

**A Review  
Of  
Members' Allowances  
For  
Bracknell Forest  
Council**

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**The Seventh Report by the  
Independent Remuneration  
Panel**

**Eric Gabriel  
Dr Declan Hall (Chair)  
Hilda Johnston  
Neil MacGregor**

**January 2012**

## Foreword

This is the seventh review by the Independent Remuneration Panel (or Panel) for Bracknell Forest Council. The first review, completed in January 2001, was undertaken as part of the wider implementation of the modernisation agenda arising out of the Local Government Act 2000, which in turn brought in new roles and responsibilities for Members. The first report made recommendations, which the Council broadly accepted. The 2001 review largely set the framework for the present allowances scheme; it has not altered dramatically since then.

The second review was required (as were all local authorities) under the *Local Authorities (Members' Allowances) (England) Regulations 2003*<sup>1</sup> and subsequent amendments. These Regulations mandated all local authorities to establish and convene an advisory Independent Members' Allowances Remuneration Panel to make recommendations on certain associated allowances such as travel and subsistence, Co-optees' allowances, and pensions for Councillors before 31 December 2003. The 2003 review also tasked a new Panel to review the range and levels of the Basic Allowance and Special Responsibility Allowances (SRAs) in light of experience of the new system of local government.

The third review was of a minor nature, prompted by an invitation by the Council to conduct a post-implementation review of the scheme to consider certain changes in roles of some Members and give further guidance on an issue surrounding the claiming of Members expenses. The fourth review arose out of issues the Panel was not in a position to address in its previous review due to lack of experience of two posts, namely Executive Support Members' and Chairs of the Licensing Panels, with a further consideration on conditions surrounding the mileage allowance. The fifth review arose out of the need to review the indices applied to the various allowances and further minor issues emerging as part of the annual review programme.

The sixth review arose out of the recommendation of the previous review to take the opportunity by the end of 2009 to undertake a fundamental review of the whole scheme, as it has not been reviewed in a deliberative fashion for a number of years and in light of emerging legislation that might have affected Members' roles and responsibilities. Again, it did not result in any significant changes in the Members' Allowances scheme.

This review arises out of the need for a fresh authority for another four years to extend the right to join the Pension Scheme to review a number of specific posts and associated allowances and provide advice to the Council on whether the Council should continue with indexation provision. Once again, it is relatively minor in scope, seeking to address anomalies arising rather than undertaking a fundamental review as the broad framework of allowances in Bracknell Forest Council is still fit for purpose.

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<sup>1</sup> See Statutory Instruments 2003 Nos. 1021, 1022 and 1692 for further details.

Moreover, the Panel has been mindful of its guiding principle that it has sought to reduce financial barriers to being an elected Member while ensuring that the remuneration received by Members represents value for money.

Dr Declan Hall

Independent Remuneration Panel Chair  
January 2012

# **Independent Remuneration Panel**

## **The Seventh Review of Members' Allowances**

**for**

### **Bracknell Forest Council**

#### **The Regulatory Context**

1. This report is a synopsis of the proceedings and recommendations made by the Independent Remuneration Panel (the Panel) appointed by Bracknell Forest Council to consider its current Members' allowances scheme and advise the Council on a new scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* to make recommendations to the Council on a new scheme of Members' Allowances. These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to set up and maintain an advisory Independent Members' Remuneration Panel to review and provide advice on Members' allowances. All Councils are required to convene their Remuneration Panel and seek its advice before they make any changes or amendments to their allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.

#### **Terms of Reference**

3. The Independent Remuneration Panel undertook a full review of the Councils' Members' Allowances Scheme in 2009 by considering in a deliberative fashion, a wide range of evidence, views of Members, and the operation of the current scheme within the new legislative context.
4. In view of this the Panel is asked to adopt a 'light touch' approach for this review; only reviewing the overall level of allowances, issues previously identified for monitoring; and specific issues that are brought to their attention including:
  - i. To consider a fresh authority to continue utilising the current indices for up rating the various allowances on an annual basis for another four years; and if the Panel supports the continuation of indexation, then to recommend what index should apply to which allowance.
  - ii. To consider a fresh authority to extend the right of Members to join the Local Government Pension Scheme for another four years.

- iii. To review the SRA for the Chairman of Planning, that was frozen because of the previous review, subject to the Panel's reconsideration.
- iv. To make recommendations on the appropriate form and level of remuneration for independent members appointed to Education Appeal Panels.
- v. To provide guidance to the Council on the Members' remuneration package as a whole, including IT peripherals and consumables.
- vi. To amend wording regarding mileage payments to track staff rates.
- vii. To amend wording regarding the Broadband allowance to track staff rates
- viii. To consider the list of Approved Conferences (subject to confirmation from Member Development Charter Steering Group)
- ix. To consider any other issues brought to the Panel's attention during the review.

### **The Panel**

5. Bracknell Forest Council reconvened its standing Independent Remuneration Panel, namely:
  - Mr Eric Gabriel, a retired Chartered Engineer was appointed in July 2009 for a 4-year term. Eric has experience in senior management and as a project manager working on major building projects in both the private and public sectors. He is an accredited Office of Government Commerce Gateway Reviewer. Eric has lived in the area for over 30 years.
  - Dr. Declan Hall, former academic at the Institute of Local Government, The University of Birmingham who lives in Coventry. Declan is the independent Chairman and been involved with Bracknell Forest since 2000, and re-appointed in June 2008 for a five-year term. He also provides national training on Members' Allowances and specialises in Members' Allowances, and support and development.
  - Hilda Johnston, a retired teacher re-appointed in August 2011 for a two-year term. Hilda has taught both young people and adults in England, Scotland, and Singapore, working in both the private and state sector. Hilda has lived in the area for over 25 years.
  - Neil MacGregor, former Magistrate in East Berkshire and has been involved in reviews since 2003. Neil was re-appointed in June 2008 for a five-year term and is a long term resident of the Borough.
6. The Panel had the support of Ann Moore, Head of Democratic & Registration Services, who acted as the 'Panellists' Friend'. Kirsty Hunt, Principal Democratic Services Officer (Governance) took the organisational lead in facilitating the work of the Panel.

7. The Panel would like to record its gratitude to the Members and Officers of Bracknell Forest Council for making themselves available to talk to the Panel and supporting its work.

### **Process and Methodology**

8. The Panel met twice at Easthampstead House, Bracknell, on 15<sup>th</sup> November 2011 and 13<sup>th</sup> January 2012. The Panel meeting was in closed session to enable the Panel to consult with Members and Officers in confidence and hold its deliberations in private.
9. The Panel's activity fell into four areas:
  - **One:** Review of the background and contextual information on Bracknell Forest Council and relating to the issues of concern, i.e., recent changes in political structures, allowances schemes from comparator authorities and previous allowances reports for the Council – see Appendix 2 for full list of information considered by the Panel.
  - **Two:** Interviews with Members and Officers of the Council (see Appendix 1)
  - **Three:** Review of oral and written submissions and analysis of allowances schemes from other CIPFA (Chartered Institute of Public Finance Accountancy) 'Near Neighbours' and Berkshire Unitary Authorities and summary of all allowances schemes (2010/11) from unitary authorities in South East England produced by the South East Employers Organisation. It also had the recent reports from CIPFA Democratic Services 'benchmarking club' for unitary authorities, who provides analyses of some of the main allowances paid. The Panel took into account practice elsewhere for benchmarking purposes insofar it was able to obtain relevant information. (see Appendix 2)
  - **Four:** Arriving at recommendations; and the drafting and redrafting of report to the agreement of the Panel.
10. The Panel took a tiered approach in considering the evidence. It is required to operate within the broad statutory framework laid down by the 2003 Regulations and 2006 Statutory Guidance. The 2003 Members' Allowances (England) Regulations establishes the limits for the Panel, i.e., attendance allowances cannot be paid, all Members must receive a Basic Allowance that is equal in value and express authority is granted to vary the terms and conditions for claiming the travel and subsistence allowances, or whether to retain them at all. Within the legislative context the Panel has an obligation to pay regard to the 2006 Statutory Guidance which for instance mandates certain considerations for Panels in reaching their recommended Basic Allowance but provides suggestions in reaching an appropriate level for the Leader's SRA.
11. The Panel then considered the implications of the recent legislative changes upon Members' roles and responsibilities and recent changes in the work of the Council. The Panel also took into account oral representations made by a relevant group of Members. The interviews were utilised to act as a 'sounding board' to suggestions and ideas from members of the Panel as well as give the Panel a qualitative feel of the issues facing elected Members.

12. Finally, all the evidence and representations have been reviewed and evaluated within the comparative context. The principal approach adopted by the Panel in its review and assessment of the evidence has been to benchmark the scope and levels of allowances paid in Bracknell Forest Council against that paid in other comparable authorities at the national, regional, and sub-regional level. More specifically, the Panel has compared allowances paid in Bracknell Forest Council against the three peer groups: other Berkshire Unitary Authorities and 'Near Neighbours'; all Unitary Authorities in the South East of England; and the 44 unitary authorities in the CIPFA democratic services "benchmarking" club. The Panel was not driven by allowances paid in the comparator groups but has been at the very least concerned to ensure that Bracknell Forest Council was not out of line with the scope and levels of allowances currently paid in the comparator groups, or if it was that the Panel was content for that situation to continue.

### **The Evidence Reviewed and Key Messages/Observations**

#### **Taking into account the current economic climate**

13. The Panel discussed at great length the current economic climate and its affect on what the Panel should recommend. In particular, the Panel was aware that the Council has been required, as all local authorities have been, to find savings and will be required to seek further savings in the short term. The question was to which extent elected Members should be asked to "share the pain".

#### **Savings already made by Members**

14. In line with previous recommendations of the Panel, there have been effective cuts in the cost of the Members' Allowances scheme through the removal of the right to claim in-authority travel allowances, which in turn is on top of Council's acceptance of previous recommendation that Members should no longer be able to claim subsistence for within authority meetings.<sup>2</sup> Moreover, the indexation applied to the main allowances (Basic Allowances, SRAs and Co-optees' Allowances) has been zero percent for the past two years. Furthermore, the Council voluntarily imposed a further minor cut on Members costs by removing their right to have a daytime parking pass.

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<sup>2</sup> The CIPFA Democratic Services benchmarking club report on 44 English unitary authorities shows that in 2010/11, the average amount claimed per Bracknell Forest Council Member for Travel and Subsistence was £124, while the average per Member for 44 English unitary authorities was £298. Whereas the corresponding cost for the Democratic Services benchmarking club in comparator authorities was an average of £304 per Member.

## **Members' Allowances to be frozen until 2014**

15. The Panel took the view that it should continue to seek to find means by which Members could be seen to “share the pain”, while keeping in mind its guiding principle, namely that financial considerations should as far as practical not be a barrier to being a Member.
16. The Panel reviewed a number of different approaches in an attempt to find further savings but decided that the most equitable approach was not to recommend the indexation of principle allowances until April 2014. Thus, if Officers receive an increase in their salaries Members will not. The Panel also identified some further savings through recommending reductions in a number of specific SRAs currently payable – see below for further details.
17. **Consequently, regarding the first item in the Panel's terms of reference, the Panel recommends that no indexation be applied to the Basic Allowance, SRAs and Co-optees' Allowances until the Panel undertakes its next review in April 2014.** However, the indexation for the Dependants' Carers' Allowance and Travel and Subsistence Allowances should remain in place as they related to reimbursements of costs incurred by Members.
18. Furthermore, the Panel points out that its recommendations regarding a number of specific posts will also result in some further minor savings in the cost of the Bracknell Forest Council Members' Allowances scheme.

## **The Recommendations of the Panel**

### **The Basic Allowance**

19. To verify the veracity of its recommendation not to alter the Basic Allowance, SRAs and Co-optees' Allowances the Panel did undertake a benchmarking and 'health check' on the main allowances payable – which the Panel found were either on a par with peers or in the upper quartile, which the Panel has always accepted due to demands on specific post holders. The Panel has highlighted its review of the Basic Allowance and the Leader's SRA (to which all other SRAs are related) to show the deliberative process the Panel undertook in reaching this view and in line with the terms of reference that the Panel review the overall level of allowances.
20. The evidence reviewed indicated that the Basic Allowance did not need revisiting. The Panel undertook a benchmarking exercise and it shows the current Basic Allowance in Bracknell Forest Council is on par with that paid in a range of comparator authorities – see table 1 below.
21. **The Panel recommends that the Basic Allowance remains at £8,687 until the next review in 2014.**
22. **The Panel reaffirms that the Basic Allowance is inclusive of *incidental* expenses not otherwise specified in the Members' Allowances scheme.**

Table 1: Basic Allowances paid in comparator authorities groups

<b>Comparator Group of Authorities</b>	<b>Average Basic Allowance</b>
Bracknell Forest 2011/12	£8,687
Berkshire Unitary Councils & Comparator Councils 2011/12 (median)	£7,852
South East Employers Survey – All Unitary Councils 2010/11	£8,841
CIPFA Democratic Services Benchmarking Club – Comparator Group of Councils 2011/12	£8,700
CIPFA Democratic Services Benchmarking Club – 44 English Unitary Councils 2011/12	£9,462

### **Special Responsibility Allowances – Impact of Strong Leader Model**

23. The Panel previously identified that the piecemeal implementation of the Local Government and Public Involvement in Health Act (2007), commencing from 1<sup>st</sup> April 2008, would result in a strong leader model which may affect the roles of executive Members. This has now happened and Bracknell Forest Council like all councils with a Leader and Cabinet has implemented a strong leader model with all executive powers now vested in the person of Leader, who is appointed for 4 years subject to electoral cycles and retaining full support of the Council.
24. Historically, the Leaders' SRA in Bracknell Forest Council has been at the higher end of the comparative spectrum, nationally, regionally and sub-regionally. However, this pattern is not so distinctive any more – particularly at the national level. For instance, see Table 2 below.
25. Table 2 needs to be viewed with a degree of caution, as it does not highlight those councils where for instance the Leader may be receiving more than one SRA. Moreover the regional and sub-regional averages are decreased dramatically by the very low SRA paid to the Leader in Reading (£7,100). The Panel has always been content for the Leader of Bracknell Forest Council to be remunerated at a level that supports a full time role for leading a unitary council.

Table 2: Leaders SRAs paid in comparator authorities groups

<b>Comparator Group of Authorities</b>	<b>Average Leader's SRA</b>
Bracknell Forest 2011/12	£28,954
Berkshire Unitary Councils & Comparator Councils 2011/12 (median)	£22,409
South East Employers Survey – All Unitary Councils 2010/11	£21,762
CIPFA Democratic Services Benchmarking Club – Comparator Group of Councils 2011/12	£22,400
CIPFA Democratic Services Benchmarking Club – 44 English Unitary Councils 2011/12	£32,556

26. However, the implementation of the strong leader model in Bracknell Forest Council has not had a significant impact in how the Leader and other Executive Members operate; and the responsibilities of the posts. In effect, Bracknell Forest Council has always been a relatively strong leader model. Consequently, the Panel does not recommend a change to the Leader's or other Executive Members' SRAs.

### **The Chairman of Planning**

27. The Panel notes that the SRA for the Chairman of the Planning Committee is particularly high in the comparative context – see table 3 below. In its previous review the Panel recommended that the differential between the SRA for the Chairman of Planning and other non-executive SRAs was no longer justified and recommended that it be frozen, i.e., no annual index applied. In the event, all SRAs were effectively frozen as the applicable index resulted in zero percent for the past two years.
28. The SRA for the Chairman of Planning was set at such a high level (in the November 2003 Review) as the planning service was undertaking a review that resulted in a high workload for the Chairman of Planning – a review that is now bedded in. For instance, at the time the SRA was originally set 17% of planning applications were referred to the Planning Committee, now only 10% of applications are referred to the Planning Committee, partly due to the implementation of the 2008 Town and Country Planning Regulations; a proportion that may decrease further now that the Localism Act has been enacted (November 2011). This is in a context whereby the number of planning applications has also decreased, partly arising out of the economic turndown. Moreover, the Highways responsibility has now been removed from this committee, with some functions going to the executive and some functions being delegated to Officers.

Table 3: Planning SRAs paid in comparator authorities groups

Comparator Group of Authorities	SRA for Chairmen of Planning
Bracknell Forest 2011/12	£11,235
Berkshire Unitary Councils & Comparator Councils 2011/12 (median)	£6,333
South East Employers Survey – All Unitary Councils 2010/11	£6,515
CIPFA Democratic Services Benchmarking Club – Comparator Group of Councils 2011/12	NA
CIPFA Democratic Services Benchmarking Club – 44 English Unitary Councils 2011/12	NA

29. On the other hand, the Planning Committee is the largest committee of the Council with 19 members. Furthermore, while the requirement to develop the Local Development Framework (LDF) through Spatial Review and Area Assessment is an executive function the Planning Chairman is involved through the consultative LDF Steering Group.
30. Nonetheless, while the Panel recognises that the Chairman of Planning is the most high profile non-executive post in the Council the rationale for setting the SRA for the Chairman of Planning at a relatively high level no longer exists.
31. **The Panel recommends that the SRA for the Chairman of the Planning Committee be set at £7,239, which is 25% of the Leader’s SRA.**

#### **Independent Members appointed to the Education Appeals Panels**

32. The Council is required to maintain two types of Education Appeals Panels:
- **Admission Appeals Panel:** which determines appeals lodged by parents where their child is not offered a place at their preferred school; and
  - **Exclusion Appeals Panel:** which determines appeals lodged by parents against the permanent exclusion of their child from school.
33. Each appeal panel is made up of two categories of appointees:
- Those who have not worked in a school except as a governor or volunteer; and
  - Those who are experienced in education, such as teachers, teaching assistants or parents of registered pupils
34. Service on such panels is voluntary. Appeals are scheduled throughout the year and held during office hours. The admissions panels met on 21 occasions during

2010/11. The number of appeals fluctuates from year to year and can require a considerable commitment on the part of panellists.

35. The work of the Education Appeals Panels is regulated by the School Admission Appeals Code and Guidance on exclusion from schools and Pupil Referral Units. Education Appeals Panels Members can be compensated for loss of earnings or any individual expenses, including child-minding costs that are necessarily incurred because of attending an appeal panel or associated training. The payment is set by the local authority, which *must* have regard to the recommendations of its independent remuneration panel, as provided for in the Local Authorities (Members' Allowances) Regulations 2003. They are also eligible to receive travel and subsistence payments under regulation 7 of the Appeals Regulations in line with sections 173 and 174 of the Local Government Act 1972.
36. The current membership of the Education Appeals Panels have not sought to claim for financial loss in the past, largely due to the fact that most are retired or work part time/self employed, nor for costs of care of dependants. However, work is undergoing to widen and refresh the pool of Education Appeals Panel membership (in conjunction with other Berkshire Councils) so that they can better reflect the community as a whole. Consequently, the Panel views the ability to claim payments for financial loss as an important recruitment and retention tool in obtaining a wider pool of education appeals members.
37. In the past the payment of the Financial Loss Allowance to Education Appeals Panel Members was based on a historical cap as set by the Local Authorities (Member Allowances) Regulations 1999, which have since been revoked and replaced by 2003 Members' Allowances Regulations, which contain no provision for financial loss. However, the Panel feels that this original cap, with an indexation of 2% applied to reflect inflation, is an appropriate reference point in recommending the payments for financial loss that may be incurred by Members of the Education Appeals Panel.
38. **Consequently, applying a 2% uplift to the last allowance under the Regulations until 2009 (since when salary increases for elected Members have been frozen) the Panel recommends the following maximum payments to Education Appeals Panel Members:**
  - **£30.14 for a period not exceeding 4 hours**
  - **£59.10 for a period between 4 and 24 hours**
39. The Panel notes that these maximum payments would need to be supported by evidence to show actual loss of earnings.

## Care for Dependants

40. **The Panel also recommends that Education Appeals Panel Members may also be compensated for costs for caring for dependants while undertaking appeals and associated training. Any claims for reimbursement of these costs should be considered against the same criteria set out in the Bracknell Forest Council Members' Allowance scheme.**

## Travel and Subsistence

41. Currently Education Appeals Panel Members are eligible to claim Travel and Subsistence allowances. For travel by car, they are reimbursed at the Officer/Member rate of 45p per mile for first 8,500 miles and 25p thereafter or the actual cost of public transport. Their claims are not restricted to journeys outside the Council area on the basis that they are different to elected Members in that they do not receive remuneration to perform their function. Refreshments are always provided at appeals meetings, which mean the need to claim subsistence allowances is minimal but it would be reimbursed at Member/Officer rates if required.
42. **The Panel recommends that the current provisions for Members of Education Appeals Panels to claim Travel and Subsistence allowances (where appropriate) remains in place.**

## Provision of IT peripherals and consumables for Members

43. **The Panel recommends no change to the current provision of IT peripherals and consumables and recommends that the wording in the Scheme is amended to reflect the fact that Members can choose to use their own kit and broadband.**

## The wording regarding Mileage payments to track staff rates

44. **The Panel recommends that the Members' Allowances scheme should be amended so that the mileage payments should track those paid to Offices under the casual user rate, which in turn are based on Her Majesty's Revenue and Customs (HMRC) rates, as follows:**

### Approved mileage rates

Mode of Transport	First 10,000 business miles in the tax year	Each business mile over 10,000 in the tax year
Cars	45p	25p
Motor cycles	24p	24p
Bicycles	20p	20p
Passenger Supplement Rate	5p per passenger	5p per passenger

45. In particular it is recommended that the following wording is inserted into the Members' Allowances scheme:

***Councillors using a private vehicle for Council business, including travelling to and from home for meetings or other duties, must ensure that their vehicle insurance provides cover for such journeys. The Council will not be liable for any claims made against a Councillor in respect of motoring incidents or parking offences.***

***Mileage allowances payable to Councillors are the same as those payable to officer casual users, with the maximum rate for car journeys outside the borough subject to a maximum of 45p per mile to avoid the need to submit tax returns. The rates are set out at a level to cover fuel consumption, vehicle wear and tear, and to contribute towards maintenance and insurance costs. If a Councillor is claiming such allowances, s/he will be asked to provide details of their vehicle to the Head of Democratic and Registration Services and may be required to produce evidence to confirm insurance cover.***

#### **The wording regarding the Broadband Allowance to track staff rates**

46. The Panel received no evidence to indicate that the Broadband Allowance received by Members should not be paid at the same rates that are applicable to relevant Officers. **Therefore the Panel recommends that the Members' Allowances scheme be amended to reflect that the Members' Broadband Allowance should track the same rate paid to relevant Officers which is currently £9 per month.**

#### **Consideration of the current list of Approved Conferences**

47. The Panel received no representation that the current list of approved conferences for Members needed revising. Moreover, the Panel notes that this issue was considered during the previous review
48. **The Panel makes no recommendation regarding the current list of approved conferences for which Members are able to attend.**

#### **Other Issues brought to the Panels Attention during the Review**

##### **Vice Chairman of Planning**

49. By virtue of the fact that the Panel has recommended that the SRA for the Chairman of Planning should be reduced, it has applied the same logic to the SRA for the Vice Chairman of Planning. The role is primarily to stand in for when the Chairman of Planning is unavailable. The Panel has decided that the SRA for the Vice Chairman of Planning should be set at 10% of the Chairman's recommended SRA (£7,239), which is £723.

50. **The recommended SRA for the Vice Chairman of the Planning Committee is £723.**

**Vice Chairman of the Licensing & Safety Committee**

51. The Panel had some general concerns on the principle of remunerating the Vice Chairman of Committees. It will revisit the issue at the next review but in the interim, the Panel feels that the role of the only other remunerated Vice Chairman (which is Licensing), should also be at the same differential as that as the Vice Chairman of Planning, and that the SRA should be reset at 10% of the Chairman’s SRA.
52. **Consequently, the Panel recommends that the SRA for the Vice Chairman of the Licensing & Safety Committee should be £553, or 10% of the Licensing Chairman’s SRA of £5,526.**

**The Leader of the Opposition Group**

53. In the past two reviews, the Panel has recommended that the SRA for the Leader of the Opposition be reduced. It was originally set when the Opposition was much larger than it is now. It remains on a par with the SRA for Executive Members with a Portfolio (£15,926) and experience has shown that the responsibility of Executive Members is greater than that of Opposition Leaders. The Council has not accepted the Panel’s recommendations on the Opposition Leader’s SRA.
54. The Panel reiterates its view that the evidence no longer supports the case for the current SRA for the Leader of the Opposition. Moreover, as table 4 shows the comparative picture reinforces the Panel’s perception of the current level of SRA that the Leader of the Opposition receives. Consequently, the Panel has decided that the SRA for the Leader of the Opposition should reflect the national and regional averages and be set at one third of the Leader’s SRA (£28,954).

Table 4: Leader of the Opposition SRAs paid in comparator authorities groups

<b>Comparator Group of Authorities</b>	<b>SRA for Leader of Main Opposition Group</b>
Bracknell Forest 2011/12	£15,926
Berkshire Unitary Councils & Comparator Councils 2011/12 (median)	£7,999
South East Employers Survey – All Unitary Councils 2010/11	£9,426
CIPFA Democratic Services Benchmarking Club – Comparator Group of Councils 2011/12	£9,361

CIPFA Democratic Services Benchmarking Club – 44 English Unitary Councils 2011/12	£9,536
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55. **The Panel strongly recommends that the SRA for a single Leader of the Opposition should be set at one third of the Leader’s SRA, which equates to £9,651.**

**Where there is more than one Minority (Opposition) Group**

56. In the event that there is more than one Opposition Group then the SRAs for the Leaders of those groups, of which no more than two will be paid, should be a proportion of the SRA payable to the Leader of a single Opposition Group. The proportion would be based on the size of the group and recalculated in response to any changes. Consequently, regardless of the number of seats that two Opposition Groups may hold the total sum payable for Opposition Group Leaders’ SRAs will not exceed one third of the Leader’s SRA (£9,651), subject to any index applicable.

*For example if there were two minority groups with 3 and 2 members respectively then:*

- *Leader of the Minority Group with three members would receive an SRA equivalent to 3/5 of £9,651 which would be £5,791*
- *Leader of the Minority Group with two members would receive an SRA equivalent to 2/5 of £9,651 which would be £3,860*

**The Panel recommends that a Leader’s SRA be payable to no more than two minority groups. When there are two minority groups, each Leader’s SRA to be proportionate to the SRA of the single Leader of the Opposition.**

**Deputy Leader of the Opposition**

57. The logic behind the provision for an SRA for the Deputy Leader of the Opposition no longer applies. It was a recommendation that was applicable when the Opposition was much larger than it is now. **Therefore, the Panel recommends that the SRA for the Deputy Leader of the Opposition be discontinued until a Group reaches seven in number and that the current SRA be reduced to 10% of the single Leader of the Opposition SRA, e.g., £965.**

**Amendments to Allowances scheme to reflect title changes**

58. From time to time, the title of posts receiving an SRA change, usually reflecting a subtle difference in the role, such as in the portfolio held by an Executive Member, which has no substantive effect on the level of responsibility and therefore the SRA paid. It does not represent value for money to reconvene the Panel to consider the effect of such changes as no substantial change has been made. Consequently, **the Panel recommends that where there are changes in the title of a post that receives an SRA, that Officers can amend the Members’ Allowances scheme to reflect that change.**

## **Membership of the Local Government Pension Scheme**

59. In line with previous recommendations **the Panel recommends that the Members continue to be able to join the Local Government Pension Scheme if they so wish, with this authority extended for another four years**

## **A Future Review and Issues to Consider**

60. The Panel notes that the Localism Bill has now received royal assent. It is too early to assess the impact of the Localism Act, as it will be implemented in stages in the next couple of years. **Consequently, the Panel recommends that another review of the Members' Allowances scheme is held by April 2014 or at an earlier date if the Council so requests to respond to any changes in governance arrangements that would impact on the Members' Allowances Scheme.**
61. Furthermore, the Panel received representation that the effect of the abolition of the right to claim the travel allowance had affected disproportionately Member Champions as much of their work is in-authority. The Panel did not receive enough evidence to support this argument – it applies equally to all Members in receipt of an SRA and the Council is relatively compact in area: under 43 square miles. However, the Panel flags up that in the next review it will take a closer look at the role of Champion Members and the travel they are required to undertake within the Council area.
62. The Panel is also concerned about the growth over the years in the number of SRAs in Bracknell Forest Council, which currently stand at 60% of the Council. The Panel notes that only 50% of the Council are paid SRAs at the moment but the Panel feels this requires further consideration. At the next meeting the Panel will be looking to bring the total number of SRAs closer to 50%.
63. Finally, while the Panel has not recommended any changes in the IT consumables, peripherals, and communication support provided to Members, partly as there is an on-going review being led by Members in this field, the Panel will revisit this issue in 2014, as technological advances means this is a fast moving area.

## **Implementation of Recommendations**

64. **The Panel recommends that the recommendations contained in this report be implemented from 1<sup>st</sup> April 2012.**

## **Appendix 1 – Members and Officers Consulted by the Panel**

### **Members:**

Cllr Bettison	Leader of the Council – Conservative Group
Cllr Mrs Temperton	Opposition Leader – Labour Group
Cllr Dudley	Chairman of Planning Committee (via telephone with Chair of Panel on 2 <sup>nd</sup> December 2011)

### **Written Submissions Received:**

Mr Davies	Resident
Cllr Ms Brown	Labour Group
Cllr Harrison	Commuters Champion – Conservative Group
Cllr Thompson	Older Peoples Champion – Conservative Group

### **Officers:**

Ann Moore	Head of Democratic & Registration Services
Vincent Haines	Head of Development Management
Arthur Parker	Chief Accountant

## Appendix 2 – Information Reviewed by the Panel

1	Contact Details
2	IRP Terms of reference
3	Guidance on regulation for Local Authority Allowances
4	Itinerary for 20 October 2011
5	Part 6 – Members Allowances Scheme
6	IRP report – November 2009
7	Political structure chart
8	Meetings schedule 2010 - 2011
9	Cost of scheme including positions held and allowances received
10	Current Mileage Rates - August 2011
11	Current Subsistence Rates - April 2010
12	Mileage Claims 2010 – 11
13	LGA daily rate notice
14	Berkshire Unitaries and Family Authority Summary of Allowances
15	South East Employers survey of allowances – March 2011
16	Extract from CIPFA comparator councils report
17	Extract from CIPFA report comparing 44 Unitary Councils
18	Berkshire Unitaries and CIPFA Authority Comparison chart of support
19	Support provided to Members at Bracknell Forest
20	Payments for Education Appeal Panels
21	Member Role Descriptions
22	Correspondence from Mr Davies
23	Correspondence from Councillor Harrison
24	Correspondence from Councillor Ms Brown
25	Correspondence from Councillor Thompson
26	Proposed wording for Scheme re. Mileage
27	Actual cost of pension scheme
28	Paragraph 1.39 of School Admissions Appeals Code

29	Feedback from Head of Development Management
30	Cost of consumables and stationary
31	Response from Borough Treasurer re. budget position
32	Draft Independent Remuneration Panel report
33	Chairman's notes from telephone interview with Chairman of Planning
34	Articles from Bracknell Forest Standard dated 8 December 2011 regarding the budget proposals and the Councillor computer project.
35	Article from Bracknell News dated 8 December 2011 regarding the budget proposals
36	Letter from a resident, Mr A Davies re. attendance of Councillors
37	Email from exchange re. Political Groups – response from Ann Moore
38	Email from exchange re. Political Groups – response from Chairman
39	Notes from IRP session 15 November 2011