
Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Thursday 16 February 2023

Decision Type: Non-Urgent Non-Executive Non-Key

Title: MEMBERS ALLOWANCES SCHEME 2023/24

Contact Officer: Graham Walton, Democratic Services Manager
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Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: All

1. Reason for decision/report and options

- 1.1 The regulations governing Members' Allowances require that, before the beginning of each financial year, the Council shall make a scheme of allowances for that year, and this report details the proposed allowances for 2023/24. Until 2019 and 2020, when small increases were agreed, allowances had remained frozen since 2009 due to the economic circumstances and the pressure on the Council's budgets. In 2021 and 2022 the allowances remained unchanged.
- 1.2 If Members are minded to increase the allowances a reasonable guide would be the increase recommended for Council staff, which, subject to Member confirmation, is expected to be 7.75%. Proposals based on a 7.75% increase but with some other changes have been received from the majority group (see paragraph 3.5 below.)
- 1.3 The Mayoral and Deputy Mayoral Allowances are not part of the Members Allowances Scheme, but are usually considered in conjunction with it. The Scheme has to be agreed by full Council – this will be at the meeting on 27th February 2023.
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2. **RECOMMENDATIONS**

(1) The Committee is requested to consider the proposed Members Allowances Scheme 2023/24 and the Mayoral and Deputy Mayoral Allowances and in particular to consider whether to recommend that allowances are retained at the current level or are raised from 1st April 2023.

(2) The Committee is recommended to agree that the Members' Allowances Scheme 2023/24 (appendix 2) and the Mayoral and Deputy Mayoral allowances for 2023/24 (paragraph 3.4) be submitted to Council for approval.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
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Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority:
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: £1,116k (2022/23)
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: Democratic Representation – Members Allowances
Mayoral & Civic Hospitality – Mayoral Allowances
 4. Total current budget for this head: £1,116k for Members Allowance; £26k for Mayoral allowances
 5. Source of funding: Revenue Budget
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Personnel

1. Number of staff (current and additional): Not applicable
 2. If from existing staff resources, number of staff hours: Not applicable
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Legal

1. Legal Requirement: Statutory Requirement: (See section 5 below)
 2. Call-in: Not Applicable: This report does not involve an executive decision
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Procurement

1. Summary of Procurement Implications: Not applicable
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Property

1. Summary of Property Implications: Not applicable
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not applicable
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Customer Impact

1. Estimated number of users or customers (current and projected): Not applicable
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not applicable

3. COMMENTARY

- 3.1 Every local authority is required to have a basic, flat rate allowance payable to all Members, and is required to review its allowance scheme before the beginning of each financial year. The basic allowance recognises the time commitment of Councillors, including meetings with Council officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs and general expenses such as the use of Councillors' homes and equipment. It must be the same for all Councillors in the authority and may be paid either as a lump sum or in instalments throughout the year - Bromley has always paid allowances by monthly instalment. In addition, allowances can be paid to reflect particular posts (Special Responsibility Allowances) or membership of particular committees that meet frequently to determine applications (referred to as Quasi-Judicial Allowances). The quasi-judicial allowances are now paid as a set amount per meeting attended, rather than as a fixed amount per annum.
- 3.2 Following a detailed review in 2008, Members' Allowances were scrutinised by a Member working group which reported through to the Council. As a result certain allowances were upgraded to reflect Member duties at the time. The scheme remained largely unchanged for several years until, in 2016, a Member Working Group suggested some minor changes within the existing budget which were implemented for the 2016/17 Scheme, including rounding the allowances up or down as appropriate to the nearest £5. Between 2009 and 2019 Members consistently refused to increase their allowances, until increases of 2.25% and 2.5% were agreed in 2019 and 2020, in accordance with the increases for officer salaries. In 2020, Members also agreed additional increases for the Leader of the Council and the two Minority Group Leader posts. In 2021 and 2022 no major changes were made.
- 3.3 The regulations provide that before the Council makes or amends a scheme it shall have regard to the recommendations made by an independent remuneration panel report, although this requirement does not apply if the only change is the application of an annual indexation increase. London Councils set up an Independent Panel which meets every four years and last reported early in 2022, and this should be taken into account in determining the level of allowances each year. The Panel recommends an amount for the basic allowance for Councillors in London, and suggests amounts in five bands for positions of additional responsibility. Although Bromley's basic allowance is among the highest in London it is now slightly below the level suggested by the Independent Panel in 2022 (which is £12,014pa). Bromley's special responsibility allowances are in general substantially below the levels recommended by the Panel. A summary of the Panel's 2022 recommendations, with comparisons to equivalent Bromley roles, is set out in **Appendix 1**.
- 3.4 **Appendix 2** shows the proposed scheme for 2023/24 with three options on the final schedule – no increase, a 7.75% increase based on the anticipated increase in staff pay and a proposal from the Conservative Group.
- 3.5 The proposals received from the Conservative Group are based on the proposed 7.75% increase, rounded as appropriate, but with the following major changes –
- An additional allowance for the Deputy Leader of the Council (£28,000 rather than the £23,040 recommended for other Portfolio Holders.)
 - A new allowance of £2,150 for Vice-Chairmen of PDS Committees, Audit and Risk Management Committee and Pensions Committee (bringing these posts into line with the Vice-Chairmen of General Purposes and Licensing Committee and Development Control Committee.)
 - An increased allowance for the Chairmen of Audit and Risk Management Committee and Pensions Committee (bringing these posts into line with PDS Chairmen.)

- An substantial increase in the allowance for the Leader of the Opposition to £15,000, but removing the allowance for the Leader of the second largest minority Group.
- 3.6 These proposals involve additional annual allowance payments above the 7.75% proposal of £39,156, balanced by reductions of £5,179, an overall increase of an additional £33,977.
- 3.7 The Mayoral and Deputy Mayoral allowances are not part of the Member’s Allowances scheme, but can also be approved by Council and this will be included in the budget for 2023/24. The Mayoral Allowance is currently £16,452 and the Deputy Mayoral Allowance is £3,746.

4 FINANCIAL IMPLICATIONS

- 4.1 The 2022/23 budget for Members Allowances is £1,116k and £26k for Mayoral Allowances. Increasing these figures by the 7.75% being recommended for members of staff will increase these budgets to £1,202k and £28k. Provision has been made for the allowances in the draft revenue budget for 2023/24 to be approved by Council.

5 LEGAL IMPLICATIONS

- 5.1 The statutory provisions relating to Members’ allowances are contained in The Local Authorities (Members’ Allowances) (England) Regulations 2003 (SI 2003/1021).

Non-Applicable Headings:	Impact on Vulnerable Adults and Children/Policy/Personnel/Procurement
Background Documents: (Access via Contact Officer)	Report from the Independent Panel on Remuneration of Councillors in London (2022) Report to General Purposes and Licensing Committee, February 2022 – Members’ Allowances Scheme 2022/23

London Councils Remuneration Panel Report 2022 - Summary

London Councils Band	2022 London Councils Panel Recommendation	Example posts	Current (2022/23) LBB Equivalent Roles
Basic Allowance	£12,014	All Members	£11,393
Band 1	£2,807 - £10,218	Executive Assistant Sub-Cttee Chairman Leader of 2 nd Minority Group Members of Sub-Committees meeting frequently – e.g. Plans/Licensing	£3,746 £2,064 £4,667 £53 per meeting for Plans Sub-Cttee or Licensing Sub-Cttee £210 per meeting for Foster Panel
Band 2	£17,628 - £32,450	Civic Mayor Chairman of Regulatory Cttee Chairman of Scrutiny Panel Leader of principal Opposition Group	£16,452 £9,087 £7,483 £9,333
Band 3	£39,860 - £47,271	Portfolio Holder Chairman of Health & Wellbeing Board Chairman of main Overview and Scrutiny Committee	£21,380 £9,087 £9,087
Band 4	£62,092	Leader	£40,000
Band 5	£92,633	Directly Elected Mayor	N/A

London Borough of Bromley

Members' Allowances Scheme (DRAFT)

From 1st April 2023, in exercise of the powers conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 (2003 No. 1021) [as amended by SI 2003 No. 1692], the London Borough of Bromley will operate the following Members' Allowances Scheme.

1. This Scheme is known as the London Borough of Bromley Members' Allowances Scheme and will operate from 1st April 2023 until amended.

2. In this Scheme:

“Councillor” means a member of the London Borough of Bromley who is an elected Member;

“Member” for the purposes of this Scheme shall mean elected Councillors;

“year” means the 12 months ending 31st March.

3. The Council in agreeing this Scheme has considered the recommendations of the Independent Panel commissioned by London Councils on the remuneration of Councillors in London entitled “The Remuneration of Councillors in London 2022.”

Basic Allowance

4. A basic annual allowance of £11,393 shall be paid to each Councillor.

Special Responsibility Allowances

5. (1) An annual Special Responsibility Allowance will be paid to those Members who hold special responsibilities. The special responsibilities are specified in Schedule 1 (attached).
- (2) During periods after an election when any position of special responsibility is unfilled, the relevant Special Responsibility Allowance shall be payable to the new holder of the position from the day after the previous holder ceases to be responsible.
- (3) The amount of each Special Responsibility Allowance is specified against that special responsibility in Schedule 1. The conditions set out in paragraphs 5(2), 5(4) and 14 apply.
- (4) Where a Member holds more than one position of special responsibility then only one Special Responsibility Allowance will be paid. Subject to sub-paragraph (5), Members may be paid quasi-judicial allowances in addition to a Special Responsibility Allowance.
- (5) All Members of the Licensing Sub-Committee, Plans Sub-Committees, Appeals Sub-Committee and the Foster Panel shall be paid a quasi-judicial allowance at the rates set out in Schedule 1.

Childcare and Dependent Carers Allowance

6. The Council has agreed that no allowance will be paid for childcare or dependent carers.

Co-optees Allowance

7. The Council has agreed that no allowance will be paid for co-opted members

Travel and Subsistence Allowance

8. The Basic Allowance covers all intra-Borough travel costs and subsistence. All other necessarily incurred travel and subsistence expenses for approved duties as set out in the Regulations (Regulation 8(a) to (h)) will be reimbursed under the same rules and entitlement as applies to staff. Travel by bicycle will also be paid at the same rates as applies to staff. Claims for reimbursement are to be made within one month of when the costs were incurred.

Ability to Decline an Allowance

9. A Member may, by writing to the Director of Corporate Services, decide not to accept any part of his entitlement to an allowance under this Scheme.

Withholding of Allowances

10. The Standards Committee may withhold all or part of any allowances due to a Member who has been suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority. Any travelling or subsistence allowance payable to him/her for responsibilities or duties from which they are suspended or partially suspended may also be withheld.
11. Where the payment of an allowance has already been made in respect of a period in which a Member has been suspended or partially suspended, the Council may require the allowance that relates to that period of suspension to be repaid.

Members of more than one Authority

12. Where a Member is also a member of another authority, that Member may not receive allowances from more than one authority for the same duties.

Part-year Entitlements

13. If during the course of a year:
 - (a) there are any changes in the Basic and/or Special Responsibility Allowances,
 - (b) a new Member is elected,
 - (c) any Member ceases to be a Member,
 - (d) any Member accepts or relinquishes a post in respect of which a Special Responsibility Allowance is payable, or

(e) the Standards Committee resolves to withhold any allowances during the suspension of a Member,

the allowance payable in respect of the relevant periods shall be adjusted pro rata to the number of days.

Payments

14. Payments shall so far as is reasonably practicable normally be made for Basic and Special Responsibility Allowances in instalments of one-twelfth of the amount specified in this Scheme.

Schedule 1 (DRAFT)

Allowances for the year ending 31st March 2024

	Current (2022/23) £	With 7.75% increase £	Conservative Group Proposal £
Basic Allowance	11,393	12,276	£12,280
Special Responsibility Allowances			
Leader of the Council	40,000	43,100	43,100
Deputy Leader of the Council	21,380	23,037	28,000
Portfolio Holders (x6 or x7)	21,380	23,037	23,040
Executive Members without Portfolio	3,746	4,036	4,040
Executive Assistants (x6)	3,746	4,036	4,040
Chairman of Health and Wellbeing Board	9,087	9,791	9,800
Chairman of main PDS Cttee	9,087	9,791	9,800
Chairman of Portfolio PDS Cttees (x5)	7,483	8,063	8,250
Vice-Chairman of PDS Committees (x6)	0	0	2,150
Chairman of Development Control Cttee	9,087	9,791	£9,800
Vice-Chairman of Development Control Cttee	2,064	2,224	2,150
Chairman of Plans Sub-Cttees (x4)	2,903	3,128	3,130
Chairman of General Purposes and Licensing Cttee	9,087	9,791	9,800
Vice-Chairman of General Purposes & Licensing Cttee	2,064	2,224	2150
Chairman of Audit and Risk Management Cttee	2,064	2,224	8,250
Vice-Chairman of Audit and Risk Management Cttee	0	0	2,150
Chairman of Pensions Cttee	2,064	2,224	8,250
Vice Chairman of Pensions Cttee	0	0	2,150
Leader of largest Opposition Party	9,333	10,056	15,000
Leader of second largest Opposition Party	4,667	5,029	0
Quasi-Judicial Allowances			
Members of Plans Sub-Cttee (per meeting)	53	57	57
Members of Licensing Sub-Cttee (per meeting)	53	57	£57
Members of Appeals Sub-Cttee (per meeting)	53	57	57
Members of Foster Panel (per meeting)*	210	226	226

* Payable up to an annual maximum limit of £3,664 per Councillor

