

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON WEDNESDAY, 15 FEBRUARY 2012 AT 2.00PM.

Present:-

Independent Members

Mr J Irvine - Chairperson
Mr J Bevan
Mrs B Heller
Ms M Powell

Town and Community Councillors

Community Councillor D Lewis
Community Councillor R J Hancock

County Borough Councillor

Councillor R D Jenkins

Officers:-

Mr P A Jolley - Monitoring Officer
Mr A Rees - Senior Democratic Services Officer - Committees

42 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor B Quennell whose mother is unwell.

43 DECLARATIONS OF INTEREST

None.

44 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the meeting of the Standards Committee held on the 31 January 2011 be approved as a true and accurate record.

45 REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES - MEMBERS REMUNERATION

The Monitoring Officer reported on the determinations and recommendations contained within the December 2011 report of the Independent Remuneration Panel for Wales and the Panel's first report published under the requirements of the Local Government (Wales) Measure 2011. Under the powers provided by the measure, the Panel had produced a new set of regulations (IRPW Regulations) which come into effect on the 1 April 2012 and which applies to payments made to members and co-opted members of local authorities, National Park authorities and Welsh fire and rescue authorities.

The Monitoring Officer reported that the Local Government (Wales) Measure 2011 provides the power to prescribe the actual level of payments to members. Individual councillors can forgo all, or part of their salaries if they so wished. With the Measure in place the existing Regulations were revoked. The Monitoring Officer reported that the Panel had determined that payments made from the 2012/13 municipal year to members in local authorities would be referred to as 'salary' and the basic salary is paid for the responsibility of community representation and participation in the scrutiny, regulatory or related functions of local governance at the time equivalent of three days a week and remain payable during periods of family absence as defined

under the Measure. Any time commitment beyond three days is an unpaid public service contribution. Payments to co-opted members from 2012/13 would be by way of a daily fee. The term 'allowance' is reserved for payments which are for the reimbursement of expenses necessarily incurred in the performance of duties, (such as for care, travel and subsistence) by councillors and co-opted members of local authorities.

The Monitoring Officer reported that Bridgend had been set a maximum proportion of 33% of the council's membership that can be paid a senior salary, which equated to 18 members and made up from the following:-

Leader	
Deputy Leader	
Cabinet Member	
Committee Chairpersons	
Group Leader	(Largest Opposition Group)
Group Leaders	(Groups more than 10% of all council members)

The Council may distribute senior salaries across the responsibility bands as it sought fit, but the maximum number (18) of remunerated posts must not be exceeded, except for any period in which a temporary office holder substitutes for the family absence an appointed office holder. The Measure had also brought the civic responsibilities and payments to civic heads within the Panel's remit and the post of civic head and deputy civic head are excluded from the proportion of senior salary holders but will remain within the Panel's framework.

The Monitoring Officer reported that the Panel has determined that all councillors would receive a basic salary of £13,175 in 2012/13 which represented a 5% cut from the existing allowance. For those posts that Council decide to pay a Senior/Civic Salary, the Panel have determined that for 2012/13, payment (inclusive of Basic Salary) shall be as follows:-

Leader	£47,500
Deputy Leader	£33,460
Cabinet Member	£28,780
Committee Chairs/Leader of largest opposition group	£21,910
Leader of opposition group (>10% of Council Members)	£16,920
Civic Head (Mayor)	£21,375
Deputy Civic Head (Deputy Mayor)	£16,625

The Independent Remuneration Panel has indicated that change from the individual Special Responsibility Allowance (SRA) to the senior salary has reduced the payments for responsibilities shown by approximately 10%. The Panel has determined that :-

- A councillor must not be paid more than one Senior Salary.
- A councillor must not be paid a Senior Salary and a Civic Salary.
- All Senior and Civic Salaries are paid inclusive of Basic Salary
- The remuneration of Council Leaders and Cabinet Members is based on the Panel's assumption that these roles are full-time.

The Monitoring Officer reported on the level of payments to co-opted members (with voting rights) which is prescribed as a daily fee (with a provision for half day payments) which takes account of the considerable variation in the workloads of co-opted members across authorities in Wales. The daily and half day rates for co-optees were outlined and capped at the maximum of the equivalent of 10 full days a

year for each committee to which an individual may be co-opted. Payments are for meeting time only and include time spent on preparation and travelling. A half day meeting is defined as up to four hours and full day meeting is defined as over four hours.

The Monitoring Officer reported on the reimbursement of care expenses and for travelling expenses for official business with mileage rates at the current HMRC rates. The Monitoring Officer stated that it was not proposed to extend the definition of official business to include constituency responsibilities. He set out the maximum subsistence allowance rates for approved duties with all claims being supported by receipts. He outlined the expectations of the Panel in that Councils should:-

- Provide, without charge to individual councillors, as much support as is necessary (e.g. telephones, postal costs, IT equipment) to enable councillors to fulfil their duties as determined by the council.
- Make publicly available a statement of the basic responsibilities of a councillor, identifying clearly the duties expected.
- In the interests of transparency, in their annual public declarations of payments to members include remuneration from all public service appointments held by elected members.
- Negotiate with HMRC block tax dispensations for councillors in respect of the full range of allowable expenses and secure timely tax and benefit advice for councillors in respect of their earnings and expenses.

The Monitoring Officer reported that role descriptions had previously been agreed by Council for the various roles performed by Councillors and further work would be undertaken to develop role descriptions to cover all senior salary posts.

The Monitoring Officer reported that the Panel had recommended that Members who are in receipt of basic and senior salaries would be eligible to join the Local Government Pension Scheme and the Measure provides a power to the Panel to make determinations on pension entitlement for members of local authorities which it would be doing in 2013/14. There were currently 18 of the 54 elected members signed up to the Local Government Pension Scheme and if more members wished to join the scheme budgets would be required to be adjusted accordingly.

He stated that Section 153 of the Measure empowered the Panel to require authority to comply with the requirements imposed on it by a Panel annual report. It also enabled the Panel to monitor the compliance with Panel determinations on payments and pensions and would provide a comprehensive national framework for member remuneration which is consistently applied in all relevant authorities. He outlined the Panel's intentions to monitor compliance of its 2012/13 determinations. The Panel had introduced requirements on the Council to publish details of remuneration received by its members and co-opted members at the end of the municipal year or by the 30 September in each year and the arrangements for implementation of the Panel's decisions will be affected by the Local Government Elections in Wales with the following applying:-

- From 1 April 2012 to 7 May 2012 the Panel's determinations in its December 2010 Annual Report will continue to apply.
- From 7 May 2012 all the determinations in the Panels 2011 report will apply except those relating to Senior salaries subject to the newly elected councillors having signed the requisite declaration of office.
- For senior salaries the provisions of the 2011 report will take effect from the date of the Annual Meeting of Council on 16 May 2012.

The Monitoring Officer reported that the full impact of these changes could not be realised until the final publication of the guidance which compliments the Measure, although there will be a requirement to introduce a Democratic Services Committee and additional lay members to support the Audit Committee, which will produce at least one additional chairperson and additional co-optees that may be entitled to be remunerated. The outcome of the Local Government Elections in May will also have an effect on the details of the Schedule of Remuneration with the potential for the number of group leaders with a membership greater than 10% of all Council members increasing or decreasing which may impact on senior salaries. It was anticipated that the Independent Remuneration Panel determination will make savings in some areas and incur costs in others.

RESOLVED: That the Committee noted the report.

46 **EXCLUSION OF THE PUBLIC**

RESOLVED: That under section 100A(4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 that the public be excluded from the meeting during such consideration of the following items as the reports contain exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A and Paragraph 5 of Schedule 12A of the Act:

Following the application of the public interest test it was resolved that pursuant to the Act referred to above to consider the Confidential Minutes of the Standards Committee Meeting of the 20 October 2010 and the 31 January 2011 in private with the public excluded from the meeting as it would involve the disclosure of exempt information relating to a particular individual by virtue of Paragraph 12 of Part 4 of Schedule 12A of the Act.

Following the application of the public interest test it was resolved that pursuant to the Act referred to above to consider the referral by the Ombudsman of an investigation in the Section 69 of the Local Government Act 2000 in private with the public excluded from the meeting as it would involve the disclosure of exempt information relating to a particular individual by virtue of Paragraph 12 of Part 4 of Schedule 12A and Paragraph 5 of the Schedule 12A of the Act.

<u>Minute Nos.</u>	<u>Summary of Items.</u>
47	Confidential Minutes of the Standards Committee Meeting of the 20 October 2010 and 31 January 2011.
48	Referral by Ombudsman of Investigation Under Section 69 of the Local Government Act 2000.

