

Title of Report:	Scheme of Allowances
Committee Report Submitted To:	Corporate, Policy and Resources
Date of Meeting:	26 January 2021
For Decision or For Information	For Decision

Linkage to Council Strategy (2019-23)	
Strategic Theme	Leader and Champion
Outcome	Our Elected Members will provide civic leadership to our citizens, working to promote the Borough as an attractive place to live, work, invest and visit.
Lead Officer	Chief Executive

Budgetary Considerations	
Cost of Proposal	£868,749
Included in Current Year Estimates	YES/NO
Capital/Revenue	Revenue
Code	
Staffing Costs	

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.1 Purpose of Report

It was agreed to defer the decision on the Scheme of Allowances from the November Corporate Policy and Resources Committee to the Group Leaders' Forum to give further consideration to the report.

Appendix 1 provides further details and analysis in terms of arrangements across some of the other Councils.

1.1 Background

Causeway Coast and Glens Borough Council has established a scheme of allowances payable to Members for the current period. The scheme provides for the payment of allowances to Councillors on the basis that:

- 1 – The maximum level of basic allowance as determined by the Department for Communities (DfC) is paid;
- 2 – The maximum level of carers allowances as determined by the DfC are paid;
- 3 – The maximum level of mileage rates as determined by the DfC are paid;
- 4 – Councillors' payments are made on the third last banking day of each month

1.2 Detail

The updated scheme of allowances, a copy of which has been included with this report, takes into account a number of factors:

- 1 – Basic allowance – budget allows for 2.75% increase to be applied;
- 2 – Mileage rates;
- 3 – Rates for dependant carer's allowance;
- 4 – Special Responsibility Allowance (SRA).

The four items are in keeping with the normal periodic update of the scheme of.

1.3 Amendments

In October 2019 Council formed a new Finance committee which was not provided for in previous schemes of allowances therefore the Chair was not allocated any SRA. This new scheme does allocate the same SRA to the Finance Committee chair as to the other main committees (£3,000 p.a). This does however present a problem in that there are now 22 positions of responsibility and regulation only permits 20 members to be in receipt of SRA. Until now we have dealt with this issue by making the Partnership Panel representative a member of the Planning committee thereby creating a double responsibility but only one SRA can be received, the higher of the 2 being applicable.

1.4 Current positions of responsibility

The current positions of responsibility which are governed by the 20 member limit are as follows:

- 1 CP&R Committee Chair
- 2 L & D Committee Chair
- 3 ES Committee Chair
- 4 Planning Committee Chair
- 5 Finance Committee Chair (to be agreed)
- 6 Audit Committee Chair
- 7 Partnership Panel Representative
- 8 -22 Planning Committee Members (15)

The current post holders of the above positions include 2 members with dual roles therefore currently only 20 payments will be made under the current regulations.

1.5 Rates of Special Responsibility Allowance

The current rates of SRA are as follows:

Committee chair (except Audit)	£3,000	(x4)
Audit Committee chair	£ 750	
Planning Committee Member	£1,200	(x15)
Partnership Panel representative	£1,000	

1.6 Application

The current scheme will remain in place for this Financial Year. The new scheme of allowances will be effective from the 1st of April 2021 unless amended or updated.

1.7 Previous decision

This report was previously tabled at this committee on 28 January 2020 at which time the decision was to defer the decision regarding the scheme of allowances until an application was made to DfC for council to be allowed to pay SRA to a number of members in excess of the statutory limit (50% of members i.e. 20).

1.8 Department application

An application was made to DfC in February seeking permission for Council to pay SRA to up to 22 members based on the breakdown of SRA in 1.4 above. DfC issued a response in March 2020 which is copied below:

Thank you for your email of 26 February 2020 applying for permission, under regulation 5 of the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2019, to pay Special Responsibility Allowance (SRA) to more than 50% of the councillors in Causeway Coast and Glens Borough Council.

As Causeway Coast and Glens Borough Council has 40 elected members the 50% limit would be 20 (excluding any SRA payable to Mayor/Deputy Mayor). You have requested that SRA be payable to 22 out of 40 councillors which is 55% of the councillors.

The intention of the special responsibility allowance is to recognise greater commitment by councillors and should only be paid to those councillors who have significant additional responsibilities, over and above the generally accepted duties of a councillor. The essential intent of the legislation is to limit the number of councillors in receipt of SRA within the maximum limit of 50% of a council's total number of councillors. The Department has flexibility to increase the limit, for a short period of time, where a council has exceptional circumstances.

This restriction has been an operational policy from 2006 and was considered by the independent Northern Ireland Councillor's Remuneration Panel in 2014. That Panel had recommended that this allowance be further restricted to a maximum of 10 councillors per council. The then Minister of the Department of the Environment did not accept this recommendation. The intention of the limitation is to support payment of the allowance only where a councillor has undertaken considerable extra responsibility. The basic allowance for councillors was greatly increased from 1 April 2015 following the Panel's report and this took into account the extra duties the reform of local government and transfer of functions placed on councillors from that date.

The circumstances set out below may be considered to be exceptional in that there may as you have stated be a significant reshaping of the governance structure of your Council due to the current situation. However, you have stated that 15 members of the planning committee receive SRAs. As stated in paragraph 4 the basic allowance was greatly increased from 1 April 2015 to take account of the extra duties the reform of local government and the transfer of functions placed on councillors. You will be aware of course that the additional responsibilities that your council decides attract SRA can be rotated during the year.

Before the Department could consider approving the additional SRA allowances above the 50% maximum currently allowed, the Council should first consider whether the SRAs for all the members of the Planning Committee (taking into account the intention of the enhanced basic allowance) are paid to councillors who have significant additional responsibilities, over and above the generally accepted duties of a councillor.

Therefore at this stage the Department could not agree to the increase of 5% above the maximum 50% limit for SRA but will reconsider the Council's application if more information is provided. (If the Department were to consider additional information and then decide to agree to any increase it is likely that this would only be for a limited time period (probably one year) and the council would have to re-apply for permission).

1.9 Consideration

DfC's refusal of the application now leaves Council with a decision to make regarding the allocation of SRA specifically about ensuring that the maximum number of 20 is not exceeded. This position is further complicated in that the existing SRA positions have continued to be paid at the rates detailed in 1.5 above since 1 April 2020, subject to the application of regulations where a member holds more than one position of responsibility, therefore any decision will affect the application of SRA from the date of approval of this scheme until 31st March 2021 meaning potentially a recipient of SRA up to this point may no longer receive it dependant on Council's decision.

As stated 1.4 the current list of post holders does include 2 members with dual roles therefore under the current regulations only 20 payments would be made, this position however cannot be guaranteed to occur every year therefore the scheme does require amendment so that in the event all positions of responsibility are occupied by different members then the 50% (20 member) limit would not be breached.

Following discussion by Group Leaders, the following suggestion for receipt of SRA has been made:

- 1 CP&R Committee Chair
- 2 L & D Committee Chair
- 3 ES Committee Chair
- 4 Planning Committee Chair
- 5 Finance Committee Chair (*to be agreed*)
- 6 Audit Committee Chair
- 7 Partnership Panel Representative
- 8 -15 Planning Committee Member (rotate 8 or 7 payments annually)

The future rates of SRA could be as follows:

Committee chair (except Audit)	£3,000	(x5)
Audit Committee chair	£ 750	
Planning Committee Member	£2,400	(x8/7 to rotate annually)
Partnership Panel rep.	£1,000	
(Total	£35,950)	

This will be reviewed again during the next financial year.

1.10 Recommendation

It is recommended that Members consider the allocation of positions of responsibility and associated special responsibility allowance so that the new scheme of allowances can be approved.