (retired)

**Julie Hart**, Member Management Team, Lloyds TSB, Management (retired), Company Director.

**Rosa Hui**, Deputy Lieutenant of the City & County of Bristol and Director of Bristol and Avon Chinese Women's Group.

**Julian Legg**, Business Continuity Manager, RSA

**Peter Langan**, retired Circuit Judge

**Geralyn Meehan**, Senior HR Manager and Employment Tribunal member

3. The Panel has met on 4 occasions at the offices of the City Council. Our meetings have been supported by Mr Norman Cornthwaite, Democratic Services Section and Mr Graham Russell as an independent adviser. We are deeply indebted to both for their support in our work.

4. Our special thanks are also due to the Mayor and the many councillors who gave up their time to come and talk to us (see background information in Appendix). The evidence we have gained has been invaluable and has helped us to formulate our recommendations.

## **General Principles**

5. This is a very difficult time for local authorities and for councillors in particular. The economic climate has resulted in local authorities having to make difficult decisions about local services and budgets. We are aware of the most recent grant settlement for Bristol and acknowledge that these difficulties will continue for some time to come.

6. The role of local councillors is equally challenging. They work hard to secure local improvements to services and act as the voice of local people on matters of concern. Through overview and scrutiny roles, councillors are able to call the Executive Mayor and his Cabinet to account as well as actively engage in the development of new and improved policies.

7. In undertaking its legal responsibilities to consider and make recommendations on members' allowances and associated matters, the Panel has been aware of

- (a) the need for allowances to fairly reflect the public's high expectations of their elected representatives in a modern and progressive local authority;
- (b) the reality of the responsibilities that councillors carry out for their constituents and in support of the effective management of the Council;
- (c) the need for the allowances framework to support councillors and not itself to serve as a barrier to those who might wish to consider standing or remaining as a councillor;
- (d) the Council's requirement and expectation of the roles of those councillors performing special responsibilities (as set out in role descriptions and offered in face-to-face evidence); and
- (e) the impact of this first term of an Elected Mayor model of governance on how the Council works.



8. The Panel has been quite clear in its view that Bristol is one of the English core cities and holds strategic significance both regionally and nationally. We have looked at the core elements of the current Scheme of Allowances and considered the extent to which it provides adequate and effective support for both the leadership of this strategic local authority and the complementary roles of councillors.

9. The framework of the current Scheme was set some years ago. This is the first opportunity the Panel has had to have a fundamental review of the Scheme since the Elected Mayor model was introduced.

10. On some of the issues we have considered, there has had to be compromise among the Panel members. We recognise that our overall package of recommendations will have financial consequences. The Council will need to receive advice on this from its Officers. However, we are firmly of the view that Bristol needs an allowances framework that

- is fully supportive of the Executive Mayor and councillor roles;
- recognises the significant responsibilities that certain member roles carry on behalf of the Council and the City;
- does not serve as a disincentive to securing good quality candidates for the future, from all sectors of the local community; and
- reflects the strategic importance of the City of Bristol and of its effective governance.

11. The Panel has also sought to make the Scheme of Allowances more transparent in the way the allowances are calculated and with regard to the banding and differentials between allowances.

### **Methodology of our review**

12. The majority of the evidence we have analysed has come directly from councillors and from the Panel's support staff. Of particular value were the role descriptions prepared by the Council for the various councillor roles. These have given us valuable insight into what the Council expects from these roles. We have taken into account also the results of a member survey of hours devoted to Council duties.

13. We have used comparative data from other Mayoral authorities and from English core cities, of which Bristol is one. However, while such data is an indicator, it has been treated with caution since we might not be comparing like with like. For example, some of the local authorities that have adopted the Elected Mayor form of governance are smaller District Councils with nothing like the range of responsibilities that Bristol has. There might also be variations in the level of delegated decision making to executive members in the core cities, which will impact upon individual levels of responsibility and accountability.

### **Basic Allowance**

14. This is the allowance that every councillor in Bristol is entitled to and includes a recognition of the time and effort involved in performing ward councillor duties. The present level of Basic Allowance is set at £11,530.

15. The Basic Allowance will never totally compensate for all the hours spent by councillors on Council related duties. Indeed the Government anticipates that independent remuneration panels will apply a discount to the assessed total hours spent on councillor duties to reflect what they see as the voluntary element of a councillor's role. In most cases, Panels across the UK apply a 33% discount for this voluntary element.

16. The present Basic Allowance was set in 2012 and is based on a formula which the previous Panel adopted relating to the local median wage rate, applying a 33% voluntary element discount. While recognising the need for caution on comparator information, the Panel has noted that the average Basic Allowance in English core cities is £12,803. The median value is £13,001.

17. In addition, the Panel has noted that Officers in local government have recently been awarded an overall pay settlement of 2.2%. Hitherto, there has been a general reluctance by Councils across the region to increase allowances at a time of stagnation in Officers' pay.

18. There is no justification, in our view, in maintaining a position where Bristol City councillors are significantly under-valued through the allowances scheme compared to councillors in these other core cities. There has been a significant lapse of time since the last review. The

workload for local councillors has increased since the present Basic Allowance was set, particularly in terms of constituent queries. Irrespective of the form of executive governance in the Council, members of the Council have to manage the public interface with their constituents at times of financial difficulty.

19. The Panel has received impressive evidence, particularly from more-recently elected and working councillors, of the heavy and to some degree unanticipated time commitment which is required of them.

20. As Dame Jane Roberts, Chair of the Councillors Commission in 2008 described it – *“They [councillors] are the community champions. They are the two-way translators bringing the voices of the different communities that they represent into the Council to inform the decision making process.”*

21. Councillors face challenges in securing service provision and improvement in an era of restraint and cut-backs. The relatively high cost of living in Bristol is another significant factor in helping the Panel to reach a conclusion about the Basic Allowance.

22. While the Panel would have liked to recommend a Basic Allowance at, or close to, the average level for the core cities, we accept that this would constitute an unacceptable level of increase at this time.

23. However, the Panel is mindful of the need to put in place a robust Scheme of Allowances that will ensure the City Council can continue to attract councillors from all sectors of the local community. To achieve this, the level of allowances must not serve as a disincentive to younger or working people. While allowances will never fully compensate councillors for the costs of their time and effort, they must minimise the financial burden on councillors as they perform their Council-wide and local ward duties and responsibilities.

24. We have balanced all issues on this matter and have determined that the Basic Allowance does fall short of what might reasonably be expected to support councillors in a strategically important city like Bristol. It is our recommendation therefore that the Basic Allowance should rise to £12,500. However, in considering the need for special

responsibility allowances (see below) we have taken into account that a councillor receiving a Basic Allowance at this level would be expected to perform some duties relating to the governance of the Council without additional recognition through the allowances Scheme. This is referred to below in the justification for some of our recommendations.

**RECOMMENDATION 1 : That the Basic Allowance be increased to £12,500 with effect from May, 2015.**

### **Special Responsibility Allowances (SRA) – General Principles**

25. These are discretionary allowances within the Scheme of Allowances. They are intended to recognise the responsibility, accountability, time and effort required from those members of the Council who perform duties significantly over and above what might reasonably be expected of them through the Basic Allowance.

26. We have noted the guidance of the Government that no more than 50% of councillors in an authority should receive a special responsibility allowance. There are currently 28 SRA's awarded under the present Scheme, well within this guideline. Collectively, our recommendations also fall well within this guideline. The present Scheme also provides that a councillor may receive no more than one SRA – with the higher-valued allowance being received where two or more such allowances are applicable to the councillor concerned.

27. The Panel has looked very carefully at member roles in the context of the need for special responsibility payments and

- recognises that an SRA is relevant only where the role carries a significant additional responsibility, level of accountability, time or effort over and above that of a councillor receiving only the Basic Allowance;
- seeks to value what the Council sees as the core role and the level of delivery (in this context the role descriptions have been invaluable) – recognising that this can sometimes be at variance with the role as described in direct evidence;

- has reviewed the roles that currently receive an SRA as to their continued relevance for such a payment;
- is not bound by earlier decisions of the Panel about roles and SRAs but has looked objectively at all roles in the context of setting a Scheme of Allowances for the next 4 years;
- has had to make a balanced judgement where there has been contrary evidence provided.

28. In making our recommendations, we wish to make it clear that any negative impact they may have is not intended to reflect adversely on any individual member of the Council and their performance in the role.

29. The Panel believes it is more transparent if special responsibility allowances are calculated as multipliers of the Basic Allowance. This also better demonstrates the Panel's thinking on the differentials between bands of allowances, reflecting levels of responsibility, time or effort. Our recommendations are therefore shown as multipliers of the Basic Allowance.

30. The following comments and recommendations are made for consideration by the Council

### **Special Responsibility Allowances – Specific Roles:-**

#### **Executive Mayor**

31. Of the 12 English core cities that were required by the Government to hold a public referendum on the option of a directly elected City Mayor with executive powers, only Bristol returned a "Yes" vote. Accordingly in 2012 the City Council moved from a Leader with Cabinet form of governance to an Elected Mayor with Cabinet.

32. The Elected Mayor is not a councillor, and is therefore not entitled to receive the Basic Allowance. The Mayor determines the size of the Cabinet, the number and range of portfolios, the level of any delegation and the individual councillors that will serve in Cabinet positions.

33. The Bristol Mayor “runs the City” and takes all the key executive decisions within the policy framework and budget set by the full Council. He answers to the full Council of 70 councillors and is held to account through the overview and scrutiny function.

34. In comparing the current elected Mayor’s allowance of £66,395 with those of other directly elected Mayors in the UK, it is the third highest with only Salford and Liverpool Councils paying more (£69,690 and £79,500 respectively). However, the Panel is aware that a number of authorities that have elected Mayors are smaller District Councils and will pay a correspondingly lower allowance.

35. In making our recommendation on an allowance for the elected Mayor, we are mindful that the Council needs to be able to attract high calibre candidates with the skills, knowledge and experience for this position – candidates who are able to commit to the leadership of the City and therefore paid an allowance to reflect that. We have greatly appreciated the evidence of the present incumbent in giving his understanding of the role, its support mechanisms and its significance.

**RECOMMENDATION 2: That the allowance for the Executive Mayor of Bristol be set at £75,000 (6 x Basic Allowance) with effect from May, 2015.**

### **Assistant Mayors and the Deputy Mayor**

36. The present allowance to the Assistant Mayors is £20,266.

37. The Panel has noted that Assistant Mayors, who together form the Cabinet, advise the Mayor, support him in his decision making role and work alongside strategic directorates. The only decision making powers are those that may be given from time to time by the Mayor. In the majority of cases, Assistant Mayors do not carry the personal responsibility for decision making.

38. One of the Assistant Mayors acts as Deputy Mayor, but at present does not receive a higher allowance.

39. The Panel has looked at comparator information from other Mayoral Councils. This is entirely valid given the nature of a directly elected Mayor form of governance and that the level of personal delegation to Cabinet Members is likely to be broadly the same, irrespective of the size or type of the local authority.

40. That said, Bristol is paying the highest Assistant Mayor/Cabinet Member allowance of any local authority with an elected Mayor and the 4<sup>th</sup> highest payment among the core cities.

41. While the position of Assistant Mayor does involve significant time and effort and has a clear strategic value to the Council in terms of working up a business case for decisions, the Panel believes that the present allowance needs to be reduced.

42. We have also considered evidence that the role of the Deputy Mayor needs to be at a level higher than for other Assistant Mayors. This is to recognise the over-arching responsibilities of the position, on behalf of the Mayor, as well as the preparation and knowledge required for those occasions when the Mayor is unable to act or wishes to step away from decision making where there is a conflict of interest.

43. Our conclusion is that the Deputy Mayor should receive an SRA equivalent to that of other Assistant Mayors plus a lead-in payment of £1,500 per annum to recognise the nature of this particular role.

**RECOMMENDATION 3: That the special responsibility allowance for Assistant Mayors be set at £18,750 (1.5 x Basic Allowance) with effect from May 2015;**

**RECOMMENDATION 4: That the special responsibility allowance for the Deputy Mayor be set at £18,750 plus a lead-in payment of £1,500 per annum in order to recognise the additional responsibilities of this position (total £20,250).**

## **Cabinet Advisors**

44. The Panel has noted that the present Scheme of Allowances recognises the relatively new position of Cabinet Advisor with a temporary holding allowance of £3,040, for each of the 4 post-holders.

45. We have received conflicting evidence about this new role and its perceived value. In some Mayoral authorities there is a clear role for members outside of the Cabinet to work in support of Cabinet Members by

- managing part of a large portfolio;
- attending meetings with or on behalf of the Cabinet Member;
- meeting interest groups;
- developing certain policy areas with overview and scrutiny members
- providing some succession planning for leadership roles.

46. The Panel understands that in Bristol, the role is very much dependent upon the relevant Assistant Mayor and whether or how they choose to use the support of a Cabinet Advisor .

47. We have considered a recommendation, made in evidence, that such Advisors should be awarded an allowance of £5,000. The Panel feels that this role is very much in its infancy in Bristol and needs time to develop fully into a recognised and accepted role. We do not therefore believe that such an increase is justified at the present time. This is however a matter that the Panel would be prepared to consider in the future against further emerging evidence.

48. Accordingly we believe that the special responsibility allowance should remain at a holding level for the time being. However, because of our approach in applying multipliers of the Basic Allowance to set SRAs, there would be a marginal adjustment upwards.



**RECOMMENDATION 5: That the special responsibility allowance for the Cabinet Advisors be set at £3,125 (0.25 x Basic Allowance) subject to the Panel being given the opportunity to review the allowance after a further one year of operation, or at such earlier time in the event that there is suitable evidence to justify an earlier reconsideration.**

### **Overview and Scrutiny Chairs**

49. The present allowance for the Chairs of the 5 x scrutiny bodies is £6,080 (see Appendix for details of these bodies).

50. The Panel recognises that scrutiny is an important legal function of the Council and that it assumes a special significance in Mayoral councils in calling the Mayor to account.

51. The evidence presented to us has been mixed. While there is a recognition of the value of the function in both scrutiny and policy development/formulation terms, there is some frustration that scrutiny members have difficulty in accessing information to carry out their role effectively.

52. We have looked at the role description and have considered evidence on the workload and responsibilities of the Chairs of Scrutiny in a culture where support for the role is low but expectations of it are high. We have disregarded evidence about internal cultural difficulties which we believe is a matter for the Council to resolve and does not impact upon our consideration of the significance of the scrutiny role as it is envisaged both in terms of its legal powers and by the Council itself.

53. With our cautionary view about comparative information, we have noted that Bristol is the second lowest Mayoral authority and the second lowest of the English core cities in terms of its value placed on the role of scrutiny chairs.

54. With the challenging times for local authorities continuing and possibly getting more difficult with the recently announced local government funding settlement, we believe the Council needs to maintain a robust scrutiny function. Those members who lead that function, by chairing Commissions and serving on the Overview and Scrutiny Management Board, must have their workload and significance recognised more adequately in the Scheme of Allowances, in our view.

**RECOMMENDATION 6: That the special responsibility allowance for Scrutiny Chairs be set at £9,375 (0.75 x Basic Allowance) with effect from May 2015.**

**Regulatory Committee Chairs**

55. The present Scheme of Allowances provides an SRA for the Chairs of 4 x Regulatory Committees at £6,080 (see Appendix for details of these bodies).

56. The Panel recognises that regulatory matters are determined by Committees of the Council to whom they are accountable and address statutory provisions. They stand outside of the executive arrangement and consequently the Mayor is not answerable for decision making other than on overall strategic policy as it affects regulatory services.

57. It follows therefore that those who chair and provide the member lead for regulatory matters (Development Control, Licensing, Public Safety and Protection) carry a significant responsibility for the integrity of the decision making process and accordingly for the management of risk to the Council on such sensitive and matters. Most decisions made by regulatory committees can be challenged through relevant appeals processes external to the Council. Cases of maladministration can be referred to the Ombudsman. These regulatory matters also generate significant public interest and pressure and those items that come to members for decision (rather than being dealt with by officer delegation) are by their nature the most controversial.

58. The evidence we have heard has emphasised the time and effort commitment for those who serve on these committees which determine matters referred to them against statutory deadlines.

59. We are convinced that the member management of regulatory functions does continue to equate to the responsibility level of the scrutiny chairs and accordingly needs to be enhanced within the Scheme of Allowances.

60. At present, no allowance is paid to the Chair of the Public Rights of Way and Greens Committee. We have been advised of a likely decline in the workload of this Committee, specifically with regard to town and village greens. Accordingly, we do not recommend any change to this position.

**RECOMMENDATION 7: That the special responsibility allowance for the Chairs of the Development Control, Licensing, Public Safety and Protection and Audit Committees be set at £9,375 (0.75 x Basic Allowance) with effect from May 2015.**

**RECOMMENDATION 7A: That the Chair of the Public Rights of Way and Greens Committee should continue to NOT receive an SRA.**

**Vice Chairs of the Development Control Committees and Scrutiny Bodies**

61. Under the present Scheme, the Vice Chairs of Development Control and Scrutiny Bodies (see Appendix) are entitled to an allowance of £1,216.

62. Recently introduced, this allowance was intended to recognise the responsibility of those members who support the chairs by attending briefings and sitting in when absence prevents the chair from sitting.

63. In the context of our recommendation to increase significantly the level of the Basic Allowance to all members, the Panel believes that it is a reasonable expectation on members that from time to time they may be asked to act up to a chairing or vice chairing role and otherwise assist in the good governance of the Council.

64. Accordingly we believe that a separate allowance for the Vice Chair role on committees should be discontinued. We are however content to keep this matter under review in the light of operational experience and do recognise the need for substitute chairing when the elected chair is absent for a long period.

**RECOMMENDATION 8: That the special responsibility allowance for the Vice Chairs of all Development Control and Scrutiny Bodies be deleted from the Scheme of Allowances with effect from May, 2015.**

**RECOMMENDATION 8a: That, in the event that a Chair becomes absent/unavailable for a period of 3 months or more, the Vice Chair receive the relevant SRA**

**Licensing (Hearings) Sub Committees**

65. There is one aspect of regulatory decision making that is causing difficulties for both members and officers and that is securing attendance at Licensing (Hearings) Sub Committees.

66. Because of the large number of hearings, generated by the receipt of representations from responsible authorities and/or relevant persons, a Licensing Sub Committee is convened approximately every fortnight, with meetings convened in the intervening weeks only when there is a legal requirement for an application to be determined before the normal fortnightly meeting can take place.

67. The 15 x members of the Licensing Committee are canvassed to serve on these sub committees, for which 3 x members are required for each sitting. This creates an administrative burden on Democratic Services to obtain sufficient members who have the capacity to serve on such regular meetings and a difficulty for members to commit to so many attendances without impacting on their other commitments. It is clear from the attendance statistics that relatively few members are contributing to the majority of hearings with some members unable to commit to any in a year.

68. The Panel has received a request to consider a scaled attendance allowance to compensate members for their time and effort in committing to serve on these hearings. Such an arrangement is already in place for employment hearings.

69. The evidence suggests that there is a significant time commitment on such members to read carefully the reports for each case and to formulate judgements based on these and the evidence presented. We believe that a graded scheme of allowances is required to help members and to make sure the administrative burden on the Council in setting up these hearings is minimised.

**RECOMMENDATION 9: That a special responsibility allowance be introduced with effect from May 2015 for Members of the Licensing Committee who attend Licensing (Hearings) Sub Committees on the basis of £500 for a minimum of 5 attendances and that any attendances over and above 5 attract a payment of £100 per meeting. In the event of a hearing being cancelled, no SRA would be payable. No SRA would be payable for a telephone-conference based hearing.**

**Party Group Leaders and Party Whips**

70. Both roles are recognised in the present Scheme of Allowances at £12,158 and £6,080 respectively.

71. The Panel has given careful consideration to the role and activities that are being recognised by these allowances. To some extent, both are performing party political roles which some may see as being outside the scope of the allowances arrangements.

72. We have received strong evidence about the close liaison that exists between the Group Whips and Democratic Services in the context of managing member issues such as committee membership and attendance. The role description identifies the role that Group Whips play in overseeing Council performance, internal governance and member/officer relationships.

73. For Group Leaders, the main issue for the Panel has been the balance between group management and making a contribution to effective governance of the Council. The Panel is convinced that each Group Leader is playing an important role as an intermediary between the Mayor and Cabinet on the one hand and his/her group of councillors on the other.

74. We discussed with witnesses the current 10% rule - that allowances are only awarded to Leaders of Groups and Group Whips whose groups hold 10% or more of Council seats. There was no support for any change to this rule and we accordingly reinforce it in our recommendations.

75. We are convinced that in both cases there is every justification in an authority like Bristol for recognising these roles through the Scheme of Allowances at the responsibility levels shown in the recommendations below.

**RECOMMENDATION 10: That the special responsibility allowance for Group Leaders be set at £12,500 (1x Basic Allowance) with effect from May 2015;**

**RECOMMENDATION 11: That the special responsibility allowance for Group Whips be set at £6,250 (0.5 x Basic Allowance) with effect from May, 2015;**

**RECOMMENDATION 12. That the present restriction that these allowances apply only to Leaders and Whips whose groups hold 10% or more of Council seats should remain.**

#### **Lord Mayor and Deputy Lord Mayor**

76. Under the present Scheme, the Lord Mayor and Deputy Lord Mayor are entitled to an allowance of £20,266 and £6,080 respectively.

77. The Panel has considered carefully the special responsibility aspects of these roles as distinct from the civic support allocated through other budgets of the Council.

78. With civic engagements totalling in the region of 922 in a year (130 of which are attended by the Deputy Lord Mayor) there is clearly a significant time and effort commitment for the office –holder to commit to. The Panel recognises that many of these engagements will impact on the Lord Mayor’s other commitments (Council, family and work).

79. The Panel believes the roles of Lord Mayor/Deputy Lord Mayor (i.e. the civic and ceremonial office and not the Executive Mayor) should be recognised in the same way as in the current Scheme. However there is a small adjustment to the allowance to reflect our links to the Basic Allowance.

**RECOMMENDATION 13: That the special responsibility allowances for the Lord Mayor and the Deputy Lord Mayor be set at £20,750 (1.66 x Basic Allowance) and £6,250 (0.5 x Basic Allowance) respectively with effect from May, 2015.**

### **Impact of our recommendations**

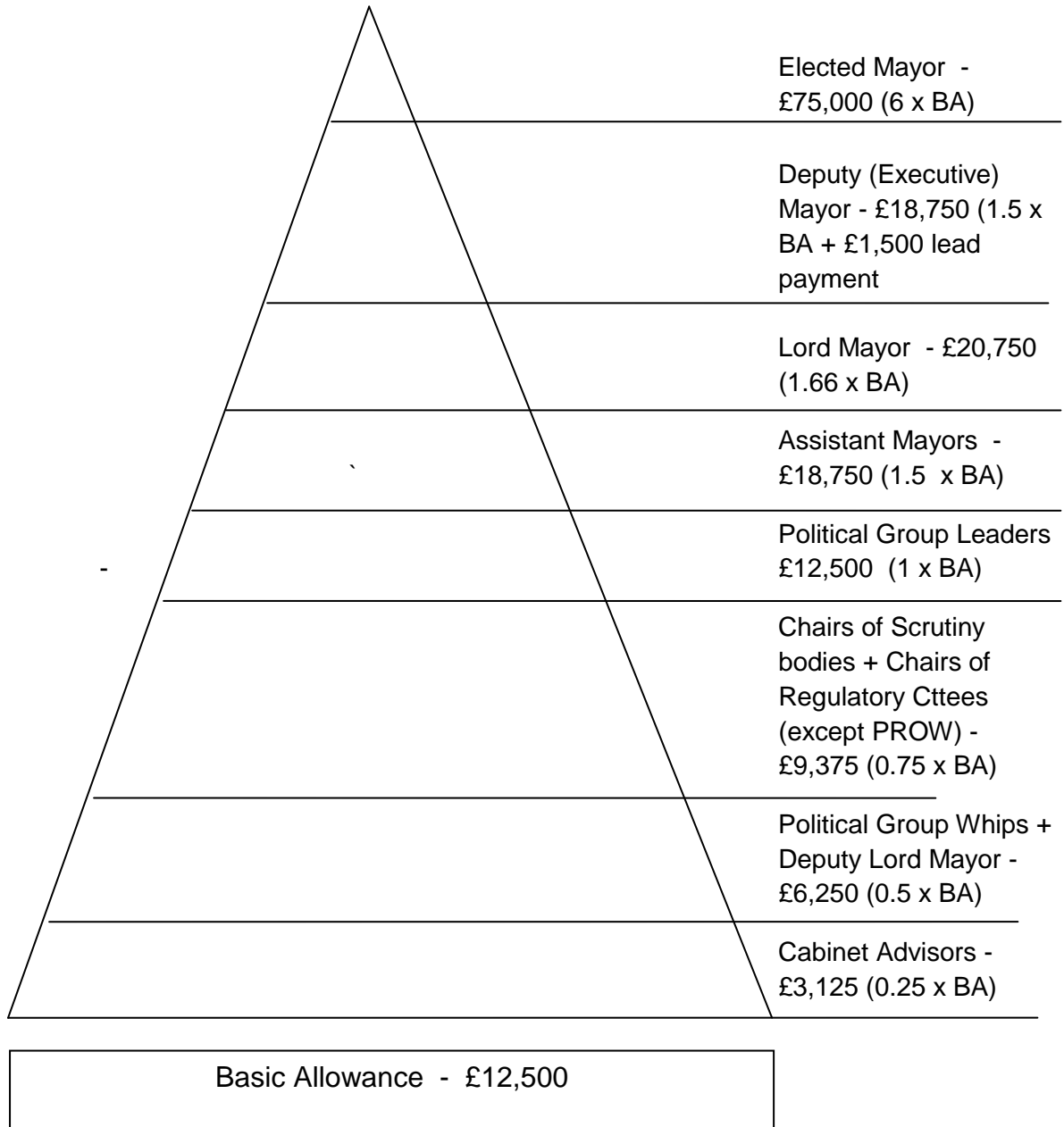
80. There are two main issues here. The first is that our recommended special responsibility allowances are (apart from the special case of the Licensing (Hearings) Sub Committees) geared to multipliers of the Basic Allowance of £12,500. These multipliers have been consciously set with regard to what appear to the Panel to be the different levels of responsibility and time commitment attaching to the various roles for which we regard the payment of an SRA as justified. Accordingly, if the Council does not accept our recommended Basic Allowance, we further recommend that the values of the SRAs be adjusted to the present or alternative Basic Allowance, using the same multipliers.

**RECOMMENDATION 14: That in the event that the Council does not accept the Panel's recommended level of Basic Allowance, the values of special responsibility allowances be adjusted to the present or alternative Basic Allowance, using the same multipliers.**

81. The second issue is the financial impact of our proposals compared with the cost of the present Scheme of Allowances. On the following page there is a pyramid of responsibility showing how our recommendations reflect in allowance bandings for the future.

# Basic and Special Responsibility Allowances

## Bristol City Council





82. The following table shows how the present and proposed scheme values compare.

Present Scheme			Proposed Scheme	
Role	SRA - £	Total	SRA - £	Total
Mayor	66,395	66,395	75,000	75,000
Deputy Mayor	20,266	20,266	18,750 + 1,500	20,250
Assistant Mayors x 4	20,266	81,064	18,750	75,000
Cabinet Advisers x 4	3,040	12,160	3,125	12,500
Political Group Leaders x 3	12,158	36,474	12,500	37,500
Political Group Whips x 3	6,080	18,240	6,250	18,750
Chairs of Scrutiny x 5	6,080	30,400	9,375	46,875
Chairs of Regulatory Committees x 5	6,080	30,400	9,375	46,875
Lord Mayor	20,266	20,266	20,750	20,750
Deputy Lord Mayor	6,080	6,080	6,250	6,250
Vice Chairs of Committees x 7	1,216	8512	Nil	Nil
Licensing Sub members	Nil	Nil	9,000	9,000
	Total SRAs	<u>330,257</u>	Total SRAs	<u>368,750</u>
Basic Allowance x 70	11,530	807,100	12,500	875,000
<b>TOTALS</b>		<b>1,137,357</b>		<b>1,243,750**</b>

\*\* plus amount for Licensing member attendances (as defined)

Based on (say) 30 Meetings per year this would cost £9,000 (30 Meetings x 3 Members x £100 per Member per Meeting).

### **Co-opted Members' Allowance**

83. The present Scheme provides for an allowance of £577 per annum to those persons appointed (including statutory co-optees) to serve as co-opted or appointed members on Scrutiny Commissions and other bodies from time to time as required.

84. We believe this arrangement should continue and accordingly make a recommendation, in line with other allowances, relating this allowance as a multiplier of the Basic Allowance.

**RECOMMENDATION 15: That the co-opted members' allowance be set at £625 (0.05 of Basic Allowance) with effect from May, 2015**

### **Travel and Subsistence**

85. The Panel has noted the provisions for travelling and subsistence within the present Scheme. No evidence has been received in respect of this aspect of the Scheme. Accordingly, the Panel wishes to make no proposal for change in this regard.

**RECOMMENDATION 16: That no change be made to the current provisions of the Scheme in relation to members' travel and subsistence (including the list of approved duties to which it applies) .**

### **Carers' Allowance**

86. The Panel has noted the provisions for the payment of dependent carers' allowance within the present Scheme. No evidence has been received in respect of this aspect of the Scheme. Accordingly, the Panel wishes to make no proposals for change in this regard.

**RECOMMENDATION 16: That no change be made to the current provisions of the Scheme in relation to dependent carers' allowance (including the list of approved duties to which it applies) .**

## **Indexing of Basic and other Allowance**

87. The Panel has noted that the present Scheme makes provision for the Basic Allowance, Special Responsibility Allowances and the Co-optees' Allowance to be increased in line with officers' pay increases.

88. The Panel has taken on board the recent pay award for Officers in making its recommendation on the level of Basic Allowance in this report. The Panel sees great merit in this current provision remaining within the Scheme to provide for any future adjustments pending the next fundamental review of the Scheme.

**RECOMMENDATION 17: That the present provisions of the Scheme regarding adjustments to the Basic Allowance (and consequently to other allowances) related to offer pay awards be continued and confirmed for the period up to the next fundamental review of the Scheme.**

Michael Cole

Chair of Panel

3<sup>rd</sup> February, 2015

### **Councillors offering evidence to the Panel**

In addition to the Executive Mayor, the Panel has received a wide variety of evidence from

Group Leaders,  
Group Whips,  
Front-line Councillors,  
Assistant Mayors,  
Scrutiny Commission Chairs and  
a Regulatory Chair.

Comparator statistics have been viewed in respect of allowances awarded in English Core Cities, other Mayoral Councils and generally in the South West.

### **The Regulatory Committees**

Development Control A

Development Control B

Licensing

Public Rights of Way and Greens (no allowance paid)

Public Safety and Protection

Audit Committee (part regulatory and part scrutiny)

### **The Overview and Scrutiny Bodies**

Overview and Scrutiny Management Board

Business Change and Resources Scrutiny Commission

Neighbourhoods Scrutiny Commission

People Scrutiny Commission

Place Scrutiny Commission