

REPORT OF THE DEMOCRATIC SERVICES MANAGER
Agenda item 5.4

1. Members Allowance Scheme 2009/10 – Report of the Independent Review Panel.

The Council is required under the Local Authorities (Members' Allowances) (England) Regulations 2003 to make a Members' Allowance Scheme before the beginning of each year providing for the payment of a basic allowance to each Member. The scheme may also provide for the payment of a Special Responsibility Allowance, Childcare and Dependant Allowance, Travel and Subsistence Allowance and Co-optees Allowance. Barnet's current scheme is contained within the Council's Constitution.

Local Authorities have the choice of adopting either their own local scheme for Members' Allowances or a scheme recommended by the London Council. Barnet has always taken the first option in adopting a local scheme.

Before making or amending a Scheme, the Council must have regard to the recommendation of an Independent Remuneration Panel.

The Independent Remuneration Panel met on 26 September 2008 to carry out a full review of the Scheme and their recommendations are contained in the report attached at Appendix A of this report.

RECOMMENDED

- 1. That, having regard to the recommendation of the Independent Remuneration Panel, the Members' Allowance Scheme attached as Appendix A for the year 2009/10 be approved for the period 1 April 2009 to 31 March 2010.**
- 2. That the Democratic Services Manager make the appropriate amendments to the Council's Constitution that will cover the travel allowances for this year the scheme for next year.**

2. Misconduct Procedure – consequential amendment to Appeals Committee functions

At the meeting held on 27 January 2009, the Council approved the report of the General Functions Committee in relation to the Misconduct Procedure. As a consequence of the introduction of the new policy, staffing appeals, including those against dismissal will no longer be referred to the Appeals Committee.

RECOMMEND – That the Democratic Services Manager be instructed to arrange for that part of the Council's Constitution setting out the Appeals Committee's responsibilities (Part 3- Responsibility for Functions) to be amended by the deletion, of bullet point 3 referring to staffing appeals, as set out in Appendix B.

David Seabrooke
Democratic Services Manager

LONDON BOROUGH OF BARNET

REPORT OF THE INDEPENDENT PANEL ON MEMBERS' ALLOWANCES

MEETING HELD 26 SEPTEMBER 2008

Panel Members present

Firoozeh Ghaffari	Head of Department, Accounting and Finance, Middlesex University- Chairman
Andrew Leslie	Head of HR, Pentland Brands Ltd
Jon Shamah	Vice -Chairman, Barnet Voluntary Services Council

Council Officers in attendance

Jeff Lustig	Director of Corporate Governance
Janet Rawlings	Democratic Services Manager

1. Minutes of meeting dated 11 February, 2008

Approved

2. Members' travel and other allowances

The Panel considered the report and updated reports of the Democratic Services Manager.

The Panel noted that following the Council's decision, on 5 March 2002, to increase, amongst other things, Members' travel allowances for 2002/03 to £350, the allowances had risen each year in relation to the local government pay settlement, in accordance with paragraph 7 of the Members' Allowances Scheme. The travel allowances had last been increased in accordance with these principles for the year 2006/07.

The Panel had regard to the significant increased costs of travel and fuel over the last few years and

Recommend that the Council increase the travel allowance for Members in 2008/09 to £500, and thereafter the allowance be reviewed annually in direct relation to the local government pay settlement, in accordance with the agreed principles of the scheme.

3. Members' Allowances: Review of 2008/09 scheme and allowances for 2009/10

The Panel noted that the Council had been advised of their decision to review the 2008/09 scheme in the light of

(i) details of each key post, and from that make informed comparisons that will allow a fundamental reappraisal of the bands of allowances and the amounts payable;

(ii) information including role profiles, frequency of meetings etc. with a view to commencing the review during the summer and feeding the results into the 2008/09 review.

The Panel also recalled their decision to lift the cap on the allowances paid to any one Member.

Background Material

The officers supplied the Panel with the following documents:

- Comparative details of allowances paid to members in other authorities in 2007/08, including a comparison with the allowances recommended by the Association of London Authorities
- Members' allowances in neighbouring boroughs
- Total allowances received by Members in 2007/08
- Duties and Responsibilities
 - Councillor
 - Leader of the Council
 - Deputy Leader
 - Executive Members
 - Chairman, Cabinet Overview and Scrutiny Committee
 - Overview and Scrutiny Chairmen
 - Chairmen, Residents' Forums
 - Chairmen of Committees and Sub – Committees with regulatory roles, including Licensing Sub – Committees
 - Licensing Committee Members
 - Chairmen of Executive sub – Committees
 - Shadow Executive Members
 - Leader of an Opposition Group
 - Chairman of the Corporate JNCC
 - Group Secretary
 - Group Whips
 - Vice- Chairmen of Sub- Committees and Forums
 - Pension Fund Members
 - Chairman of Standards Committee
 - Independent Members of the Standards Committee
- Details of no. of Committees in 2007/08
- Calendar of Meetings 2008/09
- Extract from the Council's Constitution Containing Terms of Reference of Committees, Leader and Cabinet Portfolios
- Members' Codes of Conduct
 - Barnet Code of Conduct
 - Members' Planning Code of Good Practice
 - Members' Licensing Code of Practice
 - Protocols for Member-Officer Relations
 - Extract from the Council's Constitution Containing Terms of Reference of Committees, Leader and Cabinet Portfolios
- The London Assembly and allowances

In connection with the Duties and Responsibilities documentation the Panel noted that the Leaders of the three political groups represented on the Council had been consulted. The comments submitted by the Leaders of the Conservative and Liberal Democrat Leaders had been included with the papers submitted to the Agenda. The comments made by the Leader of the Labour Group and subsequent

correspondence between that Leader and the Director of Corporate Governance were circulated to the Panel around the table.

The Panel were also advised that the Leader of the Council had recently appointed a Cabinet Committee with Responsibility for Housing and Regeneration and of the Council's decisions and instructions with regard to the future of the overview and scrutiny processes in the London Borough of Barnet.

The Panel further took into account the extremely full answers provided by the Director of Corporate Governance in response to their detailed questions about members' various roles and responsibilities.

Reviewing the 2008/09 Scheme

Having considered all the above, the Panel concluded that the model adopted by Barnet, ie Special Responsibility Allowances being determined on the basis of multiples of the basic allowance, was the most appropriate model for Barnet.

However, the Panel considered that, at present, there were too many scales and also considered that the differentiation between scales 6 and 7 was so small as to be of little significance.

The Panel, therefore, specifically took that into account the above considerations when making recommendations as to the Special Responsibility Allowances for 2009/10.

Proposed Scheme for 2009/10

Recommend the Council:

- 1. That the annual uplift provision continues to be based on the local government pay settlement.**
- 2. That the changes to the scales for the 2009/10 scheme be as set out in the Appendix to this report.**

4. Feedback to Panel

The Director of Corporate Governance advised the Panel that it was intended to submit their report to the Council meeting on 16 December 2008 and, as requested would advise the Panel of the Council's decisions.

Firoozeh Ghaffari

Chairman

Proposed Special Responsibility Allowances 1 April 2009 to 31 March 2010**(old rates in brackets)**

Basic Allowance £9,974 (£9,735)

Scale for 2009/10 (the old scales are shown in brackets)	2008/09 Multiple of basic allowance	Recommended 2009/2010 multiple of basic allowance	Responsibilities
1 (1)	3.5	3.5	Leader
2 (2)	1.75	1.75	Cabinet Members Leader of major opposition group
3 (3)	1	<i>Combine scales 3 and 4 to form new Scale 3, with the multiple of the basic allowance being 1</i>	Deputy Leader Leader of smaller opposition Group
3 (4)	0.75	<i>Delete 2008/09 scale 4. Now to form part of 2009/10 Scale 3</i>	Chairmen of Overview and Scrutiny Committees Chairman of Audit Committee Chairman of Planning & Environment Committee Chairmen of Area Planning Sub-Committees Chairman of Pension Fund Committee
4 (5)	0.4	<i>New Scale 4 with the multiple of the basic allowance being 0.6</i>	Chairman of General Functions Committee, Chairman Area Environment Sub Committees, Group Secretaries Member of Panel of Licensing Committee Chairmen Chairmen of Residents Forums Chairman of Licensing Committee

Scale for 2009/10 (the old scales are shown in brackets)	2008/09 Multiple of basic allowance	<i>Recommended 2009/2010 multiple of basic allowance</i>	Responsibilities
			Chairman of Standards Committee Group Whip (majority party) Chairman of new amalgamated CJNCC
5 (6)	0.25	<i>Combine with 2008/09 Scale 7 to form a new Scale 5 with the multiple of the basic allowance being 0.25</i>	Group Whips (minority groups) Vice Chairman of Cabinet Overview & Scrutiny Committee Vice-Chairman of Planning & Environment Committee Vice-Chairmen of Area Planning and Area Environment Sub-Committees Shadow Cabinet Members (main opposition group) Licensing Committee members Pension Fund Committee members
5 (7).	Not applicable	<i>Delete 2008/09 Scale 7 now to form part of 2009/10 Scale 5</i>	Vice-Chairmen of Residents Forums

Co-opted members allowance - £269

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APPENDIX B

Body Responsible for	Functions	Membership
<p>Appeals Committees</p>	<p>Determining an appeal or application where there is a right of appeal to a Council committee. This does not include matters, which are the responsibility of the Licensing Committee or the Licensing Sub-Committee, nor does it include special statutory appeal or review bodies. It does include:-</p> <ul style="list-style-type: none"> • Applications and appeals and revocations relating to Sex Shops, Sex Cinemas and Sex Encounter Establishments • Applications, appeals and revocations relating to Special Treatment Licenses. • Staffing appeals relating to grading (but not the placing of individuals in a career grade), dismissal and relegation (including by centrally employed teaching staff) • Appeals relating to renovation, disabled facilities, home repair assistance and common parts facilities grants • Statutory complaints against school governing bodies • Appeals under the housing right to compensation scheme. 	<p>The composition of each of the Appeals Committees will comprise 10 councillors plus 2 substitutes from each political group.</p> <p>The Democratic Services Manager selects each Committee in turn having regard to member availability and the areas that they represent. Each Committee will consist of four Members and will be politically balanced where member availability allows.</p> <p>The Democratic Services Manager arranges daytime or evening meetings to suit the wishes of appellants.</p>