

# Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP

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Members of Rutland County Council District Council are hereby summoned to attend the **245<sup>th</sup> MEETING OF THE COUNCIL** to be held in the Council Chamber at Catmose, Oakham on **23 January 2023 commencing at 7.00 pm**. The business to be transacted at the meeting is specified in the Agenda set out below.

Prior to the commencement of the meeting, the Chairman will offer the opportunity for those present to join him in prayers.

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at [www.rutland.gov.uk/my-council/have-your-say/](http://www.rutland.gov.uk/my-council/have-your-say/)

Although social distancing requirements have been lifted there is still limited available seating for members of the public. If you would like to reserve a seat please contact the Governance Team at [governance@rutland.gov.uk](mailto:governance@rutland.gov.uk). The meeting will also be available for listening live on Zoom using the following link: <https://us06web.zoom.us/j/89557809801>

**Mark Andrews**  
**Chief Executive**

## A G E N D A

- 1) **APOLOGIES**
- 2) **CHAIRMAN'S ANNOUNCEMENTS**
- 3) **ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE**
- 4) **DECLARATIONS OF INTEREST**

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

**5) MINUTES OF PREVIOUS MEETING (Pages 5 - 12)**

To confirm the Minutes of the 244<sup>th</sup> meeting of the Rutland County Council District Council held on 7 November 2022.

**6) PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC**

To receive any petitions, deputations or questions received from members of the public in accordance with the provisions of Procedures Rule 25 and 26. The total time allowed for this is 30 minutes. Petitions, deputations and questions will be dealt with in the order in which they are received and any which are not considered within the time limit shall receive a written response after the meeting.

**7) QUESTIONS FROM MEMBERS OF THE COUNCIL**

To receive any questions submitted from Members of the Council in accordance with the provisions of Procedure Rules 27 and 28.

**8) REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL**

To determine matters where a decision taken by a Committee has been referred to the Council in accordance with the provisions of Procedure Rule 89.

**9) CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 7 NOVEMBER 2022 TO 23 JANUARY 2023 (INCLUSIVE)**

To determine matters where a decision taken by the Cabinet has been referred to Council by the call-in procedure of the Scrutiny Committee in accordance with the provisions of Procedure Rules 149 and 150. As a result of the decision being deemed to be outside the Council's policy framework by the Monitoring Officer or not wholly in accordance with the budget by the Section 151 Officer, or otherwise not in accordance with Article 12.

**10) REPORT FROM THE CABINET**

To receive reports from the Cabinet on recommendations referred to the Council for determination.

**11) REPORTS FROM COMMITTEES OF THE COUNCIL**

- 1) To receive reports from Committees on matters which require Council approval because the Committee does not have the delegated authority to act on the Council's behalf.
- 2) To receive reports from Council Committees on any other matters and to receive questions and answers on any of those reports.

**12) REPORTS FROM SCRUTINY**

To receive reports from the Strategic Overview and Scrutiny Committee on any matters and to receive questions and answers on any of those reports.

**13) JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

To receive reports about and receive questions and answers on the business of any joint arrangements or external organisations.

**14) NOTICES OF MOTION**

To consider any Notices of Motion submitted by Members of the Council in accordance with Procedure Rule 31 in the order in which they are recorded as having been received.

**15) REPORT OF THE WELLAND PARTNERSHIP REMUNERATION PANEL**

(Pages 13 - 50)

To receive Report No. 14/2022 from the Leader of the Council and the Portfolio Holder for Finance, Governance and Performance, Change and Transformation.

**16) ANY URGENT BUSINESS**

To receive items of urgent business which have been previously notified to the person presiding.

**17) DATE OF NEXT MEETING**

21 February 2023 (Special Council).

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**TO: MEMBERS OF THE COUNCIL**

Councillor J Dale – Chairman of the Council

Councillor N Begy – Vice-Chairman of the Council

Councillor P Ainsley

Councillor D Blanksby

Councillor A Brown

Councillor P Browne

Councillor W Cross

Councillor S Harvey

Councillor S Lambert

Councillor M Oxley

Councillor K Payne

Councillor L Stephenson

Councillor A Walters

Councillor S Webb

Councillor R Wilson

Councillor E Baines

Councillor K Bool

Councillor G Brown

Councillor J Burrows

Councillor J Fox

Councillor O Hemsley

Councillor A MacCartney

Councillor R Payne

Councillor R Powell

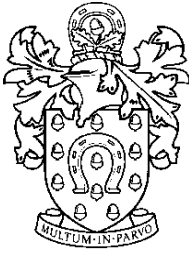
Councillor L Toseland

Councillor G Waller

Councillor D Wilby

## **THE COUNCIL'S STRATEGIC AIMS**

- A special place
- Sustainable lives
- Health and well
- A county for everyone
- A modern and effective Council



# Rutland County Council

Catmose Oakham Rutland LE15 6HP  
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Minutes of the 244<sup>th</sup> **MEETING of the COUNCIL** held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on Monday, 7th November, 2022 at 7.00 pm

**PRESENT:**

Councillor J Dale (Chairman)	Councillor N Begy (Vice-Chairman)
Councillor P Ainsley	Councillor E Baines
Councillor D Blanksby	Councillor K Bool
Councillor A Brown	Councillor G Brown
Councillor P Browne	Councillor J Burrows
Councillor W Cross	Councillor J Fox
Councillor S Harvey	Councillor O Hemsley
Councillor S Lambert	Councillor M Oxley
Councillor R Payne	Councillor K Payne
Councillor R Powell	Councillor L Stephenson
Councillor G Waller	Councillor D Wilby
Councillor R Wilson	

**APOLOGIES:**

Councillor A MacCartney	Councillor L Toseland
Councillor A Walters	Councillor S Webb

**OFFICERS PRESENT:**

Mark Andrews	Chief Executive
Saverio Della Rocca	Strategic Director for Resources
Penny Sharp	Strategic Director for Places
Angela Wakefield	Director for Legal and Governance
Tom Delaney	Governance Manager
Mathew Waik	Communications Service Manager

## 1. APOLOGIES

Apologies for absence were received from Councillors A MacCartney, L Toseland, A Walters and S Webb.

## 2. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that since the last meeting of Council he or the Vice-Chairman had attended the following events:

- Proclamation of King Charles III in the grounds of Oakham Castle, which had been well attended by the local community.
- Oakham in Bloom Annual Awards.
- A service of Commemoration for HM The Queen at All Saints' Church.

- The Investiture of the Lord Lieutenant's Cadets at Casterton College.
- The High Sherriff's Concert in aid of Rutland First Responders at the Falcon Hotel in Uppingham.

The Chairman had also attended the Oakham Rugby Club Centenary celebration and congratulated them on their longevity when many similar sized clubs had struggled in recent times.

Members were also reminded of the upcoming events taking place across the county on the upcoming weekend to commemorate Remembrance.

### **3. ANNOUNCEMENTS FROM THE LEADER, MEMBERS OF THE CABINET OR THE HEAD OF PAID SERVICE**

Councillor L Stephenson, Leader of the Council and Portfolio Holder for Policy, Strategy, Partnerships and Economy, informed Members that nominations for the Multum Awards had recently closed and judging of the nominations would be taking place later in the week.

Councillor R Powell, Deputy Leader and Portfolio Holder for Planning, Highways and Transport informed Members that discussions were ongoing with South Kesteven District Council regarding the proposed Stamford North Development, and it was expected that any developments within Rutland would count towards the county's housing supply, it was noted that this was important to confirm given the current stage of the Local Plan process and the application already submitted to the Council.

Councillor M Oxley updated Members on the situation at Fosters Bridge following an incident over the previous weekend, warm space provisions being made at all the Council operated libraries in Rutland over winter, and Councillor Oxley informed Members a display of poppies homemade by military veterans at HMP Stocken was on display at Oakham Castle.

Councillor S Harvey updated members on the work underway to support the 104 Ukrainians currently settled in the county going into the winter, on ongoing meetings held with the NHS regarding their work in the county and upcoming changes to Adult Social Care.

### **4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **5. MINUTES OF PREVIOUS MEETING**

Consideration was given to the minutes of the meeting of Council held on 5 September 2022.

It was moved by Councillor L Stephenson and seconded that the minutes of Council held on 5 September be approved. Upon being put to the vote, with 22 votes in favour and 1 abstention, the motion was carried.

## **RESOLVED**

- a) That the minutes of Council on 5 September 2022 be **APPROVED**.

### **6. PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC**

No petitions, deputations or questions from members of the public had been received.

### **7. QUESTIONS FROM MEMBERS OF THE COUNCIL**

Two questions had been received from Members and the Chairman took these in the order they were received.

Councillor G Waller put her question as set out in the agenda supplement to Councillor R Powell, Portfolio Holder for Planning, Highways and Transport. In response Councillor Powell confirmed that only the sections of the proposed Stamford North development to be situated in Rutland had been submitted in a planning application. Although land had not been provided for a surgery it was set out that proposed community buildings may be able to host some medical services and it was confirmed talks were ongoing around any land provision in the South Kesteven side of the development. It was also confirmed that any Community Infrastructure Levy (CIL) funds could be used for medical provision and spending priorities for CIL were due for Cabinet discussion in December with health likely to be a priority. But Members were reminded CIL alone could not guarantee medical provision which would rely on medical service providers coming forward with projects for CIL expenditure.

Councillor P Browne then put his question as set out in the agenda supplement to Councillor S Harvey, Portfolio Holder for Health, Wellbeing and Adult Care. In response Councillor Harvey confirmed that a strategic group of the Integrated Care Board was tasked with reviewing primary care within Rutland and was regularly updated with approved applications, with regard to Stamford North. Although health colleagues were disappointed in the lack of a masterplan for the proposed development it was confirmed the Leicester, Leicestershire and Rutland and Lincolnshire ICBs were meeting with the local authorities and developers for the site monthly.

### **8. REFERRAL OF COMMITTEE DECISIONS TO THE COUNCIL**

There had been no referrals to Council.

### **9. CALL-IN OF DECISIONS FROM CABINET MEETINGS DURING THE PERIOD FROM 5 SEPTEMBER TO 7 NOVEMBER 2022 (INCLUSIVE)**

No call-ins had been received.

### **10. REPORT FROM THE CABINET**

Two reports had been received from the Cabinet for Council's consideration.

## 10a) FINANCIAL SUSTAINABILITY STRATEGY

Report No. 173/2022 was introduced by Councillor K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation, the report recommended Council's approval of a financial strategy as set out in the accompanying Report No. 158/2022 considered by Cabinet. In moving the recommendations Councillor Payne made an alteration to add the following additional recommendations:

- Council understands that the calculations in this strategy are based on the best information available this time, and for the purposes of the calculations (and only for that purpose) make reference to raising council tax by the maximum allowed (under the current rules) each year during the period of the strategy. However:
- Nothing in this strategy should be taken to predetermine the level of council tax (or rise in Council tax) in any year. The actual level of council tax will be calculated each year in the normal way according to need and will then be subject to approval by a meeting of Full Council.

The motion as altered was seconded. During debate several Members expressed concerns regarding the proposals for use of reserves in the short terms citing their wish for savings and referenced work that had previously taken place with Members to identify potential savings that could be supported by a majority of Members.

Councillor G Brown moved the following amendment as an additional recommendation:

- Cabinet will re-engage with members of the Council to bring forward costs savings at the earliest opportunity based on the work carried out by Members during the summer of 2022.

The amendment was seconded, and several Members spoke in support of the amendment citing the wish for further engagement. Members opposed to the amendment explained their view that the Council's financial circumstances had changed considerably since the previous engagement had taken place and the strategy as presented before Council presented the right approach to managing these circumstances.

Upon the amendment being put to the vote, with 10 votes in favour, 11 against and 1 abstention, the motion was defeated, and debate returned to the substantive motion.

Following further debate, the original motion was put to the vote, with 13 votes in favour, 5 against and 5 abstentions, the motion was carried.

### **RESOLVED**

- a) That Council **APPROVED** the recommendation from Cabinet to approve a financial strategy for closing the financial gap as detailed in Report No. 158/2022.



- b) Council understands that the calculations in this strategy are based on the best information available this time, and for the purposes of the calculations (and only for that purpose) make reference to raising council tax by the maximum allowed (under the current rules) each year during the period of the strategy. However:
- c) Nothing in this strategy should be taken to predetermine the level of council tax (or rise in Council tax) in any year. The actual level of council tax will be calculated each year in the normal way according to need and will then be subject to approval by a meeting of Full Council.

10b) EXCLUSION OF THE PRESS AND PUBLIC

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Councillor S Harvey left the meeting at 20:08

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The Chairman explained to Members that although efforts had been made to make a public report available on the next item, the clear advice from officers was that the following item in its seniority should be considered in a private session.

It was then moved by Councillor L Stephenson and seconded that the press and public be excluded from the meeting for the reasons set out in the agenda. Upon being put to the vote, with 22 votes in favour the motion was unanimously carried.

**RESOLVED**

- a) That the Press and Public be excluded from the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as the following item of business was likely to involve the disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

10c) WASTE AND STREETSCENE SERVICES (INCLUDING WASTE COLLECTION AND DISPOSAL) - CONTRACT OPTIONS

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Councillor S Harvey returned to the meeting at this point.

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Consideration was given to Report No. 174/2022 from the Cabinet, details of the debate are contained in an exempt annex to the minutes.

**RESOLVED**

- a) That the recommendations of Report No. 174/2022 be **APPROVED**.

**11. REPORTS FROM COMMITTEES OF THE COUNCIL**

No reports from Committees of the Council had been received.

**12. REPORTS FROM SCRUTINY**

No reports from Scrutiny had been received.

### **13. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

Councillor G Waller updated Members on a recent meeting of the Carlton Hayes Mental Health Charity which considered grant applications from small mental health charity and explained there was a lack of applications from organisations working in Rutland and encouraged Members and officers to refer any groups they were aware of to Carlton Hayes.

Councillor P Ainsley updated Members on his work as Armed Forces Champion, including visits to 7 Regiment Royal Logistics Corps, and announced the scheduling of meetings for the Rutland Veterans Wellbeing Hub and the Forces Family Forum. Councillor Ainsley also referenced the placement of hand-made poppies at Oakham Castle made by veterans at HMP Stocken and reminded Members of the upcoming events to commemorate Remembrance.

Councillor K Bool updated Members on several community outreach projects that had been undertaken by Leicestershire Fire and Rescue Service and confirmed he would provide a more detailed report following several meetings of the Combined Fire Authority due later in the year.

Councillor E Baines updated Members on two recent meetings of the Rural Community Council for Leicestershire and Rutland. At the first meeting there had been a round-up of activity in the previous year including 23 people from 13 households helped across Rutland with offering support services and supporting voluntary action in rural communities. At the second meeting there had been an awards ceremony with approximately a third awarded to Rutland based organisations and individuals.

Councillor M Oxley informed Members that the annual Rutland Fairtrade Market would be taking place at Oakham castle on Saturday 19<sup>th</sup> November.

### **14. NOTICES OF MOTION**

No notices of motion had been received.

### **15. APPOINTMENT OF INDEPENDENT PERSON**

Report No. 175/2022 was introduced by Councillor K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation, the report recommended the appointment of Gordon Grimes as the Council's Independent Person to advise and support the Council's standards processes following an open selection process.

Several Members spoke of their positive experience with Mr Grimes as the previously appointed Independent Person and spoke in support of his reappointment.

The recommendation to appoint Mr Grimes as an Independent Person was moved by Councillor K Payne and seconded. Upon being put to the vote, with 23 votes in favour the motion was unanimously carried.

## **RESOLVED**

That **APPROVED** the appointment of the recommended Independent Person.

## **16. POLITICAL BALANCE AND ALLOCATION OF SEATS TO POLITICAL GROUPS**

Report No. 176/2022 was introduced by Councillor L Stephenson. The report set out the required changes to the political balance calculations following the resignation of Councillor A Walters from the Independents and Green Group and set out revised allocations to Committees that had been shared and discussed with Group Leaders and non-aligned Members prior to the meeting.

The recommendations of Report No. 176/2022 were moved by Councillor L Stephenson and seconded. Upon being put to the vote, with 23 votes in favour the motion was unanimously carried.

## **RESOLVED**

That Council:

- a) **ADOPTED** the political balance calculation for the Council at Table A.
- b) **APPROVED** the allocation of seats to Political Groups, as determined by the political balance, as set out in Appendix A of the report.
- c) **NOTED** the revised group's nominations for Committees in Appendix A based on the seats allocated.
- d) **APPROVED** the appointment of non-aligned Members to Committees as outlined in Appendix A.

## **17. ANY URGENT BUSINESS**

There was no urgent business for consideration, but congratulations were expressed to Uppingham on having recently been awarded a Gold award in the small town category of East Midlands in Boom.

## **18. DATE OF NEXT MEETING**

5 December 2022.

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**The Chairman declared the meeting closed at 9.16pm**  
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## COUNCIL

23 January 2022

### REPORT OF THE WELLAND PARTNERSHIP REMUNERATION PANEL

**Report of the Leader of the Council and the Portfolio Holder for Finance,  
Governance and Performance, Change and Transformation**

Strategic Aim:	A modern and effective Council	
Exempt Information	No	
Cabinet Member(s) Responsible:	<p>Cllr L Stephenson, Leader and Portfolio Holder for Policy, Strategy, Partnerships and Economy</p> <p>Cllr K Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation</p>	
Contact Officer(s):	Angela Wakefield, Director of Legal and Governance	01572 758220 awakefield@rutland.gov.uk
	Tom Delaney, Governance Manager	01572 720993 tdelaney@rutland.gov.uk
Ward Councillors	N/A	

#### DECISION RECOMMENDATIONS

That Council:

1. Receives the report of the Welland Partnership Remuneration Panel at Appendix 1 and thanks the Panel for its review.
2. Recognises there is a gap between the Council's Member Allowances and those at comparator authorities as set out in Appendix 1a, and that following elections to the authority the Council should consider how to close this gap.
3. Approves the proposed Member Allowances Scheme for 2023/24 at Appendix 2 incorporating the recommendations of officers as set out in Section 4, including index-linked rises in allowances based on Pay Awards for Chief Officers as negotiated by the Joint Negotiating Committee.
4. Approves that the new scheme is effective from 9 May 2023, which any index-linked rise arising from the JNC 2023-24 Pay Award will be back-dated to.

## **1 PURPOSE OF THE REPORT**

- 1.1 To present recommendations to Council from the Independent Remuneration Panel and a proposed Members' Allowances Scheme to be adopted from the beginning of the new municipal year.

## **2 BACKGROUND**

- 2.1 The Council has a statutory requirement to establish and maintain an Independent Remuneration Panel, which has the function of providing the local authority with advice on its scheme and the amounts to be paid at least once every four years. The Council must have regard to this advice but can determine what action it wishes to take. The current scheme has been in place since it was agreed in March 2020 (Report No. 54/2020) following recommendations made by the Remuneration Panel.
- 2.2 The Council has engaged the Welland Partnership Members' Remuneration Panel, who are an independent body, for the purpose of advising on the scheme and amounts paid, the Panel also advise several neighbouring local authorities.
- 2.3 The Council previously decided in March 2022 not to implement a Member Allowance Scheme for 2022/23 that included previously recommended index-linking. And the intention for a review by the Welland Partnership Remuneration Panel was noted.
- 2.4 The Membership of the Panel for this review comprised of John Cade (Chair), Ian Davis, and Gordon Wells. All of whom have served on the Panel for several years and were Panel Members for the last review.
- 2.5 As part of the review the Panel received a variety of written evidence, and undertook an evidence-gathering day in October 2022, where they recieved verbal evidence from both Councillors and officers.

## **3 FINDINGS OF THE PANEL**

- 3.1 The full findings of the Panel are set out in their report in Appendix 1 and were unanimously agreed by all three Members.
- 3.2 The Panel found the Council's Member Allowances remain consistently low in comparative terms, a full list of comparisons is set out in Appendix 1a. For nearly every allowance, including Basic Allowance and the Special Responsibility Allowances (SRAs) Rutland County Councils were notably lower than fellow unitary authorities.
- 3.3 The Panel were disappointed to see that the Council chose not to apply index-linked increases in Allowances on 21 March 2022, as although this is commendable during a difficult time for residents it has only furthered the gap in Allowances set out above.
- 3.4 Based on their findings the Panel have made several specific recommendations summarised below (Set out in full at Appendix 1):
  - 3.4.1 That the Basic Allowance rise to compensate for the freezing of Allowances since 2020, with the rise based on staff pay increases in 2021/22 and 2022/23.

- 3.4.2 That annual index-linking of Member Allowances be reinstated and maintained.
- 3.4.3 That the Chairman of the Council's Allowance be linked to the Basic Allowance to allow it to rise annually as with other allowances, and that this is set at a factor of 1 of the Basic Allowance.
- 3.4.4 That the Chairman of the Conduct Committee receive a per-meeting payment similar to the Chair of the Employment and Appeals Committee.
- 3.4.5 That the upper limit for payment of the Child and Carer's Dependent Allowances be increased to £2,000 per annum and its availability be recirculated.

#### **4 OFFICER RECOMENDATIONS**

- 4.1 It is clear from the Panel's findings that the Council must seek to address the gap in Member Allowances compared to comparator authorities.
- 4.2 It is not however considered appropriate for the Council to raise its Basic Allowance at this time, taking into consideration the difficult financial choices the Council is facing and the upcoming elections to the Council on 4 May 2023.
- 4.3 It is therefore recommended that the proposed rise in the Basic Allowance not be implemented at this time. And following elections in May 2023 the new Council must consider the steps it wishes to take to close the gap in the long term as recommended by the Panel.
- 4.4 However, to prevent the gap in allowances growing further in the meantime, the recommendation to reinstate index-linking is supported.
- 4.5 It is however recommended that going forward index-linked rises in Member Allowances should be based on Joint Negotiating Committee (JNC) Pay Awards negotiated for Chief Officers, this metric is recommended as continued use of the National Joint Council scales would mean that Member Allowances would rise more than some Council staff which is not considered an equitable position.
- 4.6 The remaining recommendations of the Panel set out in sections 3.4.3 to 3.4.5 are supported for the reasons set out in the Panel's report.
- 4.7 The proposed Member Allowances Scheme for 2023/23 at Appendix 2 if approved would implement these recommendations. This is recommended to take effect from 9 May 2023, with any increase arising from a mid-year Pay Award being back-dated to this date.

#### **5 CONSULTATION**

- 5.1 All Members were provided with the opportunity to provide verbal or written evidence to the Panel as part of their review. Eight Members attended evidence sessions with a further two providing written evidence.
- 5.2 The Council's Chief Executive, Strategic Director for Resources, and Director of Legal and Governance also attended evidence sessions with the Panel.

## **6 ALTERNATIVE OPTIONS**

- 6.1 The Council is required to have regard to the recommendations of an Independent Remuneration Panel before making any decision to amend its scheme of Members Allowances. The Council is not however obliged to accept all recommendations.
- 6.2 It is recommended that the new scheme take effect from May 2023 when the new Council takes office after elections on 4 May 2023. However, Council could choose for this to take effect back to any point in the 2022/23 financial year. However, this is not recommended.
- 6.3 It should be noted that individual Members are not obliged to receive the full amount of allowances they are entitled to under any adopted scheme and may renunciate all or part of their allowances at any time by writing to the Governance team.

## **7 FINANCIAL IMPLICATIONS**

- 7.1 Implementation of the recommended Scheme at Appendix 2 prior to any index-linked increase in 2023/24 would lead to a small increase to the total possible cost of Members Allowances (including Special Responsibility Allowances) from £244,900 to approximately £245,500. By comparison the Recommendations of the Panel would result in a total cost of £267,000.
- 7.2 It should be noted that due to vacant positions, variations in National Insurance contributions required to be paid, and the principle of only paying one SRA where a Councillor holds more than one applicable position, there are usually underspends within the Member Allowances budget under any adopted scheme.
- 7.3 It is not yet known what pay award will be agreed for senior officers for 2023/24, which would under the proposed Scheme would require a matched rise in Member Allowances backdated to the beginning of the Scheme in May 2023. However, a rise is budgeted for and an assumption of a 2% index-based annual rise in Member Allowances each year is factored into the Medium Term Financial Plan.
- 7.4 An above planned index-based rise in Member Allowances can be addressed by utilisation of the above underspends and can also be addressed from the staff pay inflation contingency within the Medium Term Financial Plan.

## **8 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 8.1 Rutland County Council has engaged with the Welland Partnership Members Remuneration Panel that makes recommendations to the Council on allowances to be paid to elected members in accordance with legal requirements under the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 8.2 The Council's obligation is to have regard to the Panel's recommendations. Whilst the Council does not have a duty to follow the recommendations it must have good, justifiable reasons for departing from them.
- 8.3 The amended version of the Scheme of Members' Allowances at Appendix 2 (incorporating the recommendations) will be adopted at Part 6 of the Constitution if approved.



## **9 DATA PROTECTION IMPLICATIONS**

- 9.1 A Data Protection Impact Assessments (DPIA) has not been completed because no personal data has been processed in the drafting of the report and because there are no risks/issues to the rights and freedoms of natural persons.

## **10 EQUALITY IMPACT ASSESSMENT**

- 10.1 An Equality Impact Assessment (EqIA) has not been completed because the proposed changes are moderate changes to an existing policy and are considered unlikely to affect persons from a protected characteristic.

## **11 COMMUNITY SAFETY IMPLICATIONS**

- 11.1 There are no identified community safety implications.

## **12 HEALTH AND WELLBEING IMPLICATIONS**

- 12.1 No health and wellbeing implications have been identified.

## **13 ORGANISATIONAL IMPLICATIONS**

- 13.1 The implementation of the recommended Scheme can be undertaken by the Council's Governance, Human Resources, and Finance teams by the recommended implementation date.

## **14 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 14.1 The reasons for the recommendations are set out in Section 4 of the report.

## **15 BACKGROUND PAPERS**

- 15.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 - <https://www.legislation.gov.uk/ukxi/2003/1021/contents/made>
- 15.2 Report No. 54/2020 – Independent Remuneration Panel – Considered by Council on 9 March 2020

## **16 APPENDICES (MANDATORY, SIMPLY STATE IF THERE ARE NO APPENDICES)**

- 16.1 Appendix 1 – Report of the Welland Partnership Remuneration Panel
- 16.2 Appendix 1a – Appendix to the Remuneration Panels Report – Comparison of Rutland County Council Allowances to other Councils.
- 16.3 Appendix 2 - Proposed Members Allowances Scheme 2023/24

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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## **The Welland Partnership Members' Remuneration Panel**

### Report to Rutland County Council Meeting

#### 1. Purpose of Report

- 1.1. This Report has been prepared by the Independent Panel set up to make recommendations and provide guidance to the Council in respect of its Scheme for Members' allowances.
- 1.2. The Report sets out the Panel's recommendations for the Council's consideration.

#### 2. Background

- 2.1. The Local Government (Members' Allowances) 2003 Regulations put in place a consolidated and simplified framework for allowances that covers Principal Councils and Parish and Town Councils.
- 2.2. Part 4 of the Regulations makes provision for the establishment of an Independent Panel to make recommendations concerning allowances, travel and subsistence and care provision. The Welland Remuneration Panel is compliant with the necessary arrangements.
- 2.3. A Council is unable to revoke or amend its scheme of allowances without first considering the recommendations of an Independent Panel. Whilst the Council is not bound by the recommendations of the Panel, there is a duty placed upon it to consider the recommendations, publish the Panel's recommendations and publish its Scheme.

2.4. Essentially legislation provides that Local Authorities' Schemes of Allowances:

- Must make provision for a Basic allowance, payable to all Members.
- May make provision for Special Responsibility Allowances (SRAs).
- May include provision for payment of travel and subsistence expenses.
- May include provision for payment of Carer's Allowance.
- May include provision for Co-optee Allowances.

2.5. Previously there was also provision for access to the Local Government Pension Scheme, but this has now been abolished by the Local Government Pension Scheme (Transitional Provisions, Savings and Amendments) Regulations 2014.

2.6. More generally, Government guidance on the Scheme has become more relaxed. There are, however, three constraints on the Panel's work:

- Attendance Allowances are prohibited.
- The Basic Allowance must be paid equally to all Members.
- Where one or more Groups on a Council form an Administration, a Special Responsibility allowance must be paid to a Member of the Opposition – usually paid to the Leader of the Opposition.

2.7. Allowances can be back dated to the beginning of the financial year.

### 3. The Panel's Approach

3.1. For your review the Panel comprised John Cade (Chair), Ian Davis and Gordon Wells. All three of us were involved in our previous review in 2019.

3.2. Our work comprised three components:

a) A comprehensive review of the background and context of your allowances including revisiting comparators with other relevant Councils and looking at any changes which have taken place since your last review.

b) Evidence giving (and follow-up) days. It is very important to us that as many Councillors as possible have the opportunity to submit evidence to us. We are, therefore, very grateful to the 8 Councillors who took up that opportunity. We also took evidence from your Chief Executive, Monitoring Officer and Section 151 Officer.

c) A consideration of all the evidence we had received and reaching unanimous agreement on our recommendations.

3.3. In our work we received excellent support from Tom Delaney your Governance Manager.

### 4. Context

4.1. Rutland is widely recognised as England's smallest County, yet the County Council still has all the responsibilities of much larger Unitary councils but with fewer Councillors to share these commitments.

4.2. By any comparative measure your allowances are very lean to say the least. Your allowances are not only well below those paid in other Unitary Authorities, but also below District Council

remunerations where Councils have fewer areas of responsibility.

- 4.3. In our last report to you (October 2019) we included a comment from one of your Councillors who said in evidence at the time that allowances “must not be either a deterrent or incentive” for people wishing to serve as Councillors. We included it in our report because we instinctively believe that to be right.

However, on the basis of the evidence we received and witness’s own reflections, we believe that your low level of allowances are acting as a deterrent.

- 4.4. How you got in this situation will be familiar to you. Whilst, since its first report in 2000, the Independent Remuneration Panel has consistently recommended levels of remuneration appropriate to your responsibilities as a Unitary Council, and more in line with comparator Councils, your Council meetings have not accepted these recommendations.
- 4.5. The impact of this can be illustrated by the following. In the IRP’s review of 2000 it recommended a Basic Allowance (which is also the building brick for your Special Responsibility Allowances) of £5,000 per annum. Your Council, at the time, agreed a Basic Allowance of £2,010. This £5,000 per annum is not only higher than your current Basic Allowance of £4,944, but if it had been index-linked it would now be £7,390. This is near the figure we were often told in our evidence giving that you should now have.
- 4.6. In a similar vein, as a Councillor pointed out to us, if we were now to disregard where you currently are and go back to the

way Basic Allowances were often originally calculated (ie hours worked x median salary for workers within that Authority's area, less a public service discount) this would provide for a basic allowance of around £8,200.

- 4.7. Comparisons should be made with other appropriate Councils. A table showing this information for CIPFA comparator Authorities, neighbouring Unitary Authorities, neighbouring District Councils and neighbouring County Councils can be seen in the attached appendix. This starkly brings home how out of step you are. Because of the importance of the Basic Allowance we want to highlight this in the substance of this report as shown below.

<b>Authority</b>	<b>Basic Allowance</b>
Rutland	£4,994
<b>CIPFA Comparator Councils</b>	
Bracknell Forest	£8,687
Isle of Wight	£8,377
Nottingham City	£13,052
Milton Keynes	£11,165
Hartlepool	£8,330
Derby City	£11,523
Wiltshire	£14,075
<b>Neighbouring Unitary Authorities</b>	
Peterborough	£10,663

Leicester City	£11,276
North Northamptonshire	£12,500
<b>Neighbouring District Councils</b>	
Melton	£5,123
South Kesteven	£5,886
Harborough	£5,572
<b>Neighbouring County Councils</b>	
Leicestershire	£11,630
Lincolnshire	£11,249
Cambridgeshire	£10,726

4.8. We would have liked to have heard from more Councillors but the overwhelming evidence we did receive was that this comparatively low level of allowances is now deterring people from wanting to become Councillors and is particularly preventing the wider demographic representation you wish to see.

4.9. As was put to us, there now needs to be a frank conversation across the Council as to whether it is appropriate for the Council to comprise essentially of Councillors who have a separate level of income to support them. We believe this conversation does need to take place as we do not see it as helpful at all for us to make recommendations only for you to consistently see them as inappropriate.

4.10. This was brought home to us by your decision not to apply the index-linking (which is now the norm in practically all other



Councils) which we had recommended to you in our report of 2019. Index-linking does not address all the issues you face, but it is a means of at least seeking to keep pace with inflation and retaining the real value of the allowance. It is also widely accepted by the public as fair.

4.11. We do understand the commendable wish to show empathy and solidarity with people struggling to make ends meet. But, as is also evident, people want income increases to try to cope with increased costs.

4.12. This is the first time we have written a report of this kind for any of the Councils we are associated with. We do not want to appear hectoring or reproachful but want to work in partnership with you. But, as the index-linking issue illustrates, we see little gain from taking one step forward followed by two steps back.

4.13. We appreciate that there never seems to be a good time to have conversations of the kind we are recommending. But, as put to us, it seems best had when the new Council is in place after the May 2023 elections.

4.14. We are not, therefore, at this juncture making any recommendations on your overall level of allowances. There are observations, however, that we think it appropriate to make on the Scrutiny Chair post, Conduct Committee Chair post, Chairman of Council post, the Carer's Allowance, expenses and index – linking.

## 5. Findings

### 5.1. Scrutiny Chair post

5.1.1. You have recently moved away from your previous 3 Committees bi-monthly structure to a single Strategic Overview and Scrutiny committee meeting monthly.

5.1.2. On the face of it there would seem to be a prima facia case for an increase in the allowance, but we were advised that this is a new committee with a review on its effectiveness to be undertaken shortly. We, therefore, think it appropriate to await the outcome of that review before making any allowance recommendation.

## 5.2. Conduct Committee Chair post

5.2.1. This post had previously been unremunerated because it was invariably shared by a Councillor already in receipt of an SRA. This is not now the case.

5.2.2. Although the Conduct Committee plays an important role in upholding public standards in Rutland there are generally only 1-2 meetings per year. We, therefore, believe that an SRA would best take the form of a per-meeting payment similar to that paid to the chair of the Employment and Appeals Committee.

## 5.3. Chairman of the Council

5.3.1. Unlike other SRAs the allowance paid to the Chairman of the Council is not a factor of the Basic Allowance. To bring it into line it would be appropriate to make this allowance a factor of 1 of the Basic Allowance.

## 5.4. Child and Dependent Carer's Allowance

5.4.1. It is important that the availability of this allowance to meet the costs for both child-care and care of adult dependents, while a Councillor is on Council business, is better known. We also believe that the upper limit for claims should be increased to £2,000 per annum.

## 5.5. Expenses

5.5.1. Whilst not within our usual remit we were asked to give a steer on the payment of expenses. We believe it is reasonably straightforward in that if a Councillor is attending an approved duty, then they should be eligible to be paid expenses. But we also believe that there could be some flexibility where it is “in the interest of the Council” for a Councillor to attend an event/meeting. An example would be a newly appointed Councillor who would benefit (and also the Council) from attending a meeting alongside the Council appointed person to help with his/her induction. But the litmus test must always be the ultimate benefit to the Council.

## 5.6. Index-linking

5.6.1. We have already expressed our disappointment that your allowances have not been index-linked since our last report in 2019. You could take a first step in the broader discussion we feel needs to happen by reinstating these now. We believe that this can be done because the decision was taken more than 6 months ago (which is your restriction on revisiting decisions) and that you should do this. We also suggest that the flat-rate increase for NJC staff for 2022/23 should be

applied as the equivalent applicable percentage for your median salary earner.

## 6. Financial Implications

- 6.1. Taking the current £4,944 Basic Allowance and applying increases in line with staff pay awards of 1.75% (from 2021-22), and 6.99% (The applicable percentage increase for a median salary earner on the NJC Pay Scales in 2022-23), leads to a resulting Basic Allowance for each Member of £5382.15.
- 6.2. Your Governance Manager has advised that if approved the resulting total levels of Members Allowances, including the rise in Basic Allowance and subsequent rises in Special Responsibility Allowances, will take the overall costs to approximately £267,000. This could be met within the forecasted budget from 2023/24 onwards.
- 6.3. The full set of revised Special Responsibility Allowances are set out below:

Table of special responsibility allowances	Annual sum (£)	Factor of Basic Allowance
Leader of the Council	18837.53	3.5
Deputy Leader	16146.45	3.0
Cabinet Members	13455.38	2.5
Leader of the Opposition Groups	1,000 split proportionally	N/A

Chairman of Scrutiny Committees	8073.23	1.5
Chairman Planning and Licensing Committee	10764.30	2.0
Chairman of Audit and Risk Committee	6727.69	1.25
Chairman of Employment and Appeals Committee	131 per meeting	N/A
Chairman of Conduct Committee	131 per meeting	N/A
Chairman of the Council	5382.15	1

## 7. Recommendations

- 7.1. That, following your elections in May 2023, the Council, with all Councillor input, considers the appropriateness or otherwise of your level of allowances, in particular your basic allowance, to enable this review to be completed.
- 7.2. That the remuneration for the Scrutiny Chair position be re-examined (potentially alongside the other allowances as in 7.1 above). This would follow the conclusion of the review into the scrutiny committee.
- 7.3. That meantime, the index linking originally recommended in the Panel's 2019/20 review be retrospectively applied. This would be an increase of 1.75% for 21/22 and the median percentage increase for a member of staff for 22/23.

- 7.4. That the post of Chairman of the Council receive an allowance equivalent to a factor of 1 of the Basic Allowance.
- 7.5. That the post of Conduct Committee Chair receive a per-meeting payment similar to the Chair of the Employment and Appeals Committee.
- 7.6. That the upper limit for payment of the Child and Carer's Dependent Allowances be increased to £2,000 per annum and its availability be recirculated.

John Cade

Chair, Independent Remuneration Committee

December 2022

**Appendix to Welland Partnership Remuneration Panel's Report to Rutland County Council**

**Information on Comparable Authorities Member Allowances**

Name of Authority	Level of Basic Allowance	Method of annual increases to Basic Allowance (If any)	Special Responsibility Allowance for Leader/Mayor	Special Responsibility Allowance for Deputy Leader/ Deputy Mayor	Special Responsibility Allowance for Cabinet Member /Portfolio holder	Special Responsibility Allowance for Scrutiny Chair	Method of calculating Scrutiny Chairs Allowance (If any)	Number of Scrutiny Committees the authority has	Does the authority pay expenses for any duties that RCC does not (Listed)
<b>Rutland County Council</b>	<b>£4,944</b>	<b>Updated annually in line with NJC pay award to officers</b>	<b>£17,304</b>	<b>£14,832</b>	<b>£12,360</b>	<b>£7,416</b>	<b>150% of the basic allowance or 42.8% of the Leader's allowance</b>	<b>1</b>	
<b>Comparable Unitary authorities</b>									
Bracknell Forest Council	£8,687	Updated annually in line with the annual percentage pay increase give to Council staff as agreed each year by the NJC.	£28,954	£17,372	£15, 926	£7,239 Chair of O&S Commission  £5,791 Chairs of Scrutiny Panels	Not stated but calculates to 25% of Leader's allowance	4	Basic allowance covers in-borough travel and parking, mobile phone and smartphone expenses. Only some roles entitled to council mobile phone. Leader of Opposition Party £9,651. Deputy Leader of Opposition £965 Champions £2,201 Vice Chair of Planning Committee £723 Co-opted Members £310
Isle of Wight Council	£8,377	Updated each year for a maximum period of 4 years in line with the annual percentage increase agreed for Council employees to whom the NJC terms and conditions apply.	£16,754	£10,471.25	£8,377	£8,377	100% of the basic allowance or 50% of the Leader's allowance	3	Basic allowance includes additional sum for travel and subsistence within the island. Co-opted members £301 (Designated Independent Persons) £818 Education Co-optees Scrutiny Vice-Chair £1,675.40 (0.2 of basic allowance) Planning committee vice chair £1,675.40

Name of Authority	Level of Basic Allowance	Method of annual increases to Basic Allowance (If any)	Special Responsibility Allowance for Leader/Mayor	Special Responsibility Allowance for Deputy Leader/ Deputy Mayor	Special Responsibility Allowance for Cabinet Member /Portfolio holder	Special Responsibility Allowance for Scrutiny Chair	Method of calculating Scrutiny Chairs Allowance (If any)	Number of Scrutiny Committees the authority has	Does the authority pay expenses for any duties that RCC does not (Listed)
Nottingham City Council	£13,052	In line with increases in pay of employees covered by the NJS each year	£38,885.94	£28,280.69	£21,210.51	£14,140.34	Not stated but calculates to £36% of Leader's allowance	1	Vice Chair of Scrutiny £7070.17 Vice Chair of Licensing Committee £3535.09
Milton Keynes Council	£11,165	The Basic Allowance is subject to indexation equal to the percentage increase for staff from the previous financial year, from 1 April 2023 until the end of the financial year beginning 1 April 2025	£33,495	£16,748	£11,723	£8,374 Chair of Scrutiny Management Committee  £5,024 Chair of Scrutiny Committee	Not stated but calculates to 25% of Leader's allowance	2	Main Opposition Group Leader £15,073 Opposition Group Leaders £8,374 Chairs of Task & Finish Groups £5,024 Chairs of Development Control and Licensing Committees £8,374 Co-opted members £640
Hartlepool Borough Council 32	£8,330	Reviewed annually by Independent Remuneration Panel and recommendations made to Council.	£24,990	Not stated	Not stated	£8,330	Not stated but calculates to 33% of Leader's allowance	2	Co-opted members are entitled to claim for travel and subsistence and financial loss.
Derby City Council	£11,523	Updated annually from 1 <sup>st</sup> April in line with the salary award for local government employees	£34,569	£25,927	£17,285	£8,642	25% of Leader's allowance	6	Vice Chair of Overview & Scrutiny £2,161 (6.25%) Co-opted members £500 Youth Mayor £1,000 Deputy Youth Mayor £750
Wiltshire Council	£14,075	Full Council has agreed the annual pay award to council staff as the index by which annual adjustments are made to the basic allowance and the special responsibility	£35,188	£28,150	£21,112	£14,075	40% of Leader's allowance	1	Cost of Senior Citizen's Railcard for members to use when travelling by rail (£30 = 1yr, £70 = 3yrs)

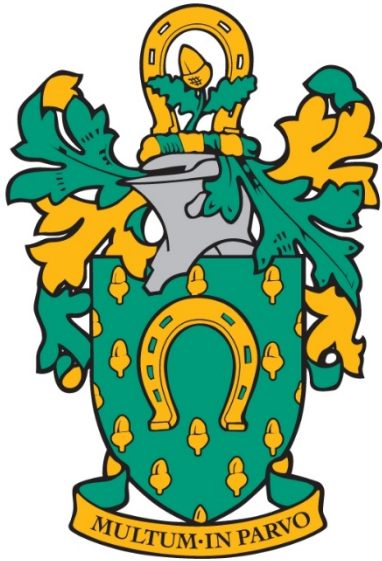


Name of Authority	Level of Basic Allowance	Method of annual increases to Basic Allowance (If any)	Special Responsibility Allowance for Leader/Mayor	Special Responsibility Allowance for Deputy Leader/ Deputy Mayor	Special Responsibility Allowance for Cabinet Member /Portfolio holder	Special Responsibility Allowance for Scrutiny Chair	Method of calculating Scrutiny Chairs Allowance (If any)	Number of Scrutiny Committees the authority has	Does the authority pay expenses for any duties that RCC does not (Listed)
		allowances payable to individual Members for the period from April 2021 – March 2025							
<b>Neighbouring Unitary Authorities</b>									
Peterborough City Council	£10,663	Updated annually from 1 <sup>st</sup> April in line with percentage increase in staff salaries. Reviewed every 4 years.	£31,989	£19,193	£15,995	£7,997	25% of the Leader's allowance	4	Co-opted Members £250 Chair of Corporate Parenting Committee (25% of the Leader's allowance)
Leicester City Council	£11,276	Not stated	£65,787	£44,434	Not stated	£8,736	Not stated but calculates to 13% of Leader's allowance	8	Vice Chair £2,184 Co-opted Members £554 £83.33 per month is payable to each Member for travel within the city. £27.25 per month is payable to each Member as contribution to council related costs e.g. telephone etc.
North Northamptonshire Council	£12,500	Updated annually on 1 <sup>st</sup> April in line with NJC pay award to officers	£27,000	£18,000	£13,500	£13,500	Not stated but calculates to 50% of Leader's allowance	2	Co-opted members £400 per meeting
<b>Neighbouring District Councils</b>									
Melton Borough Council 2021	£5,122.86	Updated annually on 1 <sup>st</sup> April in line with the NJC staff pay award	£15,368.57	£10,245.72	£6,403.58	£6,403.58	Not stated but calculates to 41% of Leader's allowance	1	Attendance at Planning Site Visit £35 per visit Reimbursement of computer consumables i.e. ink, paper £53 p.a.
South Kesteven District Council	£5,886	Not stated	£20,589	£16,176	£11,766	£5,886	Not stated but calculates to 29% of Leader's allowance	4	Planning Vice Chair £1,749 Licensing Vice Chair £1,068 Scrutiny Vice Chair £1,941 Constitution Vice Chair £873

Name of Authority	Level of Basic Allowance	Method of annual increases to Basic Allowance (If any)	Special Responsibility Allowance for Leader/Mayor	Special Responsibility Allowance for Deputy Leader/ Deputy Mayor	Special Responsibility Allowance for Cabinet Member /Portfolio holder	Special Responsibility Allowance for Scrutiny Chair	Method of calculating Scrutiny Chairs Allowance (If any)	Number of Scrutiny Committees the authority has	Does the authority pay expenses for any duties that RCC does not (Listed)
									Governance & Audit Vice Chair £1,299 Companies Vice Chair £1,299 Independent Person Allowance £1,500
Harborough District Council	£5,572.10	Adjusted annually (effective from the beginning of the Council year) in line with any increased awarded by Joint Negotiating Committee (JNC) for Chief Officers.	£15,323.28	£7,661.64	£6686.52	£4,179.08	27% of Leader's allowance	2	Chair of Scrutiny Commission £6686.52
<b>Neighbouring County Councils</b>									
34 Leicestershire County Council	£11,630	Adjusted on an annual basis for a 2 year period in line with the Local Government Employee pay award.	£39,408	£23,652	£21,043	£4,892	Not stated but calculates to 12% of Leader's allowance.	6	'Acting Up' allowance paid to Deputy Leader when required to take the place of the Leader during unavoidable absence for more than two weeks. Chair of Scrutiny Commission £10,877 Scrutiny Commissioners £7,884.50 Deputy Chair £2,176.50
Lincolnshire County Council	£11,248.74	Updated annually on 1 <sup>st</sup> April in line with the NJC staff pay award. Indexation applied for a 4 year period unless Council resolves otherwise.	£35,639.38	£23,388.30	£20,047.11	£10,123.85	Not stated but calculates to 28% of Leader's allowance.	9	Chair of the Overview & Scrutiny Management Board £13,498.40 Chair of Scrutiny Panel £8,909.91 Vice Chair of Scrutiny Committee £3,374.67 Vice Chair of Scrutiny Panel £2,969.97

Name of Authority	Level of Basic Allowance	Method of annual increases to Basic Allowance (If any)	Special Responsibility Allowance for Leader/Mayor	Special Responsibility Allowance for Deputy Leader/ Deputy Mayor	Special Responsibility Allowance for Cabinet Member /Portfolio holder	Special Responsibility Allowance for Scrutiny Chair	Method of calculating Scrutiny Chairs Allowance (If any)	Number of Scrutiny Committees the authority has	Does the authority pay expenses for any duties that RCC does not (Listed)
									Co-opted Member £835.37
Cambridgeshire County Council	£10,725.94	Increased annually in line with the percentage increase in staff salaries (non-management band) from 10 <sup>th</sup> May. Reviewed by Independent Remuneration Panel every 4 years.	£32,258.82	£20,967.62	£10,645.08 Leader of the Main Opposition  £3,225.47 Leader of Minor Opposition (4 seats or more)	£18,693.51	Not stated but calculates to £58% of Leader's allowance	6	Combined Authority Overview & Scrutiny Committee Member £1,612.74 Co-opted Member £50.88 per half day attendance plus travel and subsistence allowances.

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# Rutland County Council

## PART 6 OF THE CONSTITUTION MEMBER'S SCHEME OF ALLOWANCES 2023/24

## MEMBERS' SCHEME OF ALLOWANCES

### 1. INTRODUCTION

- a) The payment of allowances to Councillors is governed by various Acts of Parliament and Regulations. There is a key distinction to note, as follows.
- b) Sections 99-100 of the Local Government Act 2000, and The Local Authorities (Members' Allowances) (England) Regulations 2001, contain provisions about the following allowances:
  - a 'basic allowance' to all Councillors;
  - a 'special responsibility allowance' to some Councillors who, in the Council's opinion, make a significant additional contribution to the Council's work;
  - a child and dependent carer's allowance (optional);
  - the payment of pensions to Councillors who undertake certain special responsibilities (optional).
- c) The Local Government Act 1972 (and subsequent amendments and regulations) provide for payments to cover expenses incurred by:
  - the Chairman, while carrying out his/her duties in office (section 3(5) of the Act); and
  - the Vice-Chairman, also for expenses incurred in office (section 5(4) of the Act).
- d) From May 2001, the 2001 Regulations made it necessary for councils to set up an independent panel to advise the Council about its levels of basic and special allowance, whether it should pay a carer's allowance and whether any allowances should be made pensionable. The Council determines its own allowances scheme, but must have regard to this independent panel's recommendations.
- e) The panel does not have a statutory role in commenting upon the expenses payments listed above as being made in accordance with the Local Government Act 1972, but the Council may voluntarily ask the panel to advise it about them.
- f) This document deals with allowances first, then expenses payments and levels of equipment provided to Councillors for their council business.

## 2. STATUTORY MEMBERS ALLOWANCES SCHEME

### 2.1 BASIC ALLOWANCE

- a) Every Councillor shall be paid an annual allowance of £4,944 It will be paid in instalments of one-twelfth on the last Thursday of each month, with minor adjustments where necessary to ensure that the total annual sum is correct. The allowance is subject to annual updating - see paragraph 2.8 below.
- b) The basic sum covers the time incurred by a Councillor in carrying out their ordinary duties for the Council. However, it excludes telephone calls and travel and subsistence allowances for approved duties, which are referred to separately below. Furthermore, the Council makes available to Councillors a certain amount of equipment over and above the basic allowance. Again, this is referred to separately below.
- c) The Council does not pay an allowance to co-opted members, only expenses (see para 3.1).

### 2.2 SPECIAL RESPONSIBILITY ALLOWANCES

An annual special responsibility allowance (SRA) will be paid to certain Councillors. As a Councillor may only receive one SRA, any fulfilling more than one special role shall choose at the start of the municipal year which SRA to claim. SRAs will be paid in monthly instalments. They are not payable when a Councillor temporarily steps into another's role (say, when the vice-chairman chairs a meeting). The Council may award a temporary Special Responsibility Allowance to another councillor in exceptional circumstances.

Table of special responsibility allowances	Annual sum (£)	Factor of Basic Allowance
Leader of the Council	17,304	3.5
Deputy Leader	14,832	3.0
Cabinet Members	12,360	2.5
Leader of the Opposition Groups	1,000 split proportionally	N/A
Chairman of Scrutiny Committees	7,416	1.5
Chairman Planning and Licensing Committee	9,888	2.0
Chairman of Audit and Risk Committee	6,180	1.25
Chairman of Employment and Appeals Committee	131 per meeting	N/A
Chairman of Conduct Committee	131 per meeting	N/A
Chairman of the Council	4,944	1
Independent Person	500	N/A

## 2.3 CHILD AND DEPENDENT CARER'S ALLOWANCE

- a) Councillors may claim reimbursement of actual, reasonable costs incurred in using childminders, babysitters or other sitters for dependants while carrying out approved duties up to a maximum of £2,000 per annum. Approved duties are listed in a separate section below. Claims should be made monthly in arrears, by attaching the receipt(s) to the submitted members' claim form and entering the amount claimed on the form.
- b) Information about registered childminders is available from the Council's Family Information Service. Details of care services for elderly and disabled dependants are best obtained from independent agencies.

## 2.4 PENSIONABLE ALLOWANCES

Statutory regulations allow Councils to make certain allowances pensionable, but only if so recommended by their independent remuneration panel. The Council has decided that no pensions will be payable.

## 2.5 RENUNCIATION OF ALLOWANCES

- a) A Councillor may choose to forego all or part of their entitlement to basic or special responsibility allowances under this scheme. If this is the case, they should give notice of this in writing to the Governance Manager stating what element of their allowance entitlement they do not wish to claim. The notice should also state whether this is for the current municipal year or the remainder of the Councillor's term of office – if the notice does not specify a time period then it will be assumed to mean the remainder of the term of office.
- b) A member not wishing to claim the expenses described in section 3 below need not give notice in writing – they simply do not submit any expenses claims.

## 2.6 PUBLICISING ALLOWANCES AND EXPENSES PAID

- a) The Council, as required by law, publishes any recommendations which its Members Allowances Panel makes about members' allowances, and also the conclusions which the Council reaches as a result of those recommendations.
- b) Each year it advertises in a local newspaper the total sum paid during that year to each Councillor in respect of basic allowance, SRAs and childcare/dependent carers allowance.
- c) The Strategic Director of Resources maintains a file of payments to members – see section 5 below.



## 2.7 SUSPENSION OF ALLOWANCES

Any member who is suspended or partially suspended from their responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000 may have their allowances withheld for the period of any suspension.

## 2.8 ANNUAL UPDATING

The basic allowance is updated annually in line with pay awards made to Chief Officers as part of the Joint Negotiating Committee (JNC).

## 3. PAYMENT OF EXPENSES

### 3.1 APPROVED DUTIES

- a) Councillors and co-opted members may claim reimbursement of travel, subsistence and conference expenses incurred whilst undertaking an approved duty. Attendance at any of the following is an approved duty:
- any Council meeting
  - any meeting of one of the Council's committees, sub-committees, regulatory or staff panels, working parties/groups or fora.
  - any meeting of the Cabinet or a Cabinet committee
  - agenda planning meetings for the Council, Committees, Cabinet, Scrutiny Committees.
  - any meeting of the Scrutiny Commission
  - attendance at development control site visits.
  - Meetings with Officers to discuss Council or ward matters with the Member acting in their official capacity.
  - formal inspection of Council properties and projects as authorised in advance by the Executive or a committee (including site visits for planning matters)
  - in-house training and development seminars including Members' Induction, Staff Induction and service-specific seminars
  - External training in accordance with the Member Development Strategy.
  - approved conferences or seminars such as described at section 3.3 below

- a meeting of an external organisation, including partnership bodies, to which the Councillor has been appointed as the Council's representative – for details see the list of approved appointments issued annually near the start of the municipal year, and maintained subsequently, by the Governance Team (if the external organisation will pay travel and/or subsistence costs, then the Councillor should claim against that organisation and cannot claim from the Council).
  - Other meetings and duties may be considered on a case-by-case basis where there an ultimate benefit to the Council of attendance.
- b) Expenses will not be paid for attendance at national and regional bodies if the Councillor was not appointed to the organisation or event by the Council.
- c) Travel and subsistence allowances for co-opted and lay/expert members of committees and panels will be paid, at the same level as for elected members.

### 3.2 TRAVELLING EXPENSES

- a) A Councillor may reclaim expenses incurred in travelling to and from approved duties, as shown in the table below.
- b) For journeys outside Rutland, where public transport is readily available the ordinary fare will be reimbursed if this is less than a sum based upon car mileage.
- c) The Council will pay reasonable travel costs to and from an approved duty when a Councillor is absent from their usual residence, such as when working out of the area or when attending a residential course elsewhere. This does not cover return from holidays. If such a claim is made and an officer is unclear whether or not the expense should be reimbursed, they shall consult the member and the political group leader (if appropriate) prior to approving payment. Any unresolved claim is the responsibility of Council to determine.
- d) The rates are linked to those payable to officers that are agreed as part of the NJC Car Allowances scheme.

<b>Travel option</b>	<b>Details of travel expenses reclaimable</b>
By public transport	The ordinary fare may be claimed, supported by a receipt. For travel by rail, wherever possible the tickets should be ordered in advance through the Business Support Team.  The Council will refund the purchase of a rail card provided that this saves the Council money in reimbursing travel expenses.
By car	The car mileage rate is set annually by Council, taking into account national legal maxima. It applies irrespective of engine size or distance travelled, and is currently 45pence per mile for

	<p>the first 10,000 miles and 25pence per mile thereafter in line with HMRC mileage rates. An extra 5pence per mile per passenger can be claimed for carrying two to four passengers who would otherwise be able to claim travelling expenses from the Council.</p> <p>The Council will pay, upon production of a receipt, associated actual and reasonable costs incurred on parking fees and tolls.</p>
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<b>Travel option</b>	<b>Details of travel expenses reclaimable</b>
By taxi	<p>Regulations under the Local Government Act 1972 restrict Councillors' use of taxis to "cases of urgency or where no public transport is reasonably available" – they allow for the actual fare and "a reasonable gratuity" to be reimbursed. Therefore, if there was no urgency, or public transport was available, any claim for taxi costs will instead be reimbursed by payment of the bus fare for the equivalent journey.</p> <p>Councillors with no personal transport or access to reasonable public transport may ask the Governance Team to book a taxi for them for a local approved duty.</p>

### 3.3 SUBSISTENCE EXPENSES AND COUNCIL REFRESHMENTS

- a) A Councillor may claim reimbursement of subsistence costs incurred personally while on approved duties. The latter are described at a separate section below. In order to qualify for reimbursement:
- the Councillor must be away from their usual residence for a minimum of four hours (this time period applying only to the time spent in travel to and from, and attendance at, the approved duty)
  - there must be no meal provided at the approved duty, either by the Council or any other organiser for the event
  - the Councillor should attach a receipt to their expenses claim form to show that a meal was purchased (and the amount paid will be the amount incurred and shown on the receipt up to the maximum limit shown below).
- b) The rates payable are set annually and mirror those set by HMRC. They are currently as set out in the table below. They are linked to the corresponding rates that are agreed nationally each year for officers.

<b>Subsistence type</b>	<b>Details</b>	<b>Payment amount</b>
Breakfast	The rate may be paid where an employee leaves home earlier than usual and before 6am and incurs a cost on breakfast taken	£5.00

	away from home after the qualifying journey has started. If an employee usually leaves before 6am the breakfast rate does not apply.	
One Meal (5 Hour Rate)	The rate may be paid where the employee has been undertaking qualifying travel for a period of at least 5 hours and has incurred the cost of a meal.	£5.00
Two Meal (10 Hour Rate)	The rate may be paid where the employee has been undertaking qualifying travel for a period of at least 10 hours and has incurred the cost of a meal or meals.	£10.00
Absence overnight	To cover hotel and associated expenses – but note that, in these cases, the Council will book and pay for hotel accommodation directly (see ‘conferences’ at separate section below)	Market rates will be paid (see d below)

- c) If a meal is taken on a train, this is taken to relate to the subsistence allowance which it most closely equates to (i.e. lunch or evening). The above conditions still apply.
- d) The Council will pay a market rate for hotels for overnight absence when Councillors are on an approved duty. The market rate may be different according to location and available capacity. Councillors can ask the Governance Team to book hotels directly or may book their own. If Councillors book their own accommodation then the cost will need to be reclaimed.
- e) The Council will not pay for bar bills or other drinks, meal costs above the subsistence maxima, telephone calls or any other incidentals purchased by the Councillor during their overnight stay (such as newspapers or laundry).
- f) Officers making overnight stay bookings should first check with the Governance Manager that the proposed activity constitutes an approved duty and has been authorised properly. They should make clear whether the cost is to be borne by the service department’s conference budget, or whether the central Members’ Allowances budget is expected to fund it. When giving the Councillor the details of the reservation, they should remind them that they must pay for any incidental charges and not add them to the hotel bill. After the event, the officer must send a copy of the hotel bill (annotated to show the receiving Councillors) to the Governance Team so that the file of payments to members can be updated.

### 3.3 CONFERENCE AND SEMINAR EXPENSES

- a) Attendance at conferences and seminars is approved by the relevant Director in consultation with the Leader of the Council taking into account the benefit to the Council that would be derived from, and the appropriate level of, member attendance. It should only be approved where the relevant service has adequate provision for this in their budget for conference attendance, ensuring that this takes account of all anticipated fees and expenses involved. The budget holder's prior approval must thus be obtained. Typical conferences include:
- Local Government Association – Chief Executive and relevant member(s)
  - CIPFA conference
  - Institute of Rating and Valuation conference
  - Institute of Housing conference
  - Local Government Association housing conference, tourism conference, etc
  - Town & Country Planning Association weekend and summer schools for Councillors
  - Annual social services conference.
- b) The Council will book and pay for conference and seminar expenses directly, as described in relation to overnight stays in section 3.3 above. If there is no overnight stay, then any travel or subsistence claims must comply with the usual conditions for approved duty attendance and be submitted in the usual way on the monthly expenses claim form.

### 3.5 EXPENSES FOR TRAVEL AND SUBSISTENCE ABROAD

Occasionally a Councillor may be invited to travel abroad on official business, through their membership of an external organisation to which the Council has appointed them as its representative. Given the potentially sensitive nature of such travel, in the public perception, prior Council consent should always be obtained to the classification of the proposed activity as an approved duty eligible for the reimbursement of the associated expenses. If such approval is given, then the conditions described in the sections above apply as for any other approved duty.

### 3.6 CHILD AND DEPENDENT CARER'S ALLOWANCE

Councillors may claim reimbursement of costs incurred in using childminders, babysitters or other sitters for dependants while carrying out approved duties. See section 2.3 above for details.

### 3.7 ICT AND OTHER EQUIPMENT

- a) The Council does not pay for the installation of a telephone at a Councillor's residence, if there is not one already installed nor does it contribute towards the cost of the line rental. The Council will reimburse the cost of telephone calls made by the Councillor whilst carrying out their official duties provided an itemised telephone bill is submitted with the Councillors monthly claim form with these calls clearly identified.
- b) The Council will provide each Councillor with a Council e-mail address for their official duties.  
The Council will provide support and servicing of ICT equipment it has provided and provide support to Councillors who access Council systems with their own ICT equipment. The Council will provide paper and replacement cartridges in all cases for use by Councillors in their official capacity.
- c) Computer access and stationery are provided for Councillors' use in the Members' Room at Catmose, and in the Leader's and Chairman's Offices.
- d) Computer access and stationery are provided for Councillors' use in the Members' Room at Catmose, and in the Leader's and Chairman's Offices.
- e) No other office or other equipment is currently provided to members either directly or by reimbursement of costs.

### 3.8 CLAIMS PROCEDURE (FOR TRAVEL, SUBSISTENCE AND CONFERENCE EXPENSES)

- a) Claims for travel, subsistence and dependent carers' allowances must be made each month. All claims must be received by the Governance Team by the 5<sup>th</sup> day of the following month. This is essential as they must be verified and approved and passed to the Payroll Section in time for them to be processed for the monthly payroll run. Any claims received after these dates will be paid the following month.
- b) Councillors must ensure that they submit claims within three months as claims stretching back further than this may be delayed due to the increased difficulty of verifying them. Furthermore, very large back-claims may render the payment subject to tax and national insurance payment. Claims spanning more than one financial year must be avoided, as this would result in the later year's budget being overspent. Therefore, all claims for travel, subsistence, carers' and dependent allowances for each financial year must be made by the end of April and will not be paid after that date.
- c) The claim form must include receipts for all expenses claimed, include a VAT receipt for fuel purchased, and must be signed by the Councillor to declare that they are entitled to all amounts claimed and have not already been reimbursed for these amounts by the Council or any other organisation.

- d) If a Councillor wishes to reclaim tax paid on subsistence allowances, they must provide relevant receipts to HM Inspector of Taxes. If a Councillor applies for benefit, they must declare any allowances and expenses received from the Council on their application form.
- e) Should it ever arise that the Council incurs expenditure on behalf of a Councillor's spouse or partner, then a debtor's account will be sent to the Councillor to recover all additional costs and a copy of the accounts will be placed with the file of payments to members.

#### **4. THE CHAIRMAN'S ALLOWANCES**

- a) Sections 3(5) and 5(4) of the Local Government Act 1972 provide for the Council to pay the Chairman and Vice-Chairman an allowance each, which it believes reasonable to enable them to meet the expenses of their office. The Council may, but is not obliged to, invite its independent Members' Allowances Panel to comment on the allowances paid.
- b) The current allowances are:
  - Chairman - £4944 which is paid by monthly instalment with the office holders' other allowances. A further allowance is available to cover expenses whilst engaged on official civic engagements.
  - Vice-Chairman – No Allowance payable. Expenses incurred whilst representing the Chairman on official civic duties may be paid for by the allowance for civic engagements that is managed by the Governance Team.

#### **5. GUIDANCE FOR OFFICERS IN RESPECT OF PAYMENT TO MEMBERS**

- a) All Officers must adhere to the above scheme when verifying and making payments to Councillors. The Governance Manager, or those employees acting on his/her behalf, must verify all member claims prior to passing them for payment. A file of payments to members will be maintained by the Accountancy Section. For all payments under the members' allowances scheme, and those made under sections 173 to 176 of the Local Government Act 1972, this must show the name of the recipient, together with the amount and nature of each payment. It is open for inspection free of charge by electors in the area, who may copy any part of it.
- b) The scheme also applies to officers incurring expenditure on a Councillor's behalf – if an officer spends more than the prescribed limits shown above for a member's travel and/or subsistence then they cannot claim the excess but must bear the cost personally. If an officer wishes to make a claim for member travel and/or subsistence, they must complete an employee travel and subsistence expenses claim form in the usual way but stating clearly which member(s) were paid for, and the details of the payment (cost, time of day incurred) which will allow it to be checked against the prescribed

subsistence scheme. A copy must be sent immediately to the Accountancy Section, for recording in the file of payments to members.

- c) This does not prevent the payment of sums to Councillors which they may legitimately claim in a personal capacity (such as a rent allowance, refund of overpaid council tax or rent, a home renovation grant, for a business transaction, damages or compensation). Any payments of this type should be processed in the normal way for that service issue, rather than through the member's payroll arrangements for allowances and expenses.
- d) If any other issue of payment to a Councillor arises, other than one covered by the above members' allowance scheme or a normal service issue, then prior written approval should be obtained from the Chief Executive, Strategic Director for Resources or Deputy Director for Corporate Governance.
- e) When a department arranges any seminar, conference, course or visit which will incur costs on behalf of a Councillor, the lead officer must liaise with the Governance Manager to ensure that only permitted expenditure is incurred. They should keep a list of members attending an approved event, and forward it immediately afterwards to the Governance Section to ensure that any subsequent member claims for travelling and/or subsistence can be verified. If the officer pays for any member's travel or meals, then a copy of the officer's own claim form (with clear details of the amounts paid for each member) must be copied immediately to the Governance Section so that the file of members' payments can be updated. Likewise, hotel bills for overnight stays should be annotated to show the receiving Councillor(s) and copied to the Governance Section.
- f) Member tours must have prior Council, Committee or Cabinet approval (except for routine planning site visits), and will normally then be arranged by the relevant officer in either the sponsoring department or Governance Section. Before proposing a tour, officers should check that there is adequate budgetary provision within the central Members' Budget – if not, an alternative budget must be identified.
- g) Tours outside Rutland may be arranged by the relevant service department. They will still require formal Council, Committee or Cabinet approval and adequate budgetary provision. Any overnight stop, unless paid for directly by the Council, and any lunch or evening meals purchased for the Councillors involved must adhere to the subsistence rates shown above. If air tickets are reserved, the cheapest rate of public air travel must always be used.
- h) Any proposed payment or commitment of civic funds must be referred to the Governance Manager for prior approval. This officer must ensure all payments so made remain within budgeted levels of expenditure, and that any payments to or on behalf of members are recorded in the file of payments to members.
- i) Any officer who is responsible for settling an insurance payment to a member from the Council's internal or external insurance funds, should



copy details to the Accountancy Section so that the file of payments to members can be updated.

- j) If a Councillor undertakes to act as a volunteer in a Council activity, the relevant lead officer must first make clear that the Councillor intends to act in their personal capacity as a volunteer and not in an official capacity as Councillor. This is very important in order to ensure that proper account is taken of the strict regulations which govern payment to Councillors for meals and travel. Furthermore, the manager takes full charge of and responsibility for the activities undertaken, regardless of the Councillor's official status.
- k) Circumstances may arise when, due to the need for political neutrality, it would be inappropriate for a Councillor or their relatives to volunteer for a Council activity. One example would be participating in the canvass for the register of electors. For such activities, the lead officer must vet proposing volunteers thoroughly and decline offers where necessary.

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