

REPORT OF THE INDEPENDENT REMUNERATION PANEL TO BATH AND NORTH EAST SOMERSET COUNCIL

21st November, 2024

Introduction

1. The Local Government Act, 2000 required local authorities to produce a Scheme in respect of councillors' allowances. Under the Local Government (Members' Allowances) (England) Regulations 2003, Councils have to set up an independent remuneration panel to make recommendations on members' allowances.
2. The Panel currently comprises:

Ronnie Alexander (Chair)

Ronnie left the Civil Service in 2013 to pursue a variety of other interests including consultancy. He is currently an independent Member of Powys Teaching Health Board and a non-executive member on the Board of the Independent Monitoring Authority. Ronnie serves as Independent Chair of the Standards Committee for Blaenau Gwent County Borough Council and is an independent Member of the Standards Committee for the Vale of Glamorgan Council. He has a considerable record of engaging with the public, professionals and politicians at all levels, to influence policy. This follows from a civil service career spanning over 20 years and an equivalent period working in local government.

Keira Stobie (Vice Chair)

Keira has moved on from full time classroom teaching, but remains employed within the education sector and has become more involved with her voluntary interests, which predominately focus on heritage, arts and working with people at either end of the age spectrum. This reflects her enthusiasm for new challenges and her motivation to use her experience to actively contribute to her community. She is also a member of the Bristol City Council Independent Remuneration Panel (IRP) and the West of England Combined Mayoral Authority (WECMA) IRP.

Wendy Stephenson

Wendy was, from 2005 to 2017 Chief Executive of VOSCUR, the support and development organisation for Bristol's voluntary and community sector. In this role, Wendy gained a good knowledge of the workings of local authorities and has worked with councillors and officers in a number of different policy areas. Wendy chairs the Bristol City Council IRP and is a member of the WECMA Panel.

Graham Russell

Graham was the Head of Democratic Services for Bath & North East Somerset Council from 1993 to early retirement in 2005. Prior to that was a long career in local government corporate departments. He developed some expertise in the whole subject of members' allowances and was commissioned by South West Councils to produce on-line guidance on the subject for IRP members, their support officers and councillors. He is a member of a number of IRPs in the region and Chair of others. He is currently a marriage celebrant and a volunteer at Saltford Community Association in various roles.

3. The Panel has met on 6 occasions to conduct a fundamental review of the allowances scheme, and to make recommendations, as it is required to do under the legislation.
4. We are extremely grateful to the Council's officers for their dedication in providing the Panel with factual information essential to the review. We must also acknowledge the contribution of members of the Council in providing feedback through the members' survey and in agreeing to be interviewed by the Panel.

Review Principles

5. The Panel recognises that the Scheme of Allowances currently in place is largely that which it recommended to the Council and which was adopted by the Council on 4th May, 2021.
6. Nevertheless, it is important that provisions of the Scheme are tested through a review process to ensure that they remain valid and relevant to the way the Council currently works. Our review has looked at general and specific issues raised within the survey returns from members or requested by the Council.
7. The Panel is conscious of the impact that financial constraints are having, and will continue to have, on the Council's ability to deliver services. We recognise that difficult discussions and decisions will be necessary and that this will impact on councillors at all levels. Nevertheless, the Panel is mindful that a robust allowances scheme is vital in supporting councillors in their work both in constituencies and when acting on behalf of the Council. It will also help to promote diversity within the Council chamber.
8. Our recommendations are mindful of the guiding principles issued by the Government and in particular that concern might be raised if more than 50% of councillors were in receipt of a special responsibility allowance over and above the basic allowance.
9. Equally, the Panel is mindful that the public may have high and possibly unrealistic expectations of their elected councillors – possibly not appreciating that the role is considered as voluntary public service and is not salaried.

The Basic Allowance

10. This is the allowance that all councillors are entitled to receive, and currently stands at £10,662 per annum. [This figure will be updated once the annual

pay award for 2024/25 is finalised, and from April 1st 2025 will also incorporate the £750 phased increase.]

11. Our report in 2021 concluded that at that time the basic allowance for B&NES councillors was low and did not represent fair recompense for the roles that councillors performed.
12. We devised a formula based on hours per week (applying a percentage discount for voluntary public service) and a relevant local employment statistic to identify a suitable level for the basic allowance. Recognising at the time that an immediate and substantial increase in the allowance was unlikely to be acceptable, the Panel recommended a phased increase over a number of years on top of the annual adjustment equating to the staff pay award.
13. This principle was accepted, although the Council delayed the start of the phasing until 2022/23, recognising the impact of Covid-19 on local residents. The impact of this decision is that, at the time of this review, the Council is at the mid-point of the programme of phased annual increases, the last of which will be for 2026/27.
14. Accordingly, the Panel feels the phasing arrangement must be allowed to continue its course and therefore is not making any further recommendation for adjustment at this stage. However, the Panel intends to review the position after the 2026/27 award, in order to see if the basic allowance at that point is adequate, appropriate and compares favourably with equivalent authorities. If necessary, the Panel will, at that time, make further recommendations.
15. **RECOMMENDATION 1: That the Council notes that the Panel (a) is making no further recommendation on the basic allowance at this time, and (b) endorses the Council's decision on 4th May, 2021 regarding the basic allowance for 2022/23 – 2026/27;**
16. **RECOMMENDATION 2: That the Council notes the intention of the Panel to review the basic allowance at the completion of the agreed phasing.**
17. The formula mentioned above at paragraph 12 applied a 30% reduction in the remunerated hours of councillors, to reflect the Government's position that the role of a councillor should in part be considered as voluntary public service and therefore some hours should be unremunerated.

18. In the current members' survey, there were mixed responses on this issue. Some members felt that to apply this reduction devalued the role of the councillor and failed to recognise the actual time commitment involved in being a councillor in today's local government. Others were content, had no comment or did not appreciate that such a reduction was made.
19. The Panel intends to examine this issue in full when it reviews the basic allowance at the end of the phasing process.
20. **RECOMMENDATION 3: That the Council notes the intention of the Panel to review the issue of unremunerated hours when it considers the basic allowance at the end of the current phased programme.**
21. The Council in the past has endorsed an indexing of the basic allowance in line with the relevant staff pay award of the year. This has worked well when the staff award was set as a single percentage increase.
22. In last year's settlement, the staff award was set as a flat rate across all grades. The award included a 4.04% increase in the Officer expenses entitlement, and it was this percentage that was agreed to be applied as the index for members' allowances in this Council.
23. The Panel has noted that some authorities have instead taken an average figure of the increases across all staff grades, or a range of grades, and has applied that as the index for members' allowances.
24. The Panel has considered what arrangement to recommend, in the event that a flat rate award is confirmed for future years. We believe that the present arrangement, which indexes members' allowances to the percentage increase applied in the award to Officers' expenses, is appropriate and fair and therefore should continue. There is no strong justification, in the Panel's view, for an alternative indexing arrangement, and the Panel believes the clear link to Officer entitlements is an accepted approach.
25. **RECOMMENDATION 4: That, in the event of any future flat rate pay awards for staff, the Council continues to index members' allowances in line with the percentage adjustment within the award applied to Officers' expenses.**

26. These are the allowances that may be made to councillors performing specific duties over and above those of an elected councillor – mainly roles relating to the way the Council operates or is governed. Unlike the basic allowance, these allowances are not a requirement within the governing legislation. However the reality is that such allowances are essential in support of those councillors who take leading roles in the governance of the Council.
27. The Regulations prescribe a range of duties which Councils might consider appropriate for such allowances. The Panel has had regard to these in making its recommendations. Additionally, the Panel has adopted key criteria to assist in determining whether SRAs are appropriate for recommendation. The Panel is also mindful of the Government guidance about potential concerns locally if more than 50% of councillors in any one authority receive an SRA.
28. The specific criteria used by the Panel in assessing the relevance of special responsibilities are:
 - the time and effort requirement;
 - any specialist skills required;
 - degree of functional leadership
 - accountability and responsibility levels;
 - degree of important decision making;
 - complexity of the role;
 - culpability in the role; and
 - constitutional relevance of the role.
29. As previously stated, much of the current scheme is as we recommended in 2021. At present there are many different levels of SRA with no clear indication of how these levels were arrived at. The Panel is strongly of the view that, as a point of principle, SRAs should be calculated as a multiplier of the basic allowance. The effect of this is that SRAs are automatically adjusted each time there is an adjustment to the basic allowance, making the administration of allowance adjustments easier.
30. The Panel therefore proposes, within its recommendations, clear multipliers for all SRA positions. The impact of this on individual allowances is shown in the table at para 80, with some allowances having marginal increases and others marginal decreases.
31. **RECOMMENDATION 5: That the Council notes the application of multipliers to special responsibility allowances and the impact this has on the allowances listed in the chart at para 80, which will take effect from 1st April 2025.**
32. The following issues have either been specifically raised with the Panel (directly by the Council or through the survey returns) or have been identified by the Panel itself.

33. **Overview and Scrutiny:** The Panel has previously sought clarity from the Council on where the leadership at member level for this statutory function lies. However, evidence presented to the Panel from the lead Scrutiny Officer, two PDS Chairs (including the Chair of the Chairs and Vice Chairs group) and the Monitoring Officer has demonstrated that the current approach works for the Council.
34. Specifically, the Panel understands that the Chairs' and Vice Chairs' Group does have some oversight and co-ordination of the overall programme, with individual Chairs and Vice Chairs being responsible for the programmes of their respective Panels.
35. While the Panel is content to note the present position, the leadership of the various Council functions at member level remains an area of special interest to the Panel, as a key criterion for considering special responsibility allowances.
36. There are two aspects of the overview and scrutiny function that the Panel was asked to address. The first is whether there should be a special responsibility allowance for the Vice Chairs of Policy Development and Scrutiny Panels (PDS). The second was a similar issue regarding Chairs of Task and Finish Groups.
37. Some evidence was offered that the Vice Chair role supports the Chair in terms of agenda setting and work programming, including meetings with Officers and Executive Members when required. However, the Panel was not persuaded that sufficient criteria were satisfied at this time to justify recommending an allowance.
38. When Task and Finish Groups are set up, the detailed review that follows can be labour intensive and may require clear leadership and direction. Again, the Panel remains open to considering a reasoned case for recognising the Chairs of such groups within the allowances Scheme. Options might include an allowance upon completion of a review once reported to the Executive or Council.
39. In both cases, the Panel does not feel it has the body of evidence to recommend allowances at this time.
40. **RECOMMENDATION 6: That no allowance be made to the roles of Vice Chair of a Policy Development and Scrutiny Panel or the Chair of a Task and Finish Group;**
41. **Vice Chair of Planning Committee:** The Panel is aware that effective management and delivery of the quasi-judicial planning process at member

level is essential if challenge and risk is to be minimised. The Chair is frequently engaging with senior officers and the relevant Cabinet Member. The role requires transparency and fairness in how the process deals with both applicants and objectors.

42. For these reasons, the SRA for the Chair of that Committee is rightly set at the highest non-executive amount.
43. The Panel has been informed that the Vice Chair of this Committee is required to engage with the Chair in the pre-Committee dialogue with officers and in determining those sensitive and other matters which should be referred to the Committee for consideration rather than determined by Officer delegation. This is in addition to being equipped to cover in the absence of the Chair in all the required areas of work, with no loss of leadership and direction.
44. However, the differential between the Chair's current allowance (£16,172) and that of the Vice Chair (approximately one-quarter at £3,934) is significant and, in our view, unsustainable and not reflective of the degree of skill, leadership, complexity and decision making required of the Vice Chair role. We believe that the differential between these allowances should be reduced as a better reflection of the partnership between the Chair and the Vice Chair roles.
45. **RECOMMENDATION 7: That a SRA for the Vice Chair of the Planning Committee be set at £5,331 (0.5 x Basic Allowance and approximately one third of the Chair's allowance) with effect from 1st April, 2025.**
46. **Members of the Planning Committee:** The Panel has been asked to consider whether it is appropriate that all members of the Planning Committee receive some remuneration to recognise the need for extensive reading and understanding of the key issues involved in the planning decision process.
47. The Panel has noted that the Regulations governing members' allowances enable Councils' schemes to remunerate members of committees that meet with exceptional frequency or for exceptionally long periods.
48. The Planning Committee is a regulatory body with legal responsibilities. Its decisions are subject to challenge and in this context it is important that the member engagement in the process is both effective and proper. The number

of decision making and site meetings, linked to specific deadlines, is a key feature of the planning process.

49. The process requires a commitment from all members both in terms of time, in reading and understanding the issues before them, and in their capacity to visit sites when required. It is a very important role making important decisions about the area and impacting on individuals. Not all members of the Council will have the capacity to make that sort of commitment to planning work.
50. Balanced against this is that making payments to committee members will set a precedent for this Council and possibly for Councils in the wider region. It would also clearly increase the number of individual SRAs awarded within the overall scheme – something the Panel is anxious to monitor in view of the guidance referred to at para 27 above and something the Council would need to recognise in terms of the overall cost of the Scheme of Allowances.
51. In addition, the Panel has consistently held the view that councillors receiving a robust basic allowance should be expected to devote the necessary time to the committees to which they are appointed. It is important to maintain a quorate attendance at such meetings with members who are committed to the planning process. However, the Panel is not minded to recommend allowances as a means of enabling this, effectively marking a return to something resembling an attendance allowance.
52. On balance, the Panel recognises the background to the request and that local government is currently operating in dynamic times. However, for the stated reasons, the Panel has decided not to support this request.
53. **RECOMMENDATION 8: That no special responsibility allowance be made to members of the Planning Committee.**
54. **Chair of the Corporate Audit Committee:** The Panel was invited to give particular consideration to this member role and whether it was relevant to award a SRA.
55. We have heard that this position holds an important role in the corporate governance framework of the Council with one key role being the oversight of the role of the Council's external auditor. The Chair needs to oversee, approve and sign the annual accounts process which involves digesting considerable information. The Chair must give assurances regarding governance, risk management and audit and this will require meetings with

senior staff across the Council. The Chair will also present the annual accounts to the Council. While it is the Committee that has the delegated power from the Council, it is the Chair who signs the letter of representation.

56. In evidence, we have heard that the Chair is required to have oversight not only of mainstream Council budgets but also those where the Council has an arms-length interest.
57. The Panel is aware of the support that the Audit Committee receives from Council officers and external advisers. However, whereas members of the Committee require only a superficial understanding of the issues, the Chair needs a comprehensive overall view.
58. The number of meetings is not of itself a main justification for recognition of the Chair in the scheme of allowances. It is the extent of the knowledge, understanding and responsibilities required of the Chairing role.
59. The Panel is satisfied that there is justification for a robust allowance to recognise the significance of the role, its constitutional relevance and the level of accountability.
60. **RECOMMENDATION 9: That the Chair of the Corporate Audit Committee be awarded a special responsibility allowance of £5,331 (0.5 x Basic Allowance) with effect from 1st April, 2025**
61. **Chair of the Council:** The Panel was made aware that the number of civic and ceremonial events undertaken/attended by the Chair has fallen significantly since Covid – statistical evidence showing a reduction from around 300 engagements to 49 in the year May '23 to May '24 (excluding Council meetings). It is also noted that the published statistics show that the Vice Chair of Council attended one event in that year on the Chair's behalf.
62. This is a significant reduction in a role whose special responsibility allowance of £10,597 is primarily based on the criterion of time and effort. It also recognises the role of the Chair in presiding over the largest and most contentious policy making body (i.e. the Council meeting).
63. Both the civic and ceremonial and chairing roles require an element of preparation. In the former role, the Chair is representing the Council and the Bath & North East Somerset community. In the latter, there is a requirement to be briefed on agenda items and to be clear how those items are best managed at the meeting.

64. In our deliberations, we have been mindful that none of our comments are in any way a reflection on any individuals who hold or have held this position, which many would regard as an honour.
65. The Panel is very sensitive to any proposal to reduce an established allowance. However, we are required to consider all aspects of the allowances scheme and to make recommendations as an independent body on the basis of the evidence provided.
66. We believe that the present level of SRA for this role is not sustainable. It is significantly higher than some member roles responsible for leading statutory and sensitive functions within the Council.
67. **RECOMMENDATION 10: That the special responsibility allowance for the Chair of the Council be set at £8,530 (0.8 x Basic Allowance) with effect from the Annual Council Meeting, 2025.**
68. **RECOMMENDATION 11: That the special responsibility allowance for the Vice Chair of the Council be set at £2,132 (0.2 x Basic Allowance) with effect from the Annual Council Meeting 2025.**
69. **Chair of the Alice Park Sub-Committee:** This matter was raised through the members' survey returns. The Panel has noted that this Sub-Committee acts under delegated powers from the Charitable Trust Board to oversee the operation of Alice Park and to deal with it as a charitable asset. The Sub-Committee reports to the Board annually. The intention in setting it up was that it would act strategically not operationally.
70. The Panel has been advised that when members are sitting as the sub-committee, they act collectively on behalf of the Council as sole corporate trustees and must abide by charitable principles in so doing.
71. We are aware of, and applaud, the passionate interest that members have in the running of the Park. However, taking into account the objectives of the sub-committee and the expected role of members, we have concluded that there is no justification at this time to recommend a special responsibility allowance for the Chair of this Sub-Committee.
72. **RECOMMENDATION 12: That no special responsibility allowance be made for the Chair of the Alice Park Sub Committee.**

Further Review

73. The Panel has made a number of recommendations based on its consideration of the evidence it has received. The Panel recognises that circumstances may change throughout the period covered by the present review, requiring further consideration. It is accordingly prepared to address at any time evidence from the Council on any matter requiring further or new consideration.
74. **RECOMMENDATION 13: That the Council notes the Panel's willingness to consider any aspect of the Scheme of Allowances that may be referred to the Panel, at any time during the period covered by the current review.**

Dependent Care

75. The Panel has noted the Scheme's provisions for supporting councillors with dependent care needs. While there is no need to recommend any changes to these provisions, the Panel would encourage the Council to examine ways in which this support can be made known widely among councillors.
76. It is the Panel's experience generally that dependent care provisions relating to childcare, dependent adult care and other special needs care are rarely taken up with lack of awareness of the provisions often quoted as a reason.
77. Effective support for councillors in this way can remove a potential barrier to people considering standing for election. The Panel would urge the Council to explore all avenues to promote awareness of these supportive provisions.

Travel and Subsistence

78. The Panel has noted the present provisions regarding members' entitlements to support with travel and subsistence. For travel, this includes car, motorcycle, bicycle and e-scooters/e-bikes (hire and mileage) and the issue of MiPermit parking passes to those who request it. Reference is made in the travel policy to 'motor vehicles' but this is not broken down by type. Such a breakdown might be helpful.
79. The Panel supports fully the efforts the Council is making towards sustainable travel options and would suggest that the provision of bus passes for councillors be investigated.

Overall impact of our recommendations

80. The following table shows the overall impact of our recommendations compared with the provisions of the current Scheme. The table excludes basic allowance figures as the agreed phasing is to continue and our recommendations relate solely to special responsibility allowances. The chart includes within the "Role" column an indicator of the multiplier of the Basic Allowance (BA) used in calculating our proposals.

| Role + multiplier of BA used | Present | Total | Proposed allowance | Total |
|--|-----------------|-----------------|---------------------------|-----------------|
| Leader of Council (3.5 x BA) | £35,677 | £35,677 | £37,317 | £37,317 |
| Cabinet Members x 9 (includes Deputy Leader) (2 x BA) | £21,424 | £192,816 | £21,324 | £191,916 |
| Cabinet Project Leads x4 (1 x BA) | £10,662 | £42,648 | £10,662 | £42,648 |
| Chair Planning Committee (1.5 x BA) | £16,172 | £16,172 | £15,993 | £15,993 |
| Vice Chair, Planning Committee (0.5 x BA) | £3,934 | £3,934 | £5,331 | £5,331 |
| Chair, Policy Development and Scrutiny Panels x 3 (0.8 x BA) | £8,982 | £26,946 | £8,530 | £25,590 |
| Chair, Licensing Sub Committees x 1 (0.5 x BA) | £5,554 | £5,554 | £5,331 | £5,331 |
| **Chair, Avon Pension Fund Committee (0.5 x BA) | £5,554 | £5,554 | £5,331 | £5,331 |
| **Avon Pension Fund Committee Members x 5 (0.4 x BA) | £4,237 | £21,185 | £4,265 | £21,325 |
| ***Foster Panel Member (0.4 x BA) | £4,237 | £4,237 | £4,265 | £4,265 |
| Minority Group Leaders x 4 (0.3 x BA) (Governance element) | £2,655 | £10,620 | £3,199 | £12,796 |
| Political Group Leaders x 5 | £428 per member | £25,252 | £428 per member | £25,252 |
| Chair of Corporate Audit Committee x1 (0.5 x BA) | - | - | £5,331 | £5,331 |
| Chair of the Council (0.8 x BA) | £10,597 | £10,597 | £8,530 | £8,530 |
| Vice Chair of the Council (0.2 x BA) | £2,684 | £2,684 | £2,132 | £2,132 |
| Total | | £403,876 | | £409,088 |
| Difference | | | | £5,212 |

NB; The basic allowance will shortly be updated with the annual pay award (tied to the staff award) and from 1.4.25 will also include the annual phased increase of £750.

Bold lettering = Specific recommended changes recommended by the Panel

** = Pension fund reimburses the cost of these allowances.

*** = Adoption West pays this allowance directly.

Chair's Concluding remarks

81. The Panel has conducted a comprehensive review and by and large has concluded that the Scheme remains fit for purpose. It has responded to specific requests of the Council and has addressed those issues that were raised by members through the survey.
82. Our report is commended to the Council.

Ronnie Alexander, Chair of Panel

Keira Stobie, Vice Chair

Wendy Stephenson

Graham Russell