

Public Document Pack

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

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let us know if your language choice is Welsh.*



Annwyl Cyngorydd,

CYNGOR

Cynhelir Cyfarfod Cyngor o bell trwy Microsoft Teams ar **Dydd Mercher, 10 Mawrth 2021** am **15:00**.

AGENDA

1. Ymddiheuriadau am absenoldeb
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008.
3. I dderbyn cyhoeddiadau oddi wrth:
(i) Maer (neu'r person sy'n llywyddu)
(ii) Aelodau'r Cabinet
(iii) Prif Weithredwr
4. Derbyn cyhoeddiadau gan yr Arweinydd
5. Derbyn y cwestiwn canlynol gan gynrychiolydd o'r Grwp 'Save Our Fields' i Aelod Cabinet Cymunedau

Roeddem wrth ein bodd bod aelodau o Gabinet Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr, yn sgil astudiaeth ddichonoldeb Bryn Bragle, wedi cydnabod yn gyhoeddus werth manau gwyrdd i les eu trigolion a'u cymunedau. Mae'r Cyngorydd David wedi cydnabod "gwerth y man gwyrdd agored cyhoeddus hwnnw i gymuned Bragle"; mae'r Cyngorydd Smith wedi cydnabod mai ei "agwedd bob amser yw diogelu manau agored" ac mae'r Cyngorydd Burnett hyd yn oed wedi mynd mor bell â dweud y bydd y gwaith helaeth sydd wedi'i wneud yn sicrhau cadwraeth Bryn Bragle fel man agored gwyrdd. "

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Cyfnwidi testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

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We welcome correspondence in Welsh. Please let us know if your language choice is Welsh

Mae Erthygl 11.01 o Gyfansoddiad y Cyngor yn caniatáu i'r Cyngor ymgymryd â threfniadau ar y cyd â chyrff eraill er mwyn hybu llesiant, a'r pwerau hyn yn cael eu rhoi gan Ddeddf Llywodraeth Leol 2000.

I gydnabod y pwerau hyn, y rôl hanfodol y mae manau gwyrdd yn ei chwarae yn ein lles emosiynol a chorfforol, yn enwedig yn anterth pandemig byd-eang, ac ymrwymiad presennol CBSP i beidio â datblygu ar Fryn Bragle, a yw'r Aelod Cabinet yn cytuno i ddilyn addewid y Cynghorydd Burnet i gadw Bryn Bragle fel man agored gwyrdd a dechrau'r broses o weithio gyda Meysydd Chwarae Cymru ar unwaith i ddiogelu, yn gyfreithiol, Bryn Bragle a'r man agored gwyrdd yn Channel View a Foxfields drwy Weithred o Ymroddiad?

- | | | |
|-----|---|----------|
| 6. | <u>Datganiad Polisi Tâl - 2021/2022</u> | 5 - 48 |
| 7. | <u>Cam 1 Prosiect Rhwydwaith Gwres Tref Pen-y-bont ar Ogwr</u> | 49 - 56 |
| 8. | <u>Canllawiau Cynllunio Atodol Cyfleusterau Addysgol a Datblygu Preswyl</u> | 57 - 90 |
| 9. | <u>Trafodion Partïon Cysylltiedig 2020-21 a Datganiad Cyfrifon</u> | 91 - 98 |
| 10. | <u>Adroddiad Panel Taliadau Annibynnol Cymru 2021-2022</u> | 99 - 192 |
| 11. | <u>Derbyn y Cwestiynau canlynol gan:
Y Cynghorydd Altaf Hussain i'r Arweinydd</u> | |

Yng Nghymru, mae 60% o'r boblogaeth oedolion ac 1 o bob 8 plentyn 4-5 oed dros bwysau neu'n ordew, ac mae'r ffigur hwn yn cynyddu bob blwyddyn. Ceir tystiolaeth gyson bod gordewdra (pwysau gormodol) yn gysylltiedig â risg uwch o COVID-19 yn ogystal â'r risg o glefydau fel diabetes math 2, clefyd y galon, canser a chlefydau anadlol sydd eu hunain yn cynyddu'r risg o gymhlethdodau mewn rhywun sy'n contractio COVID-19. Gan wybod mai pwysau gormodol yw un o'r ychydig ffactorau risg y gellir eu hatal ar gyfer COVID-19, a allai'r Arweinydd roi gwybod i ni pa fesurau y mae'n eu cymryd i helpu'r trigolion hynny sy'n byw gyda gormod o bwysau neu ordewdra i gollu pwysau mewn modd cynaliadwy, ynghyd ag ymyriadau i atal cynnydd mewn pwysau a lleihau'r risg o COVID-19 yn ein Bwrdeistref?

Y Cynghorydd Tim Thomas i'r Aelod Cabinet - Gwasanaethau Cymdeithasol a Chymorth Cynnar

O'i gymharu ag awdurdodau lleol eraill, pa mor dda mae plant sydd mewn gofal yn llwyddo'n academiaidd ac mewn ffyrdd eraill yn yr ysgol?

Y Cynghorydd Matthew Voisey i'r Arweinydd

pam mae'r weinyddiaeth Lafur hon yn gwahaniaethu yn erbyn rhai gweithwyr allweddol, drwy beidio â chaniatáu i'r rhai yn y sector preifat gael mynediad at ddarpariaethau gofal plant yn ystod y cyfyngiadau symud presennol hyn, o ystyried y rhain yw'r union weithwyr y mae'r blaid Lafur yn honni eu bod yn gofalu amdanynt, gweithwyr rhan-amser a'r rhai sydd ar isafswm cyflog neu'n agos at hynny?"

- | | | |
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| 12. | <u>Materion Brys</u>
I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â Rhan 4 (pharagraff 4) o'r Rheolau Trefn y Cyngor yn y Gyfansoddiad. | |
|-----|---|--|

Nodyn: Sylwch: Yn sgil yr angen i gadw pellter cymdeithasol, ni fydd y cyfarfod hwn yn cael ei gynnal yn ei leoliad arferol. Yn hytrach, bydd hwn yn gyfarfod rhithwir a bydd Aelodau a Swyddogion yn mynychu o bell. Bydd y cyfarfod yn cael ei recordio i'w ddarlledu ar wefan y Cyngor cyn gynted ag sy'n ymarferol ar ôl y cyfarfod. Os oes gennych unrhyw gwestiwn am hyn, cysylltwch â cabinet_committee@bridgend.gov.uk neu ffoniwch 01656 643147 / 643148.

Yn ddiffuant

K Watson

Prif Swyddog – Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio

Dosbarthiad:

Cynghowrwy

S Aspey
SE Baldwin
TH Beedle
JPD Blundell
NA Burnett
MC Clarke
N Clarke
RJ Collins
HJ David
P Davies
PA Davies
SK Dendy
DK Edwards
J Gebbie
T Giffard
RM Granville
CA Green
DG Howells

Cynghorwyr

A Hussain
RM James
B Jones
M Jones
MJ Kearn
DRW Lewis
JE Lewis
JR McCarthy
D Patel
RL Penhale-Thomas
AA Pucella
JC Radcliffe
KL Rowlands
B Sedgebeer
RMI Shaw
CE Smith
SG Smith
JC Spanswick

Cynghorwyr

RME Stirman
G Thomas
T Thomas
JH Tildesley MBE
E Venables
SR Vidal
MC Voisey
LM Walters
KJ Watts
CA Webster
DBF White
PJ White
A Williams
AJ Williams
HM Williams
JE Williams
RE Young

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

10 MARCH 2021

REPORT OF THE CHIEF EXECUTIVE

PAY POLICY STATEMENT – 2021/2022

1. Purpose of Report

- 1.1 The purpose of this report is to seek Council approval for the Pay Policy Statement for 2021/2022. This is in response to legislative requirements and to provide openness and accountability in relation to how the Council rewards its staff.

2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015:-**
- **Smarter use of resources** – ensuring that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help deliver the Council's well-being objectives.

3. Background

- 3.1 The Council has a statutory requirement under the Localism Act 2011, Section 38(1) to prepare a Pay Policy Statement for the new financial year 2021/2022. This Statement needs to be approved and published by 31 March 2021.
- 3.2 The Pay Policy Statement for 2021/2022 has been produced on the basis of statutory guidance, advice from Welsh Local Government Association and guidance from Welsh Government.
- 3.3 The Pay Policy Statement provides the framework for decision making on pay, and in particular decision making on senior pay.

4. Current situation/proposal

- 4.1 The updated Pay Policy Statement for approval is attached at **Appendix 1**.
- 4.2 This has been produced in accordance with the requirements of the Localism Act 2011, which requires all local authorities to develop and make public their policy on all aspects of Chief Officer remuneration.
- 4.3 In order to achieve further transparency, reference has been included to the pay of other relevant groups within the policy statement.

4.4 Since its introduction on 1 April 2012, the Pay Policy has developed to take account of relevant guidance, legislation and changes to the Council's senior management structure over recent years. The pay structure relating to this group of staff is at Appendix B, within the Pay Policy, which should also be noted.

5. Effect upon policy framework and procedure rules

5.1 There is no effect upon policy framework and procedure rules.

6. Equality Impact Assessment

6.1 The Pay Policy will ensure openness and transparency in relation to the Council's approach to pay and reward.

6.2 The Council ensures that there is no pay discrimination within its pay structures and that all pay differentials are objectively justified.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 It is considered that there will be no significant or unacceptable impacts upon the achievement of the well-being goals/objectives under the Act as a result of this report. Any individual decision made under the Pay Policy will be subject to a full assessment.

8. Financial Implications

8.1 There are no financial implications arising from the recommendations in this report.

9. Recommendation

9.1 That Council approves the Pay Policy Statement 2021/2022 attached as **Appendix 1**.

Mark Shephard
CHIEF EXECUTIVE
March 2021

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Background documents: None

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BRIDGEND COUNTY BOROUGH COUNCIL

PAY POLICY 2021/2022

To be approved by:	Council
Approval Date	
Review Date	March 2022

Contents

Description	Page
1. Pay Policy Statement	3
2. Introduction	3
3. Scope	3
4. Legislative Framework	4
5. Accountability and Decision Making	4
6. Pay Structures & Job Evaluation	4-6
7. Support for Lower Paid Staff	6
8. Pay Relativities	6-7
9. Chief Officer Remuneration	7-9
10. Payments on Termination	9
11. Re-Employment	10
12. Publication	10
Appendices	Page
A. NJC Pay Scales	11
B. JNC Pay Scales	12
C. Soulbury Pay Scales	13-14
D. JNC (Youth & Community)	15
E. Policy on redundancy and severance payments (including additional pension payments)	16 - 23
F. Acting Rank/Honoraria Payments Protocol	24 - 25
G. Collective Agreements for both NJC & JNC	26 – 40

1. **Pay Policy Statement**
 - 1.1 This Pay Policy Statement for the period 1st April 2021 to 31st March 2022 provides the framework for decision making on pay and, in particular, decision making on senior pay.
 - 1.2 **Introduction from the Leader**

Bridgend County Borough Council recognises the importance of remuneration decisions that are appropriate, transparent, provide value for money and reward employees fairly for the work that they do. This policy statement sets out the Council's key approaches to pay for our employees.
2. **Policy Statement**
 - 2.1 Under Section 112 of the Local Government Act 1972 the Council has 'the power to appoint officers on such reasonable terms and conditions as the Authority thinks fit'. This Pay Policy Statement outlines the Council's approach to its pay policy in accordance with the requirements of 38(1) of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement from 2012/2013 and for each financial year after that, detailing:
 - a) The Authority's policies towards all aspects and elements of the remuneration of Chief Officers;
 - b) Their approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers;
 - c) The Authority's policies towards the remuneration of its lowest paid employees (including the definition adopted and reasons for it);
 - d) The relationship between the remuneration of its Chief Officers and other employees.
 - 2.2 As an employer this Council has a very wide range of functions and is responsible for the provision of many essential services at a local level. The general approach to employee remuneration levels may therefore differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. The Council will require some flexibility in its Pay Policy Statement to address changing circumstances which may or may not be foreseeable.
 - 2.3 This is an update to the Pay Policy Statement first issued in April 2012, and last updated with Council approval on 11th March 2020.
3. **Scope**
 - 3.1 Section 38 of the Localism Act 2011, requires Authorities to produce and publish a Pay Policy on all aspects of Chief Officer Remuneration (including on ceasing to hold office), and detail pertaining to the 'lowest paid' in the Authority. It also requires an explanation of the policy regarding the relationship between remuneration for Chief Officers and other groups.
 - 3.2 In the interests of transparency and accountability the Council has chosen to take a broad approach, producing a pay policy which covers all employee groups with the exception of School Teachers. The remuneration for this latter

group is set by the Minister for Education in Wales and not in the control of Local Authorities.

- 3.3 Nothing within the provisions of the Localism Act 2011 detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local tax payers. However, the Council will comply with this Pay Policy Statement in setting remuneration levels for all groups within its scope.

4. **Legislative Framework**

- 4.1 In determining the pay and remuneration of all its employees, the Council will comply with all relevant employment legislation.

5. **Accountability and Decision Making**

- 5.1 The Council's Constitution and Scheme of Delegation of Functions set out the procedure for decision making in relation to the organisational structure, recruitment, pay, terms and conditions and severance arrangements for all employees of the Council.
- 5.2 This Pay Policy Statement outlines the remuneration levels believed to be effective in facilitating a sufficient supply of appropriately skilled employees which can be objectively justified and provide the local tax payer with an assurance of value for money.
- 5.3 The Council is committed to an open and transparent approach to its pay policy which will enable the tax payer to access, understand and assess information on remuneration levels across all groups of council employees. To this end the following are provided as Appendices to this policy:-
- NJC Pay Scales (Appendix A)
 - JNC Pay Scales (Appendix B)
 - Soulbury Pay Scales (Appendix C)
 - JNC (Youth & Community) (Appendix D)
 - Policy on redundancy and severance payments (including additional pension payments) (Appendix E)
 - Acting Rank/Honoraria Payments Protocol (Appendix F)
 - Collective Agreements for both NJC & JNC (Appendix G)
- 5.4 The Pay and Grading Structure and any corresponding policies are reviewed when required and meet the principles of fairness, equality, accountability and value for money.

6. **Pay Structures & Job Evaluation**

- 6.1 The Council's pay structure for NJC employees was implemented in September 2013 follow the signing of a collective agreement with UNISON, GMB and UNITE (Appendix G). The pay structure was devised following the evaluation of all posts using the Greater London Provincial Council (GLPC) job evaluation scheme. Each pay grade has a corresponding job evaluation score.

- 6.1.1 The Council uses the nationally negotiated pay spine as the basis for its pay and grading structure. This determines the remuneration of the majority of the non-teaching workforce, together with the use of other nationally defined rates where relevant.
- 6.1.2 Addendums to the collective agreement have been agreed with the Trade Unions and they are attached within the collective agreement.
- 6.1.3 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy.
- 6.1.4 The Council seeks to maintain the equal pay requirements within the Pay and Grading Structure by evaluating any new or significantly changed roles through its Job Evaluation Scheme. This will ensure that all pay differentials can be objectively justified.
- 6.2 **National Pay Awards**
 - 6.2.1 For all employee groups, pay awards, agreed and negotiated at a national level by the Local Government employers in conjunction with Trade Unions will be applied. The Council will pay these as and when determined unless Council agrees otherwise.
- 6.3 **Starting Salaries**
 - 6.3.1 New appointments will normally be made at the minimum of the relevant grade, although flexibility exists to ensure the best candidate is secured.
- 6.4 **Talent Management**
 - 6.4.1 The Council's approach to talent management is through the employee appraisal process, which as well as placing an emphasis on performance, encourages the identification of learning objectives in the development of employee skills.
- 6.5 **Performance Related Pay**
 - 6.5.1 The Council expects high levels of performance from all employees and has an appraisal process in place to monitor, evaluate and manage performance on an ongoing basis. The Council does not have Performance Related Pay at any level.
- 6.6 **Market Supplements**
 - 6.6.1 Following Job Evaluation the Council does not currently have a Market Supplement policy. However, the Council recognises that recruiting and retaining staff on the current pay structure can be a challenge. In certain circumstances, it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience and skills. Consideration will be given to developing a Market Supplement scheme to cover such circumstances.

6.7 **Honoraria**

- 6.7.1 When the Council requires an employee to carry out additional duties to those of their substantive post, for a proposed period of time, an additional payment commensurate with those duties may be made in accordance with the Council's Acting Rank/Honorarium Payments Protocol, which is attached as Appendix F.

6.8 **Homeworking Allowance**

- 6.8.1 There is currently no homeworking allowance paid to staff. The Council are aware that this is being debated at a National level and with new working arrangements evolving, due to Covid 19, the Council will consider developing the allowance should it be required.

7. **Support for Lower Paid Staff**

- 7.1 The National Living Wage with effective from 1 April 2021 will be at £8.91.
- 7.2 The Real Living Wage (RLW) as set by the Living Wage Foundation, announced in November 2020, is £9.50 per hour. An NJC pay award for 2021 has not yet been agreed and will not be implemented by April 2021. However, Bridgend County Borough Council has agreed to increase the hourly rate to £9.50 per hour for all employees on Grades 1 and 2, where the hourly rate falls below the RLW. This will be reviewed on conclusion of the 2021 NJC pay negotiations.
- 7.3 The Council is committed to provide employees with opportunities to enhance their skills to enable them to fulfil their personal development aspirations.

8. **Pay Relativities**

- 8.1 The lowest paid individuals employed with the Council are at Grade 1, earning £17,943 a year, which increases to £18,328 when the RLW is applied.
- 8.2 The highest paid employee is the Chief Executive and the pay band minimum is £133,393 rising to £142,954. The salary of the current post holder is £142,954 per annum.
- 8.3 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton Report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earning was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between the highest paid salary and the median average salary of the whole of the Authority's workforce.
- 8.4 The median salary in the Council is £21,748 and falls within a Grade 6.

- 8.5 The current pay levels within the Council define the multiple between:
- the annual salary of the lowest paid Council employees and the Chief Executive (FTE basis) as: 1:7.8
 - the annual salary of the lowest paid Council employees and the average Chief Officer (FTE basis) as: 1:5.5
 - median earning of Council employees and the Chief Executive (FTE basis) as:1:6.6
 - median earning of Council employees and the average Chief Officer (FTE basis) as:1:4.6

9. **Chief Officer Remuneration**

9.1 For the purposes of this policy, Chief Officers and Deputy Chief Officers are defined within section 43 of the Localism Act. The posts within the Council's structure identified by the statutory definition include:

- Chief Executive
- Corporate Directors
- Chief Officers (Monitoring Officer & Section 151)
- Heads of Service

9.1.1 The Council also has Group Managers 1 and 2 (Grade 17 and 18). Such officers are also employed on the JNC Chief Officers' terms and conditions of employment although not all are defined as Chief Officers within the meaning of section 43 of the Localism Act.

9.1.2 The current salary ranges for the above posts can be found at Appendix B.

9.2 **Additions to Salary of Chief Officers**

9.2.1 The Council does not apply bonuses or performance related pay to its Chief Officers.

9.2.2 The Council pays all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.

9.2.3 The cost of membership of one professional body is met by the Council.

9.2.4 The Chief Executive is also appointed as Returning Officer. This is an office holding function rather than an employment contract. The Returning Officer will receive a fee from the organisation requiring the election to be carried out in accordance with the Fee Order in force at the time. In the case of a local election the Council's fee structure will be approved at the time.

9.2.5 The Deputy Returning Officer's fees are authorised by the Returning Officer in accordance with the Fee Order or, in the case of local elections, the Council's fee structure at the time.

9.2.6 Fees applied for all other Elections and referenda are prescribed by the UK Government or Welsh Government.

9.3 **Recruitment to Chief Officers**

9.3.1 The Council's Policy and Procedures with regard to recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in the Constitution. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

9.3.2 The Regulations prescribe that where an authority proposes to appoint a chief officer with an annual remuneration package of £100,000 or more the post must be publicly advertised. The only exception to this requirement is where the appointment would be for no longer than 12 months.

9.3.3 Where the Council remains unable to directly recruit Chief Officers or there is a need for interim support to provide cover for a vacant substantive Chief Officer post, the Council may consider engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money. The Council does not currently have any Chief Officers engaged under such arrangements. The Council is currently sourcing support from the Welsh Local Government Association (WLGA) on an interim basis to cover the post of Chief Officer – Finance, Performance & Change / S.151 Officer.

9.3.4 The Council recognises that it must consult with and have due regard to any recommendation received from the Independent Remuneration Panel for Wales when deciding whether to make changes to the salary of its head of paid service which is 'not commensurate with a change to the salaries of the Council's other staff'.

9.4 **Role of the Chief Executive**

9.4.1 The Council's Chief Executive, Mark Shephard, has worked in Bridgend County Borough Council since July 2003 and held a number of roles within the Council before being appointed Chief Executive in May 2019, following 4 months as Interim Chief Executive.

9.4.2 The Chief Executive is the Chief Officer who leads and takes responsibility for the implementation of the Council's priorities. The organisation has a gross revenue budget of £435 million and is responsible for a wide range of services employing some 5882 staff.

9.4.3 The Chief Executive works closely with elected members to deliver Bridgend County Borough Council's strategic objectives including corporate well-being

objectives; supporting a successful sustainable economy; helping people and communities to be more healthy and resilient; and smarter use of resources.

9.4.4 The Chief Executive provides leadership, direction and motivation for staff and is responsible for ensuring the effective use of resources.

9.4.5 The role includes representing the Council; working closely with Welsh Government, the Cardiff Capital Region City Deal, Cwm Taf Morgannwg University Health Board, South Wales Police and other national and regional bodies. The Chief Executive works collaboratively to ensure the interests of the County Borough are acknowledged and taken into account as well as having personal responsibility in respect of a number of statutory obligations.

9.4.6 There is a requirement for the Chief Executive to work in excess of normal hours as is necessary for the proper performance of the duties and responsibilities of the post, including evening and weekend commitments.

10. **Payments on Termination**

10.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age, is set out within its Ill Health, Early Retirement & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 do not apply as the Authority does not increase the total membership of active members (Regulation 12) or award additional pension (Regulation 13).

10.2 Statutory Guidance issued by the Welsh Government 'recommends that full Council should be offered the opportunity to vote before severance packages of £100,000 and above are approved for staff leaving the organisation'. However, Members must be aware of the statutory or contractual entitlements due to an employee and the consequences of non-approval by Council, in which failure to fulfil statutory or contractual obligations may enable an employee to claim damages for breach of contract.

10.3 In presenting information to full Council, all components of relevant severance packages including any statutory or non-statutory components should be set out clearly.

10.4 Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Council or Committee of the Council in the case of the Chief Executive or; Council or Council Committee or Officer with delegated powers at the time, in the case of other JNC Officers. The Chief Executive or officer with delegated power from the Chief Executive will determine such payments in respect of all other staff.

11. **Re-Employment**

11.1 Whilst having due regard to the Council's duty under Section 7 of the Local Government and Housing Act 1989, no Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract of Service) or through an external contractor commissioned to work on behalf of the Council.

11.2 In addition to the terms of the Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order (Amendment) 2010, the Council will not re-employ ex-employees who have been made redundant until a period of time has elapsed that is equal in length to the number of weeks' pay their compensation payment equates to, e.g. a redundant employee in receipt of 25 weeks redundancy pay would not be eligible for consideration for re-employment until 25 weeks after their termination date has passed. In the case of ex-employees accessing their pension it will only be possible to re-employ with specific approval.

12. **Publication**

12.1 The Council currently publishes its Annual Statement of Accounts in accordance with the requirements of the Accounts and Audit (Wales) Regulations 2014 (as amended) and discloses the following information in respect of remuneration:

- Salary, fees and allowances;
- Expenses;
- Termination payments and pension contributions;
- The number of employees whose remuneration, excluding pension contributions, is greater than £60,000 in multiples of £5,000 brackets of scale.

12.2 This Pay Policy Statement will be published on the Council's website as soon as is reasonably practicable after it has been approved by Council. Any subsequent amendments to this policy statement made during the financial year to which it relates will similarly be published.

13. **Appendices**

- NJC Pay Scales (Appendix A)
- JNC Pay Scales (Appendix B)
- Soulbury Pay Scales (Appendix C)
- JNC (Youth & Community) (Appendix D)
- Policy on redundancy and severance payments (including additional pension payments) (Appendix E)
- Acting Rank/Honoraria Payments Protocol (Appendix F)
- Collective Agreements for both NJC & JNC (Appendix G)

NJC Pay Scales

Effective from April 2020

SCP	Salary	Hourly Rate	Grades	
1	£17,942.41	£9.30	Grade 1	
2	£18,198	£9.43		Grade 2
3	£18,562	£9.62		
4	£18,933	£9.81	Grade 3	
5	£19,312	£10.01		
6	£19,698	£10.21		Grade 4
7	£20,092	£10.41	Grade 5	
8	£20,493	£10.62		
9	£20,903	£10.83		Grade 6
10	£21,322	£11.05		
11	£21,748	£11.27		
12	£22,183	£11.50	Grade 7	
13	£22,627	£11.73		
14	£23,080	£11.96		
15	£23,541	£12.20		
16	£24,012	£12.45		
17	£24,491	£12.69		
18	£24,982	£12.95		Grade 8
19	£25,481	£13.21		
20	£25,991	£13.47		
21	£26,511	£13.74		
22	£27,041	£14.02		
23	£27,741	£14.38	Grade 9	
24	£28,672	£14.86		
25	£29,577	£15.33		

SCP	Salary	Hourly Rate	Grades	
26	£30,451	£15.78		Grade 10
27	£31,346	£16.25		
28	£32,234	£16.71		
29	£32,910	£17.06		
30	£33,782	£17.51	Grade 11	
31	£34,728	£18.00		
32	£35,745	£18.53		
33	£36,922	£19.14		Grade 12
34	£37,890	£19.64		
35	£38,890	£20.16		
36	£39,880	£20.67	Grade 13	
37	£40,876	£21.19		
38	£41,881	£21.71		
39	£42,821	£22.20		
40	£43,857	£22.73		
41	£44,863	£23.25		Grade 14
42	£45,859	£23.77		
43	£46,845	£24.28		
44	£47,827	£24.79		
45	£48,809	£25.30	Grade 15	
46	£49,794	£25.81		
47	£50,776	£26.32		
48	£51,758	£26.83		Grade 16
49	£52,742	£27.34		

JNC Pay Scales

Effective from 1 April 2020

Designation	Trent Grade	Trent Scale Point	1st April 2020
Chief Executive	Grade 25	36	£142,954
		35	£139,768
		34	£136,580
		33	£133,393
Assistant Chief Executive	Grade 24	32	£128,220
		31	£125,227
		30	£122,303
		29	£119,448
Corporate Director [1]	Grade 23	28	£113,485
		27	£111,074
		26	£110,837
		25	£108,377
Corporate Director [2]	Grade 22	24	£100,149
		23	£97,925
		22	£95,752
		21	£93,626
Head of Service [1]	Grade 21	20	£86,814
		19	£84,972
		18	£83,129
		17	£81,287
Head of Service [2]	Grade 20	16	£78,296
		15	£76,560
		14	£74,863
		13	£73,203
Head of Service [3]	Grade 19	12	£69,777
		11	£68,730
		10	£67,699
		9	£66,684
Group Manager [1]	Grade 18	8	£66,119
		7	£64,864
		6	£63,633
		5	£62,425
Group Manager [2]	Grade 17	4	£59,429
		3	£58,301
		2	£57,194
		1	£56,109

Soulbury Pay Scales – 1 September 2020

EDUCATIONAL PSYCHOLOGISTS – SCALE A	
SCP	SALARY
1	£38,197
2	£40,136
3	£42,075
4	£44,012
5	£45,951
6	£47,889
7	£49,714
8	£51,538
9	£53,247
10	£54,959
11	£56,554

SENIOR & PRINCIPAL EDUCATIONAL PSYCHOLOGISTS – SCALE B	
SCP	SALARY
1	£47,889
2	£49,714
3	£51,538
4	£53,247
5	£54,959
6	£56,554
7	£57,209
8	£58,433
9	£59,646
10	£60,880
11	£62,090
12	£63,323
13	£64,577
14	£65,790
15	£67,061
16	£68,318
17	£69,585
18	£70,850

EDUCATIONAL IMPROVEMENT PROFESSIONALS			
SCP	SALARY	SCP	SALARY
1	£36,419	26	£67,257
2	£37,723	27	£68,419
3	£38,955	28	£69,597
4	£40,203	29	£70,777
5	£41,443	30	£71,956
6	£42,684	31	£73,124
7	£43,988	32	£74,311
8	£45,243	33	£75,498
9	£46,705	34	£76,714
10	£48,009	35	£77,927
11	£49,295	36	£79,174
12	£50,541	37	£80,402
13	£51,951	38	£81,642
14	£53,209	39	£82,866
15	£54,598	40	£84,089
16	£55,854	41	£85,318
17	£57,114	42	£86,546
18	£58,350	43	£87,773
19	£59,625	44	£89,006
20	£60,283	45	£90,236
21	£61,549	46	£91,468
22	£62,653	47	£92,705
23	£63,867	48	£93,930
24	£64,956	49	£95,160
25	£66,121	50	£96,392

JNC Youth & Community Pay Scales – 1 September 2020

SUPPORT WORKER RANGE	
SCP	SALARY
5	£19,308
6	£19,631
7	£19,922
8	£20,589
9	£21,439
10	£22,104
11	£23,178
12	£24,228
13	£25,313
14	£26,437
15	£27,202
16	£28,001
17	£28,787

PROFESSIONAL RANGE	
SCP	SALARY
13	£25,313
14	£26,437
15	£27,202
16	£28,001
17	£28,787
18	£29,579
19	£30,364
20	£31,152
21	£32,036
22	£33,039
23	£34,015
24	£34,997
25	£35,985
26	£36,973
27	£37,961
28	£38,961
29	£39,953
30	£40,947

REDUNDANCY AND REDEPLOYMENT POLICY

SCOPE

This policy will apply to all employees of Bridgend County Borough Council except:

- **Those employed under the JNC for Chief Officers Conditions of Service.**
- **Those employed by Governing Bodies in educational establishments under delegated powers.**

Date of Issue: April 2015

1. Introduction

- 1.1 This policy is designed to assist with the management of redundancy and redeployment situations within the Council. It should be read in conjunction with: the Council's Early Retirement, Ill Health Retirement and Redundancy Policy and the Managers' Guidelines attaching to this policy.
- 1.2 Whilst the Council's policy is to avoid redundancies wherever possible, the needs of the business may require a reduction in the overall number of employees or organisational changes that result in some employees being made redundant.
- 1.3 The Council, in consultation with the Trade Unions, will seek to avoid or minimise redundancies by exploring alternative options, such as
- "Natural turnover"
 - Redeployment
 - Retraining
 - Restrictions on recruitment [inc use of agency staff]
 - Early retirement
 - Voluntary redundancy, including "bumped redundancy" where someone other than the postholder's post is made redundant
 - Reduction or elimination of overtime
- 1.4 Where redundancy is inevitable the Council will handle the matter in the most fair, consistent and sympathetic manner possible in order to minimise any hardship that may be suffered by the employee(s) concerned. The Council will ensure that:
- the total number of redundancies made is kept to a minimum;
 - employees and their representatives are fully consulted on any proposals and their implementation;
 - selection for redundancy is based on clear criteria that will be determined objectively and fairly applied;
 - every effort is made to redeploy or find alternative work for employees selected for redundancy; and
 - support and advice is provided to employees selected for redundancy to help them find suitable alternative work.

2. Consultation

- 2.1 When a potential redundancy situation has been identified it will be necessary to write to the recognised trade unions and issue notice of formal consultation.
- 2.2 Selection criteria will be identified, where necessary, and where possible agreed with the employees/Trade Unions in advance.
- 2.3 Consultations will be carried out with affected employees and with the recognised Trade Unions over the proposals and the process to be followed. The consultation should start as soon as practicable and at least:-

Number of affected employees	Period of consultation
• Less than 20 employees	30 days
• 20 to 99 employees	30 days
• 100 or more employees	45 days

2.4 At the start of the consultation, written details of the following will be provided to employees and recognised Trade Unions:-

- the reasons for the proposals;
- the numbers of employees affected by the consultation and descriptions of employees that could potentially be made redundant;
- the total number of employees of any such description employed at the service unit in question;
- the criteria to be applied for selection for redundancy;
- how the redundancies are to be carried out, including the period over which the redundancies are to take effect.

2.5 Formal consultation meetings will be held with those employees potentially affected by the proposed redundancy.

2.6 Where an agreed position has not been reached by the end of the consultation period a further notice of formal consultation will be issued. The length of the second consultation period will be the same as the original. It is necessary for all parties to have undertaken genuine consultation with a view to avoiding redundancy and reaching agreement. Consultation should continue until all issues have been aired and parties have had a reasonable amount of time to comment on information provided and proposals made.

2.7 Following the completion of the consultation process, if no satisfactory resolution has been agreed to avoid a redundancy, the selection criteria will be applied to determine which employees will be issued with notice of redundancy.

3. Voluntary Redundancy

3.1 In order to minimise the need for compulsory redundancies, the Council will consider inviting expressions of interests from employees for voluntary redundancies.

4. Redundancy Selection

4.1 Where the need for redundancies arises, selection will be made on the basis of objective criteria, which will be reasonably, fairly and consistently applied. The Council will ensure that the selection criteria are applied to the affected employees.

4.2 The criteria to be used will normally include but is not limited to:

- Disciplinary record
- Qualifications
- Absence record
- Skills

- Standard of work performance
- 4.3 When developing selection criteria, the Council will ensure that full consideration is given to the protected characteristics identified in the Equality Act 2010 and ensure that reasonable adjustments are made as appropriate so that no employee is put at any disadvantage on account of the selection criteria.

5. Redeployment

- 5.1 The Council will make every effort to provide suitable alternative work to any employee who is selected for redundancy. Suitable alternative work will be considered both during the consultation period and after the conclusion of the consultation period. All current vacancies suitable for redeployment will be considered in respect of the selected employees, including where possible, consideration of retraining.
- 5.2 Prior consideration will apply where employee(s) express an interest in a vacancy at the same or a lower grade. The selection criteria for the post will be applied and, if met, interview(s) will be arranged. This process will be ring-fenced to the affected employees in the first instance.
- 5.3 Where interest is expressed for a post of a higher salary, the normal selection procedures will apply and consideration will be in competition with any other applicants.
- 5.4 Any offer of redeployment will be made in writing. This will include notification of the trial period which will apply to a redeployment appointment. Whilst this will be for a 4 week period, it can be extended or curtailed depending upon the individual circumstances.
- 5.5 During the trial period there will be performance review(s) at appropriate intervals. This will provide opportunity for the manager and employee to assess suitability. Should the redeployment be successful this will be confirmed and the written statement of particulars issued. If the redeployment is not successful this too will be confirmed in writing.
- 5.6 An employee may undertake more than one trial period during their period of notice.
- 5.7 Should an employee embark on a trial period and the four week period exceeds the date of termination, the trial period will continue for the 4 weeks. At the end of this period should the trial period be unsuccessful redundancy will be confirmed.
- 5.8 Where the redeployment involves an employee changing their normal place of work they will be paid excess travelling expenses, in accordance with the Council's allowances and expenses policy.
- 5.9 Suitable alternative employment opportunities must be agreed between the employee and ER Advisor so that prior consideration can be arranged. Where the employee does not agree that an opportunity is suitable, they must provide clear justification for their opinion. Should the employee decline the offer of suitable alternative employment, further redeployment opportunities will be explored during the period of the consultation and notice.

- 5.10 Should an employee refuse an offer of employment to a position which has been agreed as suitable alternative employment, or resigns during the trial period, the right to a redundancy payment will be lost.
- 5.11 In certain circumstances to avoid a redundancy situation, employee(s) who are in comparable positions but not directly affected by the proposed redundancy can be invited to express an interest in redundancy. This is a 'bumped redundancy' and will only be considered where its approval will save another employee facing redundancy. All bumped redundancy requests would be subject to a business case and would need to be agreed at a VER Panel meeting.
- 5.12 If after carrying out these steps there appears to be no possibility of redeployment, the employee(s) will be terminated in accordance with their notice period.

6. Dismissal by reason of Redundancy

- 6.1 In all cases where a dismissal is being considered the three step process will be followed:
- Step 1 - Employee to be advised in writing of the circumstances of the meeting.
 - Step 2 - Meeting takes place with the employee to determine the options.
 - Step 3 - Employee to be advised in writing of the outcome of the meeting.
- 6.2 Where an employee has been selected for redundancy following the application of the selection criteria, they will have the opportunity during the Step 2 meeting to make any representations in relation to their selection. Management will then consider these representation and, if necessary, extend the consultation period. A further meeting, where necessary, will be scheduled to inform the employee of the decision.
- 6.3 Whilst under notice of termination due to redundancy an employee is entitled to a reasonable amount of paid time off to look for alternative work, attend interviews etc. Employee(s) wishing to take advantage of this provision should seek prior approval for their absence with their manager in the normal manner.
- 6.4 Where an offer of employment is made by an associated employer i.e. any other local council or other relevant public authority and employment commences within four weeks of the date of termination, this disqualifies the employee from a redundancy payment.

7. Redundancy Notification

- 7.1 At least 45 days written notification must be given to the Department for Business, Enterprise and Regulatory Reform (BERR/BISS) if 100 or more employees are to be made redundant, and at least 30 days for 20 to 99 employees. For less than 20 employees, no notification to BERR/BISS is required.

8. Right of Appeal

- 8.1 The employee has a right of appeal against the decision of the Council. Appeal grounds can include;
- where an employee has been selected for redundancy and is dissatisfied with the way in which the Council has applied its redundancy selection criteria [including Equality Act 2010 issues]
 - where an employee believes that the redundancy procedure has not been applied correctly.
- 8.2 The appeal will be heard by Elected Members.
- 8.3 The employee has 7 calendar days in which to exercise their right of appeal from the date of receipt of the written notification of termination.
- 8.4 The appeal must be made in writing stating the grounds of appeal.
- 8.5 The bundles for the appeal must be exchanged no later than 7 calendar days before the date of the appeal hearing.
- 8.6 Members of the Sub-Committee will hear representations from the employee and his/her representative and from the Corporate Director (or nominated officer) before making its decision.
- 8.7 The decision of the Sub-Committee will be conveyed in writing to the employee and a copy provided to Human Resources.
- 8.8 The process to be adopted at the appeal hearing is set out in Appendix 1.

Procedure to be adopted at Appeal

1. The hearing will be held by the Grievance and Disciplinary Appeals Committee, who will be supported by one of the Council's Solicitors in the role of Clerk, a Human Resources Advisor and a minute taker.
2. The parties and their representatives shall be called in simultaneously before the Committee. At the start of the hearing the Chairman will introduce those present and will explain the procedure.
3. The Chief Officer or his/her representative will present the management's case calling, if appropriate, any witnesses to assist in substantiating or clarifying the facts.
4. The appellant or his/her representative will be entitled to question the Chief Officer or his/her representative and any witnesses.
5. The appellant or his/her representative will present the appellant's case calling, if appropriate, any witnesses.
6. The Chief Officer or his/her representative will be entitled to question the appellant and any witnesses.
7. The Members, Clerk of the Committee and the Human Resources Advisor will be entitled at any time during the hearing, with the consent of the Chairman, to ask questions.
8. Where new evidence arises during an appeal it may be appropriate to adjourn in order to investigate or consider such points.
9. The Chief Officer or his/her representative will be given an opportunity to sum up but will not be able to introduce any new evidence at this stage.
10. The appellant or his/her representative will be given an opportunity to sum up. He/she will not be able to introduce any new evidence at this stage.
11. All parties other than the Members of the Committee, the Human Resources Advisor and the Legal Clerk will withdraw from the meeting. The Human Resources Advisor and Legal Clerk will remain in the meeting whilst the Committee require advice.

12. Once the Committee has received advice from the Human Resources Advisor and Legal Clerk the Human Resources Advisor and Legal Clerk will withdraw, while the Committee considered the appeal.
13. The Committee may recall the Human Resources Advisor, Legal Clerk and minute-taker to clarify any points. Should the Committee require advice from the Human Resources Advisor or Legal Clerk both officers should be recalled together.
14. The Committee may recall the parties to clarify any points but, if so, must recall both parties and their representatives and allow them to comment if they so wish.
15. After the Committee has reached a decision on the appeal the parties and their representatives will be recalled and the decision announced to them together with the reasons for it. The decision will be confirmed in writing by the Human Resources Advisor as soon as possible after the hearing.

NOTE:

- The term 'Chief Officer' means Chief Executive, Assistant Chief Executive, Corporate Director or Head of Service of the Council.

The appellant may be represented by either his / her Trade Union representative or by a work colleague.

ACTING RANK/HONORARIA PAYMENTS PROTOCOL

PURPOSE

It will be necessary for the Authority to make arrangements to cover the absence of officers other than for annual leave purposes.

The payment of honoraria is designed to cover relatively short-term and usually unplanned absences to ensure that there is no reduction in provision of service.

PAYMENT

(Acting Rank)

1. Employees who are requested to undertake the full range of duties and responsibilities of a higher graded post are entitled to additional remuneration commensurate with those duties, for the period during which they are undertaken.
2. An employee will only receive an additional payment after the additional duties and responsibilities have been undertaken for a continuous period of 4 weeks.
3. Once the qualifying period of 4 weeks has elapsed, the additional payment will be paid with effect from the first day on which the employee undertook the additional duties and responsibilities.

HONORARIUM

1. Where employees are requested to undertake less than the full duties and responsibilities of a higher graded post an honorarium may be paid on a pro rata basis.
2. Where the duties and responsibilities are shared between two or more employees then any amount paid will be calculated pro rata dependent upon the circumstances of each case.
3. Employees who are requested to perform additional duties and responsibilities outside the scope of their substantive post e.g. undertaking project work will receive an honorarium based upon the value of the duties and responsibilities (valuated by HR/OD & JE).

SELECTION

(Acting up and honorarium payment)

1. An honorarium will be paid to an individual who is a recognised and agreed [by management] as deputy or assistant clearly identified within a section or division.
2. Where no obvious deputy exists the consideration should be given to sharing the honorarium between the direct line management reports of the [temporarily] vacant post.
3. Where no deputy or assistant exists but it is felt that just one person is required to undertake the full range of duties and responsibilities of the higher graded post, then competitive interviews should be undertaken.
4. The selection process will mirror the Authority's policy on Recruitment & Selection.
5. Where cover is anticipated to be required for between 1-3 months, the temporary vacancy will be ring-fenced to the Service Unit or Section in which it occurs.
6. Where cover is anticipated to be required for in excess of 3 months, it will be regarded as a temporary vacancy and will be dealt with under the Protocol for Secondments.

EXCEPTIONAL CIRCUMSTANCES

(Acting up and honorarium payments)

1. There may be occasions where a member of the Corporate Management Board [or nominated Officer] and the Group Manager HR/OD [or nominated officer] will determine that exceptional circumstances occur. In these cases there may be a requirement to deviate from the normal procedures, e.g., where a senior officer is absented, without notice, from his/her duties and responsibilities.
2. Each case will be determined on its merits and any deviation to the protocol will be authorised by a second member of the Corporate Management Board and the Group Manager HR/OD.

AUTHORISATION

1. All honorarium payments must be agreed with the Human Resources/Organisational Development Service Unit and only the Human Resources/Organisational Development Service Unit may authorise payment.

REVIEW PERIOD

1. All honorarium payments will be subject to a review period of no less frequently than 3 months.

Issue Date: October 2013 Updated March 2019



BRIDGEND COUNCIL

SINGLE STATUS / JOB EVALUATION

COLLECTIVE AGREEMENT

Working in partnership



Index

1. Introduction	Page 28
2. Scope	Page 28
3. Principles and Objectives	Page 28
4. Pay and Grading Structure	Page 29
5. Part 3 Terms and Conditions	Page 30-33
6. Assimilation into the New Pay Structure	Page 33
7. Pay Protection	Page 33-34
8. Payments for Employees Gaining on Implementation	Page 34
9. Appeals Procedure	Page 34
10. Implementation Date	Page 34
11. Signatures	Page 34

1. **Introduction**

- 1.1 The Council is legally required to carry out a review of its pay and grading structure and Part 3 terms and conditions under the 1997 national Single Status Agreement.
- 1.2 The purpose of this is to ensure employees covered by the Green Book receive the same terms and conditions of employment and any pay differential can be objectively justified.
- 1.3 This document sets out the terms of a collective agreement between Bridgend Council and the trade unions recognised for the purpose of negotiating on NJC pay and terms and conditions, UNISON, GMB and UNITE.
- 1.4 The agreement covers both a new pay and grading structure and any locally negotiated changes to “Part 3” terms and conditions covered by the Green Book.

2. **Scope**

- 2.1 The Single Status legislation covers all employees on NJC terms and conditions. It does not cover JNC Officers, Youth and Community workers, Teachers and those employees on Soulbury terms and conditions.
- 2.2 The legislation also does not cover employees who are on Craft terms and conditions (Red Book). However, it has been locally agreed that these employees are covered by this collective agreement.

3. **Principles and Objectives**

- 3.1 Develop a new pay and grading structure and agree terms and conditions covered by Part 3 of the Green Book that are both affordable and sustainable.
- 3.2 Ensure the pay and grading structure and terms and conditions are fair and equitable, thereby removing the pay inequality between male and female employees.

- 3.3 Ensure the Council can robustly defend any future equal pay claims post implementation.
- 3.4 The Council has elected to use the Greater London Provincial (GLPC) Job Evaluation scheme.
- 3.5 A partnership approach between the recognised trade unions, management, and the Job Evaluation team.
- 3.6 Develop benchmarks and job families for those areas of work that cover large numbers of employees in similar roles.

4. Pay and Grading Structure

- 4.1 The new pay structure uses spinal column points 5 to 55 and is made up of 16 grades of either 2 or 3 spinal points, illustrated below at current pay rates.

Table 1

Grade	JE Score		SCP Range		Min Salary	Max Salary
1	0	249	5	6	£12,312	£12,489
2	250	294	8	9	£13,189	£13,589
3	295	320	12	13	£15,039	£15,444
4	321	349	15	16	£16,054	£16,440
5	350	379	17	18	£16,830	£17,161
6	380	409	20	21	£18,453	£19,126
7	410	439	22	23	£19,621	£20,198
8	440	469	25	27	£21,519	£22,958
9	470	503	29	31	£24,646	£26,276
10	504	539	32	34	£27,052	£28,636

11	540	569	36	38	£30,011	£31,754
12	570	599	39	41	£32,800	£34,549
13	600	639	42	44	£35,430	£37,206
14	640	669	47	48	£39,855	£40,741
15	670	697	51	52	£43,361	£44,236
16	698+		54	55	£45,981	£46,855

5. Part 3 Terms and Conditions

All Part 3 terms and conditions are listed below.

Bank Holidays

- 5.1 Employees who work public and extra statutory holidays will in addition to their normal pay receive plain time rates of pay for all hours worked which equates to double time. Employees will also receive the actual hours worked as time in lieu.

Weekends

- 5.2 Employees that are rota'd to work on a Saturday and / or Sunday will be paid at time and a third.

Overtime

- 5.3 All overtime over 37 hours per week will be paid at time and a third.

Nights

- 5.4 Employees that are rota'd to work a night shift will be paid at time and a third. A night shift is between the hours of 10pm and 7.30am.

Standby for Non 24/7 Services

- 5.5 Employees on the standby rota will receive a payment of £32.94 per shift. There are 9 standby shifts a week, 5 shifts (Monday – Friday) and 2 shifts on Saturday and 2 shifts on Sunday. Should the employee be called out the hours worked will be paid at time and a third.

Emergency Response for Non 24/7 Services

- 5.6 Employees that are not on the standby rota and are called out to respond to an emergency will receive payment of £32.94. Should the employee be called out the hours worked will be paid at time and a third.

Special Rates for Cemeteries

- 5.7 All employees who carry out an exhumation will receive a payment of £150 per exhumation.

Sleeping in Duties

- 5.8 Employees that are required to sleep in on the premises will continue to receive a payment in line with the national agreement of £32.94 per night. Should the employee be awakened to work, the hours will be paid at time and a third.

Lettings

- 5.9 Current arrangements will continue at the time of signing. Any proposed changes will be subject to negotiation.

Approved Social Worker Payment

- 5.10 The Approved Social Worker payment will continue at the current rate of £1,907, 2 increments on top of the maximum of the Social Worker Grade. To receive this payment an employee must fulfil the following 2 criteria:
- Be in possession of a warrant
 - Participate on the rota for Approved Social Worker duties

Shifts

- 5:11 Shift payments will cease to be paid.

Unsocial Hours

- 5.12 Unsocial hours payments will cease to be paid.

Market Supplements

- 5.13 All market supplements will cease and the current policy will terminate.

Bonus Payments

- 5.14 All bonus payments will cease.

Telephone Allowance

- 5.15 All telephone allowances will cease.

Other Job Related Allowances

- 5.16 The following allowances will cease.

- Autistic Unit allowance
- Special Class allowance
- Forensic Lead Allowance

Car Allowances

- 5.17 Essential car user allowances will cease to be paid.
- 5.18 The mileage rate for cars will be 47p per mile for the first 8,500 miles claimed in the tax year and 27p per mile for all mileage claimed over 8,500. The mileage rate for motorcycles will be 24p per mile.

Current Arrangements

- 5.19 First Aid Allowance will continue at the current rate of £104 per annum.

6. Assimilation into the New Pay Structure

- 6.1 Employees receiving a pay increase at implementation (greens) will be assimilated to the bottom point of their new grade. Employees will receive an annual increment until the maximum point of the new grade is reached.
- 6.2 Employees whose salary point decreases on implementation (reds) will be assimilated to the top point of their new grade. The difference between the current and new grade will be subject to the pay protection arrangement detailed in section 7.
- 6.3 Employees whose current pay is within their new JE grade (whites) will be assimilated to the same point in the new grade. Employees will receive an annual increment until the maximum point of the new grade is reached.

6.4 Existing honoraria will need to be recalculated in line with the new pay and grading structure.

7. **Pay Protection**

7.1 All current pay protection arrangements will cease following implementation.

7.2 Following implementation of the new pay and grading system pay protection will be paid to cover any detriment. It will last for either 12 or 18 months and be paid monthly as a separate element through employees pay. See below:

- Employees that suffer a detriment below 25% will be offered 12 months pay protection.
- Employees that suffer a detriment of 25% and above will be offered 18 months pay protection.

7.3 Pay protection will be treated as pensionable.

7.4 The following conditions apply if an employee moves to a different post within the Council during the period of protection:

- If the pay of the new post is the same or higher than the protected (original) salary pay protection will end.
- If the pay for the new post is less than the protected pay, pay protection will continue. Pay protection will only be paid to cover the differential between the protected (original) salary and the new (lower) salary.

7.5 An employee who suffers a detriment for any other reason than the implementation of the new pay and grading system will not receive any pay protection. Examples of when an employee may suffer a detriment are shown below (this list is not exhaustive):

- Voluntary demotion,
- Involuntary demotion [eg, following a disciplinary process or restructure]
- Voluntary decrease in hours

7.6 Employees that lose the essential user car allowance will receive a one off payment in the form of a one off lump sum, equivalent to one year's allowance.

7.7 All employees eligible for pay protection or the essential user payment will be required to sign a compromise agreement prior to implementation.

8. **Payments for employees who are gaining on Implementation of the New Pay & Grading System**

8.1 Recognising that the original implementation date for a new pay and grading structure will be later than 1 April 2013 employees who will receive an increase in salary will have that increase effective from 1 April 2013.

8.2 These monies will be paid in a lump sum post implementation.

8.3 The payment will be treated as pensionable

8.4 These employees will be required to sign a compromise agreement prior to implementation.

9. **Appeals Procedure**

9.1 Employees will be able to register an appeal against the outcome of the job evaluation exercise in line with the Appeals Procedure provided in Annex 1.

10. **Implementation Date**

10.1 1st September 2013.

11. **Signatures and Date**

Bridgend Council Andrew Jolley (Assistant Chief Executive)



UNISON Andrew Woodman (Regional Officer)



GMB Kelly Andrews (Regional Officer)



UNITE Steve Sloan (Regional Officer)



BRIDGEND COUNCIL
SINGLE STATUS / JOB EVALUATION
COLLECTIVE AGREEMENT

ADDENDUM – January 2019

1. Introduction

1.1 The Council has previously complied with its statutory obligation to review its pay and grading structure and Part 3 terms and conditions under the 1997 National Single Status Agreement which relates to those employed under NJC terms and conditions.

1.2 At the conclusion of this review a Collective Agreement was entered into and the agreed scheme was implemented in September 2013.

1.3 The NJC pay agreement for 2018-2020 includes the introduction of a new pay spine on 1 April 2019.

2. Pay and Grading Structure

2.1 The existing pay structure ranges between spinal column points 6 - 55 comprising 16 grades, (each consisting of up to 3 increments).

2.2 The revised pay structure ranges between spinal column points 1 - 49 and will continue to comprise of 16 grades, (each consisting of up to 3 increments) as detailed below:

Old SCP	New SCP	Salary	Hourly Rate	Grades	
6/7	1	£17,364	£9.00	Grade 1	
8/9	2	£17,711	£9.18		Grade 2
10/11	3	£18,065	£9.36		
12/13	4	£18,426	£9.55	Grade 3	
14	5	£18,795	£9.74		
15/16	6	£19,171	£9.94		Grade 4
17/18	7	£19,554	£10.14	Grade 5	
19	8	£19,945	£10.34		
20	9	£20,344	£10.54		
-	10*	£20,751	£10.76		Grade 6
21	11	£21,166	£10.97		
22	12	£21,589	£11.19		
-	13*	£22,021	£11.41	Grade 7	
23	14	£22,462	£11.64		
24	15	£22,911	£11.88		
-	16*	£23,369	£12.11		
-	17	£23,836	£12.35		

Old SCP	New SCP	Salary	Hourly Rate	Grades	
32	26	£29,636	£15.36		
33	27	£30,507	£15.81		Grade 10
34	28	£31,371	£16.26		
35	29	£32,029	£16.60		
36	30	£32,878	£17.04		
37	31	£33,799	£17.52	Grade 11	
38	32	£34,788	£18.03		
39	33	£35,934	£18.63		
40	34	£36,876	£19.11		Grade 12
41	35	£37,849	£19.62		
42	36	£38,813	£20.12		
43	37	£39,782	£20.62	Grade 13	
44	38	£40,760	£21.13		
45	39	£41,675	£21.60		
46	40	£42,683	£22.12		
47	41	£43,662	£22.63		
48	42	£44,632	£23.13		Grade 14

25	18*	£24,313	£12.60		Grade 8
26	19	£24,799	£12.85		
27	20	£25,295	£13.11		
-	21*	£25,801	£13.37		
28	22	£26,317	£13.64		Grade 9
29	23	£26,999	£13.99		
30	24	£27,905	£14.46		
31	25	£28,785	£14.92		

49	43	£45,591	£23.63		
50	44	£46,547	£24.13		
51	45	£47,503	£24.62	Grade 15	
52	46	£48,461	£25.12		
53	47	£49,417	£25.61		
54	48	£50,373	£26.11		Grade 16
55	49	£51,330	£26.61		

3. Implementation of Revised NJC Structure





3.1 The date of implementation is 1st April 2019.

3.2 Employees will assimilate across on the 1st April 2019 and then be awarded an increment where available in line with their contract.

4. Other conditions

4.1 All other terms and conditions remain as set out in the original collective agreement.

5. Signatures and Date

Bridgend Council	Mark Shephard (Interim Chief Executive)	
UNISON	Lynne Hackett (Regional Officer)	
GMB	Kelly Andrews (Regional Officer)	
UNITE	Nicholas Blundell (Regional Officer)	

**Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Bridgend County Borough Council**



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

**BRIDGEND COUNCIL
SINGLE STATUS / JOB EVALUATION
COLLECTIVE AGREEMENT**

ADDENDUM – JULY 2018

1. Introduction

- 1.1 The Council has previously complied with its statutory obligation to review its pay and grading structure and Part 3 terms and conditions under the 1997 National Single Status Agreement which relates to those employed under NJC terms and conditions.
- 1.2 At the conclusion of this review a Collective Agreement was entered into and the agreed scheme was implemented in September 2013.
- 1.3 As part of a recent senior management review a decision has been taken to alter the JNC pay structure. This will allow movement between the NJC and JNC pay structures. To enable this a cap will need to be introduced to the NJC pay structure at Grade 16.

2. Pay and Grading Structure

- 2.1 The existing pay structure ranges between spinal column points 6 -55 comprising 16 grades, (each consisting of up to 3 increments).
- 2.2 Each grade has a corresponding JE score, however, Grade 16 (ie JE score 698 and above) is currently uncapped as there has previously been no progression past this point.
- 2.3 The amended pay structure will place a cap of 728 on Grade 16. Posts which are evaluated above 728 will move onto the JNC pay structure and associated terms and conditions, which are not covered by the collective agreement.
- 2.4 The amended senior management pay and grading structure (which includes JNC & NJC) is illustrated below and are based on salaries as at 31.03.18.

Designation	Grade	Point 1	Point 2	Point 3	Point 4	JE Score
Chief Executive	25	£124,781	£127,763	£130,745	£133,725	986+
Deputy Chief Executive	24	£111,737	£114,408	£117,143	£119,943	954-984
Corporate Director [1]	23	£101,381	£103,681	£103,904	£106,159	922-952
Corporate Director [2]	22	£87,582	£89,570	£91,604	£93,684	890-920
Head of Service [1]	21	£76,039	£77,762	£79,487	£81,210	858-888
Head of Service [2]	20	£68,477	£70,030	£71,618	£73,242	826-856

Head of Service [3]	19	£62,379	£63,329	£64,293	£65,273	794-824
Group Manager [1] JNC	18	£58,395	£59,525	£60,677	£61,851	762-792
Group Manager [2] JNC	17	£52,487	£53,502	£54,537	£55,593	730-760
Group Manager [3] NJC	16	£48,417	£49,336			698-728

3. Implementation of New NJC Structure

3.1 The implementation date for applying the cap to Grade 16 is 1st April 2018.

3.2 All Grade 16 postholders will be invited to complete a job description questionnaire for evaluation based on current duties.

3.3 Grade 16 posts that are subject to restructure proposals prior to implementation date will be considered as part of the restructure.

3.4 Employees will be able to register an appeal in accordance with the appeal process as set out at paragraph 9 of the original collective agreement.

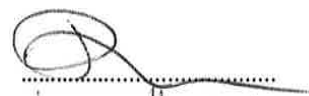
4. Other conditions

4.1 All other terms and conditions remain as set out in the original collective agreement.

5. Signatures and Date

Bridgend Council

Darren Mepham (Chief Executive)




UNISON

Lynne Hackett (Regional Officer)



GMB

Kelly Andrews (Regional Officer)



UNITE

Nicholas Blundell (Regional Officer)



BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

10 MARCH 2021

JOINT REPORT OF THE CORPORATE DIRECTOR COMMUNITIES AND INTERIM CHIEF OFFICER – FINANCE, PERFORMANCE AND CHANGE

BRIDGEND TOWN HEAT NETWORK PROJECT PHASE 1

1 Purpose of report

1.1 The purpose of this report is to:

- update Council on the development of the Bridgend Town Heat Network Project;
- seek approval for the inclusion of a budget of £3.4m within the capital programme for the project;
- seek approval for a loan of £1.821m to be made from the Council to the proposed Special Purpose Vehicle (SPV).

2 Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-

1. **Supporting a successful sustainable economy** – Taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives

3 Background

3.1 Bridgend County Borough Council (BCBC) initially started looking at the opportunities for the development of heat networks in Bridgend County Borough in 2012 with drivers for the projects identified as:

- **Decarbonisation:** Heat networks offer a key mechanism to help public sector buildings in Wales meet the Welsh Government and our Council's ambitious 2030 decarbonisation of the public sector target.
- **Economic:** UK Government have set ambitious targets for the development of heat networks across the UK and this will create a supply chain demand for new skills in the creation and operation of heat networks. This has also led to BCBC

working in partnership with Bridgend College to create a Heat Academy that will support the development of a supply chain in Wales.

- **Social:** The ability to manage bills and utilise local resources via a heat network has the potential to create local benefits in terms of lower bills and better managed homes and buildings leading to health benefits and reductions in fuel poverty.

- 3.2 The Bridgend Town Heat Network Project is included as a project within the BCBC Smart Energy Plan (SEP) (approved by Cabinet in February 2019). The Smart Energy Plan details the projects that BCBC will participate in during the period 2019 – 2025. This proposes to test various technologies, consumer propositions and business models to provide a pathway to the decarbonisation of Bridgend County Borough. It is also a key contributor to the Welsh Government’s decarbonisation strategy (published March 2019) “Prosperity for All: A Low Carbon Wales”.
- 3.3 The Bridgend Town Heat Network Project proposes to deliver heat (via a gas combined heat and power engine located within the Bridgend Life Centre) to the Bridgend Life Centre, Civic Offices and the Bridgend Bowls Hall. The project will also provide electricity to the Life Centre, Civic Offices and Bowls Hall.
- 3.4 A report was submitted to Cabinet in April 2018 seeking approval, in principle, for the financial case of the Outline Business Case for the project and to submit an application to UK Government through its Heat Network Investment Programme (HNIP). The report was approved by Cabinet on the 24 April 2018.
- 3.5 A capital grant application was made to UK Government via its Heat Network Investment Programme (HNIP) in April 2019. This was approved in December 2019 for: (i) £1,000,000 capital investment towards the construction of the heat network; and (ii) £241,000 for pre-construction activities.

4 Current situation/proposal

- 4.1 At its meeting of 19 January 2021 Cabinet approved the continued delivery of the Bridgend Town District Heat Network project.
- 4.2 Progression of the scheme involved certain financial decisions. One was to note that the Treasury Management Strategy will need to be revised to enable the Council to make a loan of £1.821 million to the SPV, and that this was to be reflected in the draft Treasury Management Strategy 2021-22 that was presented to the Audit Committee on 28 January 2021 and then subsequently to Council for approval in February 2021.
- 4.3 Cabinet also agreed that a report be taken to Council recommending that the capital programme be amended to include the Bridgend Town District Heat Network project and that Council agrees the loan to the SPV, subject to approval to changes to the Treasury Management Strategy.
- 4.4 In relation to procurement activity, Cabinet agreed to suspend the relevant parts of the Council’s Contract Procedure Rules which require procurements to be conducted under the Public Contracts Regulations 2015 and approved the

procurement of a Design Build Operate Maintain contractor for the Bridgend District Heat Network by utilising the negotiated procedure with prior call for competition under the Utilities Contract Regulations 2016. Cabinet agreed to Brodies LLP (legal advisers for the Council on this scheme) running the procurement of the Design Build Operate Maintain Contractor under the negotiated procedure with prior call for competition under the Utilities Contract Regulations 2016 on behalf of the Council. Cabinet also delegated authority to the Corporate Director Communities to tender the contract for the Design Build Operate Maintain contractor for the Bridgend District Heat Network, in consultation with the Chief Officer – Legal, HR and Regulatory Services using the negotiated prior call for competition under the Utilities Contract Regulations 2016 and noted that a further report shall be presented to Cabinet following the conclusion of the procurement of the Design Build Operate Maintain contractor for a decision on whether to award the contract.

- 4.5 Looking towards future phases of the Bridgend Town District Heat Network, Cabinet approved the procurement of and subsequent appointments of technical/financial consultant and a legal advisor to prepare an Outline Business Case for Phase 2 of the Bridgend Town Heat Network Project. This included delegating authority to the Corporate Director Communities to tender for the technical/financial consultant and Legal Advisor to prepare an Outline Business Case for Phase 2 of the Bridgend Town Heat Network Project and award the contracts to the successful tenderers, the contractual terms of the contracts to be approved by the Corporate Director Communities in consultation with the Chief Officer – Legal, HR and Regulatory Services.
- 4.6 Cabinet agreed to receive a further report on the creation of the Special Purpose Vehicle which will provide the commercial delivery mechanism for the project.
- 4.7 Since this time officers have progressed required actions aligned to the approval of these recommendations.
- 4.8 At its meeting of 9 March 2021, Cabinet have been asked to agree to the creation of a SPV as a Company Limited by shares for the Project and the use of 'Bridgend Heat & Power Ltd' as the SPV Company name. It was proposed that the Directors of the Company be the Corporate Director Communities, Head of Operations Community Services and Head of Partnership Services as Directors of the Special Purpose Vehicle. The report to Cabinet also outlined a proposed delegation of authority to the Chief Officer - Legal, HR & Regulatory Services to enter into the following and any other related agreements to enable the Company to be established:
- Articles of Association
 - Shareholder Agreement
 - Management Services Agreement
- 4.9 A number of recommendations relating to the finance of the project were also outlined to Cabinet on 9 March 2021. This included that Cabinet recommend to Council that the Capital Programme be amended to the full value of the project as outlined in section 8 below and that Cabinet recommend to Council that a loan be provided to the SPV for the Bridgend Town District Heat Network Project.

- 4.10 This report therefore seeks approval for the inclusion of a budget of £3.4m within the capital programme for the Bridgend Town Heat Network Project. Further details on the breakdown of the funding is presented in section 8 below. The Council will likely need to borrow the funding itself, within the terms of the approved Treasury Management Strategy, and then on-lend this to the proposed Special Purpose Vehicle (SPV). The interest rate charged to the SPV will ensure there is no detriment to the Council.

5 Effect upon policy framework and procedure rules

- 5.1 There are no effects upon Policy Framework or Procedure Rules as a result of this report.

6 Equality Impact Assessment

- 6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics and an EIA status of low priority is considered appropriate at this stage. It is considered that there will be no negative impacts from this report.

7 Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The Bridgend Town Heat Network Project is a positive step in regard to the Council's role in complying with the Well-being of Future Generations (Wales) Act 2015. The project demonstrates BCBC taking a positive proactive role within the decarbonisation agenda in Wales which will ensure that the significant environmental, social and economic opportunities created through the decarbonisation transition of the energy market will be captured for Bridgend as well as the area being able to demonstrate its compliance with national carbon reduction targets.

- 7.2 In terms of meeting the 5 ways of working within the Act:

1. **Long Term:** The Bridgend Town Heat Network Project will provide the foundation for Bridgend Town to develop a decarbonised heat system that meets the UK 2030 decarbonisation targets in line with BCBC's Local Area Energy Strategy and Smart Energy Plan.
2. **Prevention:** The Bridgend Town Heat Network Project will provide an opportunity for all to benefit from the decarbonisation transition and ensure that solutions are designed and available for everyone within Bridgend Town.
3. **Integration:** The Bridgend Town Heat Network Project offers an opportunity to develop a heat network that could serve Bridgend Town and that could ultimately offer carbon reductions, reduced fuel bills and create economic opportunities through a clearly identified value chain for the area.
4. **Collaboration:** BCBC is working in partnership with both UK Government and private sector partners to deliver the project.
5. **Involvement:** The Bridgend Town Heat Network Project involves working with a variety of stakeholders to deliver a sustainable solution for the decarbonisation of heat within Bridgend Town.

8 Financial implications

8.1 The Cabinet Report in April 2018, had the Phase 1 Year 1 capital outlay as £1.959m. This increased to £4.229m in April 2019 when an amended financial model was created as part of the grant submission to UK Government through the Heat Network Investment Programme (HNIP). The increase was driven primarily by the inclusion of the new Sunnyside development in the scheme. The later withdrawal of the development from the scheme has meant that the Year 1 capital outlay is currently £3.389 million. The total costs within the project are different to those presented in the original outline business case to Cabinet in April 2018, and those presented to Corporate Management Board in April 2019, due to a number of factors most notably:

- the withdrawal of the Sunnyside development from the project,
- the inclusion of the cost of upgrades to the transformer required at the Bridgend Life Centre,
- inflationary impacts, and
- future proofing of the further network connections.

8.2 The Capital Year 1 outlay for the project is £3.389m and the funding of this is broken down in Table 1.

Table 1 Project Funding

BCBC Capital Programme	£500,000	Already included within capital programme
BCBC Loan to SPV	£1,821,367	BCBC to fund from prudential borrowing
HNIP Grant	£1,000,000	Approved
Connection Charges	£67,366	Halo*
BCBC shares	£1,000	Economy, Natural Resources & Sustainability 2021-22 Budget
TOTAL	£3,389,733	

**This forms part of the Halo negotiations. However, if this contribution is not possible the Bridgend Town DHN project contingency budgets will be used and the cost recovered through the heat price payable by Halo.*

8.3 Further capital funding will be required through the life of the project for asset replacement and that is built into the business case. In terms of the loan, Council approved an amendment to its Treasury Management Strategy at its meeting on 24 February 2021, which enables the Council to lend up to £2 million to a third party. It is proposed that the Council approves a loan of £1,821,627, funded from prudential borrowing, to the Special Purpose Vehicle. The terms of the loan are outlined in Table 2 below.

Table 2 Loan Terms

Loan Amount	£1,821,267	
Repayment Loan Period	40	Compared to scheme financial evaluation period of 50 years
Interest Payable by BCBC (charged by PWLB to BCBC)	2.6%	To be determined at the date the loan is taken out by BCBC
Interest Rate charged to SPV	2.6%	To be determined at the date the loan is taken out by BCBC

8.4 A sum of £40,000 has been allocated in the financial model to pay for administrative and management services that the SPV will require. This figure will be reviewed once operational to ensure that it reflects the real costs of operation. Table 3 below shows the anticipated annualised cost for the operation.

Table 3 Annualised Cost of SPV Operation

Activity	Role	SPV Resource (days per month). £21,500 of budget is allocated to cover these allocations in the financial model	External Resource - Budget is specifically allocated for these activities in the Financial Model
Supporting new connections	Promotion	1	
Contract Performance	Governance	4	
Annual Accounts	Governance	0	External Audit - £5,392
Minor Asset Replacement	Ownership	2	
Major Asset Replacement	Ownership	0	
Insurances	Ownership	0	Insurances - £6,779
Supporting gaps in contract	Supplier of Last Resort	0	

Activity	Role	SPV Resource (days per month). £21,500 of budget is allocated to cover these allocations in the financial model	External Resource - Budget is specifically allocated for these activities in the Financial Model
Undertaking emergency operation	Supplier of Last Resort	0	
TOTAL		7.5	£12,171

9 Recommendations

9.1 It is recommended that Council:

- 9.1.1 Approves the inclusion of the Bridgend Town Heat Network Project within the capital programme with a budget of £3.4m.
- 9.1.2 Subject to Cabinet approving the establishment of the Special Purpose Vehicle at its meeting on 9 March 2021, approves a loan of £1.821m to the Special Purpose Vehicle on the terms set out in this report, and delegates authority to the Chief Executive to agree and approve the final terms of the Loan Agreement and arrange execution of the Loan Agreement on behalf of the Council subject to such powers being exercised in consultation with the Chief Officer - Legal, HR & Regulatory Services and the Interim Chief Officer, Finance, Performance and Change.

Janine Nightingale
Corporate Director Communities
9 March 2021

Gill Lewis
Interim Chief Officer – Finance, Performance and Change
9 March 2021

Contact Officer: Michael Jenkins
Team Leader Sustainable Development

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Background documents:

None.

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

10 MARCH 2021

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

EDUCATIONAL FACILITIES AND RESIDENTIAL DEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE

1. Purpose of report

- 1.1 The purpose of this report is to seek Members approval to adopt SPG16 - Educational Facilities and Residential Development as Supplementary Planning Guidance (SPG) to the Bridgend Local Development Plan (LDP).

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 In order to provide the children and young people of the County Borough with the opportunity to thrive and prosper the Council has a duty to ensure that good quality educational facilities are available, creating the opportunity to learn.
- 3.2 The development of new housing in the County Borough and the resulting increase of children and young people places existing education facilities under pressure. The planning system needs to ensure that the necessary steps are taken to avoid facilities being detrimentally affected and that adequate provision is available to cater for the learning needs of children and young people in Bridgend.
- 3.3 The guidance supplements Strategic Policy 14 and Policy COM10 of the adopted Bridgend Local Development Plan (2006-21). Its purpose is to provide advice to developers on the circumstances in which the Council may seek contributions towards the provision of educational facilities for new residential developments.
- 3.4 In summary the SPG sets out:

- The National and local Planning Policy context to educational provision;
- The Council's policy and practice relating to education;
- Guidance notes explaining the circumstances, mechanisms and the likely contributions that will be sought from residential developments;
- Examples of costings and calculations for contributions to educational facilities; and
- Guidance on how the policy will be administered.

3.5 It will enable developers to be aware, at an early stage in the development process, what educational facilities are likely to be needed and what financial contribution may be sought towards their provision.

4. Current situation/proposal

4.1 On the 16th January 2020 the Development Control Committee approved a draft version of the SPG as the basis for public consultation; authorised officers to make appropriate arrangements for public consultation; and agreed to await a further report on the outcome of the consultation process.

4.2 A 6-week period of public consultation was held between 21st February and 3rd April 2020. The consultation was advertised in the following ways:

- Statutory notices were placed in the *Glamorgan GEM* on the 27th February and the 5th March;
- The consultation documents were made available for inspection with representation forms at the reception desk of the Civic Offices, Angel Street;
- Information on the consultation, including all the documentation, representation forms and how to make representations was placed on the Council's website; and
- A copy of the draft SPG was sent to approximately 300 targeted consultees including Community Councils, planning consultants, house builders and housing associations taken from the LDP database.

4.3 By the end of the consultation period seven representations were received on the draft SPG. These representations have been summarised in **Appendix 1** to this report. Copies of the full representations are held by the Planning Department, and can be viewed by Members on request.

4.4 On 21st January 2021, the Development Control Committee considered all of the representations and agreed changes to be made to the document in light of the comments received. These are now incorporated as amendments to the SPG attached at **Appendix 2**. In summary, the main areas of change in the document arising from the public consultation responses are as follows:

- Clarification that the costs of school construction will be kept under review but only changed as part of a full revision of the SPG;
- Confirmation that the costs of temporary school accommodation will be determined on a case by case basis; and

- An explanation as to how the build costs for refurbishing a school have been calculated to be 65% of the build costs of a new school.

5. Effect upon policy framework and procedure rules

- 5.1 The SPG expands upon the existing land-use planning policy framework contained within the LDP giving the public and developers certainty in the Council's expectations in relation to achieving an appropriate level of Educational Facilities which will serve new residential development.

6. Equality Impact Assessment

- 6.1 There are no direct implications associated with this report. The adopted SPG supplements the plans and policies of the existing LDP which was subject to an Equalities Impact Assessment.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 Adoption of the SPG will provide a mechanism for the Council to secure contributions that reflect the actual cost of new school construction. This will help to raise the skills, qualifications and ambitions of all people within the County Borough, contributing towards the sustainable development principles required by the Act. It will also, in turn, help inform development of the Replacement LDP, which will be prepared in accordance with the 7 Wellbeing goals and the 5 ways of working as identified in the Act.

8. Financial implications

- 8.1 The adoption of SPG 16 will provide financial contributions towards the cost of providing educational facilities.

9. Recommendations

- 9.1 Council is recommended to:

9.1.1 Adopt SPG16 – Educational Facilities and Residential Development (**Appendix 2**) as Supplementary Planning Guidance to the adopted Bridgend Local Development Plan.

9.1.2 Agree that the SPG, in its adopted form, be published on the Council's website.

Janine Nightingale

CORPORATE DIRECTOR COMMUNITIES

10th March 2021

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Strategic Planning Team Leader

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Communities Directorate
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Bridgend
CF31 4WB

Background documents: None

Appendices: Appendix 1 - Educational Facilities and Residential
Development Consultation Responses

Appendix 2 - Educational Facilities and Residential
Development SPG

APPENDIX 1

Education Facilities and Residential Development SPG Consultation Responses

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
Coal Authority			I have reviewed the Supplementary Planning Guidance documents, the subject of this consultation, and can confirm that the Coal Authority has no specific comments to make.	Noted	No action required
Natural Resources Wales			We have no adverse comments on the above SPG.	Noted	No action required
Meryl Catherine Wilkins			This consultation document cannot predict the future of any planning as the pandemic Coronavirus has taken over and the outcome is unsure of any planning in Wales. As a very worried resident of Bridgend and Wales my declarations of interest has been made by me Meryl Catherine Wilkins in the land that your planning policies, put forward by the Bridgend County Borough Council and planning department are now being put forward to be developed and I do not agree. Policies are now out of date that Bridgend County Borough Council Planning Department and the Bridgend County Borough Council have put forward for consultation to me as a consultee of the SPG Draft Supplementary Planning Guidance and the consultation documents are fundamentally flawed because of the crisis we find ourselves in, we have no control of.	The consultee's comments are noted. The SPG intends to provide additional guidance to the policies contained within the existing Local Development Plan, which was adopted in 2013. It is not proposing any new policies. Indeed, the SPG will replace the existing document which was adopted in April 2010 and has not been updated since. Until the new SPG is adopted the existing out of date guidance will continue to be applied to planning applications. This will place the Council in a position where it is unable to seek the level of contributions required to help fund the cost of school provision. Any deficit in funding will have to be found by the Council at a time when financial budgets are limited. The new SPG is vitally important to enable the County Borough to recover from the financial impact of the Coronavirus pandemic.	No action required
Boyer on behalf of Llanmoor Homes	Table 1	11	<p>The report to the Development Control Committee of the 16th January 2020 states that the pupil yield formulas and the cost guidance contained in the existing Education SPG adopted in 2010 are in need of updating. However the increase in costs that are being suggested in the draft SPGs are substantial without sufficient evidence to justify the increases.</p> <p>Table 1 sets out the number of children generated per dwelling and whilst there is no change in the pupil yield for nursery schools (0.05) from the 2010 SPG, the secondary school pupil yield has risen from 0.18 to 0.20 (a 11% increase) and the primary school pupil yield from 0.22 to 0.33 (a 50 % increase). The justification set out in paragraph 5.9 states the following " <i>The pupil yield numbers above are based on the actual take up of</i></p>	As part of the review of the SPG, it was determined that the most accurate method of predicting the actual pupil yield was to undertake a review of a 'settled' site i.e. a site that had been fully constructed and which included the provision of a new school. The site chosen for this review was the Broadlands development in Bridgend, which consists of 2,305 dwellings in a mix of 1,2,3,4 and 5 bed houses. To ensure reliability and consistency, pupil data from 2011 to 2018 was analysed to determine the number of primary, secondary and post 16 pupils for each year. The enabled an average to be established and a yield rate to be calculated. The number of pupils attending special schools and SEN resource bases across the county borough as a proportion of the total pupil population was also analysed.	No action required

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			<p><i>school places from a completed new build housing development in the County Borough which included the provision of a new Primary School."</i></p> <p>Llanmoor Homes consider it totally unreasonable to propose such significant changes to the pupil yield on the basis of a single development and that the Council must provide much more convincing evidence and an acceptable methodology to justify the increase. It is inconceivable that the pupil yield for primary schools could have increased by 50% over the 2010-2020 period. It is normally the case that larger dwellings will have a larger pupil yield and therefore it is invalid to use one single development to derive the pupil yield especially if that development does not have a wide range of dwelling sizes. Other local authorities have based their pupil yield on an analysis of the latest Census statistics and school rolls and in Cardiff the pupil yield is calculated according to the number of bedrooms per house where the primary school yield for a 1 bed house is 0.0501 and for a 5 bed house it is 0.3059 which is below what the draft SPG is suggesting for Bridgend for all size of dwellings. Llanmoor Homes would be building up to 850 homes at West Bridgend and it would be there intention to provide a wide range of housing sizes including a large proportion of 1, 2 and 3 bed houses. In this situation it is suggested the Council adopt a similar approach to Cardiff and determine pupil yields per size of house so as to ensure that contributions for each dwelling are not based on what would be more appropriate for a 5 bed house.</p> <p>The significance of the impact of the proposed increases on the viability of proposals should not be underestimated. The SPG is also proposing to increase the cost per pupil place which are based upon Welsh standardised costs which have been tested against the costs of recently completed new school construction projects. Together with the proposed increase in pupil yields there would be a substantial increase in education contributions. For example the allocation of a scheme at West Bridgend that might accommodate 1,000 dwellings in total, would generate an additional 110 primary school places at £18,599 per place i.e an additional £2,045,890, together with an additional 20 secondary school places at £29,406 per place i.e an additional £588,120. The increase in the pupil yield alone, based on the revised costs per pupil place would result in an increase in the education contribution of £2,634,010.</p>	<p>The yield rates calculated were compared to those used by other authorities across South Wales and found to be comparable. A sensitivity analysis was conducted against other residential developments within the county borough, although data from such schemes did not have the same level of accuracy and consistency due to development not being completed.</p> <p>The updated cost multipliers have been obtained from Band B of the 21st Century School and Education Programme. Welsh Government have determined how they will fund local authorities per pupil place for Band B of the programme, with the cost and size rate per pupil calculated using the area guideline for schools and the construction industry rates. The rate also includes an amount for furniture, equipment and IT. The rates have been used to compare against actual Band A costs within the county borough to ensure robustness. As with the pupil yield rates, comparison has been made with the cost multipliers used by other South Wales authorities to ensure consistency.</p> <p>The potential impact on viability is acknowledged and accounted for in the draft SPG. In fact, the Council's keenness to determine an accurate appraisal of the viability of scheme proposals is demonstrated by the approach taken during the preparation of the LDP Deposit Plan, to which the consultee refers. This follows the guidance contained within Planning Policy Wales to establish the viability of potential strategic residential allocations at the Candidate Site stage rather than leaving such matters to the planning application stage. The Council has committed to the use of the Burrows Development Viability Model to help establish agreement between developers, applicants and the Council in determining the viability of development proposals at an early stage of the development process.</p>	

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
			<p>Based on the revised costs and pupil yield in the draft SPG the total contribution for education facilities for the scheme being promoted by Llanmoor Homes for approximately 850 would be as follows:-</p> <ul style="list-style-type: none"> • Nursery – $850 \times 0.05 = 42.5 \times \text{£}18,599 = \text{£}790,457$ • Primary – $850 \times 0.33 = 280.5 \times \text{£}18,599 = \text{£}5,217,019$ • Secondary – $850 \times 0.20 = 170 \times \text{£}29,406 = \text{£}4,999,020$ • Post16 – $170 \times 0.2 = 34 \times \text{£}29,406 = \text{£}999,804$ • ALN primary – $280.5 \times 0.015 = 4.2 \times \text{£}55,797 = \text{£}234,347$ • ALN secondary – $170 \times 0.015 = 2.55 \times \text{£}88,218 = \text{£}224,955$ <p>TOTAL EDUCATION CONTRIBUTION - £12,465,602</p> <p>This would be equivalent to a contribution of £14,665 per dwelling (including the dwellings required as affordable housing) which would be totally unreasonable and raises significant concerns about the viability of schemes throughout the Borough. In addition to education contributions there will be other Section 106 obligations; large amounts of infrastructure particularly for strategic sites and an element of affordable housing. Delivery and viability are likely to be key issues for consideration at the Examination into the LDP Review and the Council should be keen to ensure that they are not introducing too onerous requirements which will raise concerns about the soundness of the LDP.</p>		
Boyer on behalf of Llanmoor Homes	5.18	12	<p>Paragraph 5.18 of the draft SPG also gives cause for concern in stating that the costs will be regularly reviewed to reflect changes in the school building costs and that the most up to date data will be used at the time of the application. This is totally unacceptable. One of the main purposes of the SPG is to provide guidance to developers when carrying out viability appraisals and the figures should not be subject to change unless there is a formal review of the SPG including the necessary consultation.</p>	<p>Agree that the text of paragraph 5.18 could be misinterpreted. The costs and pupil yield figures contained in the draft SPG will be periodically reviewed to ensure that they reflect the actual cost of school construction and pupil generation respectively. If, as part of such a review, changes to the SPG are required these will be made following the same process as the adoption of a new SPG (i.e. following a public consultation exercise).</p>	<p>Amend text in paragraph 5.18 to read:</p> <p><i>“The figures above have been tested against the costs of recently completed new school construction projects and will be regularly periodically reviewed to reflect changes in school building costs. If such a review necessitates a change to the SPG, this will be undertaken as part of a formal SPG update (including public consultation). The most up-to-date data will be used at the time of the application. The figures quoted in this SPG are therefore subject to change.</i>”</p>

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
Boyer on behalf of Llanmoor Homes	7.6	15	<p>With regard to paragraph 7.6 and pre application discussions there is concern that we have not been able to discuss with the education department their site locations requirements for the land at west Bridgend. It is evident that the requirements to provide education facilities on site will have a significant implication for the viability of the scheme and ensuring the principles of place making are incorporated into the master planning process and it would have been appropriate for these matters to have been discussed with the Council's Education Department at an earlier stage in the process.</p> <p>In conclusion, Llanmoor Homes accept that the increase in costs per pupil place which have been updated in line with the Welsh Government standardised costs, but object strongly to the increase in the pupil yield which has been based on the take – up of a single site. This cannot be relied on to justify such a significant increase of 50% in the case of the primary school yield. Llanmoor Homes consider that the Council need to undertake considerably more research into this matter based on census data and consider allocating pupil yields to different house sizes to provide a fairer reflection of the financial contribution that would be required.</p>	The consultee's response to the provision of pre-application advice is noted. In the particular circumstances quoted, the scheme was presented as part of a Candidate Site proposal. To offer a formal response to all such proposals would have been physically impossible due to the demands on staff resources. Should such a service have been provided to one scheme, it would have only been fair to offer the same level of consultation to all site promoters. If a scheme is presented as part of a formal paid pre application enquiry to the Council's planning department, then a level of consultation with the Education and Family Support Directorate will be provided depending on the requirements of that particular scheme.	No action required
Savills			We do not have any comments to make on the Education and Residential Development SPG.	Noted	No action required
Barratt & David Wilson Homes	Section 7.16 (Viability)	16	BDW support the Council's commitment to an 'open-book' approach to assessing the viability of proposals, in order that planning obligations can be secured at appropriate levels to mitigate the impact of the development, whilst ensuring that the development remains viable. This is covered in greater detail in the draft SPG in comparison to the adopted SPG and is a welcome improvement.	Noted	No action required
Barratt & David Wilson Homes	7.17	16	BDW supports the statement at Paragraph 7.17 that certain proposals may be eligible for discounted or reduced contributions if it can be proven that the value of the contribution required will jeopardise a proposal's viability.	Noted	No action required

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
Barratt & David Wilson Homes	5.10 and 5.11	11	<p>Pupil Yields</p> <p>Paragraphs 5.10 and 5.11 explain how capacity is assessed to justify a request for a financial contribution. The number of pupils generated by a proposed development will be rounded up or down and will be assessed against the capacity of the school (s) in the catchment area of the new housing development. The Council will take account of the NOR to assess whether any surplus capacity exists with the catchment area (s). Net pupil places required above projected capacity are then calculated by offsetting a development's projected pupil yield against any existing school place surplus.</p> <p>This calculation does not appear to take account of the time it will take to complete a development and that school capacity often fluctuates over a period of time. It would therefore be reasonable to request that the Council also considers the delivery timescales for a proposed development compared to the projected school capacity when assessing the need for and level of contribution.</p>	<p>The time taken to complete a development is considered as one of the factors that contributes to the assessment of need for education contributions. Other factors include the capacity of schools within the catchment, the existing number of pupils on the school roll, school population forecasts, the LDP housing trajectory and existing planning consents. However, in order to provide a developer with an indication of the level of contribution required to factor into their viability appraisal, the existing capacity and number of pupils within the school is the most accurate method of predicting future need. Any Section 106 agreement can allow for this to be reviewed at the point in time that a contribution is due to be paid.</p>	No action required
Barratt & David Wilson Homes	5.17	12	<p>Costs</p> <p>BDW notes that there are no specific details of the 21st Century School Programme for Bridgend included within the SPG, which will be crucial in determining that contributions are necessary in specific areas and can be directly related to improvements which are programmed. Further details should be provided in the SPG.</p> <p>Paragraph 5.17 - BDW note that the cost per pupil place has increased and is now based on WG standardised costs, with Additional Learning Needs costs added as a separate category. It is accepted that these costs apply to a new school being built and it is presumed that these costs would cover the cost of the whole school, including all the necessary sports and other facilities usually provided in modern schools. However, education contributions are often used to provide temporary classrooms in existing schools, where space allows, and so we would expect the cost of this to be different (cheaper) than building a new modern school. This should be clarified in the SPG.</p>	<p>The purpose of Supplementary Planning Guidance is to provide additional information relating to the policies of the Local Development Plan. This is to help provide the reader with further detail relating to how the policies will be used and implemented in relation to the determination of planning applications. The LDP does not contain a policy on the 21st Century School Programme and the SPG does not solely relate to the delivery of that programme. However, information relating to the 21st Century School programme can be obtained from the BCBC website or by contacting the Education and Family Support Directorate.</p> <p>With reference to the costs of providing temporary classrooms as opposed to costs relating to a new school, the consultee is correct to identify that the costs will differ. Appendix A of the SPG includes the cost of temporary accommodation as additional costs that may be incurred. As these would not apply in all circumstances, the costs would be determined on a case-by-case basis and discussed with an applicant as part of a pre-application enquiry.</p>	<p>Add the following text to Appendix A to provide clarity:</p> <p><i>Any additional costs incurred will be calculated on a case-by-case basis.</i></p>

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
Barratt & David Wilson Homes	5.22	12	Paragraph 5.22 advises that if a school has capacity with regards to floorspace but the space is considered to be of an unsatisfactory standard to accommodate additional pupils created by a new development, then the costs of bringing this floor space up to standard is 65% of the cost of providing new additional space. This figure has not changed from the 2010 SPG, but neither document offers any justification or a source for the use of this figure. BDW consider that the rationale for using this figure should be clarified.	<p>The consultee is correct to identify that contributions towards the cost of refurbishing existing floorspace will be based on 65% of the cost of providing new additional space, and that this figure is included in the existing SPG. At that time, the figure was based on DfES data contained within <i>Funding Guidance for Building Schools for the Future Projects</i> (2005).</p> <p>In reviewing the SPG, it was found that a range of more up to date studies and data was available. These included:</p> <ul style="list-style-type: none"> • <i>National School Delivery Cost Benchmarking - A national cost benchmarking study</i> undertaken by Hampshire County Council in conjunction with East Riding of Yorkshire Council and the Education Funding Agency (Feb 2017). • Welsh Government's Cost and Size Standards released to Local Authorities in 2017 and 2018 to apply to Band B projects of the 21st Century Schools programme. This information was agreed by the 21st Century Schools Programme Board. <p>These documents provide various figures relating to costs for new build, refurbishment and extension projects. The refurb costs typically range from 62% to 71% of new development costs. On that basis, the figure of 65% sits comfortably within that range. This will be kept under review.</p>	<p>Add the following text to paragraph 5.22 to justify the percentage used:</p> <p><i>*Based on Welsh Government's Cost and Size Standards released to Local Authorities in 2017 and 2018 to apply to Band B projects of the 21st Century Schools programme.</i></p>
HBF	5.11	11	<p>HBF questions if the calculation takes account of the time it will take to build the development; on average most sites currently deliver between 40-100 units a year, with many sites having a lead in time of at least 6-12 months. This could mean that a development may take a number of years to complete, school capacity often fluctuates, and the numbers generated by the development will only reach full impact once the development is complete and fully occupied. Accordingly, it would seem reasonable to consider the delivery timescale of the development compared to the projected school capacity when assessing the need for a contribution and the level of contribution.</p>	<p>The time taken to complete a development is considered as one of the factors that contributes to the assessment of need for education contributions. Other factors include the capacity of schools within the catchment, the existing number of pupils on the school roll, school population forecasts, the LDP housing trajectory and existing planning consents. However, in order to provide a developer with an indication of the level of contribution required to factor into their viability appraisal, the existing capacity and number of pupils within the school is the most accurate method of predicting future need. Any Section 106 agreement can allow for this to be reviewed at the point in time that a contribution is due to be paid.</p>	No action required

Organisation	Section No.	Page No.	Representation	Reasoned Response	Decision and Action
HBF	5.17	12	Although HBF accepts these costs apply to a new school being built, we presume these cover the cost of the whole school including all the sports pitches and community facilities provided in new schools. However, education contributions are often used to provide semi temporary extra classrooms, so won't the cost of these be different (cheaper) to building a new modern school.	With reference to the costs of providing temporary classrooms as opposed to costs relating to a new school, the consultee is correct to identify that the costs will differ. Appendix A of the SPG includes the cost of temporary accommodation as additional costs that may be incurred. As these would not apply in all circumstances, the costs will be determined on a case-by-case basis and discussed with an applicant as part of a pre-application enquiry.	Add the following text to Appendix A to provide clarity: <i>Any additional costs incurred will be calculated on a case-by-case basis.</i>
HBF	5.22	12	The HBF agrees that the build cost associated with refurbishment should be reduced but question where the 65% figures comes from, this should be explained/justified in the document.	<p>The consultee is correct to identify that contributions towards the cost of refurbishing existing floorspace will be based on 65% of the cost of providing new additional space, and that this figure is included in the existing SPG. At that time, the figure was based on DfES data contained within <i>Funding Guidance for Building Schools for the Future Projects</i> (2005).</p> <p>In reviewing the SPG, it was found that a range of more up to date studies and data was available. These included:</p> <ul style="list-style-type: none"> • <i>National School Delivery Cost Benchmarking - A national cost benchmarking study</i> undertaken by Hampshire County Council in conjunction with East Riding of Yorkshire Council and the Education Funding Agency (Feb 2017). • Welsh Government's Cost and Size Standards released to Local Authorities in 2017 and 2018 to apply to Band B projects of the 21st Century Schools programme. This information was agreed by the 21st Century Schools Programme Board. <p>These documents provide various figures relating to costs for new build, refurbishment and extension projects. The refurb costs typically range from 62% to 71% of new development costs. On that basis, the figure of 65% sits comfortably within that range. This will be kept under review.</p>	Add the following text to paragraph 5.22 to justify the percentage used: <i>*Based on Welsh Government's Cost and Size Standards released to Local Authorities in 2017 and 2018 to apply to Band B projects of the 21st Century Schools programme.</i>
HBF	5.24	12	The SPG should clarify that the land value is the value of land purchased for educational purposes only.	In circumstances where provision for a new school is to be made off-site, then the valuation of the land should reflect the land value had the school been provided on-site.	No action required

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YSGOL GYNRADD
PENCOED
PRIMARY SCHOOL

SPG16

Educational Facilities and
Residential Developments

Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend, CF31 4WB

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SPG 16

EDUCATIONAL FACILITIES & RESIDENTIAL DEVELOPMENT (2021)

The purpose of this Supplementary Planning Guidance (SPG) is to expand on the Council's existing planning policy on educational facilities contained within the adopted Local Development Plan. It outlines how the Council will, where appropriate, seek planning obligations to provide or enhance education and school facilities as part of new residential developments throughout the County Borough of Bridgend. This document has been formulated as a result of close cooperation between the Communities and Education & Family Support Directorates of the Council, both of which will be involved in the negotiation for the delivery of educational facilities through the planning system.

This SPG will be a material consideration in the determination of all planning applications for residential development including applications for renewal of consents.

The Council would urge anyone seeking to submit an application for residential development within the County Borough to consider this SPG and to contact the Local Planning Authority in advance of submitting an application to discuss the issues that are raised in this document on a site-specific basis.

CONTENTS

Section	Page Number
1. Introduction	3
2. Background	3
3. Legislation & Policy Context	4
4. Education Provision	7
5. Developer Contributions	10
6. Calculating the Requirement	14
7. Administration of the Policy	15
Appendices	18

1. INTRODUCTION

- 1.1 This supplementary planning guidance (SPG) explains in detail the Council's approach to the provision of educational facilities and outlines how the Council will, where appropriate, seek planning obligations to provide or enhance education and school facilities as part of new residential developments throughout the County Borough of Bridgend. Once adopted its contents will be taken into account as a material consideration in the determination of all planning applications for residential development including applications for renewal of consents.

2. BACKGROUND

- 2.1 Bridgend County Borough Council (BCBC) receives a high number of applications each year for new housing development. These new residents create a demand for school places and as a result, there may be a need for new educational facilities or an improvement to existing provision. In order to ensure communities are not disadvantaged and that there is sufficient and satisfactory educational provision for the children and young people generated by new developments, the Council will, where appropriate, seek contributions towards providing or enhancing educational facilities. To meet this demand Policy COM10 of the Bridgend Local Development Plan (LDP) requires the provision of Educational and Training Facilities.
- 2.2 The new or extended facilities identified in Policy COM10 form part of the Council's School Modernisation Programme. This is a programme that will deliver improvements to school provision throughout the County Borough. The School Modernisation Programme is however an evolving process, and other proposals based on educational need may become priorities during the lifetime of the LDP. To assist in delivering the proposals set out in Policy COM10 and other educational needs that may arise, Policy SP14 - Infrastructure requires new housing development to contribute, where justified, to new educational facilities.
- 2.3 The Council urges anyone intending to submit an application for residential development within the County Borough to read this SPG. To discuss any issues on a site-specific basis they may contact BCBC in advance of making a planning application for pre-application discussions (see Section 7 at the end of the SPG).

3. LEGISLATION AND POLICY CONTEXT

- 3.1 **Well-Being of Future Generations (Wales) Act 2015:** The Well-being of Future Generations (Wales) Act 2015 is a key piece of legislation which aims to further improve the social, economic, environmental and cultural well-being of Wales now and in the longer term. The Act puts in place a ‘sustainable development principle’ which is a duty for public bodies to “act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”. The Act is underpinned by seven well-being goals, which public bodies must work to achieve (a prosperous Wales, a resilient Wales, a healthier Wales, an equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and thriving Welsh Language and a globally responsible Wales).
- 3.2 **Bridgend Public Services Board Local Well-being Plan 2018 – 2023:** The Well-being Plan (the Plan) outlines how the Bridgend Public Service Board will work together to deliver the seven wellbeing goals for Wales as referenced in the Wellbeing of Future Generations (Wales) Act. The Plan is framed around the sustainable development principle and focusses on addressing the underlying causes of problems and helping to prevent them worsening or occurring in the future. Four well-being objectives have therefore been developed, which are:
1. Best Start in life
 2. Support communities in Bridgend County to be safe and cohesive
 3. Reduce social and economic inequalities
 4. Healthy choices in a healthy environment
- 3.3 This plan recognises the long lasting impact positive early years’ experiences have on individuals and families and shape the future for children as they grow up, how they do in school, their ability to get a job, how they bring up their own children, and their health.
- 3.4 **Planning Policy Wales (PPW) – Edition 10 (December 2018):** PPW states the importance of planning authorities developing a strategic and long-term approach to the provision of community facilities (including schools) when preparing development plans. Community facilities should continue to address the requirements of residents in the area and can contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places.
- 3.5 *Inclusive Design:* PPW emphasises the need for good design and placemaking to be incorporated within all development proposals. Good design should place people at the heart of the design process and must also involve the provision

of measures that help to reduce the inequality of access to essential services, education and employment experienced by people without access to a car.

- 3.6 *Infrastructure*: Adequate and efficient infrastructure, including services such as education facilities, is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working. Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.
- 3.7 *Active and Social Linkages*: The Active and Social Places of PPW seeks to actively create sustainable and cohesive communities through development plan policies, including specific allocations, and development management decision making. In particular, policies will: enable sustainable access to housing, employment, shopping, education, health, community, leisure and sports facilities and green infrastructure, maximising opportunities for community development and social welfare; It emphasises that when planning and managing future development, planning authorities need to ensure that residents of existing and new communities have access to jobs and an appropriate range of community facilities including recreation, leisure, health and education.
- 3.8 PPW identifies that planning obligations are useful arrangements to overcome obstacles that may otherwise prevent planning permission from being granted. Contributions may be used to offset negative consequences, to help meet local needs, or to secure benefits which will make development more sustainable. It is essential that arrangements are fair to both the developer and community, that the process is transparent as possible, and that development plans provide guidance on the types of obligations that the Council may seek.
- 3.9 **Active Travel (Wales) Act 2013**: The Active Travel Act makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or education establishment, or in order to access health, leisure or other services or facilities. The Active Travel Act requires local authorities to identify the walking and cycling routes required to create fully integrated networks for walking and cycling to access work, education, services and facilities.
- 3.10 **Bridgend Local Development Plan (2006-2021)**: The Bridgend LDP sets out the Council's land use planning policies up to 2021. Relevant policies include:
- *Policy COM10 – Provision of Education and Training Facilities*
 - *Strategic Policy SP13 – Social and Community Facilities*
 - *Policy COM9 – Provision of Community Buildings*
 - *Strategic Policy SP14 - Infrastructure*

- 3.11 Schools provide the ideal opportunity to play a much wider and multi-functional role in the community through addressing both the broad range of educational needs of children and young people during traditional school opening hours and also acting as community-based learning and recreational environments, especially during out-of-school hours and school holidays. They are therefore seen as primary assets in terms of delivering the LDP Strategy.

4. EDUCATION PROVISION

4.1 Corporate Plan and Education and Family Support Directorate Plan

4.2 BCBC's Corporate Plan 2018-2022 sets out the Council's key well-being objectives and focuses on delivering the Council's vision in order to achieve better outcomes for BCBC citizens. The overarching Corporate Plan (the Plan) aims to contribute to the seven national well-being goals, as defined by the Welsh Government in the Well-being of Future Generations (Wales) Act 2015. The Plan identifies the following three well-being objectives which are intended to improve the quality of life of people in the county borough:

- Supporting a successful economy
- Helping people to become more self-reliant
- Smarter use of resources

4.3 Education contributions secured through S106 will specifically support the third objective. The importance of delivering this objective is also detailed within the Education and Family Support Directorate Plan.

4.4 Education and Family Support Directorate Plan

4.5 The Education and Family Support Directorate Business Plan identifies the directorate's priorities and commitments, the contribution the directorate will make in the Corporate Plan, and how this will be measured.

4.6 School Modernisation

4.7 BCBC has embarked on a challenging programme of school modernisation across the County Borough. Creating schools that are fit-for-purpose and valued by their communities is one of the Council's major priorities, as outlined in the Corporate Plan. Throughout the modernisation process, discussions are being held with learners, schools and their communities. Consideration is being given to the circumstances of each school with the best long-term interests of the children and young people in its locality being the priority while ensuring the current quality of education is maintained. Using the most up-to-date information held by the Council, the effects of the School Modernisation Plan on schools in the vicinity of new residential development will be taken into account at the planning application stage and this will form part of the negotiation process at that time.

4.8 School Catchment Areas

4.9 All primary and secondary schools have geographical catchment areas that are used to administer admission arrangements. Out of the 66 Schools throughout the County Borough, there are 5 Welsh medium schools, 6 voluntary aided, 1 voluntary controlled, 2 special schools and there is 1 pupil referral unit and 1 integrated children's centre. Due to the reduced number, and therefore more sparsely located nature of schools such as Welsh medium schools and special schools, they have wider catchment areas.

- 4.10 It should be noted that the defined catchment areas for schools are sometimes subject to review and the Council recommends that the developer contacts the Council prior to the submission of a planning application to ascertain the most up-to-date catchment information.
- 4.11 In order to make effective use of future contributions, the terms of any future Section 106 agreement should allow for the fact that school catchment areas change and that contributions can be utilised for education facilities within any subsequent school's catchment area within which the development falls at the time of implementation.
- 4.12 **School Capacity**
- 4.13 Welsh Government's Circular No. 021/2011 'Measuring the Capacity of Schools in Wales' describes the method of assessing the capacity of primary and secondary schools and deriving appropriate admission numbers from the capacity. Local Authorities in Wales are required to set pupil admission numbers (the PAN) based on this methodology as part of their annual determination of admission arrangements for the schools.
- 4.14 The Council holds up-to-date information relating to the capacities of each school, which will be used to determine whether a surplus or deficit in available capacity exists for schools by catchment area. Where a development is likely to place pressure on the existing capacity of schools in a catchment, the Council will seek to negotiate an agreed financial contribution towards the provision of additional school places or facilities.
- 4.15 It is necessary to retain some spare places to enable schools to cope with fluctuations in numbers of pupils in particular year groups. This allows for preference and demand volatility (e.g. year-on-year changes in the birth rate, parental choice etc.). The level of spare places needed to be retained at schools is unlikely to exceed 10%. Any school which has achieved 90% occupancy would therefore be regarded as having no surplus capacity.
- 4.16 **School Standards**
- 4.17 Each school has been assessed in terms of any significant investment that is required to bring it up to a satisfactory standard. The Council holds information in connection with the suitability, sufficiency and condition of school buildings throughout the county borough. The standard of school buildings / facilities is a valid consideration for this SPG and Section 106 negotiations as additional numbers of pupils generated by new development could exacerbate arrangements to such an extent that the individual school would not be suitable to accommodate additional pupils. Circumstances are likely to differ significantly between schools depending on their configuration, layout, facilities and use of internal space that may need to be brought back into beneficial use to accommodate new pupils.
- 4.18 The Education (School Premises) Regulations 1999 describe and advises on meeting the minimum standards for the premises of all maintained schools in

Wales. The Regulations set minimum standards for all existing and new maintained schools in Wales and they require that the premises of non-maintained special schools, and approved independent schools suitable for the admission of children who have special educational needs conform to some of the standards contained within them. The surveys undertaken by the Council are based on the above guidance. Current guidance such as Building Bulletins, are also consulted.

5. DEVELOPER CONTRIBUTIONS

5.1 Thresholds

5.2 Residential developments large enough to place increased pressure on the educational facilities within whose catchment area the development is located will result in the Council seeking an appropriate level of contribution from the developer to accommodate the additional places or bring existing floorspace up to a satisfactory standard.

5.3 Contributions for educational facilities will be sought from all proposed developments with a net gain of 5 or more residential units. In the case of flats or apartments contributions will be required for 15 or more units.

5.4 Contributions will be sought where:-

(a) The pupils potentially arising from the development will cause the surplus capacity of local schools within the catchment area to be exceeded; or

(b) Existing surplus capacity exists to accommodate some or all of the pupils potentially arising from the development, but refurbishment is required to make those places 'fit for use'.

5.5 The only forms of accommodation that will be exempt from contributions are bedsits, 1-bed dwellings, sheltered or elderly accommodation, houses in multiple occupation, hotels, hostels and student accommodation (including residential schools, colleges or training centres).

5.6 Each residential development exceeding the above thresholds will be assessed to determine how many children and young people are likely to be generated from that development and its potential demand and impact on local schools and education facilities.

5.7 Pupil Yields

5.8 BCBC estimates that the likely number of children and young people that will be generated by a proposed housing development is based on the following pupil yield factors:

Table 1: Number of children generated per dwelling

Age Group	Number of Children Generated per Dwelling	
	Apartments	Houses
Nursery (under 4)	0.02	0.05
Primary (4-11)	0.10	0.33
Secondary (11-16)	0.06	0.20
Post 16	0.2 x secondary	0.2 x secondary
ALN* – Primary	1.5% of primary	1.5% of primary
ALN* - Secondary	1.5% of secondary	1.5% of secondary

* ALN = Additional Learning Needs

- 5.9 The pupil yield numbers above are based on the actual take up of school places from a completed new build housing development in the borough, which included the provision of a new Primary School.
- 5.10 The number of pupils generated by a proposed development will be rounded up or down to the nearest whole pupil, and will be assessed against the capacity of the school(s) in whose catchment area(s) the new housing development is proposed. The Council will take account of the number of pupils on the school roll (NOR) to assess whether any surplus capacity exists within the development catchment(s).
- 5.11 Net pupil places required above projected capacity are then calculated by offsetting a developments projected pupil yield against any existing school place surplus. The figures used to calculate the school numbers will be made available to developers as part of the justification for requesting a financial contribution.
- 5.12 **Additional Learning Needs (ALN) Provision**
- 5.13 Additional Learning Needs pupils are those taught in either a special school or in a specialist facility on the site of a mainstream school.
- 5.14 **Welsh-Medium Provision**
- 5.15 An evaluation of different educational settings (i.e. English-medium, Welsh-medium, faith and voluntary aided schools) is undertaken on historical take up of places in the catchment and how place availability would drive parental choice. Where a need is justified, or the development is likely to place pressure on Welsh-medium schools, the Council will seek to secure appropriate contributions.

5.16 Costs per Pupil Place

5.17 The costs per pupil place are based upon Welsh Government standardised costs for new build schools under the 21st Century Schools and Education programme.

Table 2: Cost per Pupil Place

Year Group	Cost per Pupil Place
Nursery	£18,599
Primary	£18,599
Secondary	£29,406
Post 16	£29,406
ALN – Primary	£55,797
ALN – Secondary	£88,218

5.18 The figures above have been tested against the costs of recently completed new school construction projects and will be periodically reviewed to reflect changes in school building costs. If such a review necessitates a change to the SPG, this will be undertaken as part of a formal SPG update (including public consultation).

5.19 The Welsh Government's standardised costs are based on the area in a school building required per pupil, according to the maximum size range of Building Bulletins 98 and 99 for secondary and primary pupils respectively. Once the size is established, costs are applied which account for the following elements:

- Standard build costs (includes sub structure, externals and design costs);
- Furniture, fittings and equipment; and
- ICT

5.20 The costs do not include abnormal build costs associated with gradients, contamination, flood protection works or any associated highway works outside the school boundary.

5.21 Investment in Unsatisfactory School Accommodation

5.22 In some instances, a school may have the capacity with regards to floor space, but the space could be considered to be of an unsatisfactory standard to accommodate additional pupils created by a development. In such cases, the costs of bringing this floor space up to standard will be 65% of the cost of providing a new additional space. This is based on Welsh Government's Cost and Size Standards released to Local Authorities in 2017 and 2018 to apply to Band B projects of the 21st Century Schools programme.

5.23 **New Schools**

5.24 Where large scale development generates sufficient pupil numbers to justify a new primary or secondary school, there will be a requirement on developers to provide this within the development. If not physically possible to accommodate the facility on site, the developer will be required to make an equivalent financial contribution (e.g. land value and building costs) towards its off-site provision.

5.25 **Use of Contributions**

5.26 The Council will seek contributions for all age groups for all maintained schools where the need arises. Contributions may be used for:

- provision of new classrooms;
- improvements and refurbishment of existing facilities to provide additional capacity;
- provision of additional resources or improvements to existing resources necessitated by the additional demand;
- Provision of any necessary interim school measures which, in some circumstances, might be required when it is not possible to ensure that permanent measures will be in place on time.

6. CALCULATING THE REQUIREMENT

6.1 Contribution formula

6.2 Using this guidance the calculations towards providing additional places or investment required to make the school suitable for additional pupils will be worked out using the following formula:

$$\begin{aligned} & \text{(Number of dwellings x Number of children generated per dwelling)} \\ & \quad \times \\ & \quad \text{Cost per pupil place} \\ & \quad + \\ & \quad \text{Any additional related costs*} \\ & \quad = \\ & \text{Total cost of providing school places or investment required to make} \\ & \text{the school suitable to accommodate additional pupils} \end{aligned}$$

*See Appendix 1 for an indication of potential additional costs

6.3 Worked Example

6.4 The following is a worked example using the formula above for a development of 500 houses in an area with no surplus Primary School capacity:

Number of dwellings = 500

Number of primary aged children generated by each dwelling = 0.33
Number of primary aged ALN children = 1.5% of total

Cost per pupil place = £18,599
Cost per ALN pupil place = £55,797

500 x 0.33 = 165 pupils
165 x 1.5% (ALN) = 2.47 (rounded down to 2)
165 – 2 = 163 pupils and 2 ALN pupils

163 x £18,599 = £3,031,637
2 x £55,797 = £111,594

TOTAL CONTRIBUTION = £3,143,231

7. ADMINISTRATION OF THE POLICY

7.1 Implementation of the Policy

7.2 The implementation of the SPG strategy operates through a number of procedures which are broadly as follows:

7.3 Pre- Application Stage

7.4 Prospective applicants for housing developments are strongly advised to contact the Council's Planning Department prior to submitting a planning application. Amongst other matters, this will enable an officer from the Development Planning section to liaise with the Education and Family Support Directorate and outline the Council's requirements relating to education and other S106 contributions. This is to ensure that any costs relating to provision of education facilities are highlighted prior to, or during, the developer's initial site evaluation exercise.

7.5 Application Stage

7.6 Should pre-application discussions not take place applicants for housing developments will be informed of the requirements for the provision of education facilities following the submission of a planning application. As part of any request for a planning obligation, an applicant will be provided with:

- The number of children potentially arising from the development.
- The capacity of the relevant local schools and the existing number of pupils on the school roll.
- The amount of financial contribution that will be required to create additional school places.
- The applicant will be required to enter into a Section 106 legal agreement with the Council to ensure a contribution is made towards education facilities.

7.7 Outline Applications

7.8 In the case of applications for outline planning permission, the applicant will be required to enter into a legal agreement with the Council under S106 of the Town and Country Planning Act 1990. Where the details relating to housing types and numbers are to be provided as reserved matters, the S106 agreement at outline stage will need to be formula based, so that the exact contributions can be determined when further details are submitted.

7.9 Section 106 Agreements

7.10 Section 106 of the Town and Country Planning Act (TCPA) 1990, as amended by Section 12 of the Planning and Compensation Act (1991), and the Community Infrastructure Levy Regulations 2010 (as amended), is the legislative framework for planning obligations. Any obligation must meet the following three tests:

- 1) Necessary to make the development acceptable in planning terms;
- 2) Directly related to the development; and
- 3) Fairly and reasonably related in scale and kind to the development.

7.11 Furthermore, it should be noted that the CIL Regulations (Regulation 123) restricts the pooling of S106 contributions. Regulation 123 states a S106 obligation cannot constitute a reason for granting planning permission if five or more separate planning obligations already exist for a specific single infrastructure project (entered into since 6th April 2010). The Council keeps up to date records of all S106 agreements entered onto the Planning Register. In discussions with developers, the Council will consider whether the pooling restriction is relevant and seek to ensure that the development can be appropriately mitigated through planning obligations, whilst ensuring that the pooling restriction is not breached. If a development is not capable of delivering appropriate infrastructure because of the pooling restriction, this may make it unacceptable in planning terms.

7.12 Given the uncertainty regarding the future of the Community Infrastructure Levy Regulations 2010 (as amended) and the devolved powers Welsh Government inherited to modify existing secondary legislation in April 2018, the Council has agreed that progress on CIL is to be placed into abeyance until there is a clear direction from Welsh Government. In the meantime, the Council will continue to use planning obligations secured through Section 106 agreements to secure necessary infrastructure.

7.13 **Negotiations with Developers**

7.14 Negotiations with developers on planning agreements will include:

- the project(s) to which their contributions may be used;
- the timing of the payment of agreed contributions; on large sites payments may be phased by agreement with the authority;
- when contributions will be spent; this will normally be within 5 years of receipt of the final payment.

7.15 In order to make effective use of future contributions, the terms of any future Section 106 agreement should allow for the fact that school catchment areas change and that contributions can be utilised for education facilities within any subsequent school's catchment area within which the development falls at the time of implementation.

7.16 **Viability**

7.17 Certain proposals may be eligible for discounted or reduced contributions if it can be proven that the value of the contribution required will jeopardise a proposal's viability. It is expected that an 'open book' approach to negotiations will be supported by developers/owners, in order that planning obligations can be secured at appropriate levels to mitigate the impact of the development, whilst ensuring that the development remains viable. Any financial information

supplied by a developer as part of this 'open book' process will be considered in confidence.

7.18 All 'open book' financial appraisals will be scrutinised by the Council, which may lead to additional questions being asked of the applicant. Developers will be expected to prove to the Council that a scheme is financially unviable. Where the parties are unable to agree, or by prior mutual agreement, the Council will instruct the District Valuer (DV) to undertake an independent assessment of scheme viability. The DV appointment will be paid for by the applicant/owner/developer. Both parties should accept the DV's decision on the determination of viability. However, the DV would not act as an arbitrator. Responsibility remains with the Local Authority and landowner, applicant and/or developer to resolve the dispute.

7.19 Irrespective of the outcome of a viability appraisal, it may be necessary for the Council to secure a certain level of developer contributions, in order to mitigate the impact of the development. Such a circumstance could be where a failure to make some provision for certain infrastructure items would make the development unacceptable in planning terms, contrary to policy and an unacceptable burden. This will be assessed on a case-by-case basis. In such circumstances, failure to secure the contributions, deemed necessary to support the proposal, could result in a recommendation of refusal.

7.20 **Planning Appeal Decisions**

7.21 If an appeal is made for reasons other than the provision of an education contribution, the applicant should ensure that an appropriately worded Unilateral Undertaking is signed prior to the determination of any appeal, to make provision for the appropriate contribution. Failure to provide such an undertaking would be likely to result in the Council making an objection on education capacity grounds at appeal.

7.22 **Date of Introduction**

7.23 The guidance set out in this document will be applied to planning applications submitted on or after the date the SPG is formally adopted (to be confirmed once the SPG goes through consultation). It will not apply to applications for reserved matters or outline planning permissions granted before that date. However, extant permissions granted before the SPG document is adopted, will be considered within the scope of the SPG should an application for its renewal be submitted. The SPG will represent a material consideration and will be taken into account when determining such applications.

APPENDIX A

Additional Related Costs

Potential Additional Related Costs include the following:

Land acquisition
Associated infrastructure requirements (e.g. major highway infrastructure or excessive ground levelling requirements)
Temporary Accommodation
Initial Cost of School Transportation for up to 3 years (whilst new accommodation is being built)
Building Regulations
Preliminary Site investigations

The Table above highlights those additional related costs referred to that may be necessarily incurred and which may form part of the contributions sought from the developer by the Council. Any additional costs incurred will be calculated on a case-by-case basis.

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Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend, CF31 4WB

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

10 MARCH 2021

REPORT OF THE INTERIM CHIEF OFFICER – FINANCE, PERFORMANCE AND CHANGE

RELATED PARTY TRANSACTIONS 2020-21 & STATEMENT OF ACCOUNTS

1. Purpose of report

- 1.1 The purpose of this report is to inform Council of the requirement for Members to formally declare any related party transactions for the financial year 2020-21 by completing the declaration attached at **Appendix A**, even if it is a nil return, and that this must be completed no earlier than 31 March 2021 and returned by Friday 9 April 2021.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 The preparation of the Statement of Accounts is a requirement of the Accounts and Audit (Amendment) (Wales) Regulations 2014 as amended and its content is defined by the Chartered Institute of Public Finance and Accountancy (CIPFA's) 'Code of Practice on Local Authority Accounting in the United Kingdom' 2020-21 (the Code).
- 3.2 The Code 2020-21 states that "Authorities shall identify related party relationships and transactions, identify outstanding balances between the authority and its related parties, and identify the circumstances in which disclosures are required". Any related party transactions must then be disclosed within the Statement of Accounts.

4. Current situation/proposal

- 4.1 The requirement to declare related party transactions is not new within the Statement of Accounts. Audit Wales scrutinise these returns closely as part of their audit of the Statement of Accounts and have recommended that:

“The Council should:

- formally remind all councillors of the importance of completing and submitting their annual related-party return by the deadline set by the Finance Department; and
- ensure that any outstanding related party returns are always pursued promptly.”

4.2 This report is therefore to inform Members of the requirement to complete the declaration attached at **Appendix A** with reference to the guidance attached at **Appendix B** by Friday 9 April 2021. It is crucial that this form is completed **as at 31 March 2021** and covers the full financial year or period for which the individual was a Member of the Council. Members should note that a copy of this declaration will be emailed separately to their BCBC email address for completion and return.

5. Effect upon policy framework and procedure rules

5.1 There is no effect upon the policy framework and the procedure rules.

6. Equality Impact Assessment

6.1 There are no equality implications in respect of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 There are no financial implications arising from this report.

9. Recommendation

9.1 That Council notes the requirement for Members to:

- formally declare any related party transactions for the financial year 2020-21
- complete and date the return no earlier than 31 March 2021
- submit the return by Friday 9 April 2021

Gill Lewis

Interim Chief Officer – Finance, Performance and Change
1 March 2021

Contact Officer: Nigel Smith
Interim Group Manager Chief Accountant

Telephone: (01656) 643605

E-mail: nigel.smith@bridgend.gov.uk

Postal Address Raven's Court
Brewery Lane

Bridgend
CF31 4AP

Background documents: None

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BRIDGEND COUNTY BOROUGH COUNCIL CLOSURE OF ACCOUNTS
2020-21 DECLARATION OF RELATED PARTY TRANSACTIONS

Name: _____ (Please print)

I declare that I or a close family member are an owner, Director, senior manager or a major shareholder of the following organisations:

Name of organisation	Own position in organisation	Family member position in organisation
<i>Eg: AN Other Consulting Services</i>		<i>Director</i>

(please continue on a separate sheet if necessary)



2. Any personal transactions with the Council (exclude any Council salaries and expenses)		Self	Family Member (please specify)
<u>Nature of transaction</u>	<u>Value</u>		

I declare that, to the best of my knowledge, the above information is accurate and complete.

Signed:

Date: _____

**** PLEASE RETURN SCANNED COMPLETED AND SIGNED FORMS VIA EMAIL TO ****

EMAIL: Eilish.Thomas@bridgend.gov.uk / Jillian.Bailey@bridgend.gov.uk



Bridgend County Borough Council Related Party Transactions Guidance Note

Requirement for Members to declare Related Party Transactions 2020-21

Background

1. The Council is required to provide information within its Statutory Annual Accounts of arrangements and/or transactions where Members (and senior officers) **or close members of their families** have a significant influence over organisations that the Council has a relationship with, be that the giving of grant funding, provision of services or an ability to manage the operations and/or financial activities of that organisation; OR that organisation is able to influence or control activities of the Council.
2. **A relationship** with an entity would occur where you or a close member of your family:
 - Has control or joint control over the organisation
 - Has significant influence over the organisation; or
 - Is a member of the key management personnel of the organisation or a parent of the organisation
3. **Close members of the family** of a person are those family members who may be expected to influence, or be influenced by, that person in their dealings with that organisation and include:
 - Your children and spouse or domestic partner
 - Children of your spouse or domestic partner
 - Dependents of you, your spouse or domestic partner
4. **The information disclosed** must be auditable and you must provide written confirmation of whether at any time during the period **1 April 2020 to 31 March 2021**:
 - You and/or a close family member **met any of the circumstances set out at paragraph 2 above; and/or**
 - You and/or a close family member had any financial transactions (excluding salary or work-based expenses paid by the Council) with the Council

Examples:

Examples of arrangements which may require disclosure include:

- You own a company or have a major shareholding* in a company;
- Any close members of your family who own a company or have a major shareholding in a company;
- You or a close member of your family is a member of the senior management of a company/organisation;
- You or a close member of your family hold a position of influence within an organisation;
- You or a close member of your family receive income from the Council that is not based on salary, allowances or expenses.

ANY arrangements with a company you are a Director of or own must be disclosed even if there have been no financial transactions for that company during the year (either with or outside of Bridgend CBC)

*No specific limit has been given for what constitutes a major shareholding therefore any such roles must be declared.

What you need to do

ALL Members and Chief Officers (including all temporary arrangements in place during the year), are required to sign a declaration which discloses any related party relationships held and also identify any transactions that occurred during the financial year from **1st April 2020 to 31st March 2021**.

**** If you are unsure it is better to disclose it and Finance will assess whether it needs to be included in the Statement of Accounts ****



Bridgend County Borough Council Related Party Transactions Guidance Note

Any queries?

If you feel unable to complete the declaration or have any doubts about any aspect of what is required, please contact:

Eilish Thomas, Finance Manager, Financial Control and Closing Team, (Ext. 3359)
E-mail: eilish.thomas@bridgend.gov.uk

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

10 MARCH 2021

REPORT OF THE MONITORING OFFICER

REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES 2021-2022

1. Purpose of report

- 1.1 To advise Council of the Annual Report of the Independent Remuneration Panel for Wales in respect of the level and range of remuneration the Authority must make available to its elected members for the 2021/22 municipal year.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 The Independent Remuneration Panel for Wales has acknowledged the need to ensure that financial barriers do not stand in the way of attracting more people to serve in local government. The active participation of all members contributes to the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
3. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 The Local Authorities (Allowances for Members) (Wales) Regulations 2007 provided for the establishment of the Independent Remuneration Panel for Wales.
- 3.2 This is the thirteenth Annual Report of the Independent Remuneration Panel for Wales (the Panel), and the tenth published under the requirements of the Local Government (Wales) Measure 2011 (attached as **Appendix 1**). The Measure extended the responsibilities of the Panel and its powers under Section 142 to decide (prescribe) payments to members of relevant authorities.

- 3.3 Representatives of the Panel held consultation meetings on their proposals, which was attended by the Authority's Head of Democratic Services. The Panel has acknowledged each of the 39 responses to the consultation on the draft report and answered all the queries that were raised.
- 3.4 The Panel's Determinations for 2021/22 are shown at Annex 1 of the Annual Report (page 51 onwards). Section 153 of the Measure empowers the Panel to require a relevant authority to comply with the requirements imposed on it by the Annual Report. The Panel's determinations must be implemented by 1st April 2021.

4. Current situation / proposal

4.1 Basic Salary

- 4.1.1 The Basic Salary in 2021/22 for elected members of principal councils shall be **£14,368** with effect from 1st April 2021 (**Determination 1**). This salary shall be paid by each principal authority to each of its elected members unless any individual member opts personally and in writing to receive a lower amount. Adjustments in recent years have been in keeping with the Panel's principle that its determinations should be affordable and acceptable. This principle is maintained in the increase for 2021/22 in the basic salary elected members of £150.

4.2 Senior Salaries

- 4.2.1 The senior salary levels in 2021-22 for members of principal councils shall be as set out in Table 3, page 14 of the Annual Report (Appendix 1). The Panel considers that the leadership and executive roles carry the greatest individual accountability and that size of population remains a major factor in influencing levels of responsibility and the use of the population groups has therefore been retained. (**Determination 2**).

4.2.2 Leader and Deputy Leader

The Salary for the Leader and Deputy Leader has been based on the population of the County Borough (100,000 to 200,000). The Leader is entitled to receive **£49,974** and the Deputy Leader **£35,320**.

4.2.3 Cabinet Members

Cabinet Members will be entitled to receive a senior salary of **£30,773**.

4.2.4 Chairs of Committees

Where chairs of committees are remunerated, the chairs will be paid a salary of **£23,161**. The Panel has re-iterated that it is a matter for individual authorities to determine which chairs are paid. At its Annual Meeting in May 2020 Council determined that the following Committee Chairpersons be remunerated as shown below:

- Chairperson Subject Overview and Scrutiny Committee 1
- Chairperson Subject Overview and Scrutiny Committee 2
- Chairperson Subject Overview and Scrutiny Committee 3
- Chairperson of Development Control Committee
- Chairperson of Licensing Committee

- Chairperson of Governance and Audit Committee
- Chairperson of the Appeals Panel
- An Independent Member chairs the Standards Committee and will now receive £268 for a meeting lasting over 4 hours or £134 for meeting under 4 hours

4.2.5 Largest Opposition Group Leader

The Panel has determined that Council must make a senior salary of **£23,161** available to the leader of the largest opposition group.

4.3 Civic Salaries

4.3.1 Councils have strongly expressed to the Panel that Elected Members do not wish to make any choices that require Councils themselves to choose and match the level of activity or duties of a specific member to a given range of salary levels for a role. The Panel has determined (**Determination 3**) that (where paid) a Civic Head (Mayor) must be paid a salary of **£23,161** and (where paid) a Deputy Civic Head (Deputy Mayor) must be paid a salary of **£18,108** with effect from 1st April 2021.

4.3.2 The Panel recognises the wide range of provision made for Civic Heads in respect of transport, secretarial support, charitable giving and clothing. Funding decisions in relation to levels of such additional support are not matters of personal remuneration, but of the funding required to carry out the tasks and duties. These matters remain entirely a matter for individual councils. Councils remain free to invest in support at whatever levels they deem appropriate for the levels of civic leadership they have in place.

4.4 Co-opted Members

4.4.1 The Panel has determined that a daily/half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights (this includes the co-opted member from a Town or Community Council). The Panel proposes an increase of £12 to £210 daily rate for ordinary co-opted members and for those with additional responsibility. This Authority must pay the following fees to Co-opted Members (who have voting rights) (**Determination 35**):

Chairs of standards, and governance and audit committees	£268 (4 hours and over) £134 (up to 4 hours)
Ordinary members of standards committees who also chair standards committees for community and town councils	£238 daily fee (4 hours and over) £119 (up to 4 hours)
Ordinary members of standards committees; education scrutiny committee; crime and disorder scrutiny committee and governance and audit committee	£210 (4 hours and over) £105 (up to 4 hours)
Community and town councillors sitting on principal council standards committees	£210 (4 hours and over) £105 (up to 4 hours)

4.4.2 Recognising the important role that co-opted members discharge, payment must be made for travel and preparation time; committee and other types of meetings as well as other activities, including training (**Determinations 36 to 39**).

4.5 Contributions towards Costs of Care and Personal Assistance (CPA)

4.5.1 The Panel believes that additional costs of care required to carry out approved duties should not deter any individual from becoming and remaining a member of an authority or limit their ability to carry out the role. The Panel has adopted specific principles related to support for the costs of care which were the subject of a Supplementary Report published in February 2020 (the principles are set out in table 7 on page 33 of the Annual Report). The Panel reviewed the maximum monthly payment in recognition that this has not changed for several years. The monthly cap will now be replaced with the following arrangements:

- Formal (registration with Care Inspectorate Wales) care costs to be paid as evidenced;
- Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred.

4.6 Sickness Absence for Senior Salary Holders

4.6.1 The Family Absence for Members of Local Authorities (Wales) Regulations 2013 are very specific relating to entitlement and only available for elected members of principal councils. The Panel's Framework provides specific arrangements for long term sickness (as set out on page 36 of the Annual Report).

4.6.2 The Regulations also apply to elected members in cases of maternity, new born, adoption and parental absences from official business.

4.7 Compliance with Panel Requirements

4.7.1 The Panel is empowered to require the Authority to comply with the requirements imposed on it by the Annual Report of the Panel and further enables the Panel to monitor compliance by the Authority of the Panel's determinations. Details of all remuneration received by elected members must be published annually on the Authority's website in the prescribed format.

5. Effect upon policy framework and procedure rules

5.1 There is currently no impact of the Policy Framework or Procedure Rules.

6. Equalities Impact Assessment

6.1 No Equalities Impact Assessment has been undertaken as the Independent Remuneration Panel for Wales has the power under the Local Government (Wales) Measure 2011 to set members allowances.

6.2 This report is supportive of the equalities implications for elected members by including care, family and other allowances.

7. Well-Being of Future Generations (Wales) Act 2015 implications

7.1 The Panel Report contributes to the well-being goals identified in the Act. It is consistent with the five ways of working as defined within the sustainable development principle in the Act to encourage more diverse representation among

Councillors and Co-opted Members. A more representative group should be better able to take into account the well-being goals when reviewing services and policies and consider the positive and negative impacts upon future generations, long term community resilience and economic, environmental and social capital.

8. Financial implications

8.1 The introduction of these proposals will increase the cost of remuneration of all elected members by approximately £12,700. Some of this cost may be negated by members electing to forgo some or all of their salaries. Only an individual member may communicate in writing to the Proper Officer if, as an individual, they wish to decline all or part of the payment to which they are entitled. Should a shortfall occur for the year 2021/22, the costs will be met from the centrally held provision for pay and price increases.

9. Recommendations

9.1 Council is recommended to note the Report of the Independent Remuneration Panel for Wales 2021 and approve:

- the adoption of the relevant determinations of the Panel contained within its Annual Report (**Appendix 1**);
- those posts (as shown in the revised Members' Schedule of Remuneration at Schedule 1), who will receive a senior/civic salary;
- the level of remuneration for the Senior and Civic Salaries (where appropriate);
- the revised Members' Schedule of Remuneration at **Appendix 2**, and for it to become effective from 1 April 2021;
- that the Members' Schedule of Remuneration be updated with any changes to Senior/Civic Salary positions subsequently made by Council during the 2021/22 municipal year;
- the Democratic Services Committee reviewing the provisions on the contribution towards Costs of Care and Personal Assistance as set out in paragraph 4.5.

Kelly Watson
Chief Officer – Legal, HR and Regulatory Services and Monitoring Officer
1st March 2021

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Background documents: None



Independent Remuneration Panel for Wales

Annual Report

February 2021

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

ANNUAL REPORT 2021/2022

FOREWORD

As with very many organisations the coronavirus pandemic has impacted on the work of the Panel. However, we have continued to meet regularly to carry out our statutory function via Microsoft Teams.

We completely understand the implications that the pandemic has had and continues to have on all local authorities in Wales, so the proposals contained in the draft Annual Report published on the 28 September 2020 limited the extent of the changes to our Remuneration Framework 2021/2022. We consider that it is important that the payments to elected members of principal councils should not fall further behind average earnings so the modest increases in basic and senior salaries (with appropriate adjustments for members of other organisations) set out in the draft Report have not changed.

We received 39 responses to the consultation on the draft Report and are grateful to those organisations and individuals who provided comments. The majority of the responses indicated that the proposals were not inappropriate in the prevailing circumstances. Some suggested that the increases were insufficient and conversely others took the view that there should be no increases. We have acknowledged each of the responses and answered all of the queries that were raised.

The term of office of Greg Owens ended on 31 December 2020. Greg had been a long standing member and the vice chair since 2016. We wish to record our appreciation of the considerable contribution that Greg made to the work of the Panel during his membership.

John Bader
Chair

Panel Membership
John Bader, Chair
Saz Willey, Vice Chair
Claire Sharp
Joe Stockley

Detailed information about the members can be found on the website: [Panel website](#)

Contents

Introduction	3
1. The Panel’s Framework: Principles of Members’ Remuneration	6
2. Annual Report Summary Page	8
3. Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries	9
4. Joint Overview and Scrutiny Committees (JOSC)	21
5. Pension Provision for Elected Members of Principal Councils	22
6. Entitlement to Family Absence	23
7. Payments to Members of National Park Authorities	24
8. Payments to Members of Welsh Fire and Rescue Authorities	27
9. Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire and Rescue Authorities	30
10. Contribution towards Costs of Care and Personal Assistance	32
11. Sickness Absence for Senior Salary Holders	36
12. Reimbursement of Travel and Subsistence Costs when on Official Business	38
13. Payments to Members of Community and Town Councils	40
14. Compliance with Panel Requirements	48
15. Salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities and Chief Officers of Principal Councils	49
Annex 1: The Panel’s Determinations for 2021/22	51
Annex 2: Independent Remuneration Panel for Wales (IRPW) Regulations	56
Annex 3: Schedule of Member Remuneration	71
Annex 4: Publication of Remuneration – the Panel’s Requirements	73
Annex 5: Summary of new and updated determinations contained in this report	75

Introduction

This is the thirteenth Annual Report of the Independent Remuneration Panel for Wales (the Panel), and the tenth published under the requirements of the Local Government (Wales) Measure 2011 (as amended).

1. Although this Report is in respect of the Panel's determinations for 2021/2022 our consideration has inevitably been influenced by the impact of the coronavirus pandemic. The ongoing issues affect the operation of all local authorities and will continue to do so for the foreseeable future.
2. As with all the Panel's Annual Reports the determinations on member remuneration are underpinned by the principles set out in Section 1. In May 2020 we published a [Supplementary Report](#) that set out specific principles relating to the provision of financial support for care needs. These are incorporated in Section 10 and will be included in future Annual Reports.
3. The Panel has consistently expressed its view that maintaining the democratic values of local governance cannot be cost free. Members of local authorities (including co-opted and appointed members) are there to represent the interests of local people, undertake the governance of local communities, and secure appropriate value for money public services for local tax-payers through effective scrutiny for which they are accountable to their community. These are significant and important tasks for members of the relevant authorities within the Panel's remit. Payments to members are made available to encourage a diversity of willing and able people to undertake local governance through their elected, appointed or co-opted roles.
4. In determining the level of payments to members of local authorities, the Panel seeks to meet the principle of 'acceptability' by ensuring that these are not 'so great as to require a significant diversion of resources from key council priorities'. But Section 142(8) of the Measure is more explicit on 'affordability' when it states that "when setting an amount¹, the Panel must take into account what it considers will be the likely financial impact of doing so on relevant authorities". The Panel acknowledges that the issue of affordability – in relation both to relevant authorities' service budgets and to the electorate's disposable incomes – is likely to impact on the public perception of any increases to members' payments. It is therefore a matter of balancing issues of affordability and public perception with fairness to members for their time, worth and responsibility.
5. The Panel originally set the basic salary of elected members of principal councils at three-fifths of the All Wales Median Salary and senior salaries were set at multiples of this annual median salary. In setting these salaries the Panel recognised that there was an unpaid public service contribution.
6. The financial constraints on the public sector and particularly on local authorities over many years have meant that the link with average Welsh earnings has not been maintained. The Panel considers that this has undervalued the worth of elected members. To minimise further erosion in relation to average earnings the Panel proposes to increase the basic annual salary by £150. Other payments that are based on the basic salary will be adjusted accordingly.

7. Payments for members of National Park Authorities and Fire and Rescue Authorities will increase as a result of the uplift proposed for principal councils. One other change proposed for these authorities is to remove the limitation on the number of senior salaries that can be paid.
8. The payment information provided by relevant authorities show that still very few members are utilising the provision in the framework for financial support in respect of care. We reiterate the importance that Democratic Services Committees should encourage and facilitate greater use of this element of our framework so that members concerned are not financially disadvantaged. We are proposing significant changes regarding the costs of care which are set out in Section 10.
9. The Panel has continued to contribute wherever possible to enhancing diversity in local government in Wales through its determinations. The Panel produces leaflets for prospective candidates on the remuneration of members of councils. We are pleased that several councils include this leaflet on their websites. In addition we have produced a short film [Ever thought about being a Welsh councillor?](#) This can be viewed on our website. The Welsh Government has an initiative to increase diversity in democracy and the Panel is engaged in supporting this wherever possible within its remit.
10. We continue to engage with community and town councils and have met with numerous representative groups. Unfortunately the extent of engagement has been curtailed as a consequence of COVID 19. For 2021/2022 we are not proposing any specific changes to payments in respect of community and town councils. However, we intend to undertake a major review of our current framework for this sector during 2021 in readiness for implementation following the elections in 2022. We intend to consult and work with the sector in the process of the review.
11. The Panel's Regulations have been updated to reflect changes to the remit (see Annex 2).
12. One issue that has arisen again, particularly in the context of the pandemic lockdown, is the action of the Council in respect of the Reports of the Panel which it receives. When the Panel's Annual Report is issued, principal councils must comply with the statutory requirements and apply all the relevant determinations. The proper officer of the council must put in place mechanisms for all eligible council members to receive payments as determined by the Panel. There are currently no options relating to levels of remuneration by principal councils that require a decision by full council. Levels of payments to which members are entitled cannot be varied by a vote of a principal council.
13. Only an individual member may communicate in writing to the proper officer if, as *an individual*, they wish to decline all or part of the payment to which they are entitled.

14. How the Panel's Annual Report is formally received or noted by full council is not a matter that is within the Panel's statutory remit. Individual constitutions or standing orders of councils may vary as to matters that may be submitted to full council for consideration. It is for each council to decide how they wish to manage receipt of the Panel's statutory Annual Report and if appropriate seek the advice of their legal officers. However, all council members and officers should take care that no misleading statements are made or reported in media, in particular, an indication that a council has taken a decision to reduce or vary levels of payments. There are no powers that permit a principal council to take such action.

¹ [Local Government \(Wales\) Measure 2011](#)

1. The Panel's Framework: Principles of Members' Remuneration

Upholding trust and confidence

- 1.1 Citizens rightly expect that all those who choose to serve in local authorities uphold the public trust by embracing the values and ethics implicit in such public service. These principles underpin the contribution that the work of the Panel and its Framework make towards upholding public trust and confidence.

Simplicity

- 1.2 The Framework is clear and understandable. This is essential for the Panel to be able to communicate its determinations effectively to all those who are affected by, or who have an interest in its work.

Remuneration

- 1.3 The Framework provides for payment to members of authorities who carry a responsibility for serving their communities. The level of payment should not act as a barrier to taking up or continuing in post. There should be no requirement that resources necessary to enable the discharge of duties are funded from the payment. The Framework provides additional payments for those who are given greater levels of responsibility.

Diversity

- 1.4 Democracy is strengthened when the membership of authorities adequately reflects the demographic and cultural make-up of the communities such authorities serve. The Panel will always take in to account the contribution its Framework can make in encouraging the participation of those who are significantly under-represented at local authority level.

Accountability

- 1.5 Taxpayers and citizens have the right to receive value for money from public funds committed to the remuneration of those who are elected, appointed or co-opted to serve in the public interest. The Panel expects all authorities to make information readily and appropriately available about the activities and remuneration of their members.

Fairness

- 1.6 The Framework will be capable of being applied consistently to members of all authorities within the Panel's remit as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

Quality

- 1.7 The Panel recognises that the complex mix of governance, scrutiny and regulatory duties incumbent upon members requires them to engage with a process of continuous quality improvement. The Panel expects members to undertake such training and personal development opportunities as required to properly discharge the duties for which they are remunerated.

Transparency

- 1.8 Transparency of members' remuneration is in the public interest. Some members receive additional levels of remuneration by virtue of being elected or appointed to more than one public body. The Framework serves to ensure that knowledge of all members' remuneration is made easily available to the public.

Remuneration of Heads of Paid Service

- 1.9 The Panel applies these principles of fairness, accountability and transparency in all its determinations in relation to remuneration of members of all the authorities that fall within its remit. The same principles also apply when the Panel is required to make recommendations in relation to the remuneration of the heads of paid service of these authorities.

2. Annual Report Summary Page

Type of Payment	Type of Authority			
	Principal Councils	National Park Authorities	Fire and Rescue Authorities	Community and Town Councils
Basic Salary	page 11	page 25	page 28	N/A ²
Senior Roles	page 14	page 25	page 28	page 42
Committee Chairs	page 13	page 26	page 28	N/A
Opposition Groups	page 14	N/A	N/A	N/A
Civic Heads and Deputies	page 15	N/A	N/A	page 44
Presiding Members	page 16	N/A	N/A	N/A
Mileage	page 38	page 38	page 38	page 43
Other Travel Costs	page 38	page 38	page 38	page 43
Subsistence Costs	page 39	page 39	page 39	page 43
Contribution towards Costs of Care and Personal Assistance	page 32	page 32	page 32	page 32
Family Absence	page 23	N/A	N/A	N/A
Sickness Absence	page 36	page 36	page 36	N/A
Joint Overview and Scrutiny Committees	page 21	N/A	N/A	N/A
Pension	page 22	N/A	N/A	N/A
Co-optees	page 30	page 30	page 30	N/A
Specific or Additional Allowances	page 18	N/A	N/A	N/A
Payments to Community and Town Councillors	N/A	N/A	N/A	page 40
Compensation for Financial Loss	N/A	N/A	N/A	page 43
Statement of Payments	page 73	page 73	page 73	page 73
Schedule of Remuneration	Page 71	Page 71	Page 71	N/A
Salaries of Head of Paid Services	Page 49	N/A	Page 49	N/A

² Not Applicable

3. Payments to Elected Members of Principal Councils: Basic, Senior and Civic Salaries

Basic salary for elected members of principal councils

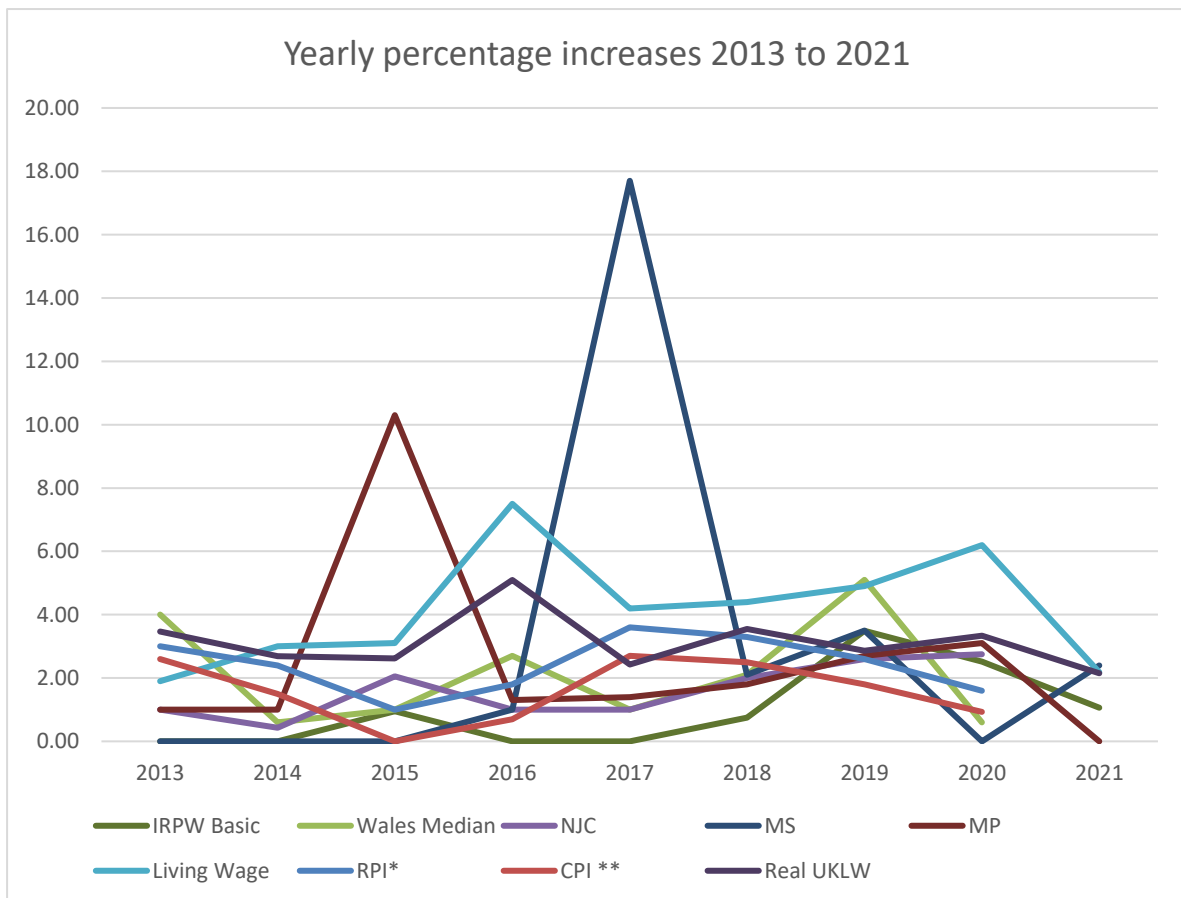
- 3.1 In 2009 the Panel set the maximum basic salary at £13,868, representing three fifths of the then median gross earnings of all full-time employees resident in Wales as reported in the Annual Survey of Hourly Earnings (ASHE) published by the Office of National Statistics. The Panel assessed it appropriate to use a figure comparable with constituents' pay, adjusted for the part-time nature of the work of a member with no senior responsibilities. Ten years on, this identical figure of £13,868 was determined as the basic salary in the Panel's 2019 annual report. A detailed explanatory paper setting out the historical context and analysis is available on the Panel's website at this [link](#). The key issues are outlined below.
- 3.1.1 Over this last decade, taking account of affordability and acceptability, the Panel has determined figures for the basic salary which have varied but have not kept pace with measures of inflation or other possible comparators. These include: Retail Prices Index, Consumer Prices Index, Wales Median Salary (ASHE), NJC (public sector employees), National Living Wage, the Real UK Living Wage, Members of Senedd Cymru, and MPs. Table 1, illustrated by Graph 1, shows the percentage increases to the basic salary and these alternatives from 2013 to 2021.
- 3.1.2 To set this in the context of other Welsh elected members, from 2013 to 2020 the basic salary increased by 7.9% (£13,175 to £14,218) whilst a Senedd Cymru member's salary increased by 25.6% (£53,852 to £67,649) and an MP's salary increased by 23.4% (£66,396 to £81,932).
- 3.1.3 Thus, backbench members' salaries have fallen significantly behind by any reasonable measure of inflation.

Table 1 – Yearly percentage increases to basic salary, benchmarks and alternative measures 2013 to 2021

Annual Report Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
IRPW Basic	0.00	0.00	0.95	0.00	0.00	0.75	3.49	2.52	1.06
Wales Median	4.00	0.60	1.00	2.70	1.00	2.10	5.10	0.60	Oct-21
NJC	1.00	0.43	2.05	1.00	1.00	2.00	2.60	2.75	
MS	0.00	0.00	0.00	1.00	17.70	2.10	3.50	0.00	2.40
MP	1.00	1.00	10.30	1.30	1.40	1.80	2.70	3.10	0.00
RPI*	3.00	2.40	1.00	1.80	3.60	3.30	2.60	1.60	
CPI March**	2.60	1.50	0.00	0.70	2.70	2.50	1.80	0.93	
Living Wage	1.90	3.00	3.10	7.50	4.20	4.40	4.90	6.20	2.18
Real UKLW	3.47	2.68	2.61	5.10	2.42	3.55	2.86	3.33	2.15

* 2020 figure is the average of 8 months to December; **2020 figure is the average of 8 months to December

Graph 1 – Yearly percentage increases 2013 to 2021



- 3.2 The Panel remains aware that the key activities required of an elected member of a principal council vary. Duties undertaken should enable all members to discharge their core non-executive responsibilities in the governance of their council and in representing those living in their ward. As an elected role, such posts are not readily treated in the same manner as employment with precisely quantified hours. The work that arises in representing ward residents is particularly varied because it is influenced by the very diverse socio-economic conditions, demographics, levels of urbanisation and different ratios of residents to councillors. These variations occur within individual authorities as well as in comparisons of local authorities throughout Wales. Elected positions carry an expectation of a level of personal commitment to the community that goes beyond defined remunerated hours. Many elected members report that their time spent is well in excess of the notional three days (extra time worked and previously defined by the Panel as a 'public service discount').
- 3.3 Despite the pandemic, Panel members continue meeting with the Chairs of Democratic Services Committees, their officers and councillors. The Panel has also, through varied correspondence with councils and individual council members and others, maintained its ongoing dialogue. The position generally expressed by councillors and officers remains that the basic workload discharged by all elected members is substantial and exceeds 3 days per week.
- 3.4 When making financial determinations for this Annual Report, the Panel considered the progression of the variety of benchmark figures outlined above for the period from 2013 to 2020. Any adjustments in recent years have been in keeping with the Panel's principle that its determinations should be affordable and acceptable. This principle is maintained in the increase for 2021/2022 in the basic salary of elected members of £150.
- 3.5 This salary shall be paid by each principal authority in Wales from 1 April 2021 to each of its elected members unless any individual member opts personally and in writing to receive a lower amount.

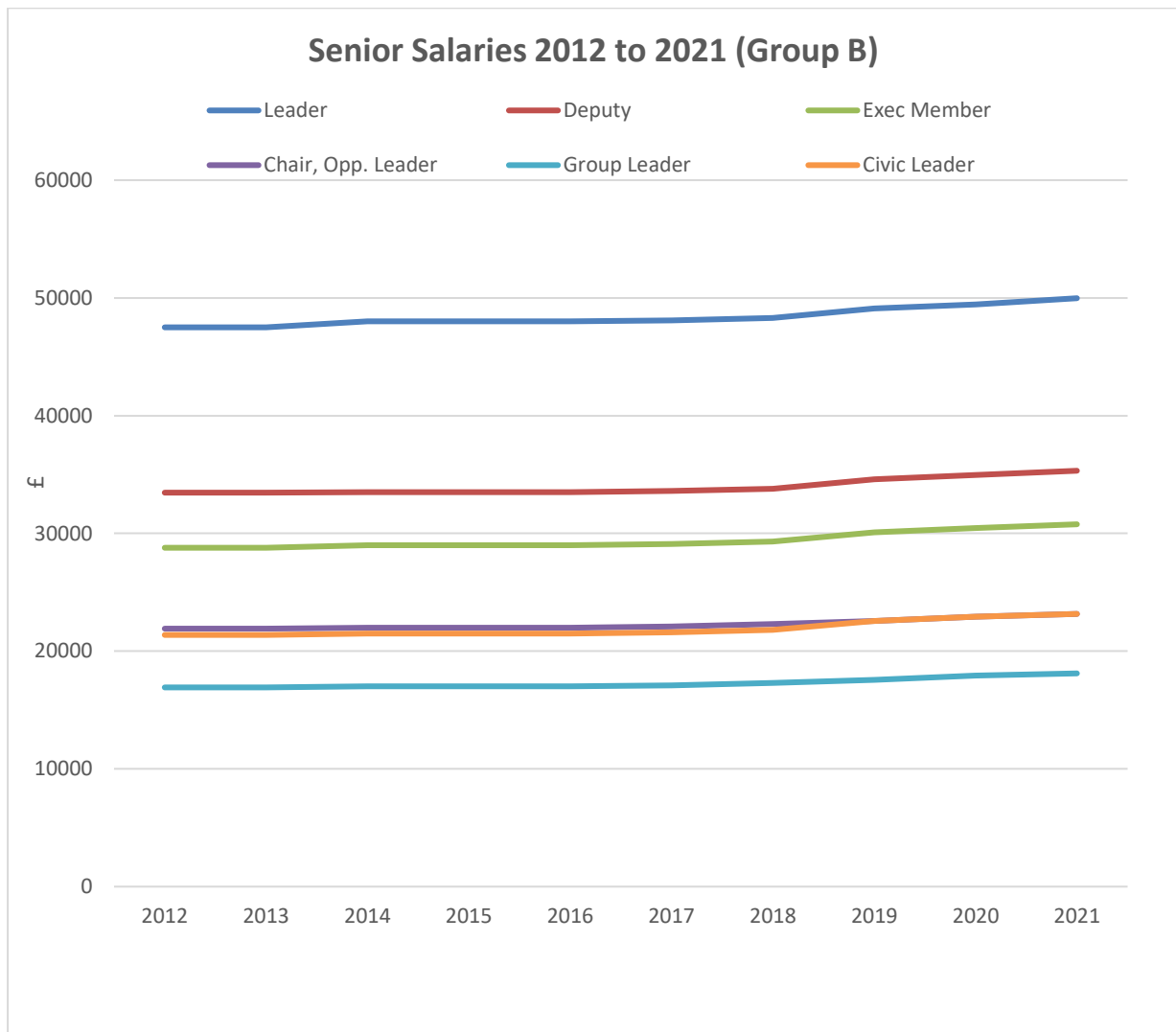
Determination 1: The Basic Salary in 2021/22 for elected members of principal councils shall be £14,368 with effect from 1 April 2021.

Senior Salaries

Payments to members of the executive, chairs of committees and the leader of the opposition.

- 3.6 In 2021 senior salaries will be increased at the same rate (1.06%) as basic salaries.

Graph 2: Senior salaries 2012 to 2021



3.7 The limit on the number of senior salaries payable ('the cap') will remain in place. In 2021/22 the maximum number of senior salaries payable within each council will not be altered and will be as set out in Table 2 below.

Table 2: Maximum numbers of council membership eligible for payment of a senior salary

Council	Number of councillors	Number of senior salaries
Group A (populations over 200,000)		
Cardiff	75	19
Rhondda Cynon Taf	75	19
Swansea	72	19
Group B (populations of 100,000 to 200,000)		
Bridgend	54	18
Caerphilly	73	18
Carmarthenshire	74	18
Conwy	59	18
Flintshire	70	18
Gwynedd	75	18
Neath Port Talbot	64	18
Newport	50	18
Pembrokeshire	60	18
Powys	73	18
Vale of Glamorgan	47	18
Wrexham	52	18
Group C (populations of up to 100,000)		
Blaenau Gwent	42	17
Ceredigion	42	17
Denbighshire	47	17
Isle of Anglesey	30	16
Merthyr Tydfil	33	16
Monmouthshire	43	17
Torfaen	44	17

The Executive

- 3.8 The Panel continues to take the view that Executive members should be considered as working the equivalent of full time (around 40 hours per week) but not necessarily nine to five. Continued discussions with members and officers in recent years have reinforced this conclusion.
- 3.9 Senior salaries are set out in Determination 2.

Chairs of Committees

- 3.10 There is a significant difference in the responsibilities and functions of chairing different committees. Councils are reminded that they do not have to pay chairs of committees. It is a matter for each council to decide which, if any, chairs of committees are remunerated. This allows councils to take account of differing levels of responsibility.
- 3.11 Where chairs of committees are paid, the remuneration is: £23,161.

The Senior Salary Bands

Determination 2: Senior salary levels in 2021/22 for members of principal councils shall be as set out in Table 3 with effect from 1 April 2021.

Table 3: Basic salary and senior salaries payable to members of principal councils

Basic salary (payable to all elected members) £14,368			
	Group A Cardiff, Rhondda Cynon Taf, Swansea	Group B Bridgend, Caerphilly, Carmarthenshire, Conwy, Flintshire, Gwynedd, Newport, Neath Port Talbot, Pembrokeshire, Powys, Vale of Glamorgan, Wrexham	Group C Blaenau Gwent, Ceredigion, Denbighshire, Merthyr Tydfil, Monmouthshire, Torfaen, Isle of Anglesey
Senior salaries (inclusive of basic salary)			
Band 1 Leader	£55,027	£49,974	£44,921
Deputy leader	£38,858	£35,320	£31,783
Band 2 Executive members	£33,805	£30,773	£27,741
Band 3 Committee chairs (if remunerated):		£23,161	
Band 4 Leader of largest opposition group ³		£23,161	
Band 5 Leader of other political groups		£18,108	

³ Leader of largest opposition group. See IRPW Regulations, Annex 2, Part 1(2) for a definition of “largest opposition group” and “other political group”.

Table 3 notes:

- a. The Panel considers that leadership and executive roles (Band 1 and 2 salaries respectively) carry the greatest individual accountability and that 'size of population' remains a major factor in influencing levels of responsibility and the use of the three population groups (A, B and C) has therefore been retained. For information: Group A Population 200,000 and above; Group B Population 100,001 to 199,999; Group C Population up to 100,000.
- b. Committee chairs will be paid at Band 3. It is a matter for each council to decide which, if any, chairs of committees are remunerated. This allows councils to take account of differing levels of responsibility.
- c. The stipulation that an opposition group leader or any other group leader must represent at least 10% of the council membership before qualifying for a senior salary remains unchanged.
- d. The Panel has determined that a council must make a senior salary available to the leader of the largest opposition group.
- e. The Panel has determined that, if remunerated, a Band 5 senior salary must be paid to leaders of other political groups.

Payments to Civic Heads and Deputies (Civic Salaries)

- 3.12 The Panel had previously allowed councils to vary salaries of civic heads and deputy civic heads to reflect the specific responsibilities attached to the roles. However, councils strongly expressed to the Panel that elected members do not wish to make decisions that require Councils themselves such choices and options were removed in 2019. In the case of civic salaries, if paid, the payment for Band 3 is set at £23,161 for a civic head and at the Band 5 salary of £18,108 for a deputy civic head (Determination 3). A council may decide not to apply any civic salary to the posts of civic head and or deputy civic head.
- 3.13 The posts of civic head and deputy civic head are not included in the cap (with the exception of Isle of Anglesey and Merthyr Tydfil Councils).

Determination 3: Where paid, a Civic Head must be paid a Band 3 salary of £23,161 and, where paid, a Deputy Civic Head must be paid a Band 5 salary of £18,108 with effect from 1 April 2021.

- 3.14 Civic heads are senior posts within councils which are distinct from political or executive leadership. In addition to chairing major meetings the civic head is the authorities' 'first citizen' and 'ambassador' representing the council to a wide variety of institutions and organisations. The Panel's requirement that members should not have to pay for the cost of the support (see **determination 10**) needed to carry out their duties applies also in respect of deputy civic heads.
- 3.15 In many instances civic heads receive secretarial support and are provided with transport for official duties and can access a separate hospitality budget which is managed and controlled by council officers.
- 3.16 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and clothing. Funding decisions in relation to levels of such additional support are not matters of personal remuneration, but of the funding required to carry out the tasks and duties. These matters remain entirely a decision for individual councils. Councils remain free to invest in support at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 3.17 The Local Government (Democracy) (Wales) Act 2013 allows councils to appoint a presiding member whose role is to chair meetings of the whole council. Where appointed, there would be a consequential reduction in the responsibilities of the respective civic head.

Payments to Presiding Members

- 3.18 Councils are reminded that, if a presiding member is appointed, they do not have to be remunerated. If they are remunerated the post will count towards the cap and be paid at a Band 3 senior salary of £23,161.

Determination 4: Where appointed and if remunerated, a Presiding Member must be paid a Band 3 senior salary of £23,161.

Determination 5: The post of Deputy Presiding Member will not be remunerated.

Key factors underpinning the Panel's determinations:

- 3.19 The basic salary, paid to all elected members, is remuneration for the responsibility of community representation and participation in the scrutiny, regulatory and related functions of local governance for the time equivalent of three days a week. Any time commitment beyond three days is an unpaid public service contribution.
- 3.20 The prescribed salary and expenses must be paid in full to each member unless an individual has independently and voluntarily opted in writing to the authority's proper officer to forego all or any element of the payment. It is

fundamental there is transparency in this process so any possible suggestion that members are put under pressure to forego some of the salaries is avoided.

The following must be applied:

Determination 6:

- a) **An elected member must not be remunerated for more than one senior post within their authority.**
- b) **An elected member must not be paid a senior salary and a civic salary.**
- c) **All senior and civic salaries are paid inclusive of basic salary.**
- d) **If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.**

Determination 7: Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.

Determination 8: Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a Community or Town Council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the Community or Town Council. Where this situation applies, it is the responsibility of the individual member to comply.

Supporting the work of local authority elected members

- 3.21 The Panel expects the support provided should take account of the specific needs of individual members. The functions of Democratic Services Committees include a requirement to review periodically the level of support provided to members to carry out their duties and the Panel would expect these committees to carry this out and bring forward proposals to the full council as to what is considered to be reasonable. Any proposals should be made with due regard to Determinations 9 and 10 below. For example, the Panel does not consider it appropriate that elected members should be required to pay for any telephone usage to enable them to discharge their council duties as a ward member, committee member or cabinet member.
- 3.22 The Panel considers it is necessary for each elected member to have ready use

of e-mail services, and electronic access to appropriate information via an internet connection. The Panel does not consider it appropriate that elected members should be required to pay for internet related services to enable them to discharge their council duties as a ward member, committee member or cabinet member. This comprises the necessary provision for a member to be in proper contact with council services and to maintain contact with those they represent. Councils are committed to 'paperless working' and without electronic access members would be significantly limited in their ability to discharge their duties. It is not appropriate for facilities required by members to be available only within council offices within office hours.

- 3.23 The responsibility of each council, through its Democratic Services Committee, to provide support should be based on an assessment of the needs of its members. When members' additional needs or matters of disability apply, or there are specific training requirements indicated, each authority will need to assess any particular requirements of individual members.
- 3.24 As a result of their legitimate actions as a councillor an elected member's personal security may become significantly, adversely affected. In keeping with their existing responsibilities, it is the duty of Democratic Services Committees to fund or provide support necessary to enable a councillor to discharge their role reasonably and safely. This may require the funding of appropriate security measures to protect councillors from personal risk or significant threat. Risk assessment and liaison with relevant bodies such as the police and security services would normally inform the selection of required provision.
- 3.25 For co-opted members the support requirements are set out in section 9 and determination 40.

Determination 9: Each authority, through its Democratic Services Committee, must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.

Determination 10: Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.

Specific or additional senior salaries

- 3.26 The Panel has allowed for greater flexibility through the provision for authorities to apply for specific or additional senior salaries that do not fall within the current remuneration framework, or which could not be accommodated within the maximum number of senior salaries relating to the authority. If the proposed addition is approved and results in the council exceeding its cap, this

will be included in the approval (with exception of Merthyr Tydfil and the Isle of Anglesey Councils – see footnote 4). Some councils have raised the possibility of operating some senior salary posts on a “job share” arrangement. The Panel is supportive of this principle and the process is set out in Paragraph 3.28.

Determination 11: Principal Councils can apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.

- 3.27 Guidance to local authorities on the application process was issued in April 2014 and incorporated the following principles:
- a. The total number of senior salaries cannot exceed fifty percent⁴ of the membership.
 - b. Applications will have to be approved by the authority as a whole (unless this has been delegated within Standing Orders) prior to submission to the Panel.
 - c. There must be clear evidence that the post or posts have additional responsibility demonstrated by a description of the role, function and duration.
 - d. Each application will have to indicate the timing for a formal review of the role to be considered by the authority as a whole.

⁴Local Government (Wales) Measure 2011 Section 142 (5) The proportion fixed by the Panel in accordance with subsection (4) may not exceed fifty percent unless the consent of the Welsh Minister has been obtained.

3.28 Job Sharing Arrangements

For members of an executive: Each “sharer” will be paid an appropriate proportion of the salary group as set out in Table 3.

The statutory maximum for cabinets cannot be exceeded so each job sharer will count toward the maximum.

Under the Measure, it is the number of persons in receipt of a senior salary, not the number of senior salary posts that count towards the cap. Therefore, for all job share arrangements the senior salary cap will be increased subject to the statutory maximum of 50% of the council’s membership.

The Panel must be informed of the details of any job share arrangements.

4. Joint Overview and Scrutiny Committees (JOSC)

- 4.1 Little use has been made of the arrangements for JOSCs. Therefore, the Panel has decided to delete the payment from the framework. If, in future, a JOSC is formed by an individual council and it wishes to remunerate, it can apply using the arrangements contained in paragraphs 3.26 and 3.27. The current JOSCs in operation will continue without need for further confirmation. The applicable salaries are set out in the following determinations.

Determination 12: The salary level for a Chair of a Joint Overview and Scrutiny Committee shall be £8,793.

Determination 13: The salary level for a Vice Chair of a Joint Overview and Scrutiny Committee shall be £4,396.

5. Pension Provision for Elected Members of Principal Councils

- 5.1 The Local Government (Wales) Measure 2011 provides a power to the Panel to make determinations on pension entitlement for elected members of principal councils.

Determination 14: The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.

6. Entitlement to Family Absence

This section applies to elected members of principal authorities.

- 6.1 The Regulations relating to Family Absence for elected members of principal councils were approved by the National Assembly for Wales in November 2013⁵ and cover maternity, new born, adoption and parental absences from official business.
- 6.2 The Panel considered the implications for the remuneration of such members who are given absence under the terms of the Welsh Government Regulations and the Panel's determinations are set out below.

Determination 15: An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.

Determination 16: When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.

Determination 17: It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.

Determination 18: If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.

Determination 19: When a Council agrees a paid substitution for family absence the Panel must be informed within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.

Determination 20: The Council's schedule of remuneration must be amended to reflect the implication of the family absence.

⁵[The Family Absence for Members of Local Authorities \(Wales\) Regulations 2013](#)

7. Payments to Members of National Park Authorities (NPAs)

Structure of National Park Authorities

7.1 The three National Parks in Wales - Brecon Beacons, Pembrokeshire Coast and Snowdonia were formed to protect spectacular landscapes and provide recreation opportunities for the public. The Environment Act 1995 led to the creation of the three corresponding National Park Authorities (NPAs). These have two main statutory purposes, to:

- protect and improve the natural beauty, wildlife and cultural heritage;
- promote opportunities for the public to understand and enjoy the National Park's special features.

In addition to fulfilling the National Park's purposes, it is the duty of the National Park Authority to foster the economic and social wellbeing of local communities within the Park.

7.2 National Park Authorities comprise Members who are either elected members nominated by the Principal Councils within the National Park area or are members appointed by the Welsh Government through the Public Appointments process. Welsh Government appointed and council nominated members are treated equally in relation to remuneration.

7.3 The structure of the Members' Committee at each of the three national parks is set out in Table 4.

Table 4: Membership of Welsh National Park Authorities

National Park Authority	Total Membership	Principal Council Members	Welsh Government appointed Members
Brecon Beacons	18	12: Blaenau Gwent County Borough Council – 1 Carmarthenshire County Council – 1 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 1 Powys County Council – 6 Rhondda Cynon Taf County Borough Council - 1 Torfaen County Borough Council – 1	6
Pembrokeshire Coast	18	12: Pembrokeshire County Council – 12	6
Snowdonia	18	12: Conwy County Borough Council – 3 Gwynedd Council – 9	6

- 7.4 In addition, Standards Committees of NPAs have independent co-opted members whose remuneration is included in the Framework as set out in Section 9.
- 7.5 In considering remuneration of members of NPAs, the Panel has based its determinations on the following key points:
- NPAs manage their work via formal authority meetings, committees and task and finish groups. Each has a Development, Management and or Planning Committee, and other committees include Performance and Resources and Audit and Scrutiny. Ordinary NPA members are members of at least one committee as well as being involved in site visits and inspection Panels.
 - There is an expectation that members will participate in training and development.
 - The Chair of an NPA has a leadership and influencing role in the authority, a representational role similar in some respects to that of a civic head and a high level of accountability. The chair is not only the leader of the authority but is also the public face of the particular national park and is the link with the Minister and MSs with whom they have regular meetings. The role requires a high level of commitment and time.

Basic and senior salaries

- 7.6 In the time commitment on which the remuneration of members is based is 44 days. The salary for members of NPAs will increase to £4,053.
- 7.7 The Panel has determined that the remuneration of a NPA Chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £12,845.
- 7.8 The Panel has previously determined that up to two other committee Chairs can be remunerated. If the NPA considered this was restrictive, there was an option to apply for additional Senior Salary. It is proposed that this restriction is removed and that NPAs determine the number of Senior posts it requires as appropriate to its governance arrangements. The determination relating to the application for additional senior salaries is removed.
- 7.9 The Panel has made the following determinations:

Determination 21: The basic salary for NPA ordinary members shall be £4,053 with effect from 1 April 2021.

Determination 22: The senior salary of the Chair of a NPA shall be £12,845 with effect from 1 April 2021.

Determination 23: A NPA senior salary of £7,792 must be paid to a Deputy Chair where appointed.

Determination 24: Committee chairs or other senior posts can be paid. This shall be paid at £7,792.

Determination 25: Members must not receive more than one NPA senior salary.

Determination 26: A NPA senior salary is paid inclusive of the NPA basic salary.

Determination 27: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.

Note: Family absence does not apply to Welsh Government appointed members and local authority nominees are covered by their principal council so NPAs are not required to make any arrangements in this respect.

8. Payments to Members of Welsh Fire and Rescue Authorities (FRAs)

Structure of Fire and Rescue Authorities

- 8.1 The three Fire and Rescue Services (FRAs) in Wales: Mid and West Wales, North Wales and South Wales were formed as part of Local Government re-organisation in 1996.
- 8.2 FRAs comprise elected members who are nominated by the Principal Councils within each Fire and Rescue Service area.
- 8.3 The structure of the each of the three FRAs is set out in Table 5.

Table 5: Membership of Fire and Rescue Authorities

Name of Fire and Rescue Authority	Number of Local Authority Members
Mid and West Wales	25: Carmarthenshire County Council – 5 Ceredigion County Council – 2 Neath Port Talbot County Borough Council – 4 Pembrokeshire County Council – 3 Powys County Council – 4 Swansea City and County Council – 7
North Wales	28: Conwy County Borough Council – 5 Denbighshire County Council – 4 Flintshire County Council – 6 Gwynedd Council – 5 Isle of Anglesey County Council – 3 Wrexham County Borough Council – 5
South Wales	24: Bridgend County Borough Council – 2 Blaenau Gwent County Borough Council – 1 Caerphilly County Borough Council – 3 Cardiff City Council – 5 Merthyr Tydfil County Borough Council – 1 Monmouthshire County Council – 2 Newport City Council - 2 Rhondda Cynon Taf County Borough Council - 4 Torfaen County Borough Council – 2 Vale of Glamorgan Council -2

- 8.4 In addition, Standards Committees of FRAs have independent co-opted members whose remuneration is included in the Framework as set out in Section 9.

8.5 In considering remuneration of members of FRAs, the Panel has based its determinations on the following key points:

- The Chair has a leadership and influencing role in the authority, and a high level of accountability especially when controversial issues relating to the emergency service arise. In addition to fire authority meetings, all FRAs have committees that include in different combinations: audit, performance management, scrutiny, human resources, resource management as well as task and finish groups and disciplinary Panels. As well as attending formal meetings of the authority and committees, members are encouraged to take on a community engagement role, including visiting fire stations.
- There is a strong training ethos in FRAs. Members are expected to participate in training and development. Induction programmes are available as well as specialist training for appeals and disciplinary hearings.
- Training sessions often follow on from authority meetings to make the training accessible.

Basic and Senior Salaries

8.6 The time commitment on which the remuneration is based is 22 days. The salary for members of FRAs will increase to £2,026.

8.7 The Panel determined that the remuneration of a FRA Chair should be aligned to that part of a Band 3 senior salary received by a committee chair of a principal council. This salary will increase to £10,818.

8.8 The Panel determined that the remuneration of a FRA Deputy Chair will be aligned with the Band 5 senior salary for principal councils. This will increase to £5,765 and must be paid if the authority appoints a deputy chair.

8.9 The Panel has previously determined that up to two other committee Chairs can be remunerated. If the FRA considered this was restrictive, there was an option to apply for additional Senior Salary. It is proposed that this restriction is removed and that FRAs determine the number of Senior posts it requires as appropriate to its governance arrangements. The determination relating to the application for additional senior salaries is removed. Committee Chairs and any other senior post if remunerated will be aligned with Band 5. This will increase to £5,765.

Local Pension Boards

8.10 The Panel has considered requests from FRAs to allow them to pay salaries to Chairs of local pension boards established under the Firefighters' Pension Scheme (Wales) Regulations 2015. Those Regulations already give FRAs the power to decide how local pension boards are to work and to pay the Chair and members if they wish. Therefore, it is not appropriate for the Panel to make a determination empowering FRAs to pay salaries to local pension

board Chairs. The senior salaries in Determination 28 or 29 cannot be used exclusively for this role.

8.11 The Panel has made the following determinations:

Determination 28: The basic salary for FRA ordinary members shall be £2,026 with effect from 1 April 2021.

Determination 29: The senior salary of the Chair of an FRA shall be £10,818 with effect from 1 April 2021.

Determination 30: A FRA senior salary of £5,765 must be paid to the Deputy Chair where appointed.

Determination 31: Chairs of committees or other senior posts can be paid. This shall be paid at £5,765.

Determination 32: Members must not receive more than one FRA senior salary.

Determination 33: A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.

Determination 34: Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply,

9. Payments to Co-opted Members of Principal Councils, National Park Authorities and Fire & Rescue Authorities⁶

- 9.1 The Panel has determined that a daily or half daily fee is appropriate remuneration for the important role undertaken by co-opted members of authorities with voting rights.
- 9.2 The number of days in any one year for which co-opted members may be paid varies and reflects the specific work discharged by the relevant committee. This context for payment therefore differs from that for elected members of principal councils which provides a monthly payment. Many elected members of principal councils report that they rely on this as part of a core income without which they would be unable to continue in the role.
- 9.3 In dialogue with the Panel, co-opted members acknowledge the importance of fees they receive but do not identify these payments as an income for living upon which they depend. Panel determinations in relation to co-opted member fees occur in this context and any uplifts are therefore not comparable with the changes to salaries of elected members.
- 9.4 The Panel proposes an increase of £12 to £210 daily rate for ordinary co-opted members and for those with additional responsibility.
- 9.5 Recognising the important role that co-opted members discharge, payment must be made for travel and preparation time; committee and other types of meetings as well as other activities, including training, as set out in Determinations 36 to 39.
- 9.6 The determinations are set out below and principal councils, NPAs and FRAs must tell co-opted members the name of the appropriate officer who will provide them with the information required for their claims; and make the appropriate officer aware of the range of payments that should be made.

Determination 35: Principal councils, NPAs and FRAs must pay the following fees to co-opted members who have voting rights (Table 6).

Table 6: Fees for co-opted members (with voting rights)

Chairs of standards, and audit committees	£268 (4 hours and over) £134 (up to 4 hours)
Ordinary members of standards committees who also chair standards committees for community and town councils	£238 daily fee (4 hours and over) £119 (up to 4 hours)
Ordinary members of standards committees; education scrutiny committee; crime and disorder scrutiny committee and audit committee	£210 (4 hours and over) £105 (up to 4 hours)

Community and town councillors sitting on principal council standards committees	£210 (4 hours and over) £105 (up to 4 hours)
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Determination 36: Reasonable time for pre-meeting preparation is to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.

Determination 37: Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).

Determination 38: The appropriate officer within the authority must determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.

Determination 39: Fees must be paid for meetings and other activities including other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.

Support for co-opted members

Determination 40: Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.

⁶This section does not apply to co-opted members to community and town councils.

10. Contribution towards Costs of Care and Personal Assistance (CPA)

10.1 This section applies to all members of principal councils, National Park Authorities, Fire and Rescue Authorities and to Co-opted members of these authorities. The same provision applies to Community and Town Councils.

10.2 The purpose of this section is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that additional costs of care required to carry out approved duties should not deter any individual from becoming and remaining a member of an authority or limit their ability to carry out the role. The Panel has adopted specific principles related to support for the costs of care which were the subject of a [Supplementary Report](#) published in February 2020. These principles are set out in table 7.

10.3 The Panel reviewed the arrangements for this financial support and has made the following changes:

- a) As payments are taxable under the current HMRC rules, full reimbursement is not possible so for clarity this is retitled to “contribution towards the costs of care and personal assistance”. It will still require receipts to accompany claims.
- b) Claims can be made in respect of a dependant under 16 years of age, or a minor or adult who normally lives with the member as part of their family and who cannot be left unsupervised.
- c) Clarification in respect of a member’s own care or support needs: Reimbursement may be claimed where the support and or cost of any additional needs are not available or are not met directly by the authority such as Access to Work, Personal Payments, Insurance. These could arise when the needs are recent and or temporary.

10.4 Members, including co-opted members are entitled to claim towards the costs of care and personal assistance, for activities that the individual council has designated official business or an approved duty which might include appropriate and reasonable preparation and travelling time. It is a matter for individual authorities to determine specific arrangements to implement this; each authority must ensure that any payments made are appropriately linked to official business or approved duty.

10.5 The Panel reviewed the maximum monthly payment in recognition that this has not changed for several years. Information indicates that monthly costs and claims vary considerably. These can depend on the number of dependants, their ages and other factors. Therefore the monthly cap will be replaced with the following arrangements:

- Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.

- Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred.

For clarification, care costs cannot be paid to someone who is a part of a member's household

10.6 The Panel continues to recognise the issues relating to the publication of this legitimate expense and has retained the requirements for publication set out in Annex 4. To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the contribution towards costs of care and personal assistance.

Table 7

The Panel's principles relating to care and personal assistance (CPA)

The Minimum Authorities should do		How this could be done
Be clear who it is for	<p>Members with primary caring responsibilities for a child or adult and or personal support needs where these are not covered by statutory or other provision.</p> <p>For personal support. This might also include a short term or recent condition not covered by the Equality Act 2010, access to work, Personal Payments, insurance or other provision.</p>	A Confidential review of the needs of individual members annually and when circumstances change
Raise Awareness	Ensure potential candidates, candidates and current members are aware that financial support is available to them should their current or future circumstances require.	Ensure clear and easily found information is available on website and in election and appointment materials, at Shadowing and at induction and in the members' "handbook". Remind serving members via e-mail and or training. Signpost to Panel's Payments to Councillors leaflets.
Promote a Positive Culture	Ensure all members understand the reason for CPA and support and encourage others to claim where needed.	Encouragement within and across all parties of Relevant Authorities to support members to claim.

The Minimum Authorities should do	How this could be done
	Agree not to advertise or make public individual decisions not to claim.
Set out the approved duties for which CPA can be claimed	<p>Approved duties are usually a matter of fact. Interpretation of the Panel's Regulations are set out in the Annual Report.</p> <p>"Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees."</p>
Be as enabling as possible about the types of care that can be claimed	<p>Members should not be "out of pocket" subject to the limit set in the Annual Report.</p> <p>Models of care and needs vary. Members may use a combination of several care options.</p> <p>Patterns of care may alter over the civic and academic year.</p> <p>Not all care is based on hourly (or part hourly) rates.</p> <p>Where a whole session must be paid for, this must be reimbursed even where the care need is only for part of a session.</p> <p>Members may need to:</p> <ul style="list-style-type: none"> • book and pay for sessions in advance • commit to a block contract: week, month or term • pay for sessions cancelled at short notice <p>Where care need straddles two sessions both should be reimbursed.</p>

The Minimum Authorities should do		How this could be done
Have a simple and effective claim process	Members should know how to claim. The claim process should be clear, proportionate and auditable.	Check members understand how to claim and that it is easy to do so. Flexibility to accept paperless invoices Online form Same or similar form to travel costs claim
Comply with Panel's Publication rules	The Panel's Framework states: "In respect of the publication of the reimbursement of the costs of care, the Panel has decided that relevant authorities should only publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed."	

Determination 41: All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:

- **Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.**
- **Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred.**

This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.

11. Sickness Absence for Senior Salary Holders

- 11.1 The Family Absence Regulations (approved by the National Assembly in 2014) are very specific relating to entitlement and only available for elected members of principal councils. Absence for reasons of ill-health is not included.
- 11.2 Instances have been raised with the Panel of senior salary holders on long term sickness and the perceived unfairness in comparison with the arrangements for family absence. In consequence, councils are faced with the dilemma of:
- Operating without the individual member but still paying them the senior salary.
 - Replacing the member who therefore loses the senior salary (but retains the basic salary).
- 11.3 The Panel's Framework provides specific arrangements for long term sickness as set out below:
- a) Long term sickness is defined as certified absences in excess of 4 weeks.
 - b) The maximum length of sickness absence within these proposals is 26 weeks or until the individual's term of office ends, whichever is sooner (but if reappointed any remaining balance of the 26 weeks will be included).
 - c) Within these parameters a senior salary holder on long term sickness can, if the authority decides, continue to receive remuneration for the post held.
 - d) It is a decision of the authority whether to make a substitute appointment, but the substitute will be eligible to be paid the senior salary appropriate to the post.
 - e) If the paid substitution results in the authority exceeding the maximum number of senior salaries payable for that authority, as set out in the Annual Report, an addition will be allowed for the duration of the substitution. (However, this would not apply to Merthyr Tydfil or the Isle of Anglesey councils if it would result in more than 50% of the membership receiving a senior salary. It would also not apply in respect of a council executive member if it would result in the cabinet exceeding 10 posts - the statutory maximum).
 - f) When an authority agrees a paid substitution, the Panel must be informed within 14 days of the decision of the details including the specific post and the estimated length of the substitution. The authorities' Schedule of Remuneration must be amended accordingly.
 - g) It does not apply to elected members of principal councils who are not

senior post holders as they continue to receive basic salary for at least six months irrespective of attendance and any extension beyond this timescale is a matter for the authority.

- 11.4 This arrangement applies to members of principal councils, National Park Authorities and Fire and Rescue Authorities who are senior salary holders, including Welsh Government appointed members, but does not apply to co-opted members.

Note:

The Family Absence Regulations apply to elected members in cases of maternity, new born, adoption and parental absences from official business. They do not apply to Welsh Government appointed members of National Park Authorities.

12. Reimbursement of Travel and Subsistence Costs when on Official Business

- 12.1 This section applies to members of principal councils, National Park Authorities, Fire and Rescue Authorities and to co-opted members of these authorities. (Similar provision for Community and Town Councils is contained in section 13 as there is a different approach to such members, principally that the provision is permissive.)
- 12.2 Members may claim reimbursement for travel and subsistence (meals and accommodation) costs where these have arisen as a result of undertaking official business or approved duties.
- 12.3 Expenses reimbursed to members of principal councils, by their principal council are exempt from Income Tax and employee NICs. Members of National Park Authorities and Fire and Rescue Authorities may be subject to other arrangements as determined by HMRC.
- 12.4 The Panel is aware that in some instances members with disabilities have been reluctant to claim legitimate travel expenses because of an adverse response following the publication of their travel costs. As an alternative, travel arrangements could be made directly by the authority in such circumstances.
- 12.5 The Panel has determined there will be no change to mileage rates which members are entitled to claim. All authorities may only reimburse travel costs for their members undertaking official business within and or outside the authority's boundaries at the current HM Revenue and Customs (HMRC) rates which are:

Reimbursement of mileage costs

45p per mile	Up to 10,000 miles in a year by car
25p per mile	Over 10,000 miles in a year by car
5p per mile	Per passenger carried on authority business
24p per mile	Motor cycles
20p per mile	Bicycles

- 12.6 Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Reimbursement of other travel costs

- 12.7 All other claims for travel, including travel by taxi if this is the only, or most

appropriate, method of transport, must only be reimbursed on production of receipts showing the actual cost and will be subject to any requirement or further limitation that an authority may determine. Members should always be mindful of choosing the most cost-effective method of travel.

Reimbursement of subsistence costs

£28 per day	Day allowance for meals, including breakfast, where not provided in the overnight charge
£200 per night	London
£95 per night	Elsewhere
£30 per night	Staying with friends and or family

- 12.8 These rates are in line with Welsh Government rates. Recommended practice is that overnight accommodation should usually be reserved and paid for on behalf of members by the relevant authority, in which case an authority may set its own reasonable limits and the limits which apply when an individual member claims in arrears for overnight accommodation costs do not then apply.
- 12.9 All authorities must continue to reimburse subsistence expenses for their members up to the maximum rates set out above on the basis of receipted claims except for occasions when members stay with friends and or family.
- 12.10 There may be instances where an authority has determined that travel costs within its boundaries are payable and require a journey to be repeated on consecutive days. Where it is reasonable and cost effective to reimburse overnight accommodation costs, instead of repeated daily mileage costs, then it is permissible to do so.
- 12.11 It is not necessary to allocate the maximum daily rate (£28 per day) between different meals as the maximum daily rate reimbursable covers a 24-hour period and can be claimed for any meal if relevant, provided such a claim is accompanied by receipts.

Car Parking for Members

Several councils have specific arrangements for their members in respect of car parking. The Panel considers that it is a matter for individual councils to determine arrangements including payments to and from members providing that it is a decision made formally by the council.

13. Payments to Members of Community and Town Councils

- 13.1 The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities.
- 13.2 The COVID pandemic limited the Panel's opportunities for face to face engagement in 2020/2021. However, the Panel attended RCT's Community Council liaison online meeting in November and a number of other constructive digital engagements throughout this period. The year before, the Panel met with over 304 Councillors and Clerks representing 302 community and town councils in 17 meetings it held across Wales. The discussions re-confirmed the widely held view that the roles individual councils undertake varied significantly and in accordance with this wide variation, the responsibilities and accountabilities of councillors must also vary. Councillors managing income or expenditure of £1million and those delivering significant services, including some that might have been delegated from principal councils, are operating in a much more complex environment than a council with an annual budget of less than £30,000.
- 13.3 In the 2018 Annual Report the Panel formed 3 groups of community and town councils to reflect these differences based on the level of income *or* expenditure, whichever is the highest, in the previous financial year. These remain unchanged as set out in Table 8.

Table 8: Community and Town Council Groupings

Community and Town Council Group	Income <i>or</i> Expenditure in 2020-2021 of:
A	£200,000 and above
B	£30,000 - £199,999
C	Below £30,000

- 13.4 In order to act and carry out duties as a member of a community or town council all persons are required to make a formal declaration of acceptance of office. Following this declaration, members of community or town councils are then holders of elected office and occupy a role that is part of the Welsh local government structure. It is important to note that a person who follows this path is in a different position to those in other forms of activity, for example such as volunteering or charitable work, typically governed by the Charity Commission for England and Wales.
- 13.5 Under the Local Government (Wales) Measure 2011, community and town councils are relevant authorities for the purpose of remuneration.
- 13.6 Consequently, individuals who have accepted office as a member of a

community or town council are entitled to receive payments as determined by the Independent Remuneration Panel for Wales. It is the duty of the proper officer of a council (usually the Council Clerk) to arrange for correct payments to be made to all individuals entitled to receive them.

- 13.7 Members should receive monies to which they are properly entitled as a matter of course. There must be no requirement for individuals to 'opt in' to receive payments.
- 13.8 An individual may decline to receive part, or all, of the payments if they so wish. This must be done in writing and is an individual matter. A community or town council member wishing to decline payments must themselves write to their proper officer to do so.
- 13.9 The Panel considers that any member who has personal support needs or caring responsibilities should be enabled to fulfil their role. Therefore, the Panel is mandating contribution towards costs of care and personal allowance for all members of community and town councils as set out in Determination 41.
- 13.10 Each community and town council must ensure that it does not create a climate which prevents persons accessing any monies to which they are entitled that may support them to participate in local democracy. Payments should be made efficiently and promptly.
- 13.11 Members in receipt of a Band 1 or Band 2 senior salary from a principal council cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance. However, this does not preclude them from holding a senior role (Leader, Deputy Leader) without payment.
- 13.12 Table 9 sets out the actions that community and town councils must take annually in respect of each determination that follows.

Payments towards costs and expenses

- 13.13 The Panel continues to mandate a payment of £150 as a contribution to costs and expenses for members of all community and town councils.
- 13.14 For the avoidance of doubt this determination now includes all councils. Receipts are not required for these payments.

Determination 42: All community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.

Senior roles

- 13.15 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, will involve greater responsibility. It is also likely that larger councils will have a greater number of committees, reflecting its level of activity. The Panel has therefore determined that councils in Group A must make available a payment for a minimum of one senior role and a maximum of five senior roles of £500 each. Councils in Groups B and C can pay up to five responsibility payments (of up to £500) for specified roles.
- 13.16 In all cases, a Councillor can only have one payment of £500 regardless of how many senior roles they hold within their Council.

Determination 43: Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.

Determination 44: Community and town councils in Groups B or C can make an annual payment of up to £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.

- 13.17 Where a person is a member of more than one community or town council, they are eligible to receive the £150 and, if appropriate, £500 from each council of which they are a member.

Contribution towards costs of care and personal assistance

- 13.18 The purpose of this is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel's determinations in section 10 apply to Community and Town Councils.

Reimbursement of travel costs and subsistence costs

- 13.19 The Panel recognises there can be significant travel and subsistence costs associated with the work of community and town council members, especially where the council area is geographically large and/or when engaging in duties outside this area. Each council has an option to pay travel and subsistence costs including travel by taxi if this is the only, or most appropriate, method of transport. Where a council does opt to pay travel and subsistence costs, the following determinations apply.

Determination 45: Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.⁷ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:

- 45p per mile up to 10,000 miles in the year.
- 25p per mile over 10,000 miles.
- 5p per mile per passenger carried on authority business.
- 24p per mile for private motor cycles.
- 20p per mile for bicycles.

Determination 46: If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:

- £28 per 24-hour period allowance for meals, including breakfast where not provided.
- £200 – London overnight.
- £95 – elsewhere overnight.
- £30 – staying with friends and/or family overnight.

Compensation for financial loss

13.20 The Panel has retained the facility which councils may pay as compensation to their members where they suffer financial loss when attending approved duties. Members must be able to demonstrate that the financial loss has been incurred. Each council has an option to pay compensation for financial loss and where it does the following determination applies.

Determination 47: Community and town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:

- Up to £55.50 for each period not exceeding 4 hours
- Up to £110.00 for each period exceeding 4 hours but not exceeding 24 hours

⁷ Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Civic Head and Deputy Civic Head

- 13.21 Civic heads are senior posts within community and town councils. In addition to chairing major meetings the civic head is the ‘ambassador’ representing the council to a variety of institutions and organisations. The Panel requires that members should not have to pay themselves for any cost associated with carrying out these duties. This requirement also applies in respect of deputy civic heads.
- 13.22 The Panel recognises the wide range of provision made for civic heads in respect of transport, secretarial support, charitable giving and clothing – we consider these to be the council’s civic budgets.
- 13.23 Funding decisions in relation to these civic budgets are not matters of personal remuneration for the post holder but relate to the funding required for the tasks and duties to be carried out. Councils remain free to set civic budgets at whatever levels they deem appropriate for the levels of civic leadership they have in place.
- 13.24 For the avoidance of doubt, costs in respect of, for example, transport (physical transport or mileage costs), secretarial support, charitable giving (purchasing tickets, making donations or buying raffle tickets) and clothing are not matters of personal remuneration for the individual holding the senior post. These should be covered by the civic budget.
- 13.25 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils can make a payment to the individuals holding these roles.
- 13.26 This is a personal payment to the individual and is entirely separate from covering the costs set out above.
- 13.27 The Panel has determined that the maximum payment to a chair or mayor of a community or town council is £1,500. The maximum payment to a deputy mayor or chair is £500.

Determination 48: Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 49: Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Making Payments to members

- 13.28 Table 9 sets out each of the above determinations and if a decision is required by the council in respect of each one.
- 13.29 In respect of the mandated payments where no decision is required by a council, members should receive monies to which they are properly entitled as a matter of course.
- 13.30 Where a decision is required by the council, this should be done at the first meeting following receipt of the Annual Report.
- 13.31 A council can adopt any, or all, of the non-mandated determinations but if it does make such a decision, it must apply to all its members.
- 13.32 When payments take effect from is set out in paragraphs 13.36 to 13.38 below.
- 13.33 On receipt of the draft Annual Report the previous autumn, councils should consider the determinations for the next financial year and use this to inform budget plans.

Table 9

Determination Number	Is a decision required by council?
42 All community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.	No - the payment of £150 is mandated for every member unless they advise the appropriate officer that they do not want to take it in writing.
43 Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.	Yes – a council must decide how many payments of £500 it will make – to between 1 and 5 members.
44 Community and town councils in Groups B or C can make an annual payment of up to £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.	Yes – it is optional to pay it for up to 5 members and, if it is paid, the amount (up to £500) must be decided.
45 Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties.	Yes – the payment of travel costs is optional.

Determination Number	Is a decision required by council?
46 If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members.	Yes – the payment of overnight subsistence expenses is optional.
47 Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties.	Yes – the payment of financial loss allowance is optional.
48 Community and town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500.	Yes – the payment to a Civic Head is optional.
49 Community and town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum amount of £500.	Yes – the payment to a Deputy Civic Head is optional.
50 Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.	No - Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) can only receive travel and subsistence expenses and contribution towards costs of care and personal assistance; if they are eligible to claim, and wish to do so.

13.34 All members are eligible to be paid the £150 as set out in Determination 42 from the start of the financial year; unless they are elected later in the financial year, in which case they are eligible for a proportionate payment from that date.

13.35 Other amounts payable to members in recognition of specific responsibilities or as a civic head or deputy civic head as set out in Determinations 43,44, 48 and 49 are payable from the date when the member takes up the role during the financial year.

13.36 It is a matter for each council to make, and record, a policy decision in respect of:

- when the payment is actually made to the member;
- how many payments the total amount payable is broken down into;
- and whether and how to recover any payments made to a member who leaves or changes their role during the financial year.

13.37 Payments in respect of Determinations 43, 44, 45 and 46 are payable when the activity they relate to has taken place.

13.38 As stated in paragraph 13.8 any individual member may make a personal decision to elect to forgo part or all of the entitlement to any of these payments by giving notice in writing to the proper officer of the council.

Determination 50: Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.

Publicity requirements

13.39 There is a requirement on community and town councils to publish details of all payments made to individual members in an annual Statement of Payments for each financial year. This information must be published on council noticeboards and or websites (with easy access) and provided to the Panel by email or by post no later than 30 September following the end of the previous financial year. The Panel draws attention to the requirements stipulated at Annex 4. The Panel is concerned that a significant number of councils are still in breach of this requirement.

14. Compliance with Panel Requirements

The Panel's remit under the Measure

- 14.1 Section 153 of the Measure empowers the Panel to require a relevant authority⁸ to comply with the requirements imposed on it by an Annual Report of the Panel and further enables the Panel to monitor the compliance of relevant authorities with the Panel's determinations.
- 14.2 A relevant authority must implement the Panel's determinations in this report from the date of its annual meeting or a date specified within the Annual Report.

Monitoring compliance

- 14.3 The Panel will monitor the compliance with the determinations in this Annual Report by relevant authorities against the following requirements:
- (i) A relevant authority must maintain an annual **Schedule of Member Remuneration** (IRPW Regulations 4 and 5). Guidance at Annex 3 sets out the content which must be included in the Schedule.
 - (ii) A relevant authority must make arrangements for the Schedule's publication within the authority area (IRPW Regulation 46) and send the Schedule to the Panel as soon as practicable and not later than 31 July in the year to which it applies. Annex 4 provides further details of the publicity requirements.
 - (iii) Any amendments to the Schedule made during the year must be notified to the Panel as soon as possible after the amendment is made.

Note: The above requirements do not apply to Community and Town Councils at this time.

The following applies to all authorities including Community and Town Councils.

- (iv) A relevant authority must make arrangements for publication within the authority area of the total sum paid by it in the previous financial year to each member and co-opted member in respect of salary (basic, senior and civic), allowances, fees and reimbursements in a Statement of Payments (in accordance with Annex 4 that sets out the content that must be included in the Publicity Requirements). This must be published as soon as practicable and no later than 30 September following the end of the previous financial year- **and must also be submitted to the Panel no later than that date.**

⁸ Interpretation of "Relevant Authority" provided in the Independent Remuneration Panel for Wales (IRPW) Regulations, Part 1, 'Interpretation'.

15. Salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities and Chief Officers of Principal Councils

- 15.1 Section 63 of the Local Government (Democracy) (Wales) Act 2013 amended the Local Government (Wales) Measure 2011 by inserting section 143A. This enables the Panel to take a view on anything in the Pay Policy Statements of these authorities that relates to the salary of the head of paid service (normally the Head of Paid Service or chief fire officer). Section 39 of the Local Government (Wales) Act 2015 further amended the Measure extending this function to include Chief Officers of Principal Councils. However, this function ceased on 31 March 2020.
- 15.2 The Welsh Government issued amended guidance to the Panel which can be found at [Amended Guidance to the Independent Remuneration Panel for Wales under Section 143A of the Local Government \(Wales\) Measure 2011 and Section 39 of the Local Government \(Wales\) Act 2015](#). This sets the basis on which the Panel will carry out the function contained in the legislation.
- 15.3 The functions of the Panel and the requirements on authorities established by the legislation and the subsequent guidance are:
- a) If a principal council intends to change the salary of the head of paid service, or if a fire and rescue authority intends to change the salary of its head of paid service it must consult the Panel unless the change is in keeping with changes applied to other officers of that authority (whether the change is an increase or decrease). 'Salary' includes payments under a contract for services as well as payments of salary under an employment contract.
 - b) The authority must have regard to the recommendation(s) of the Panel when reaching its decision.
 - c) The Panel may seek any information that it considers necessary to reach a conclusion and produce a recommendation. The authority is obliged to provide the information sought by the Panel.
 - d) The Panel may publish any recommendation that it makes. It is the intention that, in the interests of transparency, it will normally do so.
 - e) The Panel's recommendation(s) could indicate:
 - approval of the authority's proposal
 - express concerns about the proposal
 - recommend variations to the proposal

As long as these comply with any guidance issued by the Welsh Government.

- 15.4 The Panel also has a general power to review the Pay Policy Statements of

authorities so far as they relate to the heads of paid service.

15.5 It is important to note the Panel will not decide the amount an individual head of paid service will receive.

15.6 The Panel is very aware that this function is significantly different from its statutory responsibilities in relation to members' remuneration. However, it undertakes this role with clarity and openness, taking into account all the relevant factors in respect of specific individual cases. Authorities are encouraged to consult the Panel at an early stage in their decision making on such matters. This will enable the Panel to respond in a timely manner.

Pay Policy Statements

Paragraph 3.7 of the guidance to the Panel from the Welsh Government states that "The legislation does not restrict the Panel to a reactive role". It allows the Panel to use its power to make recommendations relating to provisions within local authorities Pay Policy Statements.

Changes to the salaries of chief officers of principal councils – Panel decisions 2020

Letters issued to the Local Authorities notifying them of the Panel decision can be found on the [Panel website](#).

Name of Local Authority	Proposal	Panel decision
Neath Port Talbot Council	Head of Children and Young People's Services	Referred for further information

Annex 1: The Panel's Determinations for 2021/22

Principal Councils	
1.	Basic salary in 2021/22 for elected members of principal councils shall be £14,368 with effect from 1 April 2021.
2.	Senior salary levels in 2021/22 for members of principal councils shall be as set out in Table 3 with effect from 1 April 2021.
3.	Where paid, a civic head must be paid a Band 3 salary of £23,161 and, where paid, a deputy civic head must be paid a Band 5 salary of £18,108 with effect from 1 April 2021.
4.	Where appointed and if remunerated, a presiding member must be paid a Band 3 senior salary of £23,161.
5.	The post of deputy presiding member will not be remunerated.
6.	<p>a) An elected member must not be remunerated for more than one senior post within their authority.</p> <p>b) An elected member must not be paid a senior salary and a civic salary.</p> <p>c) All senior and civic salaries are paid inclusive of basic salary.</p> <p>d) If a council chooses to have more than one remunerated deputy leader, the difference between the senior salary for the deputy leader and other executive members should be divided by the number of deputy leaders and added to the senior salary for other executive members in order to calculate the senior salary payable to each deputy leader.</p>
7.	Members in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA or FRA to which they have been appointed. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the NPA or FRA.
8.	Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a Community or Town Council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the Community or Town Council. Where this situation applies, it is the responsibility of the individual member to comply.
9.	Each authority, through its Democratic Services Committee, must ensure that all its elected members are given as much support as is necessary to enable them to fulfil their duties effectively. All elected members should be provided with adequate telephone, email and internet facilities giving electronic access to appropriate information.

10.	Such support should be without cost to the individual member. Deductions must not be made from members' salaries by the respective authority as a contribution towards the cost of support which the authority has decided necessary for the effectiveness and or efficiency of members.
Specific or Additional Senior Salaries	
11.	Principal Councils can apply for specific or additional senior salaries that do not fall within the current Remuneration Framework.
Joint Overview and Scrutiny Committees (JOSC)	
12.	The salary level for a Chair of a Joint Overview and Scrutiny Committee shall be £8,793.
13.	The salary level for a Vice Chair of a Joint Overview and Scrutiny Committee shall be £4,396.
Local Government Pension Scheme	
14.	The entitlement to join the Local Government Pension Scheme (LGPS) shall apply to all eligible elected members of principal councils.
Family Absence	
15.	An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
16.	When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence.
17.	It is a matter for the authority to decide whether or not to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary, if the authority so decides.
18.	If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this will not apply to the Isle of Anglesey or Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council membership. Specific approval of Welsh Ministers is required in such circumstances.
19.	When a Council agrees a paid substitution for family absence the Panel must be informed within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.
20.	The Council's schedule of remuneration must be amended to reflect the implication of the family absence.

National Park Authorities	
21.	The basic salary for NPA ordinary members shall be £4,053 with effect from 1 April 2021.
22.	The senior salary of the Chair of a NPA shall be £12,845 with effect from 1 April 2021.
23.	A NPA senior salary of £7,792 must be paid to a Deputy Chair where appointed.
24.	Committee chairs or other senior posts can be paid. This shall be paid at £7,792.
25.	Members must not receive more than one NPA senior salary.
26.	A NPA senior salary is paid inclusive of the NPA basic salary.
27.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.
Fire and Rescue Authorities	
28.	The basic salary for FRA ordinary members shall be £2,026 with effect from 1 April 2021.
29.	The senior salary of the chair of a FRA shall be £10,818 with effect from 1 April 2021.
30.	A FRA senior salary of £5,765 must be paid to the Deputy Chair where appointed.
31.	Chairs of Committees or other senior posts can be paid. This shall be paid at £5,765.
32.	Members must not receive more than one FRA senior salary.
33.	A FRA senior salary is paid inclusive of the FRA basic salary and must reflect significant and sustained responsibility.
34.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply.
Co-opted Members	
35.	Principal councils, NPAs and FRAs must pay the fees to co-opted members (who have voting rights) as set out in Table 6.
36.	Reasonable time for pre meeting preparation is to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.

37.	Travelling time to and from the place of the meeting is to be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
38.	The appropriate officer within the authority must determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
39.	Fees must be paid for meetings and other activities including other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.
40.	Each authority, through its Democratic Services Committee or other appropriate committee, must ensure that all voting co-opted members are given as much support as is necessary to enable them to fulfil their duties effectively. Such support should be without cost to the individual member.
Contribution towards costs of care and personal assistance	
41.	<p>All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:</p> <ul style="list-style-type: none"> • Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced. • Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred. <p>This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.</p>
Community and Town Councils	
42.	All Community and Town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.
43.	Community and Town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.
44.	Community and Town councils in Groups B or C can make an annual payment of £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.

45.	<p>Community and Town councils can make payments to each of their members in respect of travel costs for attending approved duties. ⁹ Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:</p> <ul style="list-style-type: none"> • 45p per mile up to 10,000 miles in the year. • 25p per mile over 10,000 miles. • 5p per mile per passenger carried on authority business. • 24p per mile for private motor cycles. • 20p per mile for bicycles.
46.	<p>If a Community or Town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:</p> <ul style="list-style-type: none"> • £28 per 24-hour period allowance for meals, including breakfast where not provided. • £200 – London overnight. • £95 – elsewhere overnight. • £30 – staying with friends and or family overnight.
47.	<p>Community and Town councils can pay financial loss compensation to each of their members, where such loss has occurred, for attending approved duties as follows:</p> <ul style="list-style-type: none"> • Up to £55.50 for each period not exceeding 4 hours. • Up to £110.00 for each period exceeding 4 hours but not exceeding 24 hours.
48.	<p>Community and Town councils can provide a payment to the mayor or chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
49.	<p>Community and Town councils can provide a payment to the deputy mayor or deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.</p>
50.	<p>Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and contribution towards costs of care and personal assistance.</p>

⁹ Where a member who is on official business or an approved duty is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Annex 2: Independent Remuneration Panel for Wales (IRPW) Regulations:

- a) For the remuneration of members and co-opted members of relevant authorities**
- b) For functions relating to the salaries of Heads of Paid Service of Principal Councils and Fire and Rescue Authorities**

Introduction

Part 8 (sections 141 to 160) and schedules 2 and 3 of the Local Government (Wales) Measure 2011 (*the Measure*) set out the arrangements for the payments and pensions for members of relevant authorities and the functions and responsibilities of the Independent Remuneration Panel for Wales (the Panel).

Sections 62 to 67 of the Local Government (Democracy) (Wales) Act 2013 amends sections 142, 143, 144, 147, 148 and 151 of the Measure and confers additional powers on the Panel.

The powers contained in part 8 and schedules 2 and 3 of the Measure (as amended) have replaced the following Statutory Instruments:

- The Local Authorities (Allowances for Members of County and County Borough Councils and National Park Authorities) (Wales) Regulations 2002 (No. 1895 (W.196)).
- The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 (No. 2555 (W.227)).
- The Local Authorities (Allowances for Members) (Wales) Regulations 2007 (No.1086 (W.115)).

The Measure also has replaced the sections of the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 relating to payments to councillors in Wales.

Payments for members of community and town councils are set out in Part 5 of these Regulations. The Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2003 (No. 895(W.115)) were revoked from 1 April 2013.

Part 1

General

1. a. The short title of these Regulations is: "IRPW Regulations".
b. These IRPW Regulations came into force on 1 April 2021 and replace

those in force from 1 April 2012. The implementation date for each of the relevant authorities is set out in the Annual Report or Supplementary Report of the Panel.

- c. Authorities are required to produce a schedule of payments to members and co-opted members no later than the 31 July each year, for submission to the Panel and publication (see paragraph 46).

Interpretation

2. In the IRPW Regulations:

- “The 1972 Act” means the Local Government Act 1972.
- “The 2000 Act” means the Local Government Act 2000.
- “The 2013 Act” means the Local Government (Democracy) (Wales) Act 2013.
- “Payment” means the actual or maximum amount which may be paid to members and co-opted members of a relevant authority for expenses necessarily incurred when carrying out the official business of the relevant authority.
- “Annual Report” means a report produced by the Panel in accordance with section 145 of the Measure.
- “Approved duty” in relation to community and town councils has the meaning as set out in Part 5 of these Regulations.
- “Authority” means a relevant authority in Wales as defined in Section 144(2) of the Measure and includes a principal council (county or county borough council), a national park authority and a Welsh fire and rescue authority, a community or town council.
- “Basic Salary” has the same meaning as set out in paragraph 6 of these Regulations, and may be qualified as “LA Basic Salary” to refer to the basic salary of a member of a principal council; “NPA Basic Salary” to refer to the basic salary of a member of a national park authority; and “FRA Basic Salary” to refer to the basic salary of a member of a Welsh fire and rescue authority.
- “Chief Officer” of a principal council has the meaning as defined in the Localism Act 2011.
- “Civic Head” is the person elected by the council to carry out the functions of the chair of that council and is designated as mayor or chair.
- “Committee” includes a sub-committee.
- “Community or town council” means in relation to Part 8 of the Measure, a community council as defined in section 33 of the Local Government Act 1972 or a town council in accord with section 245B of the same Act.

- “Consultation draft” means the draft of an Annual or Supplementary report under Section 146 (7) or 147(8) of the Measure. The Panel must take account of these representations.
- “Constituent authority” – for national park authorities this is a principal council falling within the area of a national park authority; for Welsh fire and rescue authorities it is a principal council falling within the area of a fire and rescue authority.
- “Contribution to Costs of Care and Personal Assistance” has the same meaning as set out in paragraph 21 of these Regulations.
- “Controlling group” means a political group in a principal council where any of its members form part of the executive.
- “Co-opted Member” has the meaning contained in section 144 (5) of the Measure, that is those with the right to vote on matters within the remit of the committee on which they serve.
- “Co-opted Member payment” has the same meaning as set out in paragraph 19 of these Regulations.
- “Democratic Services Committee” means the principal council committee established under section 11 of the Measure.
- “Deputy Civic Head” is a person elected by the council to deputise for the mayor or chair of that council.
- “Executive” means the executive of an authority in a form as specified in sections 11(2) to (5) of the 2000 Act, as amended by section 34 of the Measure.
- “Executive arrangements” has the meaning given by section 10(1) of the 2000 Act.
- “Family absence” as defined in Section 142 (2) (b) of the Measure has the meaning given to it by Part 2 of the Measure, and the related Regulations
- “Financial Loss Allowance in relation to community or town councils has the meaning as set out in Part 5 of the Regulations.
- “Fire and rescue authority” means an authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.
- “Head of paid service” means as designated under section 4(1) of the Local Government and Housing Act 1989.
- Joint Overview and Scrutiny Committee means a committee or subcommittee set up by two or more principal councils under the Local Authority (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.
- “Largest opposition group” means a political group other than a controlling group which has a greater number of members than any other political group in the authority.

- “Member” means a person who serves on an authority.
 - For a principal council or a community or town council a “Member” may be:
 - An “Elected Member” which means a person who has been elected to serve as a councillor for that authority. It is possible for a person to hold an elected office if, further to the completion of an election, no candidate has presented and a person holds that office subject to proper process.
 - A ‘Co-opted Member’ which means a person who has been placed into membership of a council committee or to discharge a function subject to proper process.
 - For a national park authority, a “Member” means a person appointed by a constituent authority and a person appointed by Welsh Ministers.
 - For Welsh fire and rescue authorities a “Member” means a person appointed by a constituent authority.

- “National Park Authority” means a national park authority established under section 63 of the Environment Act 1995.

- “Official business” has the meaning contained in Section 142 (10) of the Measure in relation to the reimbursement of care, travel and subsistence costs necessarily incurred by members and co-opted members of a relevant authority (excluding community and town councils) when:
 - a. Attending a meeting of the authority or any committee of the authority or any other body to which the authority makes appointments or nominations or of any committee of such a body.
 - b. Attending a meeting of any association of authorities of which the authority is a member.
 - c. Attending a meeting the holding of which is authorised by the authority or by a committee of the authority or by a joint committee of the authority and one or more other authorities.
 - d. Attending any training or development event approved by the authority or its executive.
 - e. A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive within the meaning of Part 2 of the 2000 Act, as amended.
 - f. A duty undertaken in pursuance of a standing order which requires a member or members to be present when tender documents are opened.
 - g. A duty undertaken in connection with the discharge of any function of the authority to inspect or authorise the inspection of premises.
 - h. A duty undertaken by members of principal councils in connection with constituency or ward responsibilities which arise from the discharge of principal council functions.

- i. Any other duty approved by the authority, or any duty of class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees.
- “Other political group” means a political group other than a controlling group or the largest opposition group (if any) which comprises not less than ten per cent of the members of that authority.
 - “Overview and Scrutiny Committee” means a committee of the authority which has the powers set out in sections 21(2) and (3) of the 2000 Act, as amended by Part 6 of the Measure.
 - “Panel” means the Independent Remuneration Panel for Wales as set out in section 141(1) and schedule 2 of the Measure.
 - “Pay policy statement” means a statement produced by a relevant authority under section 38 of the Localism Act 2011.
 - ‘Political group’ may be formed from members of a recognised political party or be a group of independent members unaffiliated to any recognised political party. “Presiding Member” means a member of a principal council who has been designated by that council to carry out functions in relation to the chairing of its meetings and proceedings.
 - “Principal Council” is as defined by the 1972 Act and means a county or county borough council.
 - “Proper officer” has the same meaning as in section 270(3) of the 1972 Act In community and town councils, the ‘Proper Officer’ may be the clerk or other official appointed for that purpose. “Public body” means a body as defined in section 67(b) of the 2013 Act.
 - “Qualifying provision” means a provision that makes a variation to a previous decision of the Panel. (Section 65 (c) of the 2013 Act).
 - “Qualifying relevant authority” is an authority within the meaning of section 63 of the 2013 Act, required to produce a pay policy statement.
 - “Relevant authority” is set out in Section 144(2) of the Measure (as amended) and in section 64 of the 2013 Act and, for the purposes of these Regulations, includes a principal council, a community or town council, a national park authority and a Welsh fire and rescue authority.
 - “Relevant matters” are as defined in Section 142(2) of the Measure.
 - “Schedule” means a list setting out the authority’s decisions in respect of payments to be made during the year (as relating to that authority) to all members and co-opted members of that authority.
 - “Senior Salary” has the same meaning as set out in paragraph 11 of these Regulations and may be qualified as “Principal council Senior Salary” to refer to the senior salary of a member of a principal council; “National Park Senior Salary” to refer to the senior salary of a member of a national park authority; or “Fire and Rescue authority Senior Salary” to refer to the senior salary of a member of a Fire and Rescue authority.
 - “Sickness absence” means the arrangements as set out in the Annual Report.

- “Supplementary report” has the meaning contained in section 146(4 to 8) of the Measure.
- “Travelling and subsistence payment” has the same meaning as set out in paragraph 25 of these Regulations.
- “Year” has the following meanings:
 - “financial year” – the period of twelve months ending 31 March;
 - “calendar year” – the period of twelve months ending 31 December;
 - “municipal year” – the year commencing on the date of the annual meeting of the authority and ending the day before the annual meeting of the following year; for national park authorities and Welsh fire and rescue authorities it is the period of up to twelve months following the annual meeting of the authority.

Part 2: Schedule of member or co-opted member payments

Commencement of term of office

3. The term of office of:
 - An elected member of a principal council or community or town council begins 4 days following the election subject to making the declaration of acceptance of that office under section 83(1) of the 1972 Act.
 - A councillor member of a national park authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of a Welsh Government appointed member begins on the date of that appointment. The term of office of the chair and deputy chair of the national park authority begins on their acceptance of that office further to being either elected or appointed as a chair or deputy chair of a national park authority.
 - A councillor member of a Welsh fire and rescue authority begins on the date on which that member is appointed as such by a constituent authority and the term of office of the chair and deputy chair of the fire and rescue authority begins on the date of election by that authority to that office.
 - A co-opted member of a relevant authority begins on the date of appointment by the relevant authority.

Schedule of payments to members (the Schedule) (does not apply to community or town councils – see Part 5)

4. An authority must produce annually, a schedule of payments it intends to make to its members and co-opted members. The amount of those payments must accord with the Panel’s determinations made for that year in its Annual or Supplementary Reports. The Schedule must be produced no later than four weeks following the annual meeting of the authority.

Amendment to the Schedule

5. An authority may amend the Schedule at any time during the year (as relating to the authority) provided that such amendments accord with the Panel's determinations for that year.

Basic salary

6. An authority must provide for the payment of a basic salary, as determined by the Panel in its Annual or Supplementary Reports, to each of its members. The amount of the salary must be the same for each member. For principal councils only, this salary remains payable during a period of family absence.
7. A member may not receive more than one basic salary from a relevant authority, but a member of one relevant authority may receive a further basic salary by being appointed as a member of another relevant authority (except in the case as indicated in paragraph 16).
8. The amount of the basic salary will be set in accordance with Section 142(3) of the Measure and will be one of the following:
 - The amount the authority must pay to a member of the authority.
 - The maximum amount that the authority may pay to a member of the authority.
9. Where the term of office of a member begins or ends other than at the beginning or end of the year (as relating to the authority), the entitlement of that member is to such proportion of the basic salary as the number of days during which the member's term of office subsists during that year bears to the number of days in that year.
10. Where a member is suspended or partially suspended from being a member of an authority (Part 3 of the 2000 Act refers) the part of the basic salary payable to that member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers (Section 155(1) of the Measure).

Senior salary

11. Subject to paragraphs 12 to 18 an authority can make payments of a senior salary to members that it has given specific responsibilities. Such payments must accord with the Panel's determination for the year (as relating to the authority) that the payments are made and must be set out in the Schedule of that authority. For principal councils only, a senior salary will remain payable during the family absence of the office holder.
12. The Panel will prescribe in its Annual or Supplementary Reports the following:
 - The categories of members eligible for the payment of a senior salary

which may not be the same for all authorities or categories of authorities.

- The discretion available to authorities in relation to the payment of senior salaries which may not be the same for all authorities or categories of authorities.
13. The amount of the senior salaries payable will be in accordance with section 142(3) of the Measure and specify:
- The amount that a relevant authority must pay to a member of the authority.
 - The maximum amount that a relevant authority may pay to a member of the authority.
14. The Senior Salary will comprise an amalgam of the basic salary and an additional amount for the relevant specific responsibility determined by the Panel in its Annual or Supplementary Reports. This may not be the same for all authorities or categories of authorities.
15. The Panel in its Annual or Supplementary Reports will determine either the maximum proportion of its membership or the total number of members that an authority can pay as senior salaries. The percentage may not exceed fifty percent without the express approval of Welsh Ministers (Section 142(5) of the Measure). For principal councils only, the maximum proportion or number may be exceeded to include payment of a senior salary to an additional member who is appointed to provide temporary cover for the family absence of a senior salary office holder (subject to the 50% limit).
- 15(a). For, Fire and Rescue Authorities and National Park Authorities the maximum proportion or number may be exceeded to include the payment of a senior salary to an additional member who is appointed to provide temporary cover for the sickness absence of a senior salary holder as determined in the Annual Report or a Supplementary Report.
- 15(b). Payments to chairs of Joint Overview and Scrutiny Committees or Sub Committees are additional to the maximum proportion of its membership that an authority can pay as senior salaries subject to the overall maximum of fifty percent as contained in Section 142(5) of the Measure. The Panel will determine the amounts of such payments in an Annual or Supplementary Report.
16. An authority must not pay more than one senior salary to any member. A principal council member in receipt of a senior salary as leader or executive member of an authority (determined as full-time by the Panel) may not receive a second salary as a member appointed to serve on a national park authority or a Welsh fire and rescue authority.
- 16(a). Paragraph 16 does not apply to payments made to a chair of a Joint Overview and Scrutiny Committee or Sub Committee who is in receipt of a senior salary for a role that is not classified as full time equivalent. It continues to apply to leaders or members of the executive.

17. Where a member does not have, throughout the year specific responsibilities that allow entitlement to a senior salary, that member's payment is to be such proportion of the salary as the number of days during which that member has such special responsibility bears to the number of days in that year.
18. Where a member is suspended or partially suspended from being a member of the authority (Part 3 of the 2000 Act refers) the authority must not make payments of the member's senior salary for the duration of the suspension (Section 155(1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the basic salary. Payment must also be withheld if directed by the Welsh Ministers.

Co-opted member payment

19. A relevant authority must provide for payments to a co-opted member as determined by the Panel in its Annual or Supplementary Reports. In relation to this regulation 'co-opted member' means a member as determined in Section 144(5) of the Measure and set out in paragraph 2 of these Regulations.
20. Where a co-opted member is suspended or partially suspended from an authority (Part 3 of the 2000 Act refers) the authority must not make payment of a co-opted member fee for the duration of the suspension (Section 155(1) of the Measure).

Payments Contribution to Costs of Care and Personal Assistance

21. Authorities must provide for the payment to members and co-opted members of an authority the reimbursement in respect of such expenses of arranging the care of children or dependants or for the individual member as are necessarily incurred in carrying out official business as a member or co-opted member of that authority. Payments under this paragraph must not be made:
 - In respect of any child over the age of fifteen years or dependant unless the member or co-opted member satisfies the authority that the child or dependant required supervision which has caused the member to incur expenses that were necessary in respect of the care of that child or dependant in the carrying out of the duties of a member or co-opted member.
 - To more than one member or co-opted member of the authority in relation to the care of the same child or dependant for the same episode of care.
 - Of more than one reimbursement for care to a member or co-opted member of the authority who is unable to demonstrate to the satisfaction of the authority that the member or co-opted member has to make separate arrangements for the care of different children or dependants.

22. The arrangements in respect of the contribution to cost of care and personal assistance payable by an authority is to be determined by the Panel in its Annual or Supplementary Reports.
23. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers) the part of the contribution to the cost of care and personal assistance payable to that member or co-opted member in receipt of the responsibilities or duties from which that member or co-opted member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).
24. An authority's Schedule must stipulate the arrangements regarding the contribution towards costs of care and personal assistance payable and its arrangements for making claims, taking full account of the Panel's determinations in this respect.

Travel and subsistence payments

25. Subject to paragraphs 26 and 27 below a member or co-opted member is entitled to receive payments from the authority by way of travelling and subsistence payments at rates determined by the Panel in its Annual or Supplementary Reports. Such payments are in respect of expenditure incurred by a member or co-opted member in the performance of the official business within or outside the boundary of the authority.

(Paragraphs 26 & 27 apply only to principal councils)

26. Payment of a subsistence payment to a principal council member for the performance of official business within the boundaries of a county or county borough where they are a member should only be made when the authority is satisfied that it can be justified on economic grounds. This does not apply in respect of co-opted members of a council who live outside that authority.
27. A principal council may make provision, subject to any limitations it thinks fit, for members to claim mileage expenses for official business in connection with constituency or ward responsibilities where they arise out of the discharge of the functions of the county or county borough.
28. Where a member or co-opted member is suspended or partially suspended from being a member or co-opted member of the authority (Part 3 of the 2000 Act refers), travelling and subsistence payments payable to that member or co-opted member in respect of the responsibilities or duties from which that member is suspended or partially suspended must be withheld by the authority. Payment must also be withheld if directed by the Welsh Ministers for reasons other than suspension (Section 155(1) of the Measure).

Part 3: Further provisions

Pensions

29. Under Section 143 of the Measure, the Panel may make determinations in respect of pension arrangements for principal council members in its Annual or Supplementary Reports. Such determinations may:
- Define which members for whom the principal council will be required to pay a pension.
 - Describe the relevant matters in respect of which a local authority will be required to pay a pension.
 - Make different decisions for different principal councils.

Payments to support the function of an authority member

30. An authority must provide for the requirements of a member to undertake their role and responsibilities more effectively. The way in which this support should be provided is determined by the Panel in its Annual or Supplementary Reports.

Arrangements in relation to family absence

31. Part 2 of the Measure sets out the rights of principal council members in relation to family absence. The Panel will set out its determinations and the administrative arrangements in relation to these payments in its Annual or Supplementary Reports.

Sickness Absence

32. Arrangements for long-term sickness absence of senior salary holders of principal councils, Fire and Rescue Authorities and National Park Authorities will be as set out in the Panel's Annual Report or Supplementary Report.

Part 4: Payments

Repayment of payments

33. An authority can require that such part of a payment be repaid where payment has already been made in respect of any period during which the member or co-opted member concerned:
- a. is suspended or partially suspended from that member's or co-opted member's duties or responsibilities in accordance with Part 3 of the 2000 Act or Regulations made under that Act.
 - b. ceases to be a member or co-opted member of the authority.

- c. or in any way is not entitled to receive a salary, allowance or fee in respect of that period.

Forgoing payments

34. Under Section 154 of the Measure, any member or co-opted member may by notice in writing to the proper officer of the authority elect to forgo any part of their entitlement to a payment under the determination of the Panel for that particular year (as relating to the authority).

Part 5: Specific provisions relating to community and town councils (“the council”)

Interpretation

35. For the purposes of this Part the term member means both an elected member and a co-opted member.

Payments

36. Payments
 - a) The Annual Report or a Supplementary Report determines the arrangements and amount of an annual payment to members in respect of costs incurred in carrying out the role of a member and if appropriate take account of the variation in size or financial circumstances of different councils.
 - b) The council may make payments to members in respect of costs of travel for attending approved duties within or outside the area of the council. The amounts claimable will be set out in the Annual or Supplementary Report of the Panel.
 - c) The council may reimburse subsistence costs to its members when attending approved duties within or outside the area of the council. The arrangements for reimbursement will be set out in the Annual or Supplementary Report of the Panel.
 - d) The council may pay compensation for Financial Loss to its members where such loss has occurred for attending approved duties within or outside the area of the council. The payments will be set out in the Annual or Supplementary Report of the Panel.
 - e) The council may make a payment to the chair or mayor and deputy chair or mayor of the council for the purposes of undertaking the role of that office. The payment will be set out in the Annual or Supplementary Report of the Panel.
 - f) The Annual Report or a Supplementary Report determines the arrangements for payments to members of a council who undertake senior roles and if appropriate take account of the variation in size or financial circumstances of different councils.

- g) The council must reimburse the contribution to costs of care and personal assistance to a member if claimed, as determined in the Annual Report of the Panel.
37. A member may elect to forgo any part of an entitlement to payment under these Regulations by giving notice in writing to the proper officer of the council.
38. A member making a claim for compensation for Financial Loss must sign a statement that the member has not made and will not make any other claim in respect of the matter to which the claim relates.
39. “Approved Duty” under this Part means
- i. Attendance at a meeting of the council or of any committee or sub-committee of the council or of any other body to which the council makes appointments or nominations or of any committee or sub-committee of such a body.
 - ii. Attendance at any other meeting the holding of which is authorised by the council or a committee or sub-committee of the council, or a joint committee of the council and one or more councils, or a sub-committee of such a joint committee provided that at least two members of the council have been invited and where the council is divided into political groupings at least two such groups have been invited.
 - iii. Attendance at a meeting of any association of councils of which the council is a member.
 - iv. Attendance at any training or development event approved by the council.
 - v. Any other duty approved by the council or duty of a class approved by the council for the discharge of its functions or any of its committees or sub-committees.

Part 6: Miscellaneous

Arrangements for payments

40. The Schedule of an authority must set out the arrangements for payment to all members and co-opted members of that authority. Such payments may be made at such times and at such intervals as determined by the authority.

Claims

41. An authority must specify a time limit from the date on which an entitlement to travelling or subsistence payments arise during which a claim for must be made by the person to whom they are payable. However, this does not prevent an authority from making a payment where the allowance is not claimed within the period specified.

42. Any claim for payment of travelling, subsistence or care costs in accordance with these Regulations (excluding claims for travel by private vehicle or bicycle) shall be accompanied by appropriate receipts proving actual cost.

Avoidance of duplication

43. A claim for a payment of travelling, subsistence or care costs must include, or be accompanied by, a statement signed by the member or co-opted member that the member or co-opted member has not made and will not make any other claim in respect of the matter to which the claim relates.

Records of payments

44. An authority must keep a record of the payments made in accordance with these Regulations as set out in an Annual or Supplementary Report.

Publicity requirements

(The required content of publicity requirements is contained in an annex to the Annual Report)

45. An authority must, as soon as practicable after determining its Schedule of Remuneration for the year under these Regulations and any Report of the Panel and not later than 31 July of the year to which the Schedule refers, arrange for the Schedule's publication within the authority's area and to notify the Panel. **(This section does not apply to community and town councils).**
46. As soon as practicable and no later than 30 September following the end of the financial year **all relevant authorities** must publicise within the authority's area and notify the Panel:
- the total sum paid by it to each member or co-opted member in respect of basic salary, senior salary, co-opted member fee, travel and subsistence payments.
 - the total expenditure on contribution towards costs of care and personal assistance.
47. In the same timescale and in the same manner, an authority must publicise any further remuneration received by a member nominated or appointed to another relevant authority. **(This section applies only to principal councils).**

Publicising the reports of the Panel

48. Under Section 146(7) (a) and (b) of the Measure, the Panel will send a consultation draft of its Annual Report or Supplementary Report to all relevant authorities for circulation to authority members and co-opted members, so that representations can be made by members and co-opted members to the Panel, normally in a period of eight weeks.
49. The Panel will determine in its Annual or Supplementary Reports the arrangements publicising its Reports in accordance with Section 151 and 152 of the Measure.

Monitoring compliance with the Panel's determinations

50. Section 153 of the Measure determines that relevant authorities must comply with the requirements imposed by the Panel in its Annual Reports. It also empowers the Panel to monitor the payments made by relevant authorities and for it to require the provision of information that it specifies. The requirements under this section will be set out in the Annual Report of the Panel.

Annex 3: Schedule of Member Remuneration

1. Principal councils, national park authorities (NPAs) and Welsh fire and rescue authorities (FRAs) (but not community and town councils) must maintain an annual Schedule of Member Remuneration (the 'Schedule') which is in accord with the Panel's determinations on member salary and co-opted member payments and which must contain the following information:

In respect of a principal council:

- a. Named members who are to receive only the basic salary and the amount to be paid.
- b. Named members who are to receive a Band 1 and Band 2 senior salary, the office and portfolio held and the amount to be paid.
- c. Named members who are to receive a Band 3, Band 4 and Band 5 senior salary, the office and portfolio held and the amount to be paid.
- d. Named members who are to receive a civic salary and the amount to be paid.
- e. Named members who are to receive the co-opted member fee and whether chair or ordinary member and the amount to be paid.
- f. Named members who are to receive a senior salary as a chair of a Joint Overview and Scrutiny Committee or Sub Committee and the amount to be paid.
- g. Named members in receipt of a specific or additional senior salary approved by the Panel and the amount to be paid.

In respect of National Park and Fire and Rescue Authorities:

- a. Named members who are to receive a basic salary and the amount to be paid.
 - b. Named member who is to receive a senior salary as a chair of the authority and the amount to be paid.
 - c. Named members who are to receive a senior salary as deputy chair of the authority or a committee chair and the amount to be paid.
 - d. Named members who are to receive the co-opted member fee and whether a chair or ordinary member and the amounts to be paid.
2. Amendments made to the Schedule during the municipal year must be communicated to the Panel as soon as it is practicable.
 3. Principal councils must confirm in their annual Schedule that the maximum limit of senior salaries set for the council has not been exceeded.

4. Principal councils, NPAs and FRAs must include a statement of allowable expenses and the duties for which they may be claimed for care, travel and subsistence in their annual Schedule which is in accord with the Panel's determinations.
5. The Schedule must set out the arrangements for the payment of salaries, allowances and fees to all members and co-opted members of the relevant authority (IRPW Regulation 35); arrangements for making claims for care and personal assistance, travel and subsistence expenses (IRPW Regulations 24 and 36-37); arrangements for the avoidance of duplication (IRPW Regulation 38) and arrangements for re-payment of salaries, allowances and fees (IRPW Regulation 33). This schedule must also include the duties for which members and co-opted members are able to claim reimbursement towards travel, subsistence and care and personal assistance costs.
6. Principal councils must declare in the Schedule whether:
 - A statement of the basic responsibility of a councillor is in place.
 - Role descriptors of senior salary office holders are in place.
 - Records are kept of councillor attendance.
7. Principal councils, NPAs and FRAs must make arrangements for the publication of the Schedule of Member Remuneration as soon as practicable after its determination and no later than 31 July of the year to which it applies. The Schedule should be published in a manner that provides ready access for members of the public.
8. The **Schedule** must also be sent to the Panel Secretariat to be received by 31 July.
9. Any changes to the schedule during the year must be promptly publicised in the above manner and all changes notified to Panel Secretariat promptly.

Annex 4: Publication of Remuneration – the Panel’s Requirements

In accordance with Section 151 of the Wales (Local Government) Measure 2011 the Panel requires that:

1. Relevant authorities must publish a Statement of Payments made to its members for each financial year. This information must be published in a form and location that is easily accessible to members of the public no later than 30 September following the end of the previous financial year and in the same timescale also provided to the Panel. The following information must be provided:
 - a. The amount of basic salary, senior salary, civic salary and co-opted member fee paid to each named member or co-opted member of the relevant authority, including where the member had chosen to forego all or part of the salary, or fee for the municipal year in question. Where a senior salary has been paid, the title of the senior office held is to be provided.
 - b. The payments made by community and town councils to named members as:
 - Payments in respect of telephone usage, information technology, consumables etc.
 - Responsibility payments
 - Allowances made to a mayor or chair and deputy mayor or deputy chair
 - Compensation for Financial Loss
 - Costs incurred in respect of travel and subsistence
 - c. All travel and subsistence expenses and other payments received by each named member and co-opted member of the relevant authority, with each category identified separately.
 - d. The amount of any further payments received by any named member nominated to, or appointed by, another relevant authority or other public body as defined by Section 67 of the Local Government (Democracy) (Wales) Act 2013, namely:
 - a local health board
 - a police and crime Panel
 - a relevant authority
 - a body designated as a public body in an order made by the Welsh Ministers.
 - e. Names of members who did not receive basic or senior salary because they were suspended for all or part of the annual period to which the Schedule applies.
 - f. In respect of the publication of the contribution towards costs of care and personal assistance, relevant authorities are only required to

publish the total amount reimbursed during the year. It is a matter for each authority to determine its response to any Freedom of Information requests it receives. However, it is not intended that details of individual claims should be disclosed.

2. **Nil returns** are required to be published and provided to the Panel by 30 September.

Annex 5: Summary of new and updated determinations contained in this report

The numbers of most of the determinations contained within this report have changed from previous reports.

To assist authorities, this table sets out the determinations in this report which are entirely new or have been updated.

Summary of new and updated determinations contained in this report	
Principal Councils	
Determination 1: This Determination has been updated	The basic salary in 2021/22 for elected members of principal councils shall be £14,368 with effect from 1 April 2021.
Determination 2: The amounts payable under this Determination have been updated	Senior salary levels in 2021/22 for members of principal councils shall be as set out in Table 3 with effect from 1 April 2021.
Determination 3: This Determination has been updated	Where paid, a civic head must be paid a Band 3 salary of £23,161 and where paid a deputy civic head must be paid a Band 5 salary of £18,108 with effect from 1 April 2021.
Determination 4: This Determination has been updated	Where appointed and if remunerated, a presiding member must be paid a Band 3 senior salary of £23,161.
Determination 8: This Determination has been updated	Members in receipt of a Band 1 or Band 2 salary cannot receive any payment from a Community or Town Council of which they are a member. They remain eligible to claim travel and subsistence expenses and contribution towards costs of care and personal assistance from the Community or Town Council. Where this situation applies, it is the responsibility of the individual member to comply.
Joint Overview and Scrutiny Committees (JOSC)	
Determination 12: This is a new Determination	The salary level for a Chair of a Joint Overview and Scrutiny Committee shall be £8,793.
Determination 13: This is a new Determination	The salary level for a Vice Chair of a Joint Overview and Scrutiny Committee shall be £4,396.
Entitlement to Family Absence	
Determination 15: This Determination has been updated	An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence.
National Park Authorities	
Determination 21: This Determination has been updated	The basic salary for NPA ordinary members shall be £4,053 with effect from 1 April 2021.
Determination 22: This Determination has been updated	The senior salary of the Chair of a NPA shall be £12,845 with effect from 1 April 2021.

Summary of new and updated determinations contained in this report	
Determination 23: This Determination has been updated	A NPA senior salary of £7,792 must be paid to a Deputy Chair where appointed.
Determination 24: This Determination has been updated	Committee Chairs or other senior posts can be paid. This shall be paid at £7,792.
Determination 27: This Determination has been updated.	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any NPA to which they have been appointed. Where this situation applies, it is the responsibility of the individual member to comply.
Fire and Rescue Authorities	
Determination 28: This Determination has been updated	The basic salary for FRA ordinary members shall be £2,026 with effect from 1 April 2021.
Determination 29: This Determination has been updated	The senior salary of the Chair of a FRA shall be £10,818 with effect from 1 April 2021.
Determination 30: This Determination has been updated	A FRA senior salary of £5,765 must be paid to the Deputy Chair where appointed.
Determination 31: This Determination has been updated	Chairs of Committees or other senior posts can be paid. This shall be paid at £5,765.
Determination 34: This Determination has been updated	Members of a principal council in receipt of a Band 1 or Band 2 senior salary cannot receive a salary from any FRA to which they have been nominated. Where this situation applies, it is the responsibility of the individual member to comply,
Contribution towards Costs of Care and Personal Assistance	
Determination 41: This Determination has been updated.	<p>All relevant authorities must provide a payment towards necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs as follows:</p> <ul style="list-style-type: none"> • Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced. • Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred. <p>This must be for the additional costs incurred by members to enable them to carry out official business or approved duties. Each authority must ensure that any payments made are appropriately linked to official business or approved duty. Payment shall only be made on production of receipts from the care provider.</p>

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The Report and other information about the Panel and its work are available on our website at:

[Independent Remuneration Panel for Wales](#)

BRIDGEND COUNTY BOROUGH COUNCIL

MEMBERS' SCHEDULE OF REMUNERATION

This Scheme is made under the Local Government (Wales) Measure 2011. With regard to Independent Remuneration Panel for Wales (IRPW) Regulations which apply to payments made to members and co-opted members of local authorities.

1. Basic Salary

- 1.1 A Basic Salary shall be paid to each elected Member of the Authority not in receipt of a Senior Salary or Civic Salary as set out in **Schedule 1**.
- 1.2 In accordance with the Regulations, the rate of the Basic Salary shall be reviewed annually as determined by the Independent Remuneration Panel for Wales.
- 1.3 Where the term of office of a Member begins or ends other than at the beginning or end of a year, his/her entitlement to the Basic Salary will be pro-rata.
- 1.4 No more than one Basic Salary is payable to a Member of the Authority.

2. Senior Salaries & Civic Salaries

- 2.1 Members occupying specific posts shall be paid a Senior Salary as set out in **Schedule 1**.
- 2.2 In accordance with the Regulations, the rates of Senior Salaries and Civic Salaries shall be reviewed annually as determined by the Independent Remuneration Panel for Wales.
- 2.3 Only one Senior Salary or Civic Salary is payable to a Member of the Authority.
- 2.4 A Member of the Authority cannot be paid a Senior Salary and a Civic Salary.
- 2.5 All Senior and Civic Salaries are paid inclusive of Basic Salary.
- 2.6 A Senior Salary may not be paid to more than fifty percent of the Members of the Authority, except to include a temporary Senior Salary office holder providing temporary cover for the family absence of the appointed office holder.
- 2.7 A Member of the Authority in receipt of a Senior Salary **cannot** receive a salary from any National Park Authority (NPA) or Fire and Rescue Authority (FRA) for which he/she has been nominated.
- 2.8 Where the term of Senior Salary or Civic Salary of a Member begins or ends other than at the beginning or end of a year, his/her entitlement to the Salary will be pro-rata.

3. Election to Forgo Entitlement to Allowance

- 3.1 A Member may, by notice in writing delivered to the Monitoring Officer, elect to forgo any part of his/her entitlement to any salary, allowance or fee payable under this Scheme from the date set out in the notice.

4. Suspension of a Member

- 4.1 Where a Member of the Authority is suspended or partially suspended from his or her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the part of

the Basic Salary payable to him/her in respect of that period for which he or she is suspended will be withheld by the Authority (Section 155 (1) of the Measure.

- 4.2 Where a Member in receipt of a Senior Salary is suspended or partially suspended from being a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the Authority must not make payments of the Member's Senior Salary for the duration of the suspension (Section 155 (1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the member may retain the Basic Salary.

5. Repayment of salaries, allowances or fees

- 5.1 Where payment of any salary, allowance or fee has been made to a Member of the Authority or Co-opted Member in respect of any period during which the Member concerned:

- (a) is suspended or partially suspended from that Member's/Co-opted Member's duties or responsibilities in accordance with Part 3 of the 2000 Act or regulations made under that Act;
- (b) ceases to be a Member of the Authority or Co-opted Member; or
- (c) is in any other way not entitled to receive a salary, allowance or fee in respect of that period,

the Authority will require that such part of the allowance as relates to any such period be repaid.

6. Payments

- 6.1 Payments of all allowances will be made by the Chief Finance Officer by direct bank credit in instalments of one-twelfth of the Member's annual entitlement on the 18th of each month.
- 6.2 Where payment has resulted in a Member receiving more than his/her entitlement to salaries, allowances or fees the Authority will require that such part that is overpayment be repaid.
- 6.3 All payments are subject to the appropriate tax and National Insurance deductions.

7. Dependents – Costs of Care

- 7.1 Reimbursement for the cost of Care shall be made to a Member or Co-opted Member, who has caring responsibility for dependent children or adults, provided the Member incurs expenses in the provision of such care whilst undertaking 'approved' council duties.
- 7.2 Costs of Care applies in respect of children who are aged 15 or under and other persons for whom the Member or Co-opted Member can show that care is required. If a Member or Co-opted Member has more than one dependent the Member may claim more than one allowance, provided the Member can demonstrate a need to make separate arrangements for care.
- 7.3 Eligible Members may claim Care costs for actual and receipted costs up to a maximum amount not exceeding that determined by the Independent Remuneration Panel as set out in **Schedule 1**. All claims for Care Costs should be made in writing to Democratic Services detailing times, dates and reasons for claim. Receipts are required for both informal and formal care arrangements.

8. Personal- Costs of Care

- 8.1 Reimbursement for the cost of Personal Care shall be paid to a Member or Co-opted Member, who has personal assistance costs, provided the Member incurs expenses in respect of personal assistance whilst undertaking 'approved' council duties.
- 8.2 Eligible Members may claim Personal Care costs for actual and receipted costs up to a maximum amount not exceeding that determined by the Independent Remuneration Panel as set out in **Schedule 1**. All claims for Care costs should be made in writing to Democratic Services detailing times, dates and reasons for claim. Receipts are required for both informal and formal care arrangements.

9. Family Absence

- 9.1 Members are entitled under the provisions of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 to a period of family absence, during which if they satisfy the prescribed conditions they are entitled to be absent from Authority meetings.
- 9.2 When taking family absence Members are entitled to retain a basic salary irrespective of their attendance record immediately preceding the commencement of the family absence.
- 9.3 Should a senior salary holder be eligible for family absence they will be able to continue to receive their senior salary for the duration of the absence.
- 9.4 If the Authority agrees that it is necessary to make a substitute appointment to cover the family absence of a senior salary holder the Member substituting will be eligible if the authority so decides to be paid a senior salary.
- 9.5 If the paid substitution results in the Authority exceeding its maximum number of senior salaries, an addition to the maximum will be allowed for the duration of the substitution.

10. Sickness Absence

- 10.2 A senior salary holder on long term sickness can if the Authority determines continue to receive remuneration for the post held subject to the following provisions.
- 10.2 Long term sickness absence is defined as certified absences in excess of 4 weeks.
- 10.3 The maximum length of sickness absence is 26 weeks or until the individual's term of office ends, whichever is sooner (if reappointed any remaining balance of the 26 weeks will be included)
- 10.4 The Authority can if it so decides make a substitute appointment to cover the absence and the substitute will be eligible to be paid the senior salary appropriate to the post
- 10.5 If the paid substitution results in the Authority exceeding the maximum number of senior salaries payable, an addition will be allowed for the duration of the substitution.
- 10.6 If the Authority agrees to make a substitution the IRP must be informed within 14 days of the decision of the details, including the name of the post and the estimated length of the substitution. The Authority's Schedule of Remuneration must be amended accordingly.
- 10.7 Sickness absence does not apply to elected members who are not senior post holders.

11. Co-optees' payments

- 11.1 A Co-optees' daily fee (with a provision for half day payments) shall be paid to Co-optees, provided they are statutory Co-optees with voting rights.

- 11.2 Co-optees' payments will be capped at a maximum of the equivalent of 10 full days a year for each committee to which an individual may be co-opted.
- 11.3 Payments will take into consideration travelling time to and from the place of the meeting, reasonable time for pre meeting preparation and length of meeting (up to the maximum of the daily rate).
- 11.4 The Monitoring Officer is designated as the "appropriate officer" and will determine preparation time, travelling time and length of meeting, the fee will be paid on the basis of this determination.
- 11.5 The Monitoring Officer can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
- 11.6 A half day meeting is defined as up to 4 hours.
- 11.7 A full day meeting is defined as over 4 hours.
- 11.8 The daily and half day fee for the Chairpersons of the Standards Committee and Audit Committee, as determined by the Independent Remuneration Panel, is set out in **Schedule 1**.
- 11.9 The daily and half day fee for other statutory Co-optees with voting rights, as determined by the Independent Remuneration Panel, is set out in **Schedule 1**.

12. Travel and Subsistence Allowances

12.1 General Principles

- 12.2 Members, Co-opted Members and Members of Educational Appeals Panels may claim travelling expenses when travelling on the Authority's business for 'approved duties' as set out in **Schedule 2**. Where Members travel on the Authority's business they are expected to travel by the most cost effective means. In assessing cost effectiveness regard will be given to journey time. A Member who does not travel by the most cost effective means may have his/her claim abated by an appropriate amount.
- 12.3 Where possible Members should share transport.
- 12.4 The distance claimed for mileage should be the shortest reasonable journey by road from the point of departure to the point at which the duty is performed, and similarly from the duty point to the place of return.
- 12.5 The rates of Members' Travel and Subsistence Allowances are set out in **Schedule 3** and are subject to annual review by the Independent Remuneration Panel for Wales.
- 12.6 Where a Member is suspended or partially suspended from his or her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, any travel and subsistence allowances payable to him/her in respect of that period for which he or she is suspended or partially suspended must be withheld by the Authority.
- 12.7 "Approved duties" as set out in **Schedule 2** does not include constituency responsibilities.

13. Travel by Private Vehicle

- 13.1 The Independent Remuneration Panel for Wales has determined that the maximum travel rates payable should be the rates set out by Her Majesty's Revenue & Customs for the use of private cars, motor cycles and pedal cycles plus any passenger supplement.
- 13.2 The mileage rates for private vehicles as determined by the Independent Remuneration Panel for Wales are set out in **Schedule 3**.
- 13.3 Where a Member makes use of his/her private vehicle for approved duty purposes, the vehicle must be insured for business use. Proof of appropriate insurance must be provided to the Authority on request.
- 13.4 Mileage allowances can only be paid where claims are accompanied by VAT fuel receipts. The receipt date must be prior to the time/date of the journey for which allowances are being claimed.

14. Travel by Public Transport

14.1 Rail/Coach Travel

Democratic Services will purchase requisite rail and coach tickets for Members in advance of journeys. Unless otherwise authorised rail tickets will be second-class. In the unlikely event that a Member needs to purchase a ticket directly, payment will be reimbursed upon production of the used ticket and/or a receipt.

14.2 Taxi Fares

Taxi fares will only be reimbursed where their use has been authorised for cases of urgency or where no public transport is reasonably available. Re-imburement will be upon receipt only.

14.3 Air Fare

Travel by air is permissible if it is the most cost effective means of transport. Authorisation of the Monitoring Officer is required and tickets will be purchased by Democratic Services.

14.4 Travel Abroad

Travel abroad on the Authority's business will only be permitted where authorised by the Monitoring Officer. Democratic Services will arrange travel and accommodation.

14.5 Other Travel Expenses

Members will be entitled to reimbursement of toll fees, parking fees, overnight garaging and other necessary travel associated expenses. Re-imburement will be upon receipt only.

15. Overnight Accommodation

- 15.1 Overnight stays will only be permitted where the Authority's business extends to two days or more, or the venue is at such a distance that early morning or late night travel would be unreasonable. All overnight stays must receive prior authorisation from the Monitoring Officer.
- 15.2 Overnight accommodation will be booked by Democratic Services. Wherever possible the overnight accommodation will be pre-paid or invoiced. Where this is not possible a cheque payable to the establishment will be provided to the Member prior to travel.

- 15.3 Direct booking of overnight accommodation by a Member will only be permitted in the event of an emergency. Reimbursement will only be made upon the production of a receipt and will be at a level deemed reasonable and not in excess of the rates set out in **Schedule 3**.

16 Subsistence Allowance

- 16.1 The day subsistence rate to meet the costs of meals and refreshments in connection with approved duties (including breakfast when not provided as part of overnight accommodation) is set out in **Schedule 3**. The maximum daily rate covers a 24 hour period and can be claimed for any meal that is relevant, providing such a claim is supported by receipt(s)
- 16.2 No provision is made for subsistence claims within the County Borough.

17. Claims and Payments

- 17.1 A claim for travel and subsistence allowances must be made in writing within two months of the end of the calendar month in which entitlement to allowances arises and must be accompanied by the relevant receipts.
- 17.2 Allowances will be paid by the Chief Finance Officer by direct bank credit.

18. Pensions

- 18.1 The Authority shall enable its Members who are eligible to join the Local Government Pension Scheme.

19. Compliance

- 19.1 In accordance with the Regulations, the Authority must comply with the requirements of the Panel in respect of the monitoring and publication of payments made to members and co-opted members as set out in **Schedule 4**.

Members are reminded that expense claims are subject to both internal and external audit.

SCHEDULE 1

SCHEDULE OF REMUNERATION 2021-22

	MEMBERS ENTITLED TO BASIC SALARY	ANNUAL AMOUNT OF BASIC SALARY
	All non senior/civic salary holders:	£14,368

	SENIOR SALARIES ENTITLEMENTS		ANNUAL AMOUNT OF SENIOR SALARY
	ROLE	MEMBER	
1.	Leader		£49,974
2.	Deputy Leader		£35,320
3.	Cabinet Member for Social Services and Early Help		£30,773
4.	Cabinet Member for Education and Regeneration		£30,773
5.	Cabinet Member for Future Generations		£30,773
6.	Cabinet Member for Communities		£30,773
7.	Cabinet Member	Not used	£30,773
8.	Chairperson Overview and Scrutiny Subject Committee		£23,161
9.	Chairperson Overview and Scrutiny Subject Committee		£23,161
10.	Chairperson Overview and Scrutiny Subject Committee		£23,161
11.	Chairperson of Development Control Committee		£23,161
12.	Chairperson of Licensing Committee		£23,161
13.	Chairperson of Audit Committee		£23,161
14.	Chairperson of the Appeals Panel		£23,161
15.	Leader Of The Largest Opposition Group		£23,161
16.	Leader of an opposition group with at least 10% of the membership of the Council	Not used	£18,108
17.	Not currently used		
18.	Not currently used		
A maximum of 18 Senior salaries for Bridgend County Borough Council may be paid			

ENTITLEMENT TO CIVIC SALARIES	ANNUAL AMOUNT OF
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ROLE	MEMBER	CIVIC SALARY
Civic Head (Mayor)		£23,161
Deputy Civic Head (Deputy Mayor)		£18,108

ENTITLEMENT AS STATUTORY CO-OPTEEES		AMOUNT OF CO-OPTEEES ALLOWANCES
ROLE	MEMBER	
Chairperson Of Standards Committee		£268 Daily Fee £134 ½ Day Fee
Chairperson of Audit Committee	N/A	£268 Daily Fee £134 ½ Day Fee
Statutory Co-optees - Standards Committee, Scrutiny Committee – subject 1, Audit Committee, Crime and Disorder OVSC	<u>Standards:</u> <u>Scrutiny</u> Vacancy - Parent Governor (Special Schools) Parent Governor Representative (Secondary Schools) Parent Governor Representative (Primary Schools) Church Representative (Church in Wales) Church Representative (Roman Catholic Church) <u>Audit</u> Lay Member	£210 Daily Fee £105 ½ Day Fee
Statutory Co-optees -ordinary members of Standards Committee who also chair Standards Committees for Community Councils	Not Applicable	£238 Daily Fee £119 ½ Day Fee

MEMBERS ELIGIBLE TO RECEIVE COSTS OF CARE (Dependents/Personal Assistance)	
All Members	
<ul style="list-style-type: none"> • Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced. • Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred. 	

SCHEDULE 2

Approved duties: -

- attendance at a meeting of the Authority or of any committee of the Authority or of any body to which the Authority makes appointments or nominations or of any committee of such a body;
- attendance at a meeting of any association of authorities of which the Authority is a member;
- attendance at any other meeting the holding of which is authorised by the Authority or by a committee of the Authority or by a joint committee of the Authority and one or more other Authorities;
- a duty undertaken for the purpose of or in connection with the discharge of the functions of Cabinet;
- a duty undertaken in pursuance of a standing order which requires a Member or Members to be present when tender documents are opened;
- a duty undertaken in connection with the discharge of any function of the Authority which empowers or requires the Authority to inspect or authorise the inspection of premises;
- attendance at any training or developmental event approved by the Authority or its Cabinet;
- the following duties which have been approved by Council:
 - Approved conferences;
 - Rota visits to Social Services establishments;
 - Meetings with Senior Officers;
 - Attendance at Civic Offices to welcome school visits provided the school is within the Member's ward.

Where a local authority association or other outside body has its own scheme for the payment of allowances, the Member should claim his/her travelling and subsistence from the other body and not from the Authority.

SCHEDULE 3

Mileage Rates 2017-18

All sizes of private motor vehicle Up to 10,000 miles Over 10,000 miles	45 pence per mile 25 pence per mile
Private Motor Cycles Pedal Cycles	24 pence per mile 20 pence per mile
Passenger supplement	05 pence per mile

Subsistence Allowance 2018/19

The day subsistence rate is up to a maximum of £28 and covers a 24 hour period and can be claimed for any meal if relevant provided such a claim is supported by receipts.

Re-imbusement of alcoholic drinks is not permitted.

Overnight Stay

The maximum allowances for an overnight stay are £200 for London and £95 for elsewhere. A maximum of £30 is available for an overnight stay with friends or relatives whilst on approved duty.

SCHEDULE 4

Compliance

- The Authority will arrange for the publication on the council's website the total sum paid by it to each member and co-opted member in respect of salary, allowances, fees and reimbursements no later than 30 September following the close of the year to which it relates. In the interests of transparency this will include remuneration from all public service appointments held by elected members.
- The Authority will publish on the council's website a statement of the basic responsibility of a councillor and role descriptors for senior salary office holders, which clearly identify the duties expected.
- The Authority will publish on the council's website the annual schedule of Member Remuneration not later than 31 July of the year to which the schedule refers.
- The Authority will send a copy of the schedule to the Remuneration Panel no later than 31 July of the year to which the schedule refers.
- The Authority will maintain records of member/co-opted members attendance at meetings of council, cabinet and committees and other approved duties for which a member/co-opted member submits a claim for reimbursement.
- The Authority will arrange for the publication on the council's website of Annual Reports prepared by members.
- When the Authority agrees a paid substitution for family absence it will notify the Remuneration Panel within 14 days of the date of the decision of the details including the particular post and the duration of the substitution.