

# LICHFIELD DISTRICT COUNCIL

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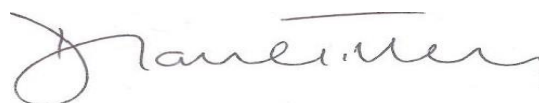
9 May 2016

To: **Members of the Lichfield District Council**

In accordance with Paragraph 4(2) of Part 1 of Schedule 12 to the Local Government Act, 1972, you are hereby summoned to attend the **ANNUAL MEETING** of the Lichfield District Council which will be held in the Council Chamber, District Council House, Frog Lane, Lichfield, on **TUESDAY 17 MAY 2016 at 6.00 p.m.**

Prayers will be said by Reverend L. Collins.

Access to the Council Chamber is either via the Members' Entrance or the main door to the vestibule.



Chief Executive

## A G E N D A

- 1 APOLOGIES FOR ABSENCE (if any).
- 2 DECLARATIONS OF INTEREST.
- 3 ELECTION OF CHAIRMAN OF THE COUNCIL FOR THE ENSUING YEAR (FOLLOWED BY DECLARATION OF ACCEPTANCE OF OFFICE).
- 4 TO APPROVE AS A CORRECT RECORD, THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 19 APRIL 2016 - (VOLUME 43 PART 6 MINUTE BOOK).
- 5 APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL FOR THE ENSUING YEAR (FOLLOWED BY DECLARATION OF ACCEPTANCE OF OFFICE).
- 6 CHAIRMAN'S ANNOUNCEMENTS.
- 7 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETING HELD ON 10 MAY AND CABINET MEMBER DECISIONS (GREY ENCLOSURE) (to follow).
- 8 REPORT OF THE CHAIRMAN OF ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE (BUFF ENCLOSURE).
- 9 THE CHAIRMAN INDICATED BELOW TO MOVE THAT THE PROCEEDINGS OF THE FOLLOWING COMMITTEE (VOLUME 43 PART 6 MINUTE BOOK) BE RECEIVED AND, WHERE NECESSARY, APPROVED AND ADOPTED.

	<b>Committee</b>	<b>2016</b>	<b>Page Nos.</b>	<b>Chairman</b>
	(a) Planning (to follow)	3 May		D. Smedley

**10 CONSTITUTION AND MEMBERSHIP OF CABINET, COMMITTEES AND PANELS INCLUDING ALLOCATION OF SEATS AND APPOINTMENTS BY POLITICAL GROUPS**

- (a) To agree that the constitution and political allocation of seats on Committees and Panels be as indicated in APPENDIX A (GREEN ENCLOSURE).
- (b) To receive from the Group Leaders a list of appointments to the Cabinet, Committees and Panels subject to no Member being disqualified from serving due to a conflict of interest - APPENDIX B (YELLOW ENCLOSURE).
- (c) To agree that the Constitution be amended to reflect any changes made.

**11 ELECTION OF CHAIRMEN AND APPOINTMENT OF VICE-CHAIRMEN OF COMMITTEES, PANELS ETC.**

The Leader of the Council to move that the Chairman and Vice-Chairmen of Committees and Panels etc be as indicated in APPENDIX C (BLUE ENCLOSURE).

**12 APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES**

To consider and approve the report APPENDIX D (GOLD ENCLOSURE), regarding appointments of representatives on outside bodies. (to follow)

**13 MEMBERS' ALLOWANCES**

- (a) To receive the report of the Independent Remuneration Panel relating to the remuneration to be paid to Members at APPENDIX E (MAUVE ENCLOSURE) and to consider the remuneration to be paid to Members.
- (b) In the event that Members agree allowances that are not within existing budget to agree that any additional costs are met from reserves.

**14 AMENDMENTS TO THE CONSTITUTION**

- (a) To agree a change to the constitution to delegate powers to the Strategic Director – Democratic, Development and Legal Services, Development Executive (Planning and Development) and the Planning Development Manager to deal with operational issues relating to Community Infrastructure Levy enforcement and the District Council's Solicitor to authorise any Magistrates Court action.
- (b) To agree the changes to the constitution shown in red at APPENDIX F (WHITE ENCLOSURE)

**15 QUESTIONS:**

To answer any questions under Procedure Rule 10.2.

# COUNCIL MEETING

19 April 2016

## PRESENT:

Mrs N. Bacon (Chairman in the Chair)

D. F. Salter (Vice Chairman)

Allsopp, Mrs J. A.	Hassall, Miss E. A.	Smedley, D.
Awty, R. J.	Leytham, D. J.	Smith, A. F.
Banevicius, Mrs S. W.	Marshall, T.	Spruce, C. J.
Barnett, Mrs S. A.	Matthews, T. R.	Stanhope MBE, Mrs M.
Boyle, Mrs M. G.	Mills, J.	Strachan, R. W.
Constable, Mrs B. L.	Mosson, R.C.	Tittley, M. C.
Constable, D. H. J.	O'Hagan, J. P.	Tranter, Mrs E. H.
Cox, R. E.	Powell, J. J. R.	Warfield, M. A.
Drinkwater, E. N.	Pritchard, I. M. P.	White, A. G.
Eadie, I. M.	Pullen, D. R.	Wilcox, M. J.
Evans, Mrs C. D.	Pullen, Mrs N. I.	Woodward, Mrs S. E.
Fisher, Miss B.	Ray, P. W. W.	Yeates, B. W.
Fisher, Mrs H. E.	Rayner, B. L.	
Greatorrex, C.	Shepherd, Miss O. J.	

(**APOLOGIES FOR ABSENCE** were received from Councillors Bamborough, Mrs Eagland, and A. Yeates).

## PRAYERS:

Prayers were said by Reverend L. Collins.

## 232 DECLARATIONS OF INTEREST:

No Declarations of Interest were made.

## 233 MINUTES – 23 FEBRUARY 2016:

It was proposed and duly seconded “that the Minutes of the Meeting of the Council held on 23 February 2016 (Volume 43 Part 5 Minute Book) as printed and previously circulated be taken as read, approved as a correct record and signed by the Chairman.”

### Arising on the Minutes

#### Minute No 205 – Report of the Chairman of the Community, Housing and Health (Overview and Scrutiny) Committee:

Councillor Mrs Woodward advised, as a matter of accuracy on the Minutes, that rather than simply being informed of Locality Commissioning Board decisions, which happened at present via Cabinet papers, she hoped that Local Members would have some meaningful input into the decisions before they were made.

#### Minute No 208 (c) – Audit Committee 26 January 2016

Councillor Mrs Woodward noted that changes had been made to the contract procedure rules to reflect discussions at Audit Committee and apologised for initially missing this.

It was then:

**RESOLVED:** That the Minutes of the Meeting of the Council held on 23 February 2016 (Volume 43 Part 5 Minute Book) as printed and previously circulated be taken as read, approved as a correct record and signed by the Chairman.

**234 MINUTES – 8 MARCH 2016:**

It was proposed, duly seconded and resolved “that the Minutes of the Meeting of the Council held on 8 March 2016 (Volume 43 Part 5 Minute Book) as printed and previously circulated be taken as read, approved as a correct record and signed by the Chairman.”

**235 CHAIRMAN’S ANNOUNCEMENTS:**

**(a) Chairman’s Civic Sunday Lunch**

The Chairman reported that a Sunday Lunch had been hosted at the Old School House, Weeford on 13 March and thanked all those who had supported the event.

**(b) Tour of Lichfield City**

The Chairman gave details of the Civic Visit to Lichfield City that took place on Wednesday 13 April.

**Retirement of Mr J G Brown**

Councillor Wilcox paid tribute to Mr J G Brown who had recently retired as an Officer after completing over 40 years service. He expressed the Council’s appreciation for his outstanding service to both the Council and the wider community. Councillors Mrs Woodward and Drinkwater also spoke to endorse these sentiments.

**236 REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 8 MARCH AND 5 APRIL 2016 AND CABINET MEMBER DECISIONS:**

**3 – Asset Management – Establishing a Limited Liability Partnership**

Councillor Mrs Woodward requested that Local Members be kept informed when decisions were made regarding the use, sale or acquisition of assets in their Ward.

Councillor Wilcox confirmed that he would make sure that this happened and Councillor Spruce advised that the Asset Strategy Group would ensure that Ward Members were kept informed and involved.

**7 – Acceptance of Funding to Support Locality Commissioning**

Councillor Mrs Evans welcomed the funding received to support locality commissioning but expressed disappointment that Early Years funding had not been provided. She hoped that this would be reviewed in future, especially in view of the recent closure of Homestart, which had been providing support for Early Years.

(COUNCILLOR WHITE DECLARED AN INTEREST IN THIS ITEM AS STAFFORDSHIRE COUNTY COUNCIL CABINET MEMBER FOR HEALTH, CARE AND WELLBEING)

## **Memorial Service for Councillor Darren Cooper**

Councillor Wilcox advised that together with Councillor Mrs Woodward he would be representing the Council at the Memorial Service for Councillor Darren Cooper, Leader of Sandwell Metropolitan Borough Council and recalled how he had been a larger than life character who had the interests of the local people at heart.

### **237 REPORT OF THE CHAIRMAN OF LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW AND SCRUTINY) COMMITTEE:**

Councillor Awty submitted his report on the items considered by the Economic Growth, Environment and Development (Overview and Scrutiny) Committee held on 3 March 2016.

#### **1 – Activity and Performance Indicators 2016/17**

Councillor Drinkwater noted that Household Waste Recycling Centres were under consideration by the County Council and warned that any attempts to close the site in Burntwood would be resisted since more than enough evidence existed to prove that it was needed.

Councillor Eadie advised that there was recognition that closing individual sites would not provide Staffordshire County Council with significant savings and a more fundamental review of Household Waste Recycling would be required to achieve this. He confirmed that no plans had been brought to the Joint Waste Board regarding the closure of sites.

### **238 REPORT OF THE CHAIRMAN OF ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE:**

Councillor Cox submitted his report on the items considered by the Economic Growth, Environment and Development (Overview and Scrutiny) Committee held on 16 March 2016 and thanked Councillors and officers for their work in respect of the Supplementary Planning Documents.

#### **6 – Overview & Scrutiny Review**

Councillor Mrs Woodward said that significant progress had been made on the Overview and Scrutiny review in terms of improving scrutiny and ensuring that it added more value. She noted that Members were becoming more confident in asking difficult questions which would serve to improve the decision making process. Councillor Mrs Woodward also welcomed the fact that meetings were becoming more informal. She said the cosmetic changes that had been made so far, like considering the work programme at the beginning of the meeting, were making a difference. Councillor Mrs Woodward concluded that the Peer Review was paying dividends but there was still a lot more work to be done.

Councillor Cox welcomed the comments whilst acknowledging that there was further progress to be made.

### **239 REPORT OF THE CHAIRMAN OF COMMUNITY, HOUSING AND HEALTH (OVERVIEW AND SCRUTINY) COMMITTEE**

Councillor Leytham submitted his report on the items considered by the Community, Housing and Health (Overview and Scrutiny) Committee held on 22 March 2016.

## **1 – Presentation by Local Pharmaceutical Committee**

Councillor Mrs Woodward said the potential threat to community pharmacies went against the central NHS message that early intervention and prevention were far better than more expensive treatment further down the line.

Furthermore, the range of services provided by community pharmacies took pressure off surgeries and accident and emergency services. Councillor Mrs Woodward noted that the Overview and Scrutiny Committee would be making representations to the County Council Select Committee and questioned whether the Chairman would consider making other representations via Members of Parliament and through the Government's consultation on the issue. She warned that it was a cut in funding that would have significant impact on the communities Members represented.

Councillor White advised that a Pharmaceutical Needs Assessment was carried out every three years by the Staffordshire Health and Well Being Board and noted that there was growing acknowledgement of the role of pharmacies in primary health care provision. He also drew attention to the initiative to produce Sustainability and Transformation Plans which provided a whole system review of the way in which health and social services were delivered across an area (in this case Stoke and Staffordshire), and he added that there was a recognition that Doctors surgeries were currently congested. This work was ongoing and he hoped that there would be something for the Overview & Scrutiny Committee to consider in order to assess the appropriateness for Lichfield District in the near future.

Councillor Leytham advised that the plan was to move high street pharmacies into appropriate locations including GP's practices and care homes, and possibly to have an 'Amazon' type centre for prescriptions. With regard to making representations, Councillor Leytham said he would discuss the matter with the relevant Portfolio Holder and advise Councillor Mrs Woodward of the outcome.

(COUNCILLOR WHITE DECLARED A PERSONAL INTEREST IN THIS ITEM AS CO-CHAIR OF THE STAFFORDSHIRE HEALTH AND WELL BEING BOARD).

## **240 MINUTES OF COMMITTEES:**

### **(a) Planning Committee – 22 February 2016**

It was proposed by Councillor Smedley, duly seconded and

**RESOLVED:** That the Minutes of the Meeting of the Planning Committee held on 22 February 2016 (Minutes Nod 192 – 198) be approved and adopted.

### **(b) Planning Committee – 14 March 2016**

It was proposed by Councillor Smedley, duly seconded and

**RESOLVED:** That the Minutes of the Meeting of the Planning Committee held on 14 March 2016 (Minutes Nod 222 – 225) be approved and adopted.

### **(c) Planning Committee – 11 April 2016**

It was proposed by Councillor Smedley, duly seconded and

**RESOLVED:** That the Minutes of the Meeting of the Planning Committee held on 11 April 2016 (Minutes Nod 226 – 231) be approved and adopted.

## **241 PROPOSALS FROM THE CABINET:**

### **(a) To Approve Proposals for Changes to the Civic Function**

In submitting his report Councillor Wilcox spoke of the excellent work carried out by the Task Group established by the Strategic Overview and Scrutiny Committee. He said the Group, chaired by Councillor Tittley, had examined every aspect of the Civic Function, assessing its value to the Authority and the wider community. The recommendations of the Group were then scrutinised by the parent committee and presented to Cabinet, with consultation also taking place with the Chairman and Vice-Chairman of Council.

Councillor Wilcox reported that the final recommendations emphasised the function's fit with the Council's strategic objectives, reduced the number of events attended and provided a more economical mode of transport. Consequently it would result in less expenditure, and it would not be unreasonable to adjust the civic duties allowance to reflect this. It was felt that following a review in twelve months' time there could be a considerably greater saving to the Authority.

Councillor Mrs Woodward commended the Chair of the Task Group, noting that times had changed since the civic function originated with the proliferation of events, some of which were more trivial in nature, serving to undermine the dignity of the role. The number of events also raised an equality issue since Members in full time employment often felt unable to fulfil the duty.

Councillor Mrs Woodward questioned the value of events such as the Civic Visit and highlighted the importance of public perception. She said the matrix produced by the Task Group would help Chairmen to assess invitations and visits in the future and also help them decide if they were the most appropriate person to visit as opposed to, for example, the Chairman of the Parish Council, or County Council. She also referred to the need to change the way that money for charity was raised.

Councillor Mrs Woodward acknowledged that the car was a contentious issue and welcomed the fact that there would be a review in twelve months' time. She stressed that above all the Chairman's role should continue to be non-political.

Councillor Spruce acknowledged that this was a difficult subject and building in the opportunity to review arrangements in twelve months was the right decision. He said that public perception was extremely important and welcomed the decision to change the car to a Mondeo.

Councillor Strachan said the review provided an example of the Council working well. He noted the consultation that had taken place and commended the work of the Task Group and Cabinet in producing a robust range of recommendations.

It was proposed by Councillor Wilcox, seconded by Councillor Pritchard and

**RESOLVED: (1)** That the role of the Chairman and Vice Chairman of the Council (the Civic Function) be revised from the start of the Civic year 2016/17 and focussed in future on supporting the work of the Council in meeting its strategic priorities. The impact of this is:

**(i)** That the number of engagements attended be reduced and that the scoring matrix as set out in Appendix A of the report be used by the Chairman and Vice Chairman to aid decisions on what invitations they should accept that add value for the Council.

(ii) That the Civic Duties Allowance paid to the Chairman be reduced to £3250 (currently £6,490) and the Vice Chairman's by the same proportion to £1,400 (currently £2810). This will be formally proposed as part of the response to the annual review by the Independent Remuneration Panel (IRP) in May 2016.

(iii) That the Chairman's charity events cease

(iv) That a competitive process be undertaken to secure a lease for a Mondeo car, or similar, for the term of this Council (May 2019) under the appropriate procurement procedures.

(2) That the Member Task Group be reconvened one year after implementation (i.e. May 2017) to evaluate the effectiveness of the new arrangements.

## **242 PAY POLICY STATEMENT:**

It was proposed by Councillor Wilcox, seconded by Councillor Spruce and

**RESOLVED:** That the Pay Policy Statement, as submitted, be approved.

## **243 COMMUNITY INFRASTRUCTURE LEVY – ADOPTION OF CHARGING SCHEDULE:**

In submitting the recommendations Councillor Pritchard advised that the Community Infrastructure Levy (CIL) was a planning obligation secured through developer contributions which helped to put in place key infrastructure as identified within the Local Plan Strategy and the Council's Infrastructure Delivery Plan. The District Council's CIL submission had been subject to examination in January with the examiner's report concluding that subject to certain modifications, the draft CIL Charging Schedule provided an appropriate basis for the collection of the levy in Lichfield District.

Councillor Pritchard highlighted the modifications that required approval together with the amended Schedule of Rates and the Instalment Policy.

Councillor Greateorex congratulated the officers involved, and noted the amount of new legislation and thorough consultation. He supported the modifications put forward and welcomed the assistance that would be provided by the Schedule, not only in terms of the local plan but the assistance it would provide for the community in general.

Councillor Mrs Barnett advised that the CIL would be the main item on the Agenda of the next Parish Forum meeting in July which would help increase awareness in the Parishes and wider community.

Councillor Cox noted that the Economic Growth, Environment and Development (Overview and Scrutiny) Committee had considered the documents. Whilst not opposing the overall document he expressed disappointment, as a Ward Member, at the disparity between the charges levied in the higher and lower value zones. He noted that zones with lower charges were particularly disadvantaged since not only did they still require infrastructure but often had greater need than the higher charge zones.

Councillor White said this was a very important issue and represented major changes to the way schemes would be funded for the community. He noted that there had been dissatisfaction with aspects of S106 funding and the new policy would address these to some extent. Councillor White noted that setting the levy too high could result in a situation where no schemes came



forward while setting the levy too low could result in an excessive number of schemes. It was therefore a question of balance and the situation would need to be monitored by Cabinet.

It was proposed by Councillor Pritchard, seconded by Councillor Greateorex and

**RESOLVED:** (1) That the CIL Examination Report be noted, the modifications recommended by the Planning Inspectorate be accepted and the CIL Charging Schedule be approved and adopted.

(2) That the inclusion of definitions for dwellings and apartments within the CIL Charging Schedule be approved.

(3) That the 13th June 2016 will be the date for commencement of charging CIL in Lichfield District.

(4) That the proposed CIL Instalment Policy and CIL Guidance to Discretionary Relief, Social Housing Relief, Charitable Relief and Exemption be approved and adopted.

(5) That the Regulation 123 list be approved and adopted.

(6) That the proposed CIL Payment In Kind Policy be approved and adopted.

(7) That change be approved to the constitution to delegate the implementation and administration of the CIL Charging Schedule to the Strategic Director – Democratic, Development and Legal Services, Development Executive (Spatial Policy and Delivery), Development Executive (Planning and Development), Planning Development Manager and Spatial Policy and Delivery Manager.

#### **244 DEPUTY ELECTORAL REGISTRATION OFFICER:**

It was proposed by Councillor Spruce, seconded by Councillor Wilcox and

**RESOLVED:** That Ms Sarah Pearce, the Licensing and Electoral Services Manager, is appointed as the Deputy Electoral Registration Officer.

#### **APPOINTMENT OF VICE-CHAIRMAN OF EMPLOYMENT COMMITTEE:**

Councillor Wilcox thanked Councillor Mrs Constable for her work as Vice-Chairman of Employment Committee noting that she felt the time was right to hand the role to someone else.

It was therefore proposed by Councillor Wilcox, seconded by Councillor Mrs Constable and

**RESOLVED:** That Councillor Miss Hassell be appointed Vice-Chairman of Employment Committee.

#### **245 LITTLE ASTON & STONNALL NEIGHBOURHOOD PLANS – FINAL DECISION STATEMENTS:**

In submitting his recommendation Councillor Pritchard congratulated the teams involved in producing the Little Aston and Stonnall neighbourhood plans noting that they were difficult

documents to produce and the approval rate amongst those that had voted was very high.

In seconding the recommendation Councillor Mrs Hassell commented that it had been a long process, but the turnout in the referendum had been above the national average indicating that the final plans were supported by the local community. She noted that the local County Councillor (Lichfield Rural South) had been instrumental in the production of the Plan for Stonnall.

**RESOLVED:** That the making of the Little Aston Neighbourhood Plan and the Stonnall Neighbourhood Plan be agreed.

## **246 QUESTIONS:**

### **Question from Councillor Mrs Woodward to the Leader of the Council:**

“The Leader of Council will be aware of local concerns regarding the proposed transfer by Staffordshire County Council of Lichfield Library from its current site at the Friary to St Mary's. He will also be aware of Lichfield District Council's role over 20 years ago in the lifting of covenants covering the Friary building. Will he please make a statement on the Council's role in the past and its current view of the proposals?”

### **Response from Councillor Wilcox:**

“In 1926, the Mayor Aldermen and Citizens of the City of Lichfield acting as the Lichfield Urban District Council sold land fronting the Friary to Staffordshire County Council. On 22 March 1995 the Council's Development Committee agreed to release Covenants contained within that conveyance to enable development to take place and this decision was endorsed by the Council at their meeting on 11 April 1995. The Deed of Release of the Covenants was subsequently completed on 1 June 1995.

The proposal to move the Library to the St. Mary's Centre, I think, is a good move that will sustain the St. Marys Centre and enable a purpose built modern library to be provided in the centre of Lichfield.”

### **Councillor Mrs Woodward asked the following supplementary question:**

“What can the leader do to promote the Friary site being used for public benefit?”

### **Councillor Wilcox responded:**

“We have collaborated with the County Council and other partners to enable the Library to be repositioned within the City in an area we would like to see go forward in line with the emerging City Centre Strategy.

It is not for me to comment on the use of the existing Friary building but there is of course regular dialogue with County Council officers and I will certainly put the points mentioned to them at the next meeting.

I think this issue has demonstrated that the District and County Council can work effectively together.”

## **247 EXCLUSION OF THE PUBLIC AND PRESS:**

**RESOLVED:** That as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be

transacted, the public and press be excluded from the meeting for the following items of business which would involve the likely disclosure of exempt information as defined in Paragraphs 3, 4 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

IN PRIVATE

**248 CONFIDENTIAL REPORT OF THE LEADER OF THE COUNCIL ON CABINET DECISIONS FROM THE MEETINGS HELD ON 8 MARCH AND 5 APRIL 2016**

Councillor Wilcox submitted his Confidential Report on the matters considered by the Cabinet at the meetings held on 8 March and 5 April 2016.

**1 - Empty Property at Chase Road, Burntwood**

Councillor Mrs Evans said she accepted everything the Council was doing to resolve the issue and hoped there would be a speedy and satisfactory conclusion to the benefit of all concerned, in particular the neighbours who had suffered for a number of years.

Councillor Mrs Constable also referred to problems with the property and looked forward to the matter being resolved soon.

Councillor Greatorex welcomed the support for the course of action being undertaken and said he did not envisage that recent developments in the case would unduly delay proceedings.

**2 – Fit for the Future Leisure Review – Leisure Services Options Appraisal**

Councillor Ray said that he had no objection in principle to services being outsourced but it was essential if pursuing this route that the Council achieves real management savings, and any contract enabled some control over the availability and pricing of leisure activities.

Councillor Smith responded that it was vitally important, if going down this route, that there should be management savings but it was also about the Leisure Strategy Review and where we wanted to be as a Council. He added that the more control the Council sought to retain the harder it would be to achieve real savings. Therefore it would be a balancing act and he would report back on any negotiations as they progressed.

**249 CONFIDENTIAL REPORT OF THE CHAIRMAN OF LEISURE, PARKS AND WASTE MANAGEMENT (OVERVIEW AND SCRUTINY) COMMITTEE**

Councillor Awty submitted his Confidential Report on the matters considered by the Leisure, Parks and Waste Management (Overview and Scrutiny) Committee held on 3 March 2016.

(The Meeting closed at 7.04 pm)

CHAIRMAN

**REPORT OF CHAIRMAN OF ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT  
(OVERVIEW AND SCRUTINY) COMMITTEE**

**PRESENT**

Councillors Cox (Chairman), Mrs Baker (Vice-Chairman), Mrs Barnett, Mrs Boyle, Drinkwater, Mrs Evans, Mosson, Rayner, Miss Shepherd, Smedley and Mrs Stanhope MBE

**APOLOGIES FOR ABSENCE:** were received from Councillors Mrs Eagland and Mills.

(In accordance with Council Procedure Rule No.17 Councillors Marshall, Pritchard and Mrs Fisher attended the meeting).

At the meeting on 21 April 2016 the following matters were considered:

<b>1. WORK PROGRAMME</b>
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- 1.1 It was resolved that the Work Programme be noted.

<b>2. DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT</b>
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- 2.1 A report was submitted on the outcome of the formal consultation on the Developer Contributions Supplementary Planning Document (SPD), which set out the comments received together with proposed recommendations and amendments. Members gave detailed consideration to the consultation responses and sought further clarification on a number of issues.
- 2.2 In noting the views of Historic England the view was expressed that the Council should be more proactive in protecting historic areas and reference was made to the indirect impact of development on historic areas, including traffic. It was advised that the Community Infrastructure Levy could be used to implement highways improvements, and the Council's SPD regime would ensure developers were clear about the Authority's commitment to the historic environment.
- 2.3 It was resolved that the recommendations as listed in Appendix B of the report relating to the Developer Contributions SPD be approved and that the Cabinet be recommended to approve and adopt the SPD.
- 2.4 The Committee debated the granting of delegated authority to amend the SPD if the enactment of the Housing and Planning Bill required changes. In seeking to achieve a balance between timely decision making and accountability it was agreed that authority be delegated to the Cabinet Member for Economic Growth, Development and Environment in consultation with the Chairman and Vice-Chairman of the Committee who would refer matters to the Committee if necessary.

### **3. STATEMENT OF COMMUNITY INVOLVEMENT**

- 3.1 Consideration was given to the formal consultation on the Statement of Community Involvement (SCI) which set out the standards that could be expected by the public and statutory consultees for community involvement in the planning process.
- 3.2 Details were given of the representations received, together with changes proposed by Development Management and the Local Plans Officer.
- 3.3 The Committee discussed the importance of community involvement and it was noted that confusion could arise over Neighbourhood Plans, particularly the fact that they needed to be in agreement with the District Local Plan.
- 3.4 Reference was made to the graphics in the 'how it works' public information leaflet and it was confirmed that these would be updated.
- 3.5 Amendments were proposed to the wording on the frequency of Parish Forum meetings and an incomplete sentence in the 'how it works' leaflet.
- 3.6 The Committee resolved that the recommendations as listed in Appendix B, C and D of the report relating to the representations and amendments received be approved. It then recommended that Cabinet approve and adopt the amended Statement of Community Involvement along with the withdrawal of the existing SCI which was adopted in 2006.

### **4. DEVELOPING A FORMAL CAR PARKING STRATEGY**

- 4.1 The Committee received a report on the progress made in preparing a parking strategy for Lichfield District and consideration was given to the outcome of the consultation.
- 4.2 In response to questions about the consultation process it was confirmed that long stay permit holders were not consulted directly but were able to complete an online survey that was available to members of the public.
- 4.3 The Chairman outlined the views of the car parking Task Group, expanding upon the response included in the consultation response appended to the report.
- 4.4 Particular consideration was given to the proposed new car parking charges. Concern was expressed that increasing the cost of long stay permits could result in people transferring to other car parks or parking in residential areas. There was agreement that short stay prices be rounded up to the nearest pound since people frequently had insufficient small change.
- 4.5 The Cabinet Member for Economic Growth, Development and Environment advised that prices had not been increased for eight years and the Cabinet Member for Tourism and Communications noted that expenditure on car parks currently exceeded income with £6.5 million being spent on car parking over the last four years.
- 4.6 Following a vote the Committee agreed to recommend the tariff increases set out in the report to Cabinet subject to the following revisions:
  - Long stay six months permits be increased to £225 instead of £250
  - Long stay one month permits be increased to £45 instead of £50
  - The short stay tariffs proposed in the report be rounded up to the nearest pound.

- 4.7 All other proposed tariffs (including no charge being levied for blue badge holders) were endorsed and it was agreed that the Cabinet be recommended to approve the strategy.
- 4.8 The Chairman and the Cabinet Member for Tourism and Communications thanked Members of the Car Parking Task Group and officers for their work in producing the strategy.

(COUNCILLORS DRINKWATER, SMEDLEY AND MRS STANHOPE DELCARED INTERESTS IN THIS ITEM AS RELATIVES OF BLUE BADGE HOLDERS AND COUNCILLOR RAYNER DECLARED AN INTEREST AS A LONG STAY PERMIT HOLDER IN LICHFIELD CITY).

<b>5. GREATER BIRMINGHAM AND SOLIHULL LOCAL ENTERPRISE PARTNERSHIP – DELIVERING A MORE EFFECTIVE AND CONSISTANT PLANNING SYSTEM</b>
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- 5.1 The Committee's views were sought on the proposed planning guidance notes produced by the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP).
- 5.2 It was noted that on 2 April 2012 the Planning Committee had signed up to the GBSLEP Planning Charter to help create a consistent, business friendly approach across the Local Enterprise Partnership area to facilitate inward investment and planned economic growth.
- 5.3 The Chairman welcomed Councillor Marshall, who as Vice-Chairman of Planning, had represented the District Council on a working party set up by the GBSLEP to consider the delivery of a more consistent and effective planning system.
- 5.4 Councillor Marshall gave an analysis of the guidance that had been produced which covered:
- Member involvement in the Planning Application Process
  - The Pre-Application Process
  - Planning Conditions
  - Planning Obligations
- 5.5 It was recommended that the guidance notes be adopted, subject to a number of amendments to allow the precise details of service delivery to be determined locally.
- 5.6 The Committee noted that the Council already complied with much of the guidance which would require only minor changes to current practice.
- 5.7 That Committee then resolved that the planning guidance notes be adopted by Lichfield District Council, subject to the following amendments:
- the threshold for Member engagement on pre-application discussions be determined locally;
  - the content and delivery of 4 Member planning training sessions a year be determined locally;
  - the content and frequency of Member post-development site visits to be determined locally;
  - A 'right to reply' protocol for applicants/objectors at Planning Committee to be produced locally;

- the content and frequency of planning policy and legislative updates to elected Members be determined locally;
- Lichfield District Council to liaise with the County Council to secure quicker delivery of Section 106 legal agreements

5.8 Subject to the above amendments, it was agreed that delegated authority be given to the Cabinet Member in consultation with the Chairman and Vice-Chairman to approve the final wording of the guidance notes, and a review of the effectiveness of the guidance notes be considered after one year's operation.

## **6. LICHFIELD DISTRICT COUNCIL DRAFT ECONOMIC DEVELOPMENT STRATEGY – RESPONSE TO CONSULTATION AND THE LOCAL BUSINESS SURVEY**

- 6.1 Consideration was given to the outcome of the consultation on the draft Economic Development Strategy and the findings of the Local Business Survey.
- 6.2 During the discussion questions were asked about the signage between Lichfield and Tamworth and consultation with Parish Councils. The Vice-Chairman stressed the importance of capturing information when providing business support, including where businesses were based, their size and the nature of the enquiry. It was noted that assessing performance would help to target support and highlight any gaps.
- 6.3 In response to a question it was advised that the group originally established to explore the feasibility of a Business Investment District (BID) in Fradley had subsequently addressed a number of local issues and significant progress had been made on these.
- 6.4 It was resolved:
- that the results of the consultation exercise on the draft Economic Development Strategy and the key issues arising out of the Local Business Survey be noted and the changes to the Strategy and related Action Plan as set out in Appendix A to the report be agreed.
  - that Cabinet be recommended to approved the draft Economic Development Strategy and associated Action Plan as proposed to be amended;
  - that further work complementing the Strategy and crucial to its implementation be carried out including process mapping Council services involved in delivering economic development related services, reporting back to business the results of the Local Business Survey together with proposed actions, and putting in place arrangements for on-going business engagement; and
  - that in due course and following approval of the Strategy, reports be presented to the Committee on economic development performance in the District and the effects of the Strategy.

## **7. VOTE OF THANKS**

- 7.1 The Committee thanked the Chairman and Vice-Chairman for their work, commenting on the preparation that had gone into meetings and the excellent way they had been conducted. The Chairman thanked the Members of the Committee for their effort and input.

R. E. Cox  
Chairman  
Economic Growth, Environment and Development (Overview and Scrutiny) Committee



**FOR ANNUAL COUNCIL  
17 MAY 2016  
AGENDA ITEM 10(a)  
APPENDIX A  
(GREEN ENCLOSURE)**

**CONSTITUTION OF COMMITTEES AND PANELS:**

<b>COMMITTEE / PANEL</b>	<b>SIZE</b>	<b>CON (41)</b>	<b>LAB (4)</b>	<b>LIB DEM (1)</b>	<b>UKIP (1)</b>
Council	47	41	4	1	1
Leader and Cabinet	8	8	-	-	-
Strategic (Overview and Scrutiny) Committee	13	11	2		
Community, Housing and Health (Overview and Scrutiny) Committee	13	10	2	1	
Leisure, Parks and Waste Management (Overview and Scrutiny) Committee	13	11	2		
Economic Growth, Environment and Development (Overview and Scrutiny) Committee	13	10	2		1
Standards Committee	8	7	1		
Audit Committee	5	4	1		
Planning Committee	22	20	2		
Regulatory and Licensing Committee	15	13	2		
Lichfield District Board * To be made up of the Leader and the Community Cabinet Member with other Members of the Cabinet being invited to attend meetings as required	2	2	-	-	-

<b>COMMITTEE / PANEL</b>	<b>SIZE</b>	<b>CON</b>	<b>LAB</b>	<b>LIB DEM</b>	<b>UKIP</b>
Licensing and Consents Appeals Committee <i>Any 3 from Regulatory and Licensing Committee</i>	3	-	-	-	-
Employment Committee	11	10	1		
Employment Appeals Committee	5	4	1		
Employee Investigation Suspension and Disciplinary Committee	3	2	1		
Employee Joint Consultative Committee	6	5	1		
Appointments Sub-Committee	5	4	1		
Parish Forum	11	8	1	1	1
Joint Committee for Waste Management	2	2	-	-	-

**FOR: COUNCIL  
17 MAY 2016  
AGENDA ITEM. 10 (b)  
APPENDIX B  
(YELLOW ENCLOSURE)**

<b>CABINET</b>	
Leader of Cabinet <i>(Strategic issues ; F4F programme)</i>	Wilcox, M. J.
Deputy Leader of Cabinet and Cabinet Member for Economic Growth, Development & Environment <i>(Economic growth and development; LEP; local plan; development control and policy; business relationship management, including city and town partnerships, HS2, environmental issues, neighbourhood plans)</i>	Pritchard, I. M. P.
Cabinet Member for Finance & Democracy <i>(Finance, Revenues and Benefits, Democratic and Legal)</i>	Spruce, C. J.
Cabinet Member for Housing & Health <i>(Housing strategy homelessness public health, environmental health emergency planning)</i>	Greatorex, C.
Cabinet Member for Tourism & Communications <i>(Tourism, communications, car parking and public facilities)</i>	Fisher, Mrs H. E.
Cabinet Member for Community <i>(Locality commissioning, community safety, equalities customer service, channel shift, safeguarding and IT)</i>	Pullen, D. R.
Cabinet Member for Leisure & Parks <i>(Parks, open spaces, grounds maintenance, leisure centres, Garrick)</i>	Smith, A. F.
Cabinet Member for Waste Management <i>(Waste collection, street cleaning and fleet management)</i>	Eadie, I. M.

<b>STRATEGIC (OVERVIEW &amp; SCRUTINY) COMMITTEE</b>			
<b>Constitution – 13 Members</b>			
<b>Composition</b>			
<b>Conservative 11</b>	<b>Labour 2</b>	<b>Liberal Democrat 0</b>	<b>UKIP 0</b>
Baker, Mrs D. F.	Drinkwater, E. N.		
Barnett, Mrs S. A.	Woodward, Mrs S. E.		
Constable, D. H. J.			
Marshall, T.			
Matthews, T. R.			
Powell, J. J. P.			
Rayner, B. L.			
Stanhope, Mrs M.			
Strachan, R. W.			
Tittley, M. C.			
White, A. G.			

<b>ECONOMIC GROWTH, ENVIRONMENT &amp; DEVELOPMENT (OVERVIEW &amp; SCRUTINY) COMMITTEE</b> <b>Constitution – 13 Members</b> <b>Composition</b>			
<b>Conservative 10</b>	<b>Labour 2</b>	<b>Liberal Democrat 0</b>	<b>UKIP 1</b>
Baker, Mrs D. F.	Drinkwater, E. N.		Mills, J.
Bamborough, R. A. J.	Evans, Mrs C. D.		
Cox, R. E.			
Eagland, Mrs J. M.			
Hassall, Miss E. A.			
Marshall, T.			
Mosson, R. C.			
Smedley, D.			
Stanhope, Mrs M.			
Tittley, M. C.			

<b>COMMUNITY HOUSING AND HEALTH (OVERVIEW &amp; SCRUTINY) COMMITTEE</b> <b>Constitution – 13 Members</b> <b>Composition</b>			
<b>Conservative 10</b>	<b>Labour 2</b>	<b>Liberal Democrat 1</b>	<b>UKIP 0</b>
Barnett, Mrs S. A.	Banevicius, Mrs S. W.	Ray, P. W. W.	
Boyle, Mrs M. G.	Evans, Mrs C. D.		
Constable, Mrs B. L.			
Constable, D. H. J.			
Humphreys, K. P.			
Leytham, D. J.			
O'Hagan, J. P.			
Rayner, B. L.			
Shepherd, Miss O. J.			
Tranter, Mrs E. H.			

<b>LEISURE, PARKS &amp; WASTE MANAGEMENT (OVERVIEW &amp; SCRUTINY) COMMITTEE</b> <b>Constitution – 13 Members</b> <b>Composition</b>			
<b>Conservative 11</b>	<b>Labour 2</b>	<b>Liberal Democrat 0</b>	<b>UKIP 0</b>
Allsopp, Mrs J. A.	Banevicius, Mrs S. W.		
Awty, R. J.	Woodward, Mrs S. E.		
Bacon, Mrs N.			
Fisher, Miss B.			
Hassall, Miss E. A.			
Matthews, T. R.			
Pullen, Mrs N. I.			
Tranter, Mrs E. H.			
Warfield, M. A.			
Yeates, A.			
Yeates. B. W.			

<b>EMPLOYMENT COMMITTEE</b> <b>Constitution – 11 Members</b> <b>Composition</b>			
<b>Conservative</b> <b>10</b>	<b>Labour</b> <b>1</b>	<b>Liberal Democrat</b> <b>0</b>	<b>UKIP</b> <b>0</b>
Constable Mrs B. L.	Banevicius, Mrs S. W.		
Cox, R. E.			
Eagland, Mrs J. M.			
Hassall, Miss E. A.			
Humphreys, K. P.			
Powell, J. J. P.			
Smedley, D.			
Stanhope, Mrs M.			
Strachan, R. W.			
Yeates. B. W.			

<b>PLANNING COMMITTEE</b> <b>Constitution – 22 Members</b> <b>Composition</b>			
<b>Conservative</b> <b>20</b>	<b>Labour</b> <b>2</b>	<b>Liberal Democrat</b> <b>0</b>	<b>UKIP</b> <b>0</b>
Allsopp, Mrs J. A.	Drinkwater, E. N.		
Awty, R. J.	Evans, Mrs C. D.		
Bacon, Mrs N.			
Baker, Mrs D. F.			
Bamborough, R. A. J.			
Barnett, Mrs S. A.			
Boyle, Mrs M. G.			
Cox, R. E.			
Hassall, Miss E. A.			
Humphreys, K. P.			
Marshall, T.			
Matthews, T. R.			
Powell, J. J. P.			
Pritchard, I. M. P.			
Shepherd, Miss O. J.			
Smedley, D.			
Stanhope, Mrs M.			
Strachan, R. W.			
Yeates, A.			
(to be advised)			

<b>REGULATORY &amp; LICENSING COMMITTEE</b> <b>Constitution – 15 Members</b> <b>Composition</b>			
<b>Conservative</b> <b>13</b>	<b>Labour</b> <b>2</b>	<b>Liberal Democrat</b> <b>0</b>	<b>UKIP</b> <b>0</b>
Baker, Mrs D. F.	Drinkwater, E. N.		
Barnett, Mrs S. A.	Evans, Mrs C. D.		
Eagland, Mrs J. M.			
Fisher, Miss B.			
Humphreys, K. P.			
Leytham, D. J.			
O'Hagan, J. P.			
Shepherd, Miss O. J.			
Smedley, D.			
Stanhope, Mrs M.			
Warfield, M. A.			
Yeates, A.			
Yeates, B. W.			

<b>STANDARDS COMMITTEE</b> <b>Constitution – 8 Members</b> <b>Composition</b>			
<b>Conservative</b> <b>7</b>	<b>Labour</b> <b>1</b>	<b>Liberal Democrat</b> <b>0</b>	<b>UKIP</b> <b>0</b>
Allsopp, Mrs J. A.	Woodward, Mrs S. E.		
Awty, R. J.			
Bamborough, R. A. J.			
Marshall, T.			
O'Hagan, J. P.			
Pullen, Mrs N. I.			
Tranter, Mrs E. H.			

<b>AUDIT COMMITTEE</b> <b>Constitution – 5 Members</b> <b>Composition</b>			
<b>Conservative</b> <b>4</b>	<b>Labour</b> <b>1</b>	<b>Liberal Democrat</b> <b>0</b>	<b>UKIP</b> <b>0</b>
Bacon, Mrs N.	Woodward, Mrs S. E.		
Mosson, R. C.			
Strachan, R. W.			
Tittley, M. C.			

<b>EMPLOYMENT APPEALS COMMITTEE</b> <b>Constitution – 5 Members</b> <b>Composition</b>			
<b>Conservative</b> <b>4</b>	<b>Labour</b> <b>1</b>	<b>Liberal Democrat</b> <b>0</b>	<b>UKIP</b> <b>0</b>
Hassall, Miss E. A.	Drinkwater, E. N.		
Leytham, D. J.			
O'Hagan, J. P.			
Warfield, M. A.			
*Chairman is elected from those Members present			

<b>EMPLOYEE INVESTIGATING SUSPENSION AND DISCIPLINARY COMMITTEE</b> <b>Constitution – 3 Members</b> <b>Composition</b>			
<b>Conservative</b> <b>2</b>	<b>Labour</b> <b>1</b>	<b>Liberal Democrat</b> <b>0</b>	<b>UKIP</b> <b>0</b>
Fisher, Miss B.	Evans, Mrs C. D.		
Marshall, T.			
*Chairman is elected from those Members present			

<b>EMPLOYEE JOINT CONSULTATIVE COMMITTEE</b> <b>Constitution – 6 Members</b> <b>Composition</b>			
<b>Conservative</b> <b>5</b>	<b>Labour</b> <b>1</b>	<b>Liberal Democrat</b> <b>0</b>	<b>UKIP</b> <b>0</b>
Cox, R. E.	Woodward, Mrs S. E.		
Leytham, D. J.			
Powell, J. J. P.			
Strachan, R. W.			
Yeates, A.			
*Chairman is elected from those Members present			

<b>APPOINTMENTS SUB-COMMITTEE</b> <b>Constitution – 5 Members</b> <b>Composition</b>			
<b>Conservative</b> 4	<b>Labour</b> 1	<b>Liberal Democrat</b> 0	<b>UKIP</b> 0
Leader of the Council (or Nominee)	Woodward, Mrs S. E.		
Relevant Portfolio Holder (or Nominee)			
Chairman is the Chairman of Employment Committee and the Vice-Chairman is the Chairman of the relevant Committee or Portfolio Holder			

<b>PARISH FORUM</b> <b>Constitution – 11 Members</b> <b>Composition</b>			
<b>Conservative</b> 8	<b>Labour</b> 1	<b>Liberal Democrat</b> 1	<b>UKIP</b> 1
Allsopp, Mrs J. A.	Banevicius, Mrs S. W.	Ray, P. W. W.	Mills, J.
Awty, R. J.			
Barnett, Mrs S. A.			
Boyle, Mrs M. G.			
Fisher, Miss B.			
Hassall, Miss E. A.			
Marshall, T.			
Stanhope, Mrs M.			

<b>LICENSING &amp; CONSENTS APPEALS COMMITTEE</b> <b>Constitution – 3 Members</b> <b>Composition</b>			
<b>Conservative</b>	<b>Labour</b>	<b>Liberal Democrat</b>	<b>UKIP</b>
Any three from Regulatory & Licensing Committee but including the Chairman of Regulatory & Licensing Committee as standing Chairman			



<b>JOINT COMMITTEE FOR WASTE MANAGEMENT</b> <b>Constitution – 2 District Members</b> <b>Composition</b>			
<b>Conservative</b>	<b>Labour</b>	<b>Liberal Democrat</b>	<b>UKIP</b>
The Leader of the Council or authorised deputy			
The Portfolio Holder responsible for Waste or authorised deputy			

<b>DISTRICT BOARD</b> <b>Constitution – 2 District Members</b> <b>Composition</b>			
<b>Conservative 2</b>	<b>Labour 0</b>	<b>Liberal Democrat 0</b>	<b>UKIP 0</b>
To be made up of the Leader of the Council and the Community Cabinet Member with other Members of the Cabinet being invited to attend meetings as required			

The Constitution will be amended to reflect the changes detailed above.

**FOR: ANNUAL COUNCIL  
17 MAY 2016  
AGENDA ITEM 11  
APPENDIX C  
(BLUE ENCLOSURE)**

**CHAIRMEN AND VICE- CHAIRMEN 2015/16**

<b>Meeting</b>	<b>Chairman</b>	<b>Vice-Chairmen</b>
Strategic (Overview and Scrutiny) Committee	Strachan, R. W.	Tittley, M. C
Economic Growth Environment & Development (Overview and Scrutiny) Committee	Cox, R. E.	Baker Mrs D. F.
Community Housing and Health (Overview and Scrutiny) Committee	Leytham, D. J.	Boyle, Mrs M.G.
Leisure, Parks & Waste Management (Overview and Scrutiny) Committee	Awty, R. J.	Matthews, T. R.
Employment Committee	Powell, J. J. R.	Hassall, Miss E. A.
Planning Committee	Smedley, D	Marshall, T
Regulatory and Licensing Committee	Yeates, B. W.	Warfield, M. A.
Standards Committee	Tranter, Mrs E. H.	Allsopp, Mrs J. A.
Audit Committee	Mosson, R. C.	Bacon, Mrs N.
Employment Appeals Committee	To be elected from the Members present at the meeting.	
Employee Investigating, Suspension and Disciplinary Committee		
Employee Joint Consultative Committee		
Appointments Sub-Committee	Chairman of Employment Committee	Chairman of the relevant Committee or Portfolio Holder
Parish Forum	Barnett, Mrs S. A.	Bamborough, R. A. J.
Licensing and Consents Appeals Committee	To be elected from the Members present	

**A Review of Members' Allowances**  
**For**  
**Lichfield District Council**

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**A Report by the**  
**Independent Remuneration Panel**

**Marilyn Castree**  
**Dr Declan Hall (Chair)**  
**Stan Orton**  
**Sandra Payne**

**April 2016**

## EXECUTIVE SUMMARY

Lichfield IRP Executive Summary	BA & SRAs 2016/17 (Recommended - Maximum Payable)						
REMUNERATED POSTS	Basic Allowance	Nos. Paid	SRA per Post	SRA Ratio to Leader	Total per Member	SRA total per Category	% Change (+/-) on 2015/16
All Members	£4,090	47	-				+ 15.3%
Leader of Council	£4,090	1	£12,270	100.0%	£16,360	£12,270	+ 5.7%
Deputy Leader & Cabinet Member	£4,090	1	£7,362	60.0%	£11,452	£7,362	+ 5.7%
Other Cabinet Members	£4,090	6	£6,749	55.0%	£10,839	£40,491	+ 5.7%
Chairman Planning Committee	£4,090	1	£6,135	50.0%	£10,225	£6,135	- 3.9%
Vice Chairman Planning Committee	£4,090	1	£1,534	25% of Chair	£5,624	£1,534	- 33.9%
Chairman Regulatory & Licensing Committee	£4,090	1	£2,454	20.0%	£6,544	£2,454	5.7%
Vice Chairman Regulatory & Licensing Committee	£4,090	1	£614	25% of Chair	£4,704	£614	5.8%
Chairmen O&S Committees	£4,090	4	£2,454	20.0%	£6,544	£9,816	5.7%
Vice Chairmen O&S Committees <sup>1</sup>	£4,090	4	£614	25% of Chair	£4,704	£2,454	NA
Chairman Audit Committee	£4,090	1	£1,534	12.5%	£5,624	£1,534	- 33.9%
Chairman Council	£4,090	1	£2,800	NA	£6,890	£2,800	0%
Vice Chairman Council	£4,090	1	£700	25% of Chair	£4,790	£700	- 16.5%
Chairman Employment Committee	£4,090	1	£1,534	12.5%	£5,624	£1,534	- 33.9%
Chairman Parish Forum	£4,090	0	NA				NA
Principal Opposition Group Leader	£4,090	1	£2,800	Equal to Council Chair	£6,890	£2,800	+ 20.6%
Principal Opposition Group Deputy Leader	£4,090	1	£700	25% of Group Leader	£4,790	£700	+ 20.6%
<b>SUB TOTALS</b>							
<b>BA SUB TOTAL</b>	<b>£4,090</b>	<b>47</b>				<b>£192,230</b>	<b>+ 15.3%</b>
<b>SRAS SUB TOTAL</b>		<b>26</b>				<b>£93,197</b>	<b>+ 4.1%</b>
<b>TOTAL PAYABLE (BA + SRAs)</b>						<b>£285,427</b>	<b>+ 11.4%</b>

<sup>1</sup> In the event that an Overview and Scrutiny Committee has a second Vice Chairman from the Opposition Group the Vice Chairman's SRA is to be paid to both Vice Chairmen at £307 apiece.

**The Panel also recommends:****The Basic Allowance: Inclusive of ITC and other Support costs**

That the Basic Allowance continues to include all ITC and other support costs that Members may incur in carrying out their roles.

**Withholding the 12<sup>th</sup> monthly payment of the Basic Allowance and SRAs**

That the Lichfield District Council Members' Allowances scheme is amended to include a performance clause, namely that Members are required to attend at least 75% of all their scheduled meetings by the end of the 11<sup>th</sup> month in the municipal year to receive their 12<sup>th</sup> monthly payment.

That If a Member has not reached the attendance threshold by the end of the 11<sup>th</sup> month then the 12<sup>th</sup> monthly payment of their Basic Allowance and SRAs, where applicable, is withheld.

That the relevant meetings for measuring attendance are the records of Members' attendances as published on the Council website plus all scheduled Member training sessions for each municipal year. If a Member has a valid reason for missing a meeting, such as illness, paternity/maternity leave or other calamitous life events, then an exemption should be provided for, by the determination of the Monitoring Officer.

That the scheme should also specify that any 12<sup>th</sup> monthly payment of the Basic Allowance that is withheld is deemed to be an SRA for payment purposes.

That where a Member does not attend 75% of meetings then it should be noted in the annual statutory publication of Members' Allowances.

**SRAs not recommended or to be discontinued**

- Vice Chairman of Audit Committee
- Vice Chairman of Employment Committee
- Chairman of Parish Forum

**Maintaining the 1-SRA only rule**

That the Council maintain the 1-SRA only rule.

**Co-optees' Allowances**

That the Co-optees' Allowance of £41 per meeting is retained for 2016/17.

That the Co-optees' Allowance is included in the published Members' Allowances Scheme. Furthermore, that any payment of the Co-optees' Allowance is listed in the Council's annual statutory publication of allowances and expenses under a separate column.

### **The In-Council Subsistence Allowance**

That right of Members to claim an In-Council Subsistence Allowance is discontinued and that this provision is also inserted in the scheme.

### **Conference Allowance: Replaced with Out of Council Subsistence Allowance**

That the Conference Allowance is reclassified as the Out of Council Subsistence Allowance, payable up to a daily maximum of £25 upon production of relevant receipts and extended to cover all out of council approved duties a Member may attend.

### **Overnight Accommodation**

That provision is made in the Lichfield District Council Members' Allowances Scheme for an Overnight Accommodation Allowance to paid at the following maximum rates:

- London allowance for overnight accommodation                      £92
- All other for overnight accommodation                                      £80

Where a Member is required to stay overnight on an approved duty then the expectation is relevant accommodation will be pre-booked through Civic Support.

### **The Travel Allowances**

That the Council adopt the full range of HMRC mileages rates for the mileage allowance, to include both within and outwith the council, and these rates are inserted into the scheme.

That the rates and conditions for the other Travel Allowances are maintained and that they are inserted into the allowances scheme.

### **The Dependants' Carers' Allowance (DCA)**

That the DCA is maintained and distinguishes between 2 different types of care as follows:

- Childcare: capped at the national living wage of £7.20 per hour (April 2016)
- Other care: capped at the hourly wage charged by Staffordshire County Council Social Services for a Carer.

The current terms and conditions by which the DCA can be claimed are maintained.

### **The Civic Allowances for Council Chairman and Vice Chairman**

That to assist the Council in its review of the Civic Allowances the Panel suggests that

from the start of the 2016/17 municipal year the maximum payable for reimbursements under the Civic Allowances should be:

- Chairman of Council Civic Allowance: £3,000
- Vice Chairman of Council Civic Allowance: £1,500

### **Indexing Allowances**

That the allowances are indexed annually (where applicable) up to the end of municipal year 2019/20, the maximum period permitted by legislation, without reference to the Panel as follows:

#### **Basic Allowance, SRAs, Co-optees and the Civic Allowances:**

- Updated annually in line with the annual percentage pay increase given to Lichfield District Council employees (and rounded to the nearest £ as appropriate) as agreed for each year by the National Joint Council (NJC) for Local Government Staff.

#### **Dependants' Carers' Allowance:**

- The maximum hourly rates to be indexed to the government's national living wage applicable to the age of the carer (childcare) and Staffordshire County Council's chargeable hourly rate for a Home Care Assistance (care of other dependants).

#### **Mileage Allowance:**

- Members' mileage allowances rates to be indexed to the HMRC AMAP mileage rates.

#### **Daily out of Council Subsistence and Overnight Allowances:**

- Updated annually in line with the annual percentage pay increase given to Lichfield District Council employees (and rounded to the nearest £ as appropriate) as agreed for each year by the National Joint Council for Local Government Staff.

The Panel is not recommending the backdating of any indexation. Instead, the application of an index should be applied from the start of the financial year following the implementation of any change in the relevant indices

The Panel further recommends that the provision for indexation be inserted into the Allowances Scheme.

### **Implementation**

That the new scheme of allowances based on the recommendations contained in this report is adopted from date of Annual Meeting on 17 May 2016.

# **Independent Remuneration Panel:**

## **A Review of Members' Allowances**

### **For**

## **Lichfield District Council**

### **April 2016 Report**

#### **Introduction: The Regulatory Context**

1. This report is a synopsis of the deliberations and recommendations made by the statutory Independent Remuneration Panel ('IRP' or 'Panel') appointed by the Lichfield District Council to advise the Council on its Members' Allowances Scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations). These regulations, arising out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an independent remuneration panel to review and provide advice on the Council's Members Allowances. This is in the context whereby full Council retains powers of determination in setting Members' Allowances, including both levels and scope of remuneration and other allowances/reimbursements.
3. All Councils are required to convene their Panel and seek its advice before they make any changes or amendments to their members' allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended members' allowances scheme.
4. The Lichfield DC Allowances were not indexed the previous Panel issued annual reports. The application of the last report runs up to the end the 2015/16 municipal year. Consequently as Council is required to establish a new scheme of allowances for 2016/17 it must first seek advice from the IRP.
5. In particular, the Panel has been reconvened under the 2003 Regulations [19. (1)], which states that where an authority "makes or amends a scheme, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel."



6. It is under this requirement that the Panel has undertaken this review of Members' Allowances for Lichfield District Council.

### **Terms of Reference**

7. In accordance with the 2003 Members' Allowances Regulations [paragraphs 10. (5) & 19. (1)] Lichfield District Council has reconvened its statutory Independent Remuneration Panel (IRP) to review the Council Members' Allowances scheme. Specifically the Panel has been asked to make recommendations on the following:
  - i The amount of Basic Allowance that should be payable to elected Members and the expenses it should include
  - ii The categories of Members who should receive a SRA and as to the amount of such an allowance
  - iii Those Co-optees who should receive a Co-optees' Allowance and as to the amount of such an allowance
  - iv The scope and level of travel and subsistence allowances and the terms and conditions by which this may be paid
  - v The scope and level of the Dependants' Carers' Allowance
  - vi The application of an index to allowances payable and if so what the relevant indices should be
  - vii The implementation date for the new Scheme of Members' allowances
  - viii Any other issues that are brought to the Panel's attention
8. In undertaking the review, the Panel is expected to take into account:
  - Allowances paid in the Lichfield District Council benchmarking group of councils;
  - The views of Members, both written and oral;
  - Any other consideration that the Council asks the IRP to take into account.

### **The Panel**

9. Lichfield District Council reconvened a new Panel to provide a fresh appraisal of its Members' Allowances Scheme and the following Members were appointed to its new Panel, namely:
  - Marilyn Castree: Divisional Director, Lichfield & Tamworth Chamber of Commerce and Industry, who works with local government and businesses

- Dr Declan Hall (Chair): Formerly an academic at the Institute of Local Government, The University of Birmingham, now an Independent consultant specialising in Members' Allowances and support with extensive experience of reviews across the United Kingdom
  - Stan Orton: Retired and a North Warwickshire resident with an interest and background in local government. Stan is also a member of Tamworth Borough Council IRP.
  - Sandra Payne: Operations Manager (South) for Support Staffordshire, a voluntary sector infrastructure organisation and a local resident. Sandra has worked in the local voluntary sector for the last 20 years managing various projects and being involved in local partnerships. Previous career was in banking and holds a Postgraduate Professional Diploma in Management
10. Logistical and practical support to the Panel was provided through Christine Lewis, Overview & Scrutiny Officer at Lichfield District Council.

## Process and Methodology

### Evidence Reviewed by the Panel

11. The Panel met at the Council House, Lichfield, 25-26 February and 30 March 2016, to consider the evidence and hear representations from Members and receive factual briefings on the Council from relevant Officers. All Members were invited to make written submissions to the Panel and all Members who wished to meet with the Panel were accommodated as far as practically possible. The Panel also reviewed relevant written information, such as council and committee meetings schedules, benchmarking data, statutory guidance, etc<sup>2</sup>. The Panel meetings were held in private session to enable it to meet with Members and Officers and consider the evidence in confidence.

### Benchmarking: CIPFA 'Near Neighbours' + Staffordshire/adjacent Districts

12. In accordance with the factors the Panel was asked to take into account in making recommendations regarding its terms of reference, the Panel has benchmarked the scope and levels of allowances paid to Members of Lichfield District Council. The benchmarking group consists of 17 district councils made up of a combination of two sub groups of councils:
- CIPFA 10 Nearest Neighbours:
    - Those councils as determined by the Chartered Institute of Public Finance & Accountancy (CIPFA) to be Lichfield's 10

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<sup>2</sup> See Appendices 1 & 2 for further details on the range of written evidence considered, list of Members who made representations to the Panel and Officers who briefed the Panel.

'nearest neighbours' based on a standard set of socio-demographic criteria (2014 model).

- Staffordshire/adjacent councils:
    - The 10 other district councils in Staffordshire plus adjacent councils not within Staffordshire.<sup>3</sup>
13. While it can be difficult to make systematic comparisons consistently, the Panel has undertaken benchmarking, where relevant figures can be obtained, against these two sub groups of councils to provide a more balanced perspective.<sup>4</sup>
14. The Panel has not been driven by Allowances paid across the comparator authorities but it was concerned to understand how the issues under review have been addressed elsewhere, i.e. what is the most common and good practice. Moreover, it was important to place the Lichfield District Council Allowances Scheme in a comparative perspective. Leaving aside the fact that this only gives relative values and is less of a guide to the real worth of a councillor's work it informs the Panel and elected Members on the wider picture, underlining some of the anomalies in the Lichfield District Council model of remuneration and support.

### **Key Messages - Scheme requires fundamental review**

15. The current scheme has not been fundamentally reviewed since July 2003, when the roles of Members post-Local Government Act 2000 were relatively new. The methodology and variables utilised in arriving at the current allowances have not been revisited since then in light of most recent data and legislative and council changes.

### **Restoring equity**

16. As a result of not undertaking a fundamental review since 2003 there has been a loss of value in the main allowances paid under the Lichfield Members' Allowances Scheme. It should be seen as fair in that it provides a degree of recompense for workload and responsibility. Allowances should also be equitable when compared to peers. The current scheme fails on both points.

### **Transparency and Accountability**

17. It is important in the post MPs expenses fiasco that Members are able to give account of their remuneration and support. Public perception should not be negative. As Members ultimately determine their own allowances and support, on advice from the Panel, they should be able to justify to the public their remuneration and support in terms of their own workloads and responsibility. At present this is not the case.

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<sup>3</sup> The benchmarking group consists of 17 as opposed to 20 councils as Stafford, South Staffordshire and Staffordshire Moorlands fall within both of Lichfield's benchmarking sub groups, the CIPFA 10 nearest neighbours and the 10 Staffordshire/adjacent district councils

<sup>4</sup> See Appendix 3 for more details.

## Reducing barriers to public service

18. A theme emerging from the representations made to the Panel was that the current allowances payable do not fully compensate the work and responsibilities undertaken by Members and are insufficient, particularly of leading Members, to live on. Members' allowances were never meant to be at a level to provide a 'living', at least at district councils. The policy intention behind the requirement to establish a Members' Allowances scheme for all English councils is to enable and facilitate Members' roles and responsibilities as far as practically possible while taking into account such factors as the nature of the council, local economic conditions and good practice. Thus the Panel has sought to recommend a scheme that seeks to minimise financial barriers to public service so as to enable a wide range of people to become a Councillor without incurring undue personal financial cost.
19. Thus, members' allowances schemes are not intended to 'attract' candidates for Council and be paid at full 'market rates.' To do so they would be at a level so as not to be publically acceptable, nor in accordance with the terms of reference. Moreover, the Panel (and a number of interviewees) were not at ease with the concept of using allowances to 'attract' candidates for council - if elected Members were standing for and remaining on the Council due to financial appeal it would run contrary to the public service ethos. The desire to serve local communities and residents is the prime motive for being a Councillor. For Members, remuneration should not be seen as a driver in citizens putting themselves forward to stand for council, as it negates the public service principle that is inherent in a Member's role. Yet, nor should remuneration be at a level that excludes many underrepresented groups from standing for Council because it would impose undue financial pressures on them. If the Panel was to recommend 'market rates' it would cut against the principle of value for money (see below) and be at such a level it would be hard to justify in a comparative context.
20. As such the Panel is keen to ensure that allowances and support enable Members and potential Members to undertake their duties without having to personally subsidise their public service.

## The current economic context and achieving Value for Money

21. It is acknowledged that another theme emerging from the representations was that the economic context meant that allowances should not be raised. Indeed there was a minority view that they were fit for purposes - a view the Panel has rejected as not being borne out by the evidence. Nonetheless, while accepting there should be some increases in allowances the Panel recognises that they should still represent value for money, particularly in light of the Council requirement to find further savings and the broader economic context generally.
22. In 2015 the Council reduced the number of Members from 56 to 47 thus saving £31,923 (on the current Basic Allowance of £3,547). The Panel recognises this savings has already been accounted for and as such has been taken. Nonetheless, the Panel felt it would be contrary if its recommendations matched or exceeded the savings already achieved and as a consequence has adopted this as a principle, i.e., the Panels' recommendations should not lead to a

restoration of the savings achieved by the reduction in the number of elected Members in 2015.<sup>5</sup>

23. Moreover, the Panel is the means by which periodic public scrutiny is brought to bear on Members' allowances and support. It is incumbent upon the Panel to ensure that its recommendations represent value for money.

## **Recommendations - the Basic Allowance**

### **Benchmarking the Basic Allowance**

24. The current Basic Allowance is £3,547. Benchmarking shows that the mean Basic Allowance in the benchmarking group of councils is £4,660, with a median Basic Allowance of £4,540. Although the Lichfield District Council Basic Allowance is not the lowest amongst peers this does not take into account the fact that Lichfield Members have to pay for all their telecommunications and information technology costs out of their Basic Allowance, which in the main is not the case elsewhere.
25. A Basic Allowance lower than that paid to peers is on its own not necessarily a sufficient reason to recommend an increase to the Lichfield Basic Allowance but in the context whereby it has not been fundamentally revisited since 2003, with extra costs imposed on eligible Members through closure of the LGPS scheme in 2014 and nine fewer Members since 2015 resulting in larger workloads, then the case for revision becomes more compelling.

### **Recalibrating the Basic Allowance in line with the 2006 Statutory Guidance**

26. The Panel is required to pay regard to the 2006 Statutory Guidance. In considering the Basic Allowance the Guidance (paragraph 67) states:

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 rate at which, and the number of hours for which, councillors ought to be remunerated.

27. The Statutory Guidance (paragraphs 68-69) expands on the above statement by breaking it down to three variables - time, public service and worth of remunerated time.

### **Time to fulfil duties for which the Basic Allowance is paid**

28. The Basic Allowance is primarily a time-based payment (see 2006 Statutory Guidance paragraph 10). It is paid to compensate for workload. Obviously Members work in different ways and have varying commitments and the time spent on council duties varies. Yet, the Basic Allowance is a flat rate allowance

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<sup>5</sup> If the recommendations are accepted in full the maximum increase in costs for 2016/17 will be £29,166, although it will probably be less due to the 1-SRA only rule.

that must be paid equally to all Members in the first instance so the time assessment is typically taken as the average to carry out all those duties for which the Basic Allowance is paid, including preparing for and attending meetings of the Council and its committees/panels (formal and informal), addressing constituents' concerns, representing and engaging with local communities, external appointments and other associated work including telephone calls, emails and meetings with Officers.

29. Insofar as the Panel can deduce the time assessment of what is required to be an effect backbencher has not altered since 2003 where it was determined to be just over the equivalent of a day a week. The most up to date information available on what is a reasonable time expectation for which the Basic Allowance is paid comes from the 2013 Councillors Census. In data supplied to the Chair of the Panel from the Local Government Association, it shows that Councillors in district councils who held "no positions" of responsibility put in on average 14 hours per week "on council business"<sup>6</sup>.
30. For the purposes of recalibrating the Basic Allowance in line with the 2006 Statutory Guidance the Panel has compromised and adopted 12 hours per week, or 1.6 days per week on a 7.5 hour working day. This equates to 83.2 days per year as the expected time input from Members for their Basic Allowance.
31. The Panel recognises that some Members who hold no positions may well put in more than 1.6 days per week and indeed more than the reported average nationally. However, the Panel has opted for 12 hours on the basis that the average includes those councillors who undertake the role more or less full time as they have the time to supply. As such the figure of 12 hours per week is a more realistic expectation.

### **The Public Service Discount (PSD)**

32. The Public Service Discount (PSD) recognises the principle that not all of what a Councillor does should be remunerated – there is an element of public service. Typically, this voluntary principle is realised by discounting an element of the expected time inputs associated with the Basic Allowance. The normal range for this public service discount is between 35% - 40%, largely on the basis this is broadly in line with the proportion of time backbenchers spend dealing with constituents, surgeries and general enquiries from citizens. However, the historical PSD that has been applied in Lichfield is 50%, the Panel received no evidence to revise the historical figure.
33. Thus, of the expected time input of 83.2 days per year 50% of that time, or 41.6 days per year are deemed to be public service and not paid, leaving 41.6 remunerated days per year.

### **The rate for remuneration**

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<sup>6</sup> Information based on National Census of Local Authority Councillors 2013 (LGA), breakdown of weekly hours by councillors by number of positions held and type of council, in email from S. Richards, LGA 1 October 2014.



34. The rate for remuneration used in 2003 (£81.80) to arrive at a Basic Allowance was based on a weighted version of the national mean male non-manual gross daily salary (£122.10), which in turn was an advisory day rate published by the LGA to assist IRPs. The LGA has since stopped issuing this advice as Panels switched to a rate of remuneration that most closely reflected the typical earnings of Members' constituents. The reason for the switch was one of data availability: the Office of National Statistics (ONS) began publishing average earnings on a council by council basis about five years ago in its Annual Survey of Hours & Earnings (ASHE).
35. In 2015 the median gross daily salary for all full time employee jobs within the area of the Lichfield District Council was £98.34<sup>7</sup>. Thus, the Panel has reset the rate for remuneration at £98.34 per day.
36. If the Panel updated the variables to arrive at the Basic Allowance as set out in the Statutory Guidance to take into account the most recent data available it gives the following values:
- Time required to fulfil duties: 83.2 days per year (1.6 days per week)
  - Public Service Discount: 50% (41.6 days)
  - Rate for Remuneration: £98.34 per day
37. By following the methodology as set out in the 2006 Statutory Guidance with the updated variables it produces the following recalibrated Basic Allowance:
- 83.2 annual days minus 50% PSD multiplied by £98.34 per day  
= £4,090<sup>8</sup>.
38. The Panel is content that the recalibrated Basic Allowance is robust and justifiable once the following has been taken into account:
- The decrease in the number of Members from 56 to 47 in 2015 and extra workloads arising
  - That eligible Members have to incur extra costs for loss of entitlement to join the Local Government Pension Scheme
  - Members have to pay for all telecommunications and information technology costs out of their Basic Allowance, and
  - The recalibrated Basic Allowance is still less than the average/median paid in the benchmarking group
  - That the Panel is recommending that the increase in conjunction with Members meeting a meetings threshold (see below)
39. **The Panel recommends that the Basic Allowance for 2016/17 should be £4,090.**

<sup>7</sup> See ASHE, 2015, Table 7.1a - Weekly pay - gross - For full time employee jobs in Lichfield District Council area, which is £491.70 and divided by 5 working days equals £98.34 per day. ONS advises that the median rather than the higher mean figure (£580 per week) is a better measure of the average due handful of very high earners which skews the statistical mean.

<sup>8</sup> The factual figure produced is £4,090.94 which the Panel rounded down to the nearest £.

40. **The Panel also recommends that the Basic Allowance continues to include all ITC and other support costs that Members may incur in carrying out their roles.**

### **Member Remuneration and Member Performance: Making the Link**

41. An almost unanimous view from the representations made to the Panel was that it was inequitable that all Members were paid the flat rate Basic Allowance regardless of whether they attended their scheduled meetings or not. There was a view that not all Members were fulfilling all the duties for which they were being remunerated. There was a perceived unfairness with all Members receiving an equal Basic Allowance which took no account of unequal inputs.
42. The Council now maintains and publishes Members attendance records for their formal scheduled meetings, as a means of making more transparent one aspect of Members performance. More importantly it also sheds light on the extent of the perceived problem. As a result of this transparency the evidence available shows that it is not a widespread problem, the vast majority of Members are assiduous in attending their scheduled meetings. In the five month period from 19 May 2015 to 20 October 2015, the most up to date data available to the Panel, only six Members had attended less than two thirds of their scheduled meetings.
43. The Panel has been asked to make recommendations that it hopes will create a stronger link between member remuneration and individual Member performance. While the ultimate arbiter on whether individual Members are 'doing a good job' are the electorate the Panel has taken the view that, particularly in the context of the current economic climate, that the public would question why all Members are remunerated the same while having differential inputs that can be readily measurable.
44. Increasingly, the public expect value for money from their elected representatives. Part of the problem is that there is an inherent flaw in the system – Members receive their main allowances by right, in other words by virtue of being an elected Member. To remain an elected Member the only performance criteria that has to be met is to attend an approved duty once every six months. This relatively lax performance management dates back to when the workload and responsibilities carried out by Members were much less than now and the relatively limited remuneration was paid through an attendance allowance, so if a Member did not attend a relevant meeting then they did not get paid. As the legislation currently stands all Members receive an equal Basic Allowance and where applicable their SRA as long as they turn up at least once every six months.
45. The notion of having remuneration related to performance or at least inputs is gaining ground in relation to elected politicians, albeit in different ways. For instance, the salary of the Police and Crime Commissioners was set on the basis that it is a full time role. The Review Body on Senior Salaries recommended that their remuneration should be reduced pro rata where they



do not undertake the role full time.<sup>9</sup> This recommendation was subsequently given legislative force by the Secretary of State. In the London Borough of Tower Hamlets, if a Cabinet member is not undertaking the role full time, as determined by the elected Mayor, their SRA is subsequently discounted pro rata.

46. Finally, by putting a performance element into the payment of Members' Allowance it helps to validate the recommended increases in that Members will only receive the recommended allowances if they can demonstrate they have put the work in.
47. It is acknowledged that attending meetings is only one aspect of an elected Members duties and workload. A Member may be active in their ward or may not be able to attend all their meetings for valid reasons. However, it is reasonable to expect a Member to attend the majority of their scheduled meetings. It is an important and visible Member activity and hard to justify to the public that a Member is paid the same whether they attend 100% or 50% of their scheduled meetings. In the long run, i.e., a maximum of 4 years, non-attendance would typically be addressed through the party selection and electoral process. Yet that does not address the short term problem and negative impact it may have on the public perception of all Members. Thus a vital component of a Members' duties is to attend meetings of the committees they are appointed to and in doing so represent the interests of their constituents and the Council.

#### **Withholding the 12<sup>th</sup> monthly payment of the Basic Allowance and SRAs**

48. Consequently, the Panel is proposing that if a Member has not attended at least 75% of their scheduled meetings by the end of the 11<sup>th</sup> month in a municipal year that their 12<sup>th</sup> monthly payment of their Basic Allowance and where applicable, SRA are withheld. For legal purposes, any 12<sup>th</sup> monthly payment proportion of the Basic Allowance that is withheld has to be designated an SRA (and paid retrospectively). In subjecting only one twelfth of Members remuneration to a performance framework the Panel is satisfied that any potential financial penalties are not punitive nor does it place an undue emphasis on a single aspect of a Members workload and responsibilities.
49. **The Panel recommends that Lichfield District Council Members' Allowances scheme is amended to include a performance clause, namely Members are required to attend at least 75% of all their scheduled meetings by the end of the 11<sup>th</sup> month in the municipal year to receive their 12<sup>th</sup> monthly payment.**
50. **If a Member has not reached the attendance threshold by the end of the 11<sup>th</sup> month then the 12<sup>th</sup> monthly payment of their Basic Allowance and SRAs, where applicable, be withheld.**
51. **The meetings that are to count against a Members attendance record are those which are used by the Council in its publication of Members'**

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<sup>9</sup> Review Body on Senior Salaries, Report No. 78, *Report on the pay of Police and Crime Commissioners 2011*, October 2011

attendance summary on its website plus all scheduled Member training sessions for each municipal year. If a Member has a valid reason for missing a meeting, such as illness, paternity/maternity leave or other calamitous life events, then an exemption should be provided for, by the determination of the Monitoring Officer.

52. The scheme should also specify that any 12th monthly payment of the Basic Allowance that is withheld is deemed to be an SRA for payment purposes.
53. Where a Member has not met the attendance threshold then it should be noted in the annual statutory publication of Members' Allowances and expenses.

### **Special Responsibility Allowances - Leader of the Council**

54. The Leader's role has changed the most since it was last fully reviewed. The demands on the Leader's time and level of responsibility have increased. In particular, since the implementation of the relevant provisions of the Local Government and Public Involvement in Health Act 2007 all executive powers are now in the hands of the Leader (similar to an elected Mayor). This now means the Leader appoints the Cabinet and determines scope of delegated powers and remit of the portfolios of Cabinet Members.
55. More recently, local government devolution and proposals for a Combined Authority have also put greater demands upon the Leader. Although the implications of devolution and Combined Authorities are yet to be fully realised the fact remains they will impact the role and responsibility of the Leader the most. Already, the Leader attends meetings of the West Midlands Combined Authority (WMCA), representing Lichfield as an associate member and will attend as a full voting member in the future, even if it is another Combined Authority (CA) as the CA that Lichfield will be a full member of is yet to be finally determined. It remains that the Leader's role does not require a full time commitment yet no matter who is Leader it precludes full time employment in the normally accepted sense.
56. The current SRA for the Leader is £11,610. Benchmarking shows that the mean SRA for Leaders is £12,988, with the median SRA being £12,978. The current SRA was arrived at through a time based assessment. However, in arriving at the recommended SRA for the Leader the Panel has adopted the approach that is set out in the 2006 Statutory Guidance which states

One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a multiple of this allowance as an appropriate special responsibility allowance for either the elected mayor or the leader.

57. Currently the Leader's SRA (£11,610) is a multiple of just over 3.2 of the current Basic Allowance (£3,547) whereas in the benchmarking group the Leaders' mean SRA is a multiple of just under 2.8. The Panel has opted to meet in the

middle, and has chosen a multiple of 3 times the recommended Basic Allowance to arrive at the recommended SRA for the Leader of Lichfield. This still leaves the SRA for the Leader less than the mean/median paid to peers.

58. **The Panel recommends that the Leader's SRA for 2016/17 should be £12,270.**

### **Deputy Leader**

59. The current basis of nearly all the other SRAs paid in Lichfield have been set in accordance with the pro rata approach which was later given specific endorsement in the 2006 Statutory Guidance (paragraph 76) which advises:

A good starting point in determining special responsibility allowances may be to agree the allowance which should be attached to the most time consuming post on the Council (this maybe the elected mayor or the leader) and pro rata downwards for the other roles which it has agreed ought to receive an extra allowance.

60. The current SRA (£6,966) for the Deputy Leader is 60% of the Leader's SRA. Benchmarking shows that the mean SRA for Deputy Leaders is £8,080, giving a mean ratio of just over 62% of the mean SRA for Leaders. The median SRA of Deputy Leaders is £9,208. The Panel received no evidence to alter the current ratio of 60%, which equates to £7,362 on the Leaders' recommended SRA.
61. **The Panel recommends that the SRA for the Deputy Leader for 2016/17 is 7,362.**

### **Other Cabinet Members (6)**

62. Similarly, the current SRA (£6,386) for the six other Cabinet Members has been set at 55% of the Leader's SRA. Benchmarking shows that the mean SRA for equivalent posts is £5,973, with a median SRA of £5,640. The other Cabinet Members ratio is 46% of the mean Leaders' SRA. The Panel is content with maintaining the current Lichfield ratio - the benchmarking does not take into account, and it is difficult to do so, where multiple SRAs are payable such as in Bromsgrove and Chorley, nor the size of the executive, which in some other councils consists 10 - the maximum permitted by the 2000 Local Government Act. The Panel has decided that the current ratio of 55% of the Leader's SRA remains appropriate, which equates to £6,749.
63. **The Panel recommends that the SRA for the six other Cabinet Members for 2016/17 is £6,749.**

### **Chairman of the Planning Committee**

64. Currently the Chairman of Planning is paid an SRA (£6,386) on a par with other Cabinet Members. The Panel understands the reasons why; it is a very active committee that deals with high profile issues. It meets monthly which is more than any other committee. However, the Local Government Act 2000 means the Chairman of Planning is not an executive Member, on constitutional grounds alone a committee chair is not on a par with an executive Member.
65. Benchmarking bears out this view, with the mean SRA for Chairmen of Planning being £4,560 and median SRA £4,322 in the benchmarking group. Only one out of the 17 comparator councils, Bromsgrove, pays its Chairman of Planning on a par with its Cabinet Members. Nonetheless, it is acknowledged the Chairman of Planning is an active role and is required to chair meetings that are often contentious. As such it is the principal committee of the Council.
66. Consequently, the Panel has decided to reset the ratio for the SRA for the Chairman of Planning at 50% of the Leader's recommended SRA, which equates to £6,135.
67. **The Panel recommends that the SRA for the Chairman of the Planning Committee for 2016/17 is £6,135.**

#### **Vice Chairman Chair of Planning**

68. The current SRA (£2,322) for the Vice Chairman of Planning was set at 20% of the Leaders' SRA, and on a par with the standard SRA for other main committee chairmen in Lichfield. This relatively high ratio struck the Panel as somewhat anomalous. Benchmarking shows that only seven of the 17 comparator councils remunerate this post, with a mean SRA of £1,390 and a median SRA of £1,319. The Panel has decided to continue to arrive at the SRA for the Vice Chairman of Planning as a ratio but in line with common practice set it in relation to the recommended SRA for Chairman of Planning, as the most relevant comparator role. This equates to £1,534.
69. **The Panel recommends that the SRA for the Vice Chairman of the Planning Committee for 2016/17 is £1,534.**

#### **Chairman of the Regulatory and Licensing Committee**

70. The Chairman of the Regulatory and Licensing Committee is paid the standard main committee chairman's SRA of £2,322, which has been set at 20% of the Leader's SRA. Benchmarking shows the mean SRA in the comparator councils for equivalent posts is £2,713 with the median SRA being £2,500. No evidence was received to alter the current ratio; it should remain at 20% of the Leader's recommended SRA, which equates to £2,454.
71. **The Panel recommends that the SRA for the Chairman of the Regulatory and Licensing Committee for 2016/17 is £2,454.**

#### **Vice Chairman of the Regulatory and Licensing Committee**

72. The current SRA (£581) Vice Chairman of the Regulatory and Licensing Committee has been set at 5% of the Leaders' SRA. Benchmarking is of little utility in this instance as only four of the 17 comparator councils remunerate equivalent posts. Nonetheless, the Panel accepts the case for remunerating the Vice Chairman of the Regulatory and Licensing Committee. If the Chairman is unable to chair a Licensing Sub Committee then the Vice Chairman is expected to do so, which happens on a regular basis. As such the Panel has decided to maintain this SRA but reset it at the standard Vice Chairman's ratio of 25% of their Chairman's SRA, which equates to £614.
73. **The Panel recommends that the SRA for the Vice Chairman of the Regulatory and Licensing Committee for 2016/17 is £614.**

#### **Chairmen of the Overview and Scrutiny Committees (4)**

74. The current SRA (£2,322) for the Chairmen of the Overview and Scrutiny Committees is paid at the standard main committee chairman's SRA, which has been set at 20% of the Leader's SRA. Benchmarking shows that the mean SRA paid to Chairs of equivalent posts in the comparator authorities to be £3,144, with a median SRA of £2,998. No evidence was received to alter the current ratio; it should remain at 20% of the Leader's recommended SRA, which equates to £2,454.
75. **The Panel recommends that the SRA for the four Chairmen of the Overview and Scrutiny Committees for 2016/17 is £2,454.**

#### **The Vice Chairmen of the Overview and Scrutiny Committees (4 or 8)**

76. Currently, the Vice Chairmen of the Overview and Scrutiny Committees do not receive an SRA, which the Panel regards as anomalous. These Vice Chairmen have the standard remit of all Vice Chairman such as attending briefings and standing in for their Chairman when required. In addition, the Vice Chairmen of Overview and Scrutiny Committees are required to attend the Overview and Scrutiny Co-ordinating Group along with their relevant Chairman, three times per year, to discuss work programmes and future plan items. They are also expected to chair Scrutiny Task Groups when required. As such it is appropriate the Vice Chairmen of the Overview and Scrutiny Committees receive an SRA.
77. The arriving at the appropriate SRA the Panel has applied the standard Vice Chairman's ratio, namely 25% of their Chairman's recommended SRA, which equates to £614.
78. **The Panel recommends that the SRA for the Vice Chairmen of the four Overview and Scrutiny Committees for 2016/17 is £614.**
79. It is noted that the Council Constitution has provision for two Vice Chairmen of each Overview and Scrutiny Committee, one from the majority group and one from the main Opposition Group; although at present the Opposition Group has reserved the right to take up these posts. To future proof the scheme lest the

Opposition takes up the 2<sup>nd</sup> Vice Chairmanship of the Overview and Scrutiny Committees then rather than apply the standard Vice Chairman's ratio of 25% of their Chairman's SRA, the Panel has applied a ratio of 12.5%, which equates to £307 payable to all eight Vice Chairmen.

80. **The Panel recommends that where an Overview and Scrutiny Committee has a second Vice Chairmen from the Opposition Group then the SRA for each Vice Chairman is £307 for 2016/17.**

#### **Chairman of the Audit Committee**

81. The current SRA (£2,322) for the Chairman of the Audit Committee was set at the standard 20% of the Leader's SRA. This is below the benchmarking group mean SRA of £2,698 and median SRA of £2,500. It is at these lower remunerated posts that benchmarking starts to be of limited utility. Audit Committees elsewhere often have an adjunct remit such as governance or standards. Even the audit remit varies with some Audit Committees signing off on council accounts, whereas this is not the case in Lichfield. Nor does the Lichfield Audit Committee meet on the regular committee cycle, it typically meets three times per year, so the Panel has reset the ratio at 12.5% of the Leaders' recommended SRA, which equates to £1,534.
82. **The Panel recommends that the SRA for the Chairman of the Audit Committee for 2016/17 is £1,534.**

#### **Vice Chairman of the Audit Committee**

83. Currently, the Vice Chairman of the Audit Committee does not receive an SRA. As the Audit Committee is no longer on a par with other main committees and no evidence was received to do otherwise the Panel has decided to maintain this position.
84. **The Panel recommends that the Vice Chairman of the Audit Committee does not receive an SRA.**

#### **Chairman of the Employment Committee**

85. Currently the Chairman of the Employment Committee receives an SRA of £2,322 set at the other main committee standard ratio of 20% of the Leaders' SRA. The evidence indicated that this committee is not on a par with the other main committees as it is scheduled to meet three times per year. **The Panel views this committee on a par with the Audit Committee and has reset this SRA at 12.5% of the Leader's recommended SRA, which is £1,534.**

#### **Vice Chairman of the Employment Committee**

86. Currently the Vice Chairman of the Employment Committee does not receive an SRA. No evidence was received by the Panel to alter this position.



87. **The Panel does not recommend the Vice Chairman of the Employment Committee be paid an SRA.**

### **Chairman of the Council**

88. The current SRA (£2,800) for the Chairman of the Council is slightly less than 25% of the Leader's SRA. The Panel received no evidence to alter this SRA.
89. **The Panel recommends that the SRA for the Chairman of the Council for 2016/17 remains at £2,800.**

### **Vice Chairman of the Council**

90. Currently the Vice Chairman of the Council receives an SRA of £838, which is simply an historical figure. The Panel has decided to reset this SRA at the standard Vice Chairman's ratio of 25% of their respective Chairs' SRA, which equates to £700.
91. **The Panel recommends that the SRA for the Vice Chairman of the Council for 2016/17 is £700.**

### **Leader of the Principal Minority (Opposition) Group**

92. Currently, the SRA (£2,322) for the Leader of Principal Minority (Opposition) Group is set on a par with other main chairmen, 20% of the Leader's SRA. However, benchmarking shows this post in Lichfield is paid much less than peers, with the mean SRA being £4,662 and median SRA being £3,780. The Panel has not been guided by benchmarking on the grounds that under the recommendations for Scrutiny and Overview Vice Chairmen the Opposition Group would be eligible for up to six SRAs if they took up the posts available to them. Moreover, the size of the Opposition has steadily decreased over the years. Nonetheless, a resetting of the SRA on a par with the Council Chairman's SRA (£2,800) recognises there is a fundamental set of responsibilities regardless of group size and underlines the principle that a properly supported Opposition is important for a functioning local democracy.
93. **The Panel recommends that the SRA for the Leader of the Principal Minority (Opposition) Group for 2016/17 is £2,800.**

### **Deputy Leader of the Principal Minority (Opposition) Group**

94. Currently, the SRA (£581) for the Deputy Leader of the Principal Minority (Opposition) Group is set on a par with other main committee Vice Chairmen, 5% of the Leader's SRA. The Panel has simply reset this SRA at the standard ratio for this type of post, namely 25% of the Opposition Group Leader's SRA, which equates to £700.

95. **The Panel recommends that the SRA for the Deputy Leader of the Principal Minority (Opposition) Group for 2016/17 is £700.**

#### **Chairman of the Standards Committee**

96. Currently the Chairman of the Standards Committee does not receive a standing SRA, rather the Chairman is paid £50 per meeting as the remit of the committee has been much reduced since the Localism Act 2011 and meets as and when, with only one scheduled meeting per year. No evidence was received to merit a revision of this arrangement.
97. **The Panel recommends that the SRA for the Chairman of the Standards Committee for 2016/17 remains at £50 per meeting.**

#### **Chairman of the Parish Forum**

98. Currently the Chairman of the Parish Forum receives an SRA of £580, set at 5% of the Leader's SRA. The Panel was informed that this forum was principally undertaking a liaison function and may have outlived its usefulness and as such the Panel is recommending this SRA be discontinued.
99. **The Panel recommends that the SRA for the Chairman of the Parish Forum is discontinued from the start of the 2016/17 municipal year.**

#### **Maintaining the 1-SRA only rule**

100. The 2003 Regulations do not prohibit Members receiving multiple SRAs. However, since SRAs are no longer insignificant Councils typically have adopted a '1-SRA only' rule. In other words, regardless of the number of remunerated posts a Member may hold they can only be paid one SRA.
101. This cap on the payment of SRAs to Members means that posts are not simply sought out for financial reasons; i.e. collecting remunerated posts does not enhance remuneration. Indeed, the logic of the 1-SRA only rule is that it helps to spread such posts around more. It also makes for a more transparent allowances scheme and acts as a brake on the total paid out each year in SRAs, as in practice it will be highly unusual if all SRAs are paid out annually, resulting in a saving to the Council.
102. Lichfield District Council has adopted a 1-SRA only rule and no evidence was received to change this position. **The Panel recommends that the Council maintains the 1-SRA only rule within the Lichfield District Council Members' Allowances Scheme so that a Member can receive no more than one SRA.**

#### **Co-optees' Allowances**



103. The Council appoints four Co-optees under the Local Government Act 2000, two on the Audit Committee and two on the Standards Committee. Currently they are paid a Co-optees' Allowance of £41 per meeting. No evidence was received to suggest this allowance requires revising.
104. **The Panel recommends that the Co-optees Allowance remains at £41 per meeting for 2016/17.**
105. **In the interests of transparency the Panel also recommends that the Co-optees' Allowance is included in the published Members' Allowances Scheme. Furthermore, that any payment of the Co-optees' Allowance is listed in the Council's annual statutory publication of allowances and expenses under a separate column.**

#### **The Allowances for expenses: The In-Council Subsistence Allowance**

106. Currently Members are formally permitted to claim a Subsistence Allowance for attending approved duties within the council district but it is rarely if ever claimed. Moreover, it is an outmoded allowance that harks back to a time when Members did not receive a Basic Allowance. There is no reason to maintain this provision and in the interests of transparency this should be stated in the allowances scheme.
107. **The Panel recommends that the right of Members to claim an In-Council Subsistence Allowance is discontinued and that this provision is also inserted in the scheme.**

#### **Replacing the Conference Allowance with Out of Council Subsistence Allowance**

108. Currently the only reference in the Members' Allowance Scheme to an out of Council Subsistence Allowance is the £25 per 24 hours for subsistence when a Member attends an approved Conference. To be fully compliant with the 2003 Regulations **the Panel recommends that this allowance be reclassified as the Out of Council Subsistence Allowance, payable up to a daily maximum of £25 upon production of relevant receipts, and for the purposes of equity be extended to cover all out of council approved duties a Member may attend.**

#### **Overnight Accommodation**

109. Currently there is no provision for Members to claim reimbursement for overnight accommodation for when they attend a conference, etc. The need to stay overnight only rarely occurs and the general practice is to pre book through Civic Support. However, to future proof the scheme in the event that a Member does require an overnight stay and has not pre-booked through Civic Support then the scheme should contain provision to claim reimbursement. In determining the maximum rates claimable the Panel has been guided by the rates set out in Schedule Four of the Staffordshire County Council Members'

Allowances Scheme.

110. **The Panel recommends that provision is made in the Lichfield District Council Members' Allowances Scheme to provide for an Overnight Accommodation Allowance to paid at the following maximum rates:**

- **London allowance for overnight accommodation   £92**
- **All other for overnight accommodation               £80**

111. **The Panel also recommends that where a Member is required to stay overnight on an approved duty then the expectation is relevant accommodation will be pre-booked through Civic Support.**

### **The Travel Allowances**

112. Currently, Members are eligible to claim a mileage allowance for attending approved duties both within and outwith the Council. There are two different rates claimable, depending on engine size, but these rates are based on outdated rates that were applicable to Officers over 5 years ago. This 2-tier approach is now outmoded, Her Majesty's Revenue and Customs (HMRC) Approved Mileage Allowance Payments (AMAP) rates are now the standard applicable rates in the public sector. The current HMRC AMAP rates are set out in table one below.

**Table One HMRC Mileage Rates 2016**

<b>Kind of vehicle</b>	<b>HMRC AMAP Rate per mile</b>
Car or van	45p for the first 10,000 miles
	25p after that
Motor cycle	24p (all miles)
Cycle	20p (all miles)

113. **The Panel recommends that the Council adopt the full range of HMRC mileages rates for the mileage allowance, to include both within and outwith the council, and these rates are inserted into the scheme.**
114. The Panel received no evidence that the scope and levels of allowances claimable under the Travel Allowances for other travel require revision.
115. **The Panel recommends that the conditions and maximum rates under the other Travel Allowances are maintained and inserted into the allowances scheme.**

### **The Dependants' Carers' Allowance (DCA)**

116. The Local Government Act 2000 explicitly clarifies the right of local authorities

to pay a Dependants' Carers' Allowance (DCA), which Members can claim to assist in meeting costs for care of their dependants while on approved Council duties. It is an allowance explicitly designed to enable a wider range of candidates to stand for and remain on Council. The Panel notes that the vast majority of councils now pay a DCA. The Panel supports the continuation of the DCA; it helps to reduce barriers to public service for traditionally underrepresented groups.

117. Currently, Lichfield District Council pays a DCA to qualifying Members at a maximum rate that is equivalent to the hourly wage charged by Staffordshire County Council Social Services for a home help/carers. It is now good practice to distinguish between the differential costs of child and care for other dependants. **Consequently, the Panel recommends that the DCA distinguish between the 2 different types of care as follows:**

- **Childcare:** capped at the national living wage of £7.20 per hour (April 2016)
- **Other care:** capped at the hourly wage charged by Staffordshire County Council Social Services for a Carer.

118. The approved duties for which the DCA can be claimed are defined by the 2003 Regulations which restricts the occasions on which it can be claimed. Moreover, as it is rarely claimed the Panel feels there is no need at this stage to impose a cap on the number of hours or weekly amount that can be claimed under the DCA. **The Panel recommends that the current terms and conditions by which the DCA can be claimed are maintained.**

### **The Civic Allowances for Council Chairman and Vice Chairman**

119. The Civic Allowances are paid under the Local Government Act 1972 (sections 3.5 and 5.4) to meet the expenses of holding the offices of Chairman and Vice Chairman of the Council. As such, it is not remuneration, although in many authorities it has in effect become a substitute salary, and is why the Civic Allowance is administered by Civic Support in Lichfield to pay on-going direct expenses upon production of receipts. In particular the Civic Allowance is designed to meet out of pocket expenses that arise during the course of their duties including *inter alia*:

- Offertories at all church and other religious services
- Purchases and donations at bazaars, fairs and fetes
- Appropriate clothing including for consort
- Cost of hospitalities not administered by Civic Support such as dinners organised by local organisations, etc
- Cost of tickets to events invited to such as other dinners, theatre and exhibitions
- Mileage if using own car

120. Currently, the Chairman of the Council is able to claim up to £6,510 and Vice Chairman £2,780 as reimbursements under the Civic Allowances. In the attempt to seek value for money the Council is reviewing the Civic Allowances and the Panel was made aware of a Cabinet Report "Review of the Civic Allowance" (5 April 2016) that proposed a reduction in the Chairman's Civic Allowance to £3,250 and the Vice Chairman's Civic Allowance to £1,400, in effect a cut of 50% each.
121. The Panel was asked to provide a view on the Civic Allowances to assist the Council in its final determination on the matter. The Panel sought out the average yearly spend on the Civic Allowances over the past four financial years and on information supplied the average yearly spend is approximately £3,000 which the Panel has taken as an appropriate guide.
122. **To assist the Council in its review of the Civic Allowances the Panel suggests that from the start of the 2016/17 municipal year the maximum payable for reimbursements under the Civic Allowances should be:**
- **Chairman of Council Civic Allowance: £3,000**
  - **Vice Chairman of Council Civic Allowance: £1,500**

### **Indexing Allowances**

123. Although the allowances have not been indexed in recent years it has not been a major issue, as (for the past few years) the index that most Councils apply to the Basic Allowance and SRAs (the annual percentage salary increase for local government staff) has either been at zero percent or 1 per cent. This is likely to be the case for the next two years, with the employers offering a 2-year deal at 1% each year. The annual cost of living increase will be agreed nationally by the National Joint Council (NJC) for Local Government Staff and is known as the 'NJC' index.
124. As this has been a fundamental review it is hoped that the need to reconvene the Panel annually is obviated, thus resulting in further (administrative) savings to the Council. On the other hand the case to recommend that allowances are indexed for the maximum period permitted is strengthened as it is envisaged that the Panel will not be reconvening until spring 2020. Moreover, it is not common for councils to index their allowances.
125. The Panel points out that if allowances are not indexed then the Council is not able to apply an annual cost of living increase without reference to the Panel. However, where a Council has adopted indices they are under no obligation to apply them each year. Council and individual Members retain the right to not apply an index to their allowances.
126. **The Panel recommends that allowances are indexed annually (where applicable) up to the end of municipal year 2019/20, the maximum period permitted by legislation, without reference to the Panel as follows:**

#### **Basic Allowance, SRAs, Co-optees and the Civic Allowances:**

- Updated annually in line with the annual percentage pay increase given to Lichfield District Council employees (and rounded to the nearest £ as

appropriate) as agreed for each year by the National Joint Council (NJC) for Local Government Staff.

**Dependants' Carers' Allowance:**

- The maximum hourly rates to be indexed to the government's national living wage applicable to the age of the carer (childcare) and Staffordshire County Council's chargeable hourly rate for a Home Care Assistance (care of other dependants).

**Mileage Allowance:**

- Members' mileage allowances rates to be indexed to the HMRC AMAP mileage rates.

**Daily out of Council Subsistence and Overnight Allowances:**

- Updated annually in line with the annual percentage pay increase given to Lichfield District Council employees (and rounded to the nearest £ as appropriate) as agreed for each year by the National Joint Council for Local Government Staff.

127. As the NJC index is often not agreed until after the start of the Municipal year **the Panel is not recommending the backdating of any indexation. Instead, the application of an index should be applied from the start of the financial year following the implementation of any change in the relevant indices.** For instance if the final national agreement for local government staff turns out to be 1% for 2016/17 and 1% for 2017/18 then the relevant allowances in Lichfield should be up rated by 1% from 1 April 2017 and 1% the following 1 April 2018. **The Panel further recommends that the provision for indexation be inserted into the Allowances Scheme.**

**Implementation**

128. **The Panel recommends that the new scheme of allowances based on the recommendations contained in this report is adopted from date of the Council's next Annual Meeting on 17 May 2016.**

## Appendix One

### Members and Officers who met with the Panel

#### **Members**

Cllr R. Cox	Chairman of Economic Growth, Environment & Development (Overview & Scrutiny) Committee
Cllr E. Drinkwater	Deputy Leader of the Principal Minority Opposition (Labour) Group
Cllr T. Marshall	Vice Chairman of the Planning Committee
Cllr I. Pritchard	Deputy Leader and Cabinet Member for Economic Growth, Development & Environment
Cllr D. Smedley	Chairman of the Planning Committee
Cllr C. Spruce	Cabinet Member for Finance & Democracy
Cllr B. Yates	Chairman of the Regulatory & Licensing Committee
Cllr M. Wilcox	Leader of the Council and Conservative Group
Cllr S. Woodward	Leader of the Principal Minority Opposition (Labour) Group

#### **Written Submissions - Elected Members**

Cllr N. Bacon	Conservative Member
Cllr D. Leytham	Chairman of Community, Housing & Health (Overview & Scrutiny) Committee
Cllr B. Rayner	Vice Chairman of Community, Housing & Health (Overview & Scrutiny) Committee
Cllr D. Salter	Vice Chairman of the Council and Vice Chairman of the Regulatory & Licensing Committee
Cllr M. Stanhope MBE	Conservative Member
Cllr S. Woodward:	Leader of the Principal Minority Opposition (Labour) Group

One written submission to the Panel was submitted anonymously

**Officers who briefed the Panel**<sup>10</sup>

Richard King	Strategic Director, Democratic, Development & Legal Services
Jane Kitchen	Director Finance, Revenues & Benefits
Bal Nahal	Solicitor & Monitoring Officer

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<sup>10</sup> The Chief Executive, Dianne Tilley, was invited to meet with the Panel but was unavailable on the dates the Panel convened in Lichfield.

## **Appendix Two**

### **Information Received by the Panel**

1. Panel Terms of Reference
2. Lichfield District Council Members' Allowances Scheme 2015/16
3. Statutory publication of Lichfield District Council allowances and expenses paid to and claimed by Members, including sub-totals for each category 2014/15
4. Lichfield District Council IRP Report May 2014 and accompanying report recording council decision
5. Lichfield District Council IRP Report May 2013 and accompanying report recording council decision
6. Flow chart of Lichfield District Council Committee Structure
7. Lichfield District Council Constitution 2016 Parts 2 & 3 outlining council structures, responsibility for functions, decision making and committee terms of reference
8. Membership of Cabinet, list of chairs and vice chairs of committees etc including political make up of council
9. Schedule of Council Meetings 2016/17
10. Written submissions from Members
11. National Census of Local Authority Councillors 2013 (LGA), breakdown of weekly hours by councillors by number of positions held and type of council, in email from S. Richards, LGA 1 October 2014.
12. National Joint Council for Local Government Services, Local Government Pay Offer 2016/17 and 2017/18, 9 December 2015
13. Hard copies of allowances schemes (2015/16) from 17 Councils in benchmarking group
14. New Council Constitutions; Guidance on Regulation for Local Authority Allowances, 5 May 2006, Department of Communities and Local Government
15. The Local Authorities (Members' Allowances) (England) Regulations 2003 (Statutory Instrument 2003/1021)
16. Power point Presentation by IRP Chair on Reviewing Allowances: Issues, Patterns, Option and the Lichfield District Model
17. Aide Memoir from Chair of IRP circulated to all Council Members to inform the basis of written submissions and interviews with Members



18. Comparative summary of allowances schemes from benchmarking councils - see appendix four
19. Report by the Chief Operating Officer to Council on the work of the IRP, March 2012
20. ASHE 2015, Table 7.1a Work Geography Table - weekly pay (gross) - all full time employee jobs in area of Lichfield District Council, Office of National Statistics
21. Summary of Members Attendance 19 May 2015 - 30 October 2015
22. Leader of the Council Cabinet Report, "Review of the Civic Function" 5 April 2016

## Appendix Three: Benchmarking Allowances for Lichfield District Council

BM1 Lichfield DC Comparator Group: BA & Exec & Scrutiny SRAs 2015/16										
Authority	Basic Allowance	Leader's SRA	Leader Total	Deputy Leader	Cabinet Members	Chair Main O&S	Vice Chair Main O&S	Chairs of Scrutiny	Vice Chairs of Scrutiny	Chair Scrutiny Task Groups
Bromsgrove	£4,326	£12,978	£17,304	£8,653	£5,624	£5,624				£260
Cannock Chase	£5,339	£18,150	£23,489	£9,260	£8,025	£6,791		£1,853		
Chorley	£4,379	£17,592	£21,971	£10,377	£4,379	£4,379	£1,460			£322
East Norants	£4,600	£8,000	£12,600	£5,000	NA	£3,250	£1,083			
East Staffs	£4,540	£18,417	£22,957	£9,208	£9,208			£1,842		
Hinckley & Bosworth	£4,000	£15,500	£19,500	£5,500	£5,500	£3,500				
Newcastle-under-Lyme	£3,365	£13,590	£16,955	£9,510	£5,660			£2,830	£1,130	
N. Warwickshire	£4,942	£10,987	£15,929	NA	NA	£4,983				
NW Leicestershire	£3,780	£15,120	£18,900	£9,450	£5,670	£4,914				
South Derbyshire	£6,175	£18,518	£24,693	£10,178	NA	£9,249	£2,312			
South Ribble	£4,426	£13,851	£18,277	£10,239	£5,779	£3,383				
South Staffs	£5,000	£10,000	£15,000	£5,000	£5,000	£2,500				
Stafford BC	£3,913	£8,364	£12,277	£7,424	£5,640			£3,165		
Staffs Moorlands	£2,902	£9,565	£12,467	£5,739	£4,783			£3,348	£1,913	
Stroud	£5,161	£9,290	£14,451	NA	NA	NA		NA		
Tamworth	£5,171	£12,942	£18,113	£9,706	£8,412			£5,823		
Tewkesbury	£7,200	£7,937	£15,137	£5,953	£3,969	£1,984				
Mean	<b>£4,660</b>	<b>£12,988</b>	<b>£17,648</b>	<b>£8,080</b>	<b>£5,973</b>	<b>£4,596</b>	<b>£1,618</b>	<b>£3,144</b>		
Median	<b>£4,540</b>	<b>£12,978</b>	<b>£17,304</b>	<b>£9,208</b>	<b>£5,640</b>	<b>£4,379</b>	<b>£1,460</b>	<b>£2,998</b>		
<b>Lichfield</b>	<b>£3,547</b>	<b>£11,610</b>	<b>£15,157</b>	<b>£6,966</b>	<b>£6,385</b>	<b>NA</b>	<b>NA</b>	<b>£2,322</b>		

<b>BM2: Lichfield Comparator Group: Regulatory &amp; Other SRAs 2015/16</b>									
<b>Authority</b>	<b>Chair Planning</b>	<b>V/Chair of Planning</b>	<b>Chair Licensing (inc Regulatory)</b>	<b>V/Chair Licensing</b>	<b>Chair Subs Licensing</b>	<b>Chair Audit &amp;/or Governance</b>	<b>Vice Chair Audit &amp;/or Governance</b>	<b>Chair HR or Employment</b>	<b>Chair Standards</b>
Bromsgrove	£5,624		£1,298			£1,254		£130 p/meeting	inc. in Audit
Cannock Chase	£4,322		£1,853			£1,853			
Chorley	£2,964	£1,460	£2,964	£1,460		£1,751			
East Norants	£3,683	£1,228	£2,000	£600		£3,250	£1,083	£1,228	
East Staffs	£6,446		£4,604			£1,842			£921
Hinckley & Bosworth	£3,500		£3,500			£3,500		£3,500	
Newcastle-under-Lyme	£4,230	£1,410	£3,430	£1,130		£2,830	£1,130		£2,830
N. Warwickshire	£4,983		NA						
NW Leicestershire	£4,914		£4,914			£4,914			
South Derbyshire	£9,249	£2,312	£2,312						
South Ribble	£4,953		£3,147			£3,383			£516
South Staffs	£2,500		£2,500			£2,500			£2,500
Stafford BC	£4,144	£863p/meeting p/quarter	£1,554			£2,268		£921 p/meeting p/quarter	£920
Staffs Moorland	£3,348	£957	£3,348	£957		£1,913		£1,913	
Stroud	£4,856	£971	NA			£3,986	£787		
Tamworth	£5,823		£1,294			£3,235			
Tewkesbury	£1,984		£1,984		£1,984	£1,984			£1,984
<b>Mean</b>	<b>£4,560</b>	<b>£1,390</b>	<b>£2,713</b>	<b>£1,037</b>		<b>£2,698</b>	<b>£1,000</b>	<b>£2,214</b>	<b>£1,612</b>
<b>Median</b>	<b>£4,322</b>	<b>£1,319</b>	<b>£2,500</b>	<b>£1,044</b>		<b>£2,500</b>	<b>£1,083</b>	<b>£1,913</b>	<b>£1,876</b>
<b>Lichfield</b>	<b>£6,385</b>	<b>£2,322</b>	<b>£2,322</b>	<b>£580</b>		<b>£2,322</b>		<b>£2,322</b>	<b>£50 p/meeting</b>

<b>BM3: Lichfield Comparator Group, Opposition &amp; Other SRAs &amp; Comments 2015/16</b>				
<b>Authority</b>	<b>Main Opposition Leader</b>	<b>Main Opposition Deputy Leader</b>	<b>2nd Opposition Group Leader</b>	<b>Other SRAs/Comments</b>
<b>Bromsgrove</b>	£1,254		£1,082	Members O&S Groups £130, Chairs other ad hoc committees £130 p/meeting, > 1 SRA payable
<b>Cannock Chase</b>	£6,791			ICT Allowance £1,200 when elected & £400 per year thereafter
<b>Chorley</b>	£6,782	£1,908	£1,908	Other minor SRAs payable e.g., "Member Responsible" £730, > 1 SRA payable
<b>East Norants</b>	£3,683			Finance Chair & Vice Chair get SRA £1,000 & £250 respectively
<b>East Staffs</b>	£9,208		£921	BA inclusive of Broadband & Tel, 70% attendance or 12th instalment withheld
<b>Hinckley &amp; Bosworth</b>	£3,500		£3,500	Ethical Governance & Personnel Chair £2,500
<b>Newcastle-under-Lyme</b>	£1,130		£1,130	Chair & Vice Chair Public Protection £3,430/£1,130, Vice Chair Standards £1,130
<b>North Warwickshire</b>	£1,162 + £233 p/member	£1,745	£1,162 + £233 p/member	Chairs Sub Committees £1,745, Appeals Panel Members £260, Area Chairs £873
<b>NW Leicestershire</b>	£3,780		£3,780	
<b>South Derbyshire</b>	£9,249	£2,312		
<b>South Ribble</b>	£4,460			Chair Area Forums £3,383
<b>South Staffs</b>	£2,500			
<b>Stafford BC</b>	3,570		2,856	Chair Public Appeals £1,554
<b>Staffs Moorland</b>	£3,348		£3,348	Member Development Champion £1,913, Vice Chair Appeals £478
<b>Stroud</b>	£4,856		£1,032	
<b>Tamworth</b>	£5,823	£3,235	£1,294	BA & SRAs discounted by 10%, paid retrospectively as SRA once 75% attendance reached
<b>Tewkesbury</b>	No Groups			
<b>Mean</b>	<b>£4,662</b>	<b>£2,300</b>	<b>£2,085</b>	
<b>Median</b>	<b>£3,780</b>	<b>£2,110</b>	<b>£1,601</b>	
<b>Lichfield</b>	<b>£2,322</b>	<b>£580</b>		<b>Chair Council £2,800, V/Chair Council £838 &amp; Chair Parish Forum £580</b>

### **Changes to the Constitution**

To agree the following changes to the constitution (shown coloured red):

#### **2. PLANNING COMMITTEE DELEGATED TO THE PLANNING COMMITTEE**

**Amend the following paragraphs to read as follows:**

2.1 To determine all planning applications and other applications submitted under the Town and Country Planning Act (1990) as amended, applications for consent under the Planning (Hazardous Substances) **Act 1990** and applications to display advertisements, listed building applications, applications for Conservation Area Consent with the exception of those categories of applications which can be dealt with by the Strategic Director - Democratic, Development and Legal Services or other officers under delegated powers.

2.21 To take action to revoke or modify a planning permission; listed building consent; express consent for the display of advertisements; **Hazardous Substance consent** under, section 97 of the Town and Country Planning Act 1990; section 23 of the Planning (Listed Buildings and Conservation Areas) Act 1990; section 16 of the Town and Country Planning (Control of Advertisements) Regulations 2007; and **section 14 of the Planning (Hazardous Substances) Act 1990**.

#### **SCHEDULE 4 - DELEGATIONS OF FUNCTIONS TO OFFICERS**

**Amend the following to read:**

**At Page 71 onwards**

#### **13. DELEGATED TO THE STRATEGIC DIRECTOR – DEMOCRATIC, DEVELOPMENT AND LEGAL SERVICES, DEVELOPMENT EXECUTIVE (PLANNING AND BUILDING CONTROL), PLANNING DEVELOPMENT MANAGER AND PRINCIPAL DEVELOPMENT MANAGEMENT OFFICERS **AND SENIOR DEVELOPMENT MANAGEMENT OFFICERS****

3.1 To determine planning applications under the Town and Country Planning Act 1990 (as amended) and **the Planning (Hazardous Substances) Act 1990** in accordance with Government Guidance, the Development Plan policies and District Council policies and guidance **UNLESS**.

...

13.4 To make minor modifications to the wording of planning conditions **or reasons for refusal** post committee to render them Circular 11/95 compliant and **include reference to all relevant planning policies**.

**14. DELEGATED TO THE STRATEGIC DIRECTOR – DEMOCRATIC, DEVELOPMENT  
AND LEGAL SERVICES, DEVELOPMENT PLANS AND IMPLEMENTATION  
MANAGER, DEVELOPMENT EXECUTIVE (PLANNING AND BUILDING CONTROL),  
PLANNING DEVELOPMENT MANAGER AND PRINCIPAL DEVELOPMENT  
MANAGEMENT OFFICERS AND SENIOR DEVELOPMENT MANAGEMENT OFFICERS**

14.12 To determine listed building consents, conservation area consents, advertisement consent and hazardous substance consent matters.

ADD after 14.12 (and renumber 14.13 to 14.15 of Constitution)

4.13 In relation to 'unopposed cases' take action to revoke or modify a planning permission; listed building consent; express consent for the display of advertisements; Hazardous Substance consent under, section 97 of the Town and Country Planning Act 1990; section 23 of the Planning (Listed Buildings and Conservation Areas) Act 1990; section 16 of the Town and Country Planning (Control of Advertisements) Regulations 2007; and section 14 of the Planning (Hazardous Substances) Act 1990.

4.14 To decide the Council's approach and take action in the preparation of the Council's statement of case in relation to appeals made against the non-determination of applications, as submitted under the Town and Country Planning Act (as amended), unless it relates to a major form of development or is a matter of major local significance.