

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

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NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Democratic Services
committee.services@tmbc.co.uk

23 June 2023

To: MEMBERS OF THE GENERAL PURPOSES COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the General Purposes Committee to be held in the Council Chamber, Gibson Drive, Kings Hill on Monday, 3rd July, 2023 commencing at 7.30 pm.

Members of the Committee are required to attend in person. Other Members may attend in person or participate online via MS Teams.

Information on how to observe the meeting will be published on the Council's website.

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

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PART 1 - PUBLIC

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Members are reminded of their obligation under the Council's Code of Conduct to disclose any Disclosable Pecuniary Interests and Other Significant Interests in any matter(s) to be considered or being considered at the meeting. These are explained in the Code of Conduct on the Council's website at [Code of conduct for members – Tonbridge and Malling Borough Council \(tmbc.gov.uk\)](https://www.tmbc.gov.uk/code-of-conduct-for-members).

Members in any doubt about such declarations are advised to contact Legal or Democratic Services in advance of the meeting.

5. Minutes 11 - 14

To confirm as a correct record the Minutes of the meeting of General Purposes Committee held on 15 March 2023.

Matters for Recommendation to the Council

6. Members' Allowances - Report of the Joint Independent Remuneration Panel 15 - 44

The report sets out a recent review of Members' Allowances undertaken by the Joint Independent Remuneration Panel (JIRP) and Members of the Committee are asked to consider the independent report of the JIRP and make appropriate recommendations to Full Council.

7. Urgent Items 45 - 46

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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Matters for Recommendation to the Council

9. Recruitment and Retention Issues within the Planning Service 49 - 58

This report seeks Members' recommendation on a number of options to address the recruitment and retention issues within the Planning Services.

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10. Establishment Report 59 - 70

This report sets out for Members' approval a number of establishment changes recommended by Management Team. Members should note that, in accordance with adopted conventions, all of the savings/costs referred to in this report reflect the salary at the top of the scale/grade plus associated on costs.

11. Urgent Items 71 - 72

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr M R Rhodes (Chair)
Cllr M A Coffin (Vice-Chair)

Cllr B Banks
Cllr K Barton
Cllr A G Bennison
Cllr J Clokey
Cllr D A S Davis

Cllr A McDermott
Cllr B A Parry
Cllr R V Roud
Cllr K B Tanner

GUIDANCE ON HOW MEETINGS WILL BE CONDUCTED

- (1) All meetings of the Borough Council will be livestreamed to YouTube here, unless there is exempt or confidential business be discussed:

<https://www.youtube.com/channel/UCPp-IJISNgoF-ugSzxjAPfw/featured>
- (2) There are no fire drills planned during the time a meeting is being held. For the benefit of those in the meeting room, the fire alarm is a long continuous bell and the exits are via the doors used to enter the room. An officer on site will lead any evacuation.
- (3) Should you need this agenda or any of the reports in a different format, or have any other queries concerning the meeting, please contact Democratic Services on committee.services@tmbc.gov.uk in the first instance.

Attendance:

- Members of the Committee/Advisory Board are required to attend in person and be present in the meeting room. Only these Members are able to move/ second or amend motions, and vote.
- Other Members of the Council can join via MS Teams and can take part in any discussion and ask questions, when invited to do so by the Chairman, but cannot move/ second or amend motions or vote on any matters. Members participating remotely are reminded that this does not count towards their formal committee attendance.
- Occasionally, Members of the Committee/Advisory Board are unable to attend in person and may join via MS Teams in the same way as other Members. However, they are unable to move/ second or amend motions or vote on any matters if they are not present in the meeting room. As with other Members joining via MS Teams, this does not count towards their formal committee attendance.
- Officers can participate in person or online.
- Members of the public addressing an Area Planning Committee can participate in person or online. Please contact committee.services@tmbc.gov.uk for further information.

Before formal proceedings start there will be a sound check of Members/Officers in the room. This is done as a roll call and confirms attendance of voting Members.

Ground Rules:

The meeting will operate under the following ground rules:

- Members in the Chamber should indicate to speak in the usual way and use the fixed microphones in front of them. These need to be switched on when speaking or comments will not be heard by those participating online. Please switch off microphones when not speaking.
- If there any technical issues the meeting will be adjourned to try and rectify them. If this is not possible there are a number of options that can be taken to enable the meeting to continue. These will be explained if it becomes necessary.

For those Members participating online:

- please request to speak using the 'chat or hand raised function';
- please turn off cameras and microphones when not speaking;
- please do not use the 'chat function' for other matters as comments can be seen by all;
- Members may wish to blur the background on their camera using the facility on Microsoft teams.
- Please avoid distractions and general chat if not addressing the meeting
- Please remember to turn off or silence mobile phones

Voting:

Voting may be undertaken by way of a roll call and each Member should verbally respond For, Against, Abstain. The vote will be noted and announced by the Democratic Services Officer.

Alternatively, votes may be taken by general affirmation if it seems that there is agreement amongst Members. The Chairman will announce the outcome of the vote for those participating and viewing online.

General Purposes Committee

	Conservative	Liberal Democratic	Green	Ind. Kent Alliance	Labour
1	Robin Betts	David Thornewell	Lee Athwal		Paul Hickmott
2	Matt Boughton	Michelle Tatton	Anna Cope		Wayne Mallard
3	Robert Cannon	Anita Oakley	George Hines		
4	Des Keers	Frani Hoskins	Mark Hood		
5	Adem Mehmet	Garry Bridge	Robert Oliver		

Members of Cabinet cannot be appointed as a substitute to this Committee

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

Wednesday, 15th March, 2023

Present: Cllr M R Rhodes (Chair), Cllr B J Luker (Vice-Chair), Cllr Mrs P A Bates, Cllr A E Clark, Cllr M A Coffin, Cllr D J Cooper, Cllr N J Heslop, Cllr D Keers, Cllr D W King, Cllr D Lettington, Cllr W E Palmer, Cllr Mrs M Tatton and Cllr R I B Cannon (substitute member).

Virtual: Councillors Mrs J A Anderson, R P Betts, M D Boughton, M A J Hood, P J Montague and K B Tanner participated via MS Teams and joined the discussion when invited to do so by the Chair in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors D A S Davis and R V Roud.

PART 1 - PUBLIC

GP 23/14 NOTIFICATION OF SUBSTITUTE MEMBERS

Notification of substitute members were recorded as set out below:

Cllr Cannon substituted for Cllr D Davis

In accordance with Council Procedure Rules 17.5 to 17.9 this Councillor had the same rights as the ordinary member of the committee for whom they were substituting.

GP 23/15 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

GP 23/16 MINUTES

RESOLVED: That the Minutes of the meetings of the General Purposes Committee held on 25 January 2023 and 20 February 2023 be approved as a correct record and signed by the Chairman.

MATTERS SUBMITTED FOR INFORMATION

GP 23/17 GENDER PAY GAP REPORTING 2021-2022

The report of the Director of Central Services summarised the legislative context for gender pay gap reporting and incorporated the outcomes of the Borough Council's gender pay gap analysis for 2021-2022.

Overall, during the most recent twelve month period there had been a negative shift in the mean pay gap and a marginal positive shift in the median pay gap. It was noted that both the mean and median pay gaps had narrowed by approximately 1.4% and 3.7% respectively since figures were first published in 2017.

It was also noted that the Borough Council's Chief Executive was female and that the majority (60%) of the Senior Management Team were female.

During discussion, Members requested information on the rate that women were promoted within the organisation and noted that the Borough Council continued to support a range of initiatives for both men and women including flexible working, remote working, job sharing, part-time working and flexible retirement.

MATTERS FOR CONSIDERATION IN PRIVATE

GP 23/18 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information, the following matters be considered in private.

PART 2 - PRIVATE

DECISIONS TAKEN UNDER DELEGATED POWERS

GP 23/19 ESTABLISHMENT REPORT

(Reasons: LGA 1972 - Sch 12A Paragraph 1 – Information relating to an individual)

The report set out for Members' approval a number of establishment changes recommended by Management Team. Members noted that, in accordance with adopted conventions, all of the savings/costs referred to in the report reflected the salary at the top of the scale/grade plus associated on costs.

RESOLVED: That

- (1) the increase in hours of post DF1117 Overpayment Recovery Assistant from 22.2 to 30 per week with effect from 1 April 2023 be approved;
- (2) the Financial Services Manager (DF0201) post be deleted from the establishment with effect from 1 June 2023;

- (3) a new Principal Accountant post on grade M6 be created with effect from 1 June 2023;
- (4) post DF0209 be redesignated to Senior Accountant and regraded to M9 with effect from 1 June 2023;
- (5) the deletion of posts DB0349, DB0350 and DB0342 from the establishment and the creation of one new full time Customer Service Adviser post at scale 2/3 to be based at Tonbridge Castle with effect from 1 April 2023 be approved;
- (6) the post of Parking Support Manager (DE0513) be increased to 37 hours per week with effect from 1 April 2023; and
- (7) the hours of the Parking Support Officer (DE0503) post be reduced from 37 to 29.6 hours with effect from 1 April 2023.

The meeting ended at 7.55 pm

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TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

03 July 2023

Report of the Management Team

Part 1- Public

Matters for Recommendation to Council

1 MEMBERS' ALLOWANCES – REPORT OF THE JOINT INDEPENDENT REMUNERATION PANEL

The report sets out a recent review of Members' Allowances undertaken by the Joint Independent Remuneration Panel (JIRP).

The Council is under a legal duty to have regard to the report of the JIRP but is not obliged to adopt its recommendations. No changes to the Scheme of Members' Allowances can be made until the report has been considered.

Members of the Committee are asked to consider the independent report of the JIRP and make appropriate recommendations to Full Council.

1.1 Introduction

1.1.1 A report has been received from the Joint Independent Remuneration Panel (JIRP) following its fundamental review of Members' Allowances. The JIRP, whose panel members are independent members of the community, serves the three West Kent Authorities – Tonbridge & Malling, Tunbridge Wells and Sevenoaks.

1.1.2 Members may recall that the last major review of allowances took place during 2016/17 culminating in a decision by Full Council on 11 April 2017. The recommendations of the Panel were accepted in full (subject to an amendment in respect of allowances for vice-chairs) with effect from the Borough Council elections in May 2019. During an interim period from the Annual Council meeting on 16 May 2017 until after the Borough Council elections in 2019 a modified schedule of allowances was agreed.

1.1.3 For the financial years 2020/21 to 2021/22, the allowances were annually increased in line with staff pay awards. However, on 22 February 2022 Full Council agreed to freeze basic and special responsibility allowances for the 2022/23 financial year. Members' allowances have remained frozen for the 2023/24 financial year pending consideration of the recommendations arising out of the JIRP report.

1.1.4 A current list of approved allowances is attached at **Annex 1** for Members'

information. It should be noted that some Members have personally chosen not to receive increases in allowances and have instructed accordingly. For budgeting purposes, it is assumed that the approved allowance will be paid and hence at outturn there is often a small underspend against the budget.

1.2 2023 Review – Summary

1.2.1 The JIRP’s latest report is attached at **Annex 2** to this report.

1.2.2 The report makes recommendations in respect of the ‘basic’ allowances (applicable to all Members), as well as recommendations in respect of those appointments that attract special responsibility.

1.2.3 The JIRP’s report is comprehensive and sets out the ‘rationale’ for the recommendations made. In arriving at the recommendations, the following set of ‘core principles’ were adopted by the JIRP:

- 1) To remove, where possible, the immediate financial barriers to becoming a councillor to assist in the diversity of the cohort of councillors, regardless of political background;
- 2) To reflect the current time commitment required to perform the role of ward councillor and the potential loss of earnings opportunities for councillors in doing so;
- 3) To recognise the increasing levels of responsibility and accountability being devolved from central government to local government and its impact on the nature of leadership and scrutiny roles within the Council;
- 4) To retain a significant element of public service, *pro bono* contribution from elected councillors;
- 5) To benchmark the comparative position of council members with those in similar roles in other Kent councils; and
- 6) To recommend allowances based on objective data with a simple and logical structure that can easily be updated in future.
- 7) To ensure that all recommendations have transparent and accessible rationales, allowing for greater public understanding and engagement.

1.2.4 In summary, the key recommendations of the Independent Remuneration Panel are as follows:

- 1) The Basic Allowance payable to all Members should remain to £5,175 per annum;
- 2) The Leader’s Allowance should remain at £20,706 per annum;

- 3) The Special Responsibility Allowance (SRA) for the Deputy Leader should be reduced to £10,353 per annum;
- 4) The SRAs for Cabinet Members should remain at £8,802 per annum;
- 5) The SRAs for Committee Chairs should be set as follows: -

Area Planning (x3)	£1,725
Audit	£2,589
General Purposes	£1,725
Joint Standards	£2,589
Licensing & Appeals	£2,589
Overview & Scrutiny	£2,589
Scrutiny Select (x3)	£2,589

- 6) The SRA for qualifying* opposition group leaders should be a flat sum of £4,401 per annum;

*To qualify, neither the leader of an opposition group nor any members of the leader's group can serve on Cabinet, and their group must be comprised of at least 5 councillors.

- 7) The SRA for vice-chairs be removed from the allowances scheme;
- 8) The current travel expenses scheme based upon the HMRC approved rate continues.
- 9) The existing scheme for meal and/or subsistence allowances ceases.
- 10) Carers' allowances should be set at a maximum rate of £10.42 per hour per child (linked to the National Living Wage) for general childcare and £18.00 per hour for dependent carers.
- 11) Allowances are uprated in line with any increases in the remuneration of Council staff.

1.2.5 As recommended in the previous Panel report and adopted by the Council, the Panel continues to support the view that Members should not receive more than one SRA. This means that no Member can receive more than one of the following Special Responsibility Allowances – Leader, Deputy Leader, Cabinet Member, qualifying Opposition Group Leader, Committee Chair.

1.3 Commentary

1.3.1 The approach adopted by the Panel in respect of the basic allowance was to consider the current allowance levels in Tonbridge and Malling and across Kent authorities as a baseline, calculate an average figure across the county, and recommend adjustments (where there is a plus/minus variance of 10% or more) to bring certain allowances into line with this. When benchmarked against other district councils, the Panel noted that the existing basic allowance at Tonbridge & Malling (currently £5,175) was the median level for the county, with the mean at

just over £5,400. The Panel felt that any significant adjustment would result in Tonbridge & Malling becoming an outlier within Kent and indeed across similar authorities nationwide.

- 1.3.2 Apart from the post of Deputy Leader, the Panel has recommended that the existing allowances for the Leader and Cabinet Members should continue.
- 1.3.3 In respect of the allowance for the Deputy Leader, the Panel considered that the level of the allowance in Tonbridge and Malling is not proportionate with others across Kent; indeed, it is the highest in the county by some margin, at over 50% higher than both the median and the mean. The Panel therefore felt that this should be reduced to £10,353 per annum to bring it within 3% of the median across Kent.
- 1.3.4 The Panel recommended that the existing SRA for opposition group leaders should be replaced with an entirely new mechanism. Under the existing scheme, opposition group leaders are paid a base amount of £1,250 per annum, plus an additional sum of £258 per member of the relevant group. The Panel felt that wholly fixed figure rather than a group size-linked scale would be preferable, as this fixed approach better recognises the additional burden of serving as an opposition leader, directly responsible for scrutinising the administration, and is also inherently more transparent and easier to understand.
- 1.3.5 For Committee Chairs, the Panel concluded that the current allowance levels in Tonbridge and Malling are mostly commensurate with Kent averages. The Panel recommended only one very minor alteration to existing allowances, relating to the chair of the General Purposes Committee. Their recommendation is that it is upgraded slightly from £1,656 to £1,725, to bring it in line with the lower level of SRAs on the Council.
- 1.3.6 The Panel also considered the role of the new Scrutiny Select Committee chairs, created by the governance review in 2022. Given the regularity of planned meetings for these committees, as well as their size and function, the Panel's recommendation is that their chairs receive the same allowance as those of the Overview & Scrutiny Committee (£2,589).
- 1.3.7 The Panel recommends the continuation of the Council's current practice that only one SRA allowance is payable to a member, and that the annual indexation remains linked to staff pay.

1.4 Summary

- 1.4.1 The Panel's recommendations, if adopted, would produce a saving of circa £45,900 when compared to the budget included within the 2023/24 Estimates.
- 1.4.2 The Council is under a duty to have regard to the recommendations of the JIRP but is not obliged to accept its recommendations.

- 1.4.3 If Members choose not to recommend to Full Council any or all of the Panel's

recommendations, alternative proposals will need to be put forward for consideration by all Members at the Full Council meeting.

1.4.4 In summary, Members have the following options:-

- (a) Agree with the recommendations of the Panel;
- (b) Propose an alternative scheme;
- (c) Continue with existing scheme

1.5 Legal Implications

1.5.1 The Joint Independent Remuneration Panel was established under the Local Authorities (Members' Allowances) (England) Regulations 2003.

1.5.2 The Regulations provide that no changes to the Scheme of Members' Allowances can be made until the report of the JIRP has been considered.

1.5.3 The Council is under a duty to have regard to the recommendations of the JIRP but is not obliged to accept its recommendations. The Council is obliged to publish in local newspapers what the JIRP recommended. The Council must also publish details of any amended scheme of allowances.

1.5.4 Where an amendment is to be made to a scheme which affects an allowance payable for the year in which the amendment is made, the scheme may provide for the entitlement to such allowance (as amended) to apply with effect from the beginning of the year in which the amendment is made. So, in practical terms this means that the Council may determine that the allowances payable under any amended scheme shall be backdated to 1 April 2023. However, given that the Borough Council has since held all-out elections and reduced the number of elected Members from 54 to 44, it is suggested that backdating to 1 April 2023 would not be appropriate. It is therefore proposed that any amended scheme of allowances takes effect from the date of Full Council on 11 July.

1.5.5 In accordance with the 2003 Regulations, the Council may not place reliance upon an indexation set out in an adopted scheme of allowances for more than 4 years without consideration of a further report from the JIRP.

1.5.6 The Panel did not consider the allowances payable to the Mayor and Deputy Mayor (currently £5,990 and £1420 respectively) in our scheme of allowances, as the 2003 Regulations do not require councils to include mayoral allowances in any formal review. However, for consistency it is proposed that the indexation applicable to Basic and Special Responsibility Allowances should also apply to the allowances for Mayor and Deputy Mayor.

1.5.7 Due to the nature of the matters raised in this report, Members of the Committee will require a dispensation from the Monitoring Officer under s33 of the Localism Act 2011 to allow them to consider and vote upon the recommendations contained within the report of the Joint Independent Remuneration Panel. The Monitoring Officer has a standing delegation to grant such a dispensation, to be

exercised in consultation with the Independent Person and the Chair/ Vice-Chair of the Joint Standards Committee. Members are advised that the dispensation has been granted by the Monitoring Officer in advance of consideration of this item by both the General Purposes Committee and Council. This dispensation will also apply to the annual consideration of Members' Allowances up until the next scheduled election in May 2027.

1.6 Financial and Value for Money Considerations

1.6.1 Current budgetary provision with the 2023/24 Estimates is £374,750 for basic and special responsibility allowances. The allowances recommended by JIRP would reduce the budget by around £45,900 to £328,850, subject to any pay award granted for 2023/24.

1.7 Risk Assessment

1.7.1 The Council must consider the recommendations of the Panel and publish any amended scheme of allowances.

1.7.2 If Members decide to recommend allowances which total a higher amount than is presently factored into the Budget, additional budget provision may need to be made. Alternatively, if Members choose to agree a lower level of allowances, this would represent a saving within the current Estimates and MTFS (Medium Term Financial Strategy).

1.8 Equality Impact Assessment

1.8.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.9 Policy Considerations

1.9.1 Human Resources

1.10 Recommendations

1.10.1 Members are requested to consider the recommendations of the JIRP and make appropriate recommendations to Full Council about:

- 1) The level of the Basic Allowance for 2023/24;
- 2) The level of Special Responsibility Allowances for 2023/24;
- 3) The level of Childcare and Dependent Carers Allowances;
- 4) The level of Mileage Allowances;
- 5) The annual indexation of Basic/ Special Responsibility Allowances and Mayor/ Deputy Mayor Allowances; and

- 6) Confirmation as to whether only one SRA is payable to individual Members.
- 7) The date when the amended scheme of allowances should take effect. Members are asked to note the recommendation in para 1.5.4 above i.e., that any amended scheme takes effect from the date of Council on 11 July 2023.

1.10.2 Members are also requested to recommend to Full Council that the Monitoring Officer be authorised to update Part 6 of the Constitution (Members' Allowances) to reflect any agreed changes to the current scheme of allowances arising out of the recommendations at 1.10.1 above.

Background papers:

contact: Adrian Stanfield

Nil

Julie Beilby

Chief Executive

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SCHEDULE I

1.	<p>The Borough Council received a report from an Independent Remuneration Panel (IRP) containing recommendations for amendments to the Scheme for Members' Allowances. The Panel's recommendations as to basic and special responsibility allowances (SRAs) were considered in detail by the General Purposes Committee at its meeting on 6 March 2017. The Panel's recommendations were accepted in full (subject to an amendment in respect of allowances for vice-chairmen) with effect from the Borough Council elections in 2019. (During an interim period from the Annual Council meeting on 16 May 2017 until after the Borough Council elections in 2019 a modified schedule of allowances was agreed.) The revised allowances scheme was adopted by the Full Council on 11 April 2017 and published in accordance with requisite legislative requirements.</p> <p>The Allowances Scheme revolves around a framework of 'multipliers' which are based on the 'Basic Allowance' and proportions of the Leader's allowance. The multipliers which apply to the allowances that come into effect from 2019 are set out in the second column of the table below. In addition, the following points are part of the Scheme:</p> <ul style="list-style-type: none"> - There should be a maximum of one Special Responsibility Allowance per Member (excluding group leader allowances) - The Leader's allowance should be based on a multiplier of 4 of the Basic Allowance - An SRA for the Deputy Leader should be based on 75% of the Leader's Allowance - The SRAs for Cabinet Members should be based on 42.5% of the Leader's allowance - The structure of SRAs for other roles should be simplified further based on the multiplier approach set out below - The SRA for the Opposition Group Leader should be a flat sum of £1,250 plus £250 per member of the group - The principle of annual indexation of allowances in line with any staff pay award should be retained but should not apply during the interim period (Annual Council 2017 to Borough Council elections 2019)
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	Multiplier	Resolved Allowance 2021
Basic Allowance to all Councillors	1.00	5,175.00
Special Responsibility Allowances:		
Leader of the Council	4.00	20,706.00
Opposition Group Leader(s) - Liberal Democratic - Independent Alliance Kent - The Green Party	0.25	3,621.00 2,070.00 1,809.00
(includes the sum of £258 paid per opposition group member)	0.05	
	% of Leaders allowance	
Deputy Leader	75	15,528.00
Cabinet Member	42.5	8,802.00
Chair of Area Planning Committee (x3)	25 (0.33)	1,725.00
Chair of Overview & Scrutiny Committee	12.5	2,589.00
Chair of Audit Committee	12.5	2,589.00
Chair of Licensing & Appeals Committee	12.5	2,589.00
Chair of Joint Standards Committee	12.5	2,589.00
Chair of General Purposes Committee	8	1,656.00
Chair of Scrutiny Select Committees (pending recommendations of the IRP)	0	0
Vice-Chair of Area Planning Committee (x3)	5 (0.33)	336.00
Vice-Chair of Overview & Scrutiny Committee	25% of chair's allowance	648.00
Vice-Chair of Audit Committee		648.00
Vice-Chair of Licensing & Appeals Committee		648.00
Vice-Chair of Joint Standards Committee		648.00
Vice-Chair of General Purposes Committee		336.00

Allowances updated to reflect staff pay award:

- 2020 = 2.5%
- 2021 = 1%
- 2022 = Frozen at current rate pending recommendations of the IRP

2. TRAVELLING, SUBSISTENCE AND CARER'S ALLOWANCE

Members may claim the following allowances for pre-arranged meetings with any officer (regardless of their position) in respect of matters relevant to their Committee etc., or external bodies to which they have been appointed by the Council. Such meetings must not be in connection with ward business.

Members necessarily incurring additional expense in the course of their work in respect of travel, or meals will be reimbursed approved expenses, subject to appropriate evidence of expenditure being produced, including supporting VAT receipts. Claims should be made on the appropriate form and returned to Electoral & Democratic Services for processing.

A Travelling

Mileage rates are based on the applicable HM Revenue and Customs (HMRC) approved rate.

B Subsistence

Where appropriate, rates of subsistence shall be in accordance with the HMRC rates (excluding tea allowance).

C Carer's Allowances

Where appropriate and supported by receipts, Childcare allowance will be paid at the actual amount charged up to a maximum of £7.20 per hour per child (linked to the National Living Wage). Dependent Carer's allowance will be payable at the actual amount charged subject to a maximum rate of £16.00 per hour.

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**A REVIEW OF
COUNCIL MEMBERS' ALLOWANCES
FOR
TONBRIDGE AND MALLING BOROUGH COUNCIL
Spring 2023**

**Joint Independent Remuneration Panel [The Panel]
for
Sevenoaks District Council
Tonbridge & Malling Borough Council
Tonbridge Wells Borough Council**

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Appendices

- 1. Regulations and Guidance for Independent Remuneration Panels**
- 2. Terms of Reference & Panel Members**
- 3. Comparative data from neighbouring Local Authorities.**
- 4. Revised Schedule of Recommended Members' Allowances**

1 Introduction

1.1 The Council is required under the Local Authorities (Members' Allowances) (England) Regulations 2003 and subsequent amendments to establish and maintain an Independent Remuneration Panel [The Panel] to review and make recommendations to the Council on the range and levels of remuneration for elected Members (see Terms of Reference Appendix 2).

1.2 Under the Regulations the Council is required to undertake a full review every four years. A full review was reported to and considered by Council in April 2013, and the most recent previous review was considered in January 2017. This report is the result of the latest review conducted in Spring 2023.

1.3 The purpose of this review is to carry out the quadrennial update of local councillors' allowances required by legislation, considering Members' workload, responsibilities and required time commitment and then to recommend a fair level of recompense for those commitments. We are mindful always of our remit to assist in broadening the diversity of councillor representation by minimising financial barriers to participation in local government.

1.4 The Panel fully appreciates the sensitivity of making any increase in allowances in the current financial climate, and are mindful of the Council's budget for such purposes. Where we have proposed alterations to the existing scheme they are fair, simple to administer and reflect the significant time commitments given by individuals in this important tier of government.

1.5 The Panel also has the responsibility of reviewing allowances for both Sevenoaks District and Tunbridge Wells Borough Councils. The Panel's recommendations to Tunbridge Wells Borough Council, which included a reduction in Cabinet Member allowances and a rationalisation of Group Leader allowances, were rejected in late 2022. The Panel's recommendations to Sevenoaks District are due to be considered by full Council in July.

1.6 The Panel is aware of certain differences at Tonbridge and Malling in terms of the role of the Cabinet, scrutiny committees and particular chairs compared with the two other councils within its remit.

2 Summary of Recommendations

2.1 Basic Allowance

The existing Basic Allowance of £5,175 per annum should continue at the current level. Previous JIRP reviews have based this on a formula which accounted for the required time commitment, a representative rate of hourly earnings of residents in the area but reduced by a discount factor to reflect the ethos of public service inherent in the elected representative's role. Though we have accepted this formula as the way in which the baseline was achieved in previous reviews, we have introduced more of a comparative approach in assessing the level of allowances. More detail on this approach is set out in section 5.

2.2 Special Responsibility Allowances

The Panel continues to support the 2007 guidance from the Councillors Commission which recommends that members should not receive more than one SRA, and notes the Council's existing allowances scheme makes reference to this.

The Panel's recommends that the majority of Special Responsibility Allowances remain unchanged from their current levels. For each role these recommendations are:

• Council Leader	£20,706
• Deputy Leader	£10,353
• Opposition Group Leaders	£ 4,401 (5 > Members)
• Cabinet Members	£ 8,802
• Committee Chairs	
Area Planning (x3)	£ 1,725
Audit	£ 2,589
General Purposes	£ 1,725
Joint Standards	£ 2,589
Licensing & Appeals	£ 2,589
Overview & Scrutiny	£ 2,589
Scrutiny Select (x3)	£ 2,589

2.3 Carer Allowances

Our recommendations are that the Child Care Allowance should be equivalent to the National Living Wage payable at the actual amount charged, subject to a maximum rate of **£10.42** per hour per child or and that the Dependant Carer's Allowance should be payable at the actual amount charged subject to maximum of **£18** per hour. The Panel is aware that historically councillors rarely claim for these allowances (and indeed this was referred to in our discussion with them), but they should be available to ensure that those entitled to such allowances can more easily serve.

2.4 Uprating

In future the allowances should be uprated in line with any annual increases in pay awards to Council staff, which is a recommendation the Panel has made to both other councils within its remit.

2.5 Travel Expenses

The Panel recommends that the current scheme for Members, based upon the HMRC approved rate should continue. It is noted that the majority of Members choose not to claim mileage allowances, but it is important it remains available. It was noted during the Panel's discussion with Members that specific Members would incur substantial costs as part of their responsibilities if these allowances were removed.

2.6 Subsistence Allowances

Our discussions with Members and an examination of claims in previous years suggested that this allowance was rarely, if ever, claimed. Additionally, given it compensates for what is effectively expenditure Members would incur anyway the Panel recommends that meal and subsistence allowances need no longer form part of the Council's allowances framework.

3 Background

3.1 The basis of the current level of members' allowances for Tonbridge and Malling Borough Council was established by the Panel in December 2001 following guidelines issued by central government [see Appendix 1]. These allowances replaced the previous system of attendance-based payments and have been revised in subsequent years to reflect cost of living increases and changes in council structure and responsibilities.

3.2 The process is that the Panel recommends a structure of allowances, after consultation with members and officers but that the final decision is the responsibility of the Council. The Panel has followed broadly the same methodology in its reviews considered in 2013 and 2017, though for this latest review a somewhat simplified approach has been adopted – as set out in section 5.

3.3 The 2007 Councillors Commission paper on Members Remuneration suggested a set of basic principles to govern allowance schemes:

- The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors.
- Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage.
- Councillors should be compensated for their work and the compensation should have regard to the full range of commitment and complexity of their roles.
- The system should be transparent, simple to operate and understand.
- The system should not encourage the proliferation of meetings or provoke councillors into spending more time on council business than is necessary.
- The level of remuneration should relate to a commonly accepted benchmark, such as the median male non-manual salary.

These principles underpin the recommendations made in this report and are reflected in our Terms of Reference [Appendix 2].

4 Approach and Methodology

4.1 Reflecting the approach taken by many other Independent Review Panels elsewhere in the country, we used a set of core principles to guide this review, as follows:

- To remove, where possible, the immediate financial barriers to becoming a councillor to assist in the diversity of the cohort of councillors, regardless of political background.

- To reflect as far as possible the current time commitment required to perform the role of ward councillor and the potential loss of earnings opportunities for councillors in doing so.
- To recognise the increasing levels of responsibility and accountability being devolved from central government to local government and its impact on the nature of leadership and scrutiny roles within the council.
- To retain an appreciation for the element of public service, *pro bono* contribution from elected councillors.
- To have due regard to the challenging financial position of many local authorities.
- To be mindful of the comparative position of our council members with those in similar roles in other Kent councils.
- To recommend allowances based on objective data with a simple and logical structure that can easily be updated in the future.
- To ensure that all recommendations have transparent and accessible rationales, allowing for greater public understanding and engagement.

In conducting the review at the Council, we offered the opportunity to elected Members to meet individually with the Panel. A number of councillors, including the Council Leader, took this up. We also met with the Director of Central Services.

5 Allowance Calculations

5.1 There are some important principles and guidance documents relating to the calculation of allowances which are detailed in our Terms of Reference [Appendix 2], and we have set out below some of the factors previous Panels have taken into account in their calculations. These have allowed allowance levels to reach their current levels across all three councils this Panel reviews.

Determining the Basic Allowance

5.2 The statutory guidance for Local Authority Allowances says that the *“basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meeting with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes.”* [ODPM 2003. Para 10]

5.3 There are three core elements which determine the Basic Allowance: time spent on councillor duties, a standard financial hourly rate and the public service discount element.

Time Commitment

5.4 *“Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the number of hours for which, councillors ought to be remunerated”* [ODPM 2003. Para 67].

5.5 The number of hours committed by individual councillors to their elected and representative duties varies widely between individuals and over time, which was mentioned during some of our Member interviews. It is also recognised that, for many councillors, the role is far more than just attendance at council meetings and will include,

for example, constituency duties, committee meetings, meetings with officers and training courses.

5.6 Across previous reviews, the Panel has made various determinations of this time commitment. In 2008, it determined that the average time taken to satisfactorily perform a ward councillor role was an average of 15 hours per week, following a survey of members and soundings across its three councils. This figure was also used for the 2013 review, and in 2017 the Panel noted a small reduction in the overall number of council meetings at Tonbridge and Malling, but made not specific alteration to this figure.

Hourly rate

5.7 For its 2017 review, the Panel attempted to calculate an hourly rate for councillor work using the median hourly pay for all employees who live within the Tonbridge and Malling local authority area, using the Annual Survey of Hours & Earnings (ASHE) – published by the Office of National Statistics. The same exercise was repeated across the two other councils reviewed by the Panel, and the 2015 ASHE gave the hourly rates of:

- Sevenoaks £14.49
- Tonbridge and Malling £14.08
- Tunbridge Wells £13.10

These figures gave an arithmetic mean of £13.89 per hour, and formed part of the basis for the Panel’s recommendations in 2017.

The Public Service/Voluntary Principle

5.8 Central government guidance to Independent Remuneration Panels for setting the basic allowance states that “it is important that some element of the work of members continues to be voluntary – that some hours are not remunerated. This must be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained” [ODPM 2003. Para 68]

5.9 This idea that some work of members should remain voluntary is called the ‘public service principle’ and this is incorporated into the financial calculations as a percentage discount factor, agreed locally. The 2007 Councillors Commission report indicated that considerable variations of between 20-50% apply. Our meetings with members and Council leaders confirmed that this principle is understood and generally supported by elected councillors.

5.10 Since 2001 the Panel has, across multiple reviews, recommended a public service discount factor of 40% based on benchmarking with allowance schemes elsewhere.

Benchmarking Analysis

5.11 The result of assessing time commitment, hourly rate and the public service principle over multiple reviews over nearly two decades has been the arrival at allowance levels for Tonbridge and Malling which are broadly commensurate with those at other Kent

borough/district authorities – including the other two councils this Panel reviews. There are some outliers between authorities, and for certain allowances Tonbridge and Malling is at the upper thresholds, but overall the picture is relatively uniform.

5.12 Given this, and in keeping with the principles established in section 3, the Panel is recommending allowances based on a somewhat different premise – designed to achieve a certain level of parity with equivalent roles in other authorities. The complex time/hourly/service calculations in previous reports have been useful insofar as they have delivered a fairly consistent standard of allowance levels across the county. However, they are complicated to repeat on a regular basis, are convoluted and not particularly accessible, and also imply a regional variation on the value of councillors' work.

5.13 Therefore, our approach has been to consider the current allowance levels in Tonbridge and Malling and across Kent authorities as a baseline, calculate an average figure across the county, and recommend adjustments (where there is a plus/minus variance of 10% or more) to bring certain allowances into line with this.

Basic Allowance

5.14 The current level of basic allowance for Tonbridge and Malling is £5,175 per annum. This is, in fact, the median level for the county, with a mean of just over £5,400. Though we have some sympathy with the views of Members we spoke with that the level of this allowance limited the range of people who would apply to be councillors, particularly younger people, any significant adjustment would result in Tonbridge and Malling becoming an outlier within Kent and indeed across similar authorities nationwide.

RECOMMENDATION: that the Basic Allowance should be maintained at £5,175 per annum.

6 Special Responsibility Allowances (SRAs)

Council Leader

6.1 The Panel's previous approach in 2017 was to recommend that the Leader's allowance should be four times the Basic Allowance, an increase from a three-fold calculation in 2013. This was part of an ongoing effort to align allowances across the Council with each other, and specifically as a proportion of the Leader's allowance.

6.2. The Panel is aware of and appreciates that changes to the Council's governance arrangements 2022 may add an increased workload to the Leader's role, and that of Cabinet members. Indeed, the Leader stressed this latter point to us, highlighting the more direct role Cabinet members now have in approving decisions.

6.3 Nonetheless, at its current level of £20,706 this allowance is over both the median and the mean across Kent, and if it were to increase further it would not remain commensurate.

RECOMMENDATION: that the Special Responsibility Allowance for Council Leader should be maintained at £20,706 per annum.

Deputy Leader

6.4 The Panel is aware that the Deputy Leader has an important role in standing in for the Leader where necessary, and that this can add an additional workload in addition to serving on Cabinet. The Panel believes this role merits an individual Special Responsibility Allowance, and notes the majority (though not all) of authorities in Kent include such an SRA within their allowances schemes.

6.5 However, the level of the allowance in Tonbridge and Malling is not proportionate with others across Kent; indeed, it is the highest in the county by some margin, at over 50% higher than both the median and the mean. Therefore, it is the Panel's view that this allowance should be reduced.

6.6 To bring this SRA into line with the rest of the county, and in a way which aligns with the ethos of the existing Tonbridge and Malling scheme, our recommendation is that it should be set at half the level of the Leader's allowance. This would reduce the Deputy Leader allowance to £10,353 per annum, and would bring it to within 3% of the median across Kent.

RECOMMENDATION: that the Special Responsibility Allowance for Deputy Council Leader should be reduced to £10,353 per annum.

Cabinet Members

6.7 Across the county, one of the most diverse ranges in allowances is that for Cabinet Members, ranging from around £5,000 per annum (Canterbury) to just over £11,000 (Tunbridge Wells). However, the mean across the county is just under £6,500, and the median is £7,740.

6.8 As noted previously, the Panel recognises that Cabinet arrangements in Tonbridge and Malling were affected by the changes to the governance arrangements in 2022. In his discussion with us, the Leader of the Council was also candid that these changes have placed an additional workload onto Cabinet members.

6.9 The current allowance level in Tonbridge and Malling is £8,802, placing it comfortably above both of the county averages; indeed, slightly over the Panel's 10% threshold. However, for the sake of avoiding the disruptive impact of a minor allowance change for multiple Members, and taking into account the Leader's comments, the Panel recommends a retention of this allowance at its current level, rather than any adjustment.

RECOMMENDATION: that the Special Responsibility Allowance for Cabinet Members should be maintained at £8,802 per annum.

Opposition Group Leaders

6.10 The Panel notes that the Council's existing allowance scheme contains an allowance for opposition group leaders, of £1,250 per annum, plus an additional sum of £258 per member of the relevant group. With the exception of the additional fixed sum, the per-

member arrangement is a similar setup to that at Sevenoaks District and Tunbridge Wells Borough Councils.

6.11 For both other authorities within its remit the Panel has recommended a wholly fixed figure rather than a group size-linked scale, and would recommend the same for Tonbridge and Malling. This fixed approach better recognises the additional burden of serving as an opposition leader, directly responsible for scrutinising the administration, and is also inherently more transparent and easier to understand.

6.12 In setting the level of the opposition leader allowance, the Panel's approach for the other two authorities was to set this allowance at that of the most highly compensated chair on the Council. The treatment of opposition group leaders is not consistent across Kent authorities, making direct comparison of the SRA levels received for this less helpful. However, in the authorities which award a fixed figure, it does appear to be an amount equivalent to either the highest or second highest compensated committee chair.

6.13 In the case of both Sevenoaks and Tunbridge Wells this allowance was that of the chair of their respective development control/planning committees. However, Tonbridge and Malling operates a different system in this regard; with three separate area planning committees instead, with each chair drawing an allowance of £1,725. Therefore, the Council's highest standard chair allowance (£2,589) is not at a level which the Panel considers commensurate with the additional time and commitment of serving as an opposition leader. In light of this, the Panel recommends that a new allowance of £4,401 is created for this purpose; a level which also aligns with the existing Tonbridge and Malling scheme, being half the level of the Cabinet Member allowance.

6.14 In, addition to this, the Panel recommends there should be two further entitlement/qualifying requirements to this allowance; that neither a leader nor any members of the leader's group can serve on Cabinet, and that their group is comprised of at least 5 councillors. This is to prevent a situation arising where a group leader could serve on both the administration and the opposition, and to reflect the inherently more complex responsibilities that come with managing a larger local authority group.

RECOMMENDATION: that the existing Special Responsibility Allowance for Opposition Group Leaders is replaced with a new mechanism; a £4,401 per annum allowance for leaders meeting the qualifying criteria above.

Chairs of Committees

6.15 The Panel has reviewed the committee allowances using the same criteria and principles as set out previously. Though committee chair allowances vary across the county, and not all committees are ubiquitous across authorities, the current allowance levels in Tonbridge and Malling are mostly commensurate with Kent averages.

6.16 For example, the mean and median for Licensing chairs are £2,750 and £2,600 respectively, putting the current allowance in Tonbridge and Malling well within the benchmarked range. Audit chairs across Kent are similarly compensated to the tune of around £2,600. Planning or Development Control chairs also receive around £5,300 across the county; a sum very close to the combination of the three separate £1,725 allowances Area Planning Committee chairs receive on Tonbridge and Malling.

6.17 Therefore, for what might be termed the more ‘standard’ committees, the Panel recommends only one very minor alteration to existing allowances; that of the chair of the General Purposes Committee. Our recommendation on this is that it is upgraded slightly from £1,656 to £1,725, to bring it in line with the lower level of SRAs on the Council. Such minor variations in allowances as exist currently are inherently less transparent, and the Panel feels it is more appropriate for chair allowances to be tiered in a more straightforward fashion.

6.18 The Panel also had to consider the role of the new Scrutiny Select committees and their respective chairs. These three bodies were created as part of the 2022 governance changes to scrutinise specific parts of the Council’s areas of responsibility: Communities and Environment; Finance, Regeneration and Property; and Housing and Planning. Given the regularity of planned meetings for these committees, as well as their size and function, the Panel’s recommendation is that their chairs receive the same allowance as those of the overarching Overview & Scrutiny Committee (£2,589). Our full committee chair recommendations are reflected in the table below:

Committee	Recommended Allowance
Area Planning (x3)	£1,725
Audit	£2,589
General Purposes	£1,725
Joint Standards	£2,589
Licensing & Appeals	£2,589
Overview & Scrutiny	£2,589
Scrutiny Select (x3)	£2,589

RECOMMENDATION: that the Special Responsibility Allowance for committee chairs be set at the levels indicated above.

Vice-Chairs

6.19 The existing scheme in Tonbridge and Malling contains a total of six vice-chair allowances, ranging from £336 to £648, depending on the committee concerned. Vice-chair allowances are certainly not universal across the county, and during our discussions with Members there was no advocacy for keeping them – indeed, the only feedback the Panel received was that they should be considered for deletion. This contrasts with the feedback received in Sevenoaks, where the retention of a specific vice-chair allowance was urged. In light of this, the Panel recommends the cessation of these allowances.

RECOMMENDATION: that the Special Responsibility Allowances for vice-chairs be removed from the allowances scheme.

Uprating

6.22 The Council has in recent years uprated allowances in line with any increases in the remuneration of Council staff. The Panel is supportive of this and recommends it forms the basis of any future increases.

RECOMMENDATION: that allowances are uprated in line with any increases in the remuneration of Council staff.

7 Carers' Allowances

7.1 Tonbridge and Malling operates separate allowances for the costs of standard childcare and that of professional care for dependants with special requirements. These allowance levels are recommended as follows:

Childcare Allowance: for child-minding of the Member's dependent children. Payable at the actual amount charged, subject to a maximum rate of **£10.42** per hour per child. This would be a slight increase in the current level, adjusting it for national minimum wage as of April 2023.

Dependant Carer's Allowance: for professional care for elderly or disabled dependants, or other dependants with special requirements. Payable at the actual amount charged, subject to a maximum rate of **£18.00** per hour. This would be a continuation of the current level of this allowance.

7.2 In practice, these allowances have rarely been claimed by councillors in Tonbridge and Malling, but the Panel continues to support the need for them.

RECOMMENDATION: that the allowances for childcare and dependant care provision are set as above.

8 Travel Expenses

8.1 The Council currently operates a scheme based upon the HMRC approved rate and the Panel recommends that this continues.

RECOMMENDATION: that the current travel expenses scheme based upon the HMRC approved rate, continues.

9 Subsistence Allowances

9.1 The Council currently has a scheme for subsistence/meal allowances, but our discussions with Members and analysis of previous claims suggests take-up of this is extremely low. Unlike carer or travel expenses any costs in this respect incurred by Members are likely to be minimal, and the Panel therefore recommends ceasing this provision.

RECOMMENDATION: that the existing scheme for meal and/or subsistence allowances ceases.

10 Conclusions

10.1 The Panel has attempted in this review to propose levels of allowances to properly recognise the time commitments that individual Members offer in support of their local community, in a manner which recognises the contributions of elected councillors across the county.

10.2 We have also sought to propose a system that is easy to understand and update, consistent across authorities and which would remove financial barriers that deter potential candidates from standing for election.

11 Acknowledgements

11.1 The Panel's thanks go to the officers and Members who gave us their time and opinions which have helped to shape the Panel's thinking.

Appendix 1

Regulations and Guidance for Independent Remuneration Panels

- *The Local Authorities (Members' Allowances) (England) Regulations 2003.* Statutory Instrument 2003 No. 1021.
- *The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003.* Statutory Instrument 2003 No. 1692
- *The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2004.* Statutory Instrument 2004 No. 2596
- *New Council Constitutions: Consolidated Guidance on Regulation for Local Authority Allowances - 2003*
- *The Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003.* Statutory Instrument 2003 No. 1022
- *New Council Constitutions. Guidance on Consolidated Regulations for Local Authority Allowances.* Office of the Deputy Prime Minister and Inland Revenue. July 2003.
- *Members Remuneration – models, issues, incentives and barriers.* - Councillors Commission. Dept. of Communities and Local Government. December 2007
- *Representing the Future – Report of the Councillors Commission.* December 2007
- *Members' Allowances Survey 2008.* Report by the Local Government Association Research Department

Joint Independent Review Panel for Sevenoaks District Council Tonbridge & Malling Borough Council Sevenoaks District Council

Terms of Reference

Introduction

The Joint Independent Remuneration Panel (JIRP) for Tonbridge and Malling Borough Council, Tunbridge Wells Borough Council and Sevenoaks District Council was originally established in 2001 and now operates under the Local Authorities (Members' Allowances) (England) Regulations 2003. The function of the panel is to make recommendations to Council in accordance with Statutory Instruments (primarily 2003 No.1021 and No.1692).

The JIRP was established jointly by the three Councils but it considers each Council individually and makes separate recommendations for each according to the particular structures and requirements of the organisation.

Members of the Panel are appointed by the Councils but are independent members of the community with relevant professional backgrounds in remuneration and benefits.

Membership – Joint Independent Remuneration Panel

The members of the panel are:

- Ben Garland, a resident of Bromley
- Bharat Khanna, a resident of Sevenoaks
- David Mercier, a resident of Tonbridge and Malling

JIRP meetings normally involved all three Panel members, though some Member interviews took place with only two members present.

The Local Authorities (Members' Allowances) (England) Regulations 2003 determine that none of the Panel members may be a member of the local authority in question, or of its committees, or an employee of the council, but that this does not preclude participation by parish councillors.

Panel Recommendations

The 2003 Regulations require that councils must have regard to their Independent Remuneration Panel's recommendations, which must be publicised on the authority's website and in the authority's newspaper, if it has one. The Panel must be required to make recommendations whenever the council decides to revoke or amend its members' allowances scheme. However, Panel recommendations are not binding on authorities. After considering its panel's recommendations, a council can decide for up to four years on automatic indexation of members' allowances without the need for a review by the Panel.

Principles for Allowances Schemes

There is currently little central prescription of members' allowance. However, there are some important constraints:-

- Attendance allowances are prohibited
- The basic allowance must be paid equally to all members
- Where one or more groups on a council form an administration, a special responsibility allowance must be paid to a member of the opposition. This is usually paid either to the leader of the opposition, if this post exists, or to a chair of a scrutiny committee

The report of the Councillors' Commission in December 2007 highlighted a 'universal principle' that members should not suffer financial loss as a direct result of their council activities and service. They went on to suggest a more detailed set of principles to govern allowance schemes:-

- The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors
- Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage
- Councillors should be compensated for their work and the compensation should have regard to the full range of commitment and complexity of their roles
- The system should be transparent, simple to operate and understand
- The system should not encourage the proliferation of meetings or provoke councillors into spending more time on council business than is necessary
- The level of remuneration should relate to commonly accepted benchmark, (for example, the median male non-manual salary)

The Panel will operate within the scope of these principles. Should any departure from these be considered necessary, the reasons for the variation will be made clear in the relevant report.

The core objective of the Panel is to present informed comprehensive recommendations that are fair and equitable.

Comparative data from Kent Borough/District councils

Authority	Basic	Leader	Cabinet Member	Chair Planning Cttee	Chair Overview/ Scrutiny	Chair Licensing
Ashford	£5,035	£16,471	£8,235	£6,588	£6,588	£1,647
Canterbury	£5,986	£20,300	£5,000	£4,500	£4,500	£4,500
Dover	£5,000	£18,000	£6,750	£4,500	£4,500	£1,125
Folkestone & Hythe	£5,433	£23,905	£10,866	£6,248	£6,248	£6,248
Gravesham	£5,041	£22,687	£5,041	£5,041	£2,521	£756
Maidstone	£5,065	£20,002		£8,000		£4,000
Sevenoaks	£6,044	£22,114	£7,741	£5,529	£2,765	£2,765
Swale	£6,786	£16,965		£6,786		£2,036
Thanet	£4,570	£18,082	£7,990	£5,204	£7,990	£3,216
Tonbridge & Malling	£5,175	£20,706	£8,802	£1,725	£2,589	£2,589
Tunbridge Wells	£5,500	£19,250	£11,000	£5,500	£1,375	£1,375

[Source: for non-Sevenoaks figures, South East Employers Survey 2022 – final results]

N.B. The Joint Independent Review Panel works on behalf of Sevenoaks District Council, Tonbridge and Malling Borough Council and Tunbridge Wells Borough Council but considers each Council individually and makes separate recommendations for each. It should be noted that members' allowances are currently under review at all three councils but the figures quoted above do not reflect any changes to be proposed by the JIRP as part of this review process.

Revised Schedule of Recommended Members' Allowances

Tonbridge and Malling Borough Council

	<u>2017 JIRP Recommendation</u>	<u>Current</u>	<u>2023 JIRP Recommendation</u>
<u>Basic Allowance</u>	£5,000	£5,175	£5,175
<u>Special Responsibility Allowances</u>			
<u>Cabinet/Leadership</u>			
Leader	£20,000	£20,706	£20,706
Deputy Leader	£15,000	£15,528	£10,353
Cabinet Members	£8,500	£8,802	£8,802
Opposition Leader	£1,250 plus £250 p/member	£1,250 plus £258 p/member	£4,401
<u>Committee Chairs</u>			
Area Planning (x3)	£1,665	£1,725	£1,725
Audit	£2,500	£2,589	£2,589
General Purposes	£1,600	£1,656	£1,725
Joint Standards	£2,500	£2,589	£2,589
Licensing & Appeals	£2,500	£2,589	£2,589
Overview & Scrutiny	£2,500	£2,589	£2,589
Scrutiny Select (x3)	N/A	N/A	£2,589

N.B. All figures are per annum.

Agenda Item 7

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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Agenda Item 8

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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Agenda Item 11

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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