

## **REPORT OF THE INDEPENDENT PANEL ON MEMBER ALLOWANCES FOR BUCKINGHAMSHIRE COUNTY COUNCIL**

### **Introduction: The Regulatory Context**

1. The following report notes the proceedings and recommendations made by Buckinghamshire County Council's Independent Panel on Member Allowances.

2 The Panel was established under Regulation 20 of the Local Authorities (Member Allowances) (England) Regulations 2003 (SI 2003 No 1021) to produce a report and make recommendations as required by Regulation 21. These regulations, made under relevant provisions in the Local Government and Housing Act 1989 and the Local Government Act 2000, require all local authorities to maintain an Independent Panel on Member Allowances to review and make recommendations in respect of member allowances.

3. Councils are required to have regard to the recommendations of their Independent Panel before they make or amend a Member Allowances Scheme.

### **The Panel**

Richard Benz, Partner, Kidd Rapinet, Solicitors, Aylesbury and founding Director and initial Chairman of Bucks Economic Partnership  
Alex Pratt JP BSc OBE, Managing Director, Serious Brands Ltd, and Chairman of Bucks Business First  
Lisa Williams, Managing Director of John Lewis, High Wycombe.

### **Terms of Reference**

A review of the Scheme has to be undertaken at least every four years. A part review was undertaken in 2012 and revisions made to the Special Responsibility Allowances after approval of the Panel's recommendations by full Council. Following the recent County Council Elections, the Panel has now been asked by the Deputy Leader to consider some further changes to the Scheme. The four-yearly review will be undertaken in 2014.

### **The Deputy Leader (Mr M Appleyard) – Presentation to the Panel**

Since July last year, the Council has recently been through the four-yearly Election process. Elections for 49 councillor seats (reduced by 8 from 57) were held on 2<sup>nd</sup> May.

Following the Elections, the Conservatives have 36 seats, UKIP, 6, Liberal Democrats 5, Labour 1 and Independent 1. The Independent Councillor has

joined the UKIP Political Group and the Labour Member has joined the Liberal Democrat Group. The Council therefore now has three Groups rather than the two it had before 2<sup>nd</sup> May.

In terms of political management of the Council, the Leader and Cabinet model will continue. Martin Tett was elected for a four year term at the Council's AGM on Thursday last week, 23<sup>rd</sup> May. At that meeting, he announced that his Cabinet would be as follows

Deputy Leader and Education and Skills - Mike Appleyard (Deputy – tbc)  
Children's Services - Angela Macpherson (Deputy – tbc)  
Community Engagement - Martin Phillips (Deputy - Margaret Aston)  
Environment - Lesley Clarke (Deputy – Netta Glover)  
Finance and Resources - Peter Hardy (Deputy – John Chilver)  
Health and Wellbeing - Tricia Birchley (Deputy – Noel Brown)  
Planning and Transportation - Janet Blake (Deputy – Ruth Vigor-Hedderly)

Carl Etholen was elected Chairman of the Council and Zahir Mohammed as Vice-Chairman, both for the ensuing year.

Andy Huxley is the Leader of the UKIP and Independent Group and Avril Davies, Leader of the Liberal Democrats with Buckingham Labour Group.

### **Proposed Changes to the Allowances Scheme**

Mike Appleyard explained the proposed changes, which are briefly outlined below.

The Panel had previously approved the payment of allowances to (11) Cabinet spokespersons. This role has now been disbanded and Deputy Cabinet Members (DCMs) have been established instead. Five have been appointed (as above) and two positions remain vacant. It is proposed that these DCMs receive an allowance of £5,046, being half that received by the Statutory Committee Chairmen who it is recommended should receive £10,092 in the future. The four existing Statutory Committees (Development Control; Rights of Way; Regulatory and Audit; Senior Appointments and Buckinghamshire Pay) will continue.

Prior to the Elections, the Council had two Overview and Scrutiny Committees, Commissioning and Health. At the Council's meeting on 25<sup>th</sup> April the Constitution was amended to disband those two Committees and replace them with four Select Committees (Children, Education and Skills; Health and Adult Social Care; Finance and Resources; Environment and Transportation). The Allowances previously paid to Commissioning Committee members will therefore be removed.

The only other change proposed to the list of Special Responsibility Allowances (SRAs) is to remove the SRA paid to the Vice-Chairman of Health.

As there are now have three Political Groups, an SRA would be paid to the UKIP/Independent Leader and one to the Liberal Democrats with Buckingham Labour Group Leader in line with the normal formula. The Council only pay a maximum of two allowances per member (basic plus one other), so there is a saving on the Conservative Group Leader's allowance. There are also one or two other "cross overs" where a saving can be made.

It is proposed to keep the Basic Allowance at £10718. With the reduction in members from 57 to 49, the amount spent on Basic Allowances has been reduced.

A list of the current SRAs and a list of the proposed future SRAs are attached for comparison (Appendices 1 and 2). Taking into account non-take up, "cross overs" etc, a saving of approximately £50k can be made from the total sum being paid previously.

### **The Panel's response to the proposals**

The Panel discussed the proposals with Mr Appleyard and understood the reasoning behind them. They felt they were reasonable.

The Panel did, however, remind Mr Appleyard of their recommendation last year that the Council should consider implementing a system of performance management for all members and particularly for those afforded specific responsibilities. They were disappointed that no action had been taken to implement that recommendation and hoped that the Council would now do so. Whilst recognising the electoral process, the Panel pointed out that all organisations need a system of appraisal to measure performance, prove competency and to ensure value for money. Mr Appleyard accepted the Panel's comments and assured the Panel that he recognised the importance of effective performance management. Mr Appleyard indicated that the matter would receive further consideration.

### **Views of the Opposition Group Leaders**

The proposals were circulated to the two opposition Group Leaders and they were invited to comment.

Mr Huxley, representing the UKIP/Independent Group, expressed his Group's agreement with the proposed Allowances but expressed the wish to be consulted when the four-yearly review is undertaken in 2014.

Mrs Davies, representing the Liberal Democrats, with Buckingham Labour, Group, expressed concern about the number of SRAs and the perceived patronage of the majority group, resulting in over 50% of the 49 members receiving an SRA. This could be avoided, Mrs Davies feels, by increasing the basic allowance. This is too low, she feels, and few people can currently

afford to take up the role of councillor unless they give up work, are retired, own their own business or are flexibly self employed.

With regards to performance management, Mrs Davies mentioned that her group had adopted the Local Government Association's scheme whereby members are asked to assess their own performance against a set of agreed criteria that encapsulate the role of member. The Councillor's development needs are then recommended in discussion with the group leader and possibly others.

Mrs Davies also feels that much more needs to be done by the Council in provision of member development and support to the political groups, particularly the opposition groups. These matters need to be taken up with the Member Development Working Group.

Both Group Leaders will be consulted when the Panel's four-yearly review is done in 2014.

#### **THE PANEL'S RECOMMENDATIONS TO THE COUNTY COUNCIL**

**1 That the changes to the Scheme of Allowances mentioned above, and outlined in detail in Appendix 1 to this Report, be approved;**

**2 That an appropriate system of performance management for members be developed.**



**RICHARD BENZ  
CHAIRMAN OF THE PANEL**

*3<sup>rd</sup> July 2013*

## APPENDIX 1

### PROPOSED SPECIAL RESPONSIBILITY ALLOWANCES FROM JULY 2013

| Post                                       | SR Allowance<br>(pa) | Total           |
|--|----------------------|-----------------|
| Leader                                     | £39,709              | £39,709         |
| Deputy leader                              | £26,473              | £26,473         |
| Cabinet Member (6)                         | £20,172              | £121,032        |
| Select Committee (Ch) x 4                  | £10,092              | £40,368         |
| Statutory Committee (Ch) x 4               | £10,092              | £40,368         |
| Deputy Cabinet Members (7)                 | £5,046               | £35,322         |
|  |                      |                 |
| Group Leaders *                            |                      |                 |
| Conservative (36)                          | £10,948              | £10948          |
| Liberal Democrat (6) (5 Lib Dem / 1 Labour | £2,938               | £2,938          |
| UKIP (7) (6 UKIP / 1 Independent)          | £3,205               | £3,205          |
| Chairman of the Council                    | £12,610              | £12,610         |
| Vice-Chairman of the Council               | £3,156               | £3,156          |
| Chairman of Police & Crime Panel **        | £10,092              | £10,092         |
| Police and Crime Panel                     | £1,500               | £1,500          |
| Representative                             |                      |                 |
| Basic Allowance x 49                       | £10,718              | £525,182        |
| <b>TOTAL</b>                               |                      | <b>£872,903</b> |

\*Allowances derived from formula: £1,336 basic plus £267 per member

\*\* This is only payable in the case where the Panel elects the Buckinghamshire County Council's representative as its Chairman

**APPENDIX 2**

**SPECIAL RESPONSIBILITY ALLOWANCES PAID FROM JULY 2012**

| <b>Post</b>                                      | <b>SR Allowance<br/>(pa)</b> | <b>Total</b>    |
|--|------------------------------|-----------------|
| Leader   | £39,709                      | £39,709         |
| Deputy Leader                                    | £26,473                      | £26,473         |
| Cabinet Member (6)                               | £20,172                      | £121,032        |
| Overview and Scrutiny Committee<br>(Ch) (2)      | £10,092                      | £20,184         |
| Health Overview and Scrutiny<br>Committee (Vice) | £1,500                       | £1,500          |
| Statutory Committee (Ch) (4)                     | £5,049                       | £20,196         |
| Cabinet Spokesman (11)                           | £1,500                       | £16,500         |
| Commissioning Committee Member<br>(9)            | £1,500                       | £13,500         |
| <b>Group Leaders*</b>                            |                              |                 |
| Conservative (46)                                | £13,618                      | £13,618         |
| Liberal Democrat (11)                            | £4,273                       | £4,273          |
| Chairman of the Council                          | £12,610                      | £12,610         |
| Vice-Chairman of the Council                     | £3,156                       | £3,156          |
| Chairman of Police and Crime<br>Panel**          | £10,092                      | £10,092         |
| Police and Crime Panel<br>Representative         | £1,500                       | £1,500          |
| Basic Allowance                                  | £10,718                      | £610,926        |
| <b>TOTAL</b>                                     |                              | <b>£915,269</b> |

\* Allowances derived from formula: £1,336 basic plus £267 per member

\*\* This is only payable in the case where the Panel elects the Buckinghamshire County Council's Panel representative as its Chairman