

# **COUNCIL AGENDA**

**Tuesday, 23rd July 2024 at 7:15pm**

**Council Chamber, Braintree District Council,  
Causeway House, Bocking End, Braintree, CM79HB**

## **THIS MEETING IS OPEN TO THE PUBLIC**

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**Members of the Council are requested to attend this meeting to transact the business set out in the Agenda.**

Councillor J Abbott  
Councillor D Abram  
Councillor M Ault  
Councillor J Ayten  
Councillor J Baugh  
Councillor J Beavis  
Councillor J Bond  
Councillor K Bowers  
Councillor L Bowers-Flint  
Councillor G Butland  
Councillor J Coleridge  
Councillor G Courtauld  
Councillor M Cunningham  
Councillor T Cunningham  
Councillor C Dervish  
Councillor T Diamond

Councillor J Edwards  
Councillor C Finch  
Councillor M Fincken  
Councillor D Garrod  
Councillor M Green  
Councillor J Hayes  
Councillor P Heath  
Councillor D Holland  
Councillor A Hooks  
Councillor L Jefferis  
Councillor J Martin  
Councillor S Mason  
Councillor A Munday  
Councillor I Parker  
Councillor J Pell  
Councillor G Prime

Councillor S Rajeev  
Councillor R Ramage  
Councillor F Ricci  
Councillor P Schwier  
Councillor G Spray  
Councillor M Staines  
Councillor B Taylor  
Councillor W Taylor  
Councillor M Thorogood  
Councillor P Thorogood  
Councillor R van Dulken  
Councillor T Walsh  
Councillor L Walters  
Councillor E Williams  
Councillor T Williams  
Councillor J Wrench  
Councillor B Wright

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by 3pm on the day of the meeting.

D GASCOYNE  
Chief Executive

## **INFORMATION FOR MEMBERS – DECLARATIONS OF MEMBERS' INTERESTS**

### **Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI), or Non-Pecuniary Interests (NPI).**

Any Member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the Chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

### **Public Question Time - Registration and Speaking**

The Agenda allows for a period of up to 30 minutes for Public Question Time. Members of the public may ask questions or make a statement to the Council on any matter in relation to which the Council has powers or duties, or which affects the district, and matters listed on the Agenda.

All questions or statements should be concise and should be able to be heard within the 3 minutes allotted to each speaker.

Anyone wishing to ask a question or make a statement is requested to register their interest by completing the Public Question Time registration [online form](#) by midday on the **second working day** before the day of the meeting.

For example, if the meeting is on a Tuesday, the registration deadline is midday on Friday, (where there is a Bank Holiday Monday you will need to register by midday on the previous Thursday). The Council reserves the right to decline any requests to register to speak if they are received after this time.

When registering for Public Question Time please indicate whether you wish to attend the meeting 'in person', or to participate remotely. People who choose to join the meeting remotely will be provided with the relevant link and joining instructions for the meeting.

Please note that completion of the on-line form does not guarantee you a place to speak during Public Question Time. You will receive email notification from the Governance Service confirming whether your request is successful.

The Chairman of the Council has discretion to amend the order in which questions or statements are presented to Full Council.

In the event that a registered speaker is unable to connect to the meeting, or if there are any technical issues, their question/statement may be read by a Council Officer.

Further information on Public Question Time is available on the [Council's website](#).

### **Health and Safety:**

Anyone attending a meeting of the Council is asked to make themselves aware of the nearest available fire exit. In the event of an alarm sounding, you must evacuate the building immediately and follow all instructions provided by staff. You will be directed to the nearest designated assembly point where you should stay until it is safe to return to the building.

**Documents**

Agendas, Reports and Minutes may be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

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**Mobile Phones**

Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

**Webcast and Audio Recording**

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**Comments and Suggestions**

We welcome comments to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended you may send these to [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

**1 Apologies for Absence****2 Declarations of Interest**

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

**3 Minutes of the Previous Meeting**

To approve as a correct record the minutes of the meeting of Full Council held on 22nd April 2024 (copy previously circulated).

**4 Public Question Time**

Only Registered Speakers will be invited by the Chairman to speak during public question time.  
Please see the agenda notes for guidance.

**5 To receive any announcements/statements from the Chairman and/or Leader of the Council.****6 Motion by Councillor Charley Dervish – Congratulations and Support for Grassroot Football within the District 5 - 6****7 Motion by Councillor Iona Parker – Support for the Agricultural Sector 7 - 8****8 Questions to the Leader and Cabinet**

The Chairman will invite Councillors to ask questions of the Leader and the Cabinet Members on matters which relates to the functions of the Leader and Cabinet Members, the powers and duties of the Council or matters pertaining to the District which are relevant to their respective portfolios which have taken place since the last meeting of the Council.

All Councillors are able to ask one question and questions will commence with the Leader of the Opposition. The order of all other questions will be at the discretion of the Chairman.

A period of up to 30 minutes is allowed for this item. Council Procedural Rule 12.13 applies.

**9 Members Allowance Scheme 2024/25 9 - 47****10 Sport England Grant – Swimming Pool Support Fund - Urgent Key Decision 48 - 49**

**Agenda Item: 6**

<b>Report Title:</b> Motion by Councillor Charley Dervish – Congratulations and Support for Grassroot Football within the District	
<b>Report to:</b> Full Council	
<b>Date:</b> 23 <sup>rd</sup> July 2024	<b>For:</b> Debate
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> N/A
<b>Motion Presented by:</b> Councillor C Dervish <b>Motion Seconded by:</b> Councillor J Wrench <b>Motion Support by:</b> Councillors M Cunningham, J Coleridge and J Hayes	
<b>Enquiries to:</b> Emma Wisbey, Governance and Members Manager <a href="mailto:emma.wisbey@braintree.gov.uk">emma.wisbey@braintree.gov.uk</a>	

**1. Motion:**

Following the recent success of Braintree Town Football Club and their promotion back into the National League, this Council congratulates the success of local football teams within our District. In addition to acknowledging their success on the field the Council believes this promotes and leads the way for all grassroot football clubs and inspires our players to take up the sport.

We congratulate clubs across the District and a true well done to them and all the volunteers it takes to make this happen.

To further support that success this Council agrees to promote and encourage participation in all sporting activity across the District.

**2. Constitution provisions:**

Appropriate Notice of the Motion has been given to the Chief Executive in accordance with Council Procedural Rule 12.17 of Chapter 2 of the Constitution.

Notice of Motion was received on 23<sup>rd</sup> May 2024 at 13:25hrs giving 9 clear working days' notice and contains the names of 5 Councillors supporting the Motion including the Proposer and Secunder.

**3. Amendments to Motion on Notice:**

In accordance with Council Procedural Rule 12.20 of Chapter 2 of the Constitution, no amendments to the Motion shall be moved unless written

notice has been given to the Chief Executive or the Monitoring Officer by 12 noon on the third working day before the meeting of Full Council, namely 12noon on 18<sup>th</sup> July 2024.

**Agenda Item: 7**

<b>Report Title:</b> Motion by Councillor Iona Parker – Support for the Agricultural Sector	
<b>Report to:</b> Full Council	
<b>Date:</b> 23 <sup>rd</sup> July 2024	<b>For:</b> Debate
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> N/A
<b>Motion Presented by:</b> Councillor I Parker <b>Motion Seconded by:</b> Councillor D Holland <b>Motion Support by:</b> Councillors G Spray, T Cunningham, D Garrod, P Schwier and G Courtauld	
<b>Enquiries to:</b> Emma Wisbey, Governance and Members Manager <a href="mailto:emma.wisbey@braintree.gov.uk">emma.wisbey@braintree.gov.uk</a>	

**1. Motion:**

"This Council recognises that this District is one of the most productive cereal growing regions in the country and that the agricultural sector contributes substantially to our economy.

Furthermore, in an increasing geopolitically uncertain world, this Council recognises the importance of maintaining our nation's food security and the role that farmers in our District play in feeding the nation and protecting and enhancing the countryside.

This Council will ensure that its policies are conscious of the need to maintain food security.

This Council will also seek to promote the opportunities that may arise from the Biodiversity Net Gain requirements on new developments to provide an alternative income stream for farmers on land of lower agricultural quality"

**2. Constitution provisions:**

Appropriate Notice of the Motion has been given to the Chief Executive in accordance with Council Procedural Rule 12.17 of Chapter 2 of the Constitution.

Notice of Motion was received on 23<sup>rd</sup> May 2024 at 11:45hrs giving 9 clear working days' notice and contains the names of 7 Councillors supporting the Motion including the Proposer and Seconder.

3. **Amendments to Motion on Notice:**

In accordance with Council Procedural Rule 12.20 of Chapter 2 of the Constitution, no amendments to the Motion shall be moved unless written notice has been given to the Chief Executive or the Monitoring Officer by 12 noon on the third working day before the meeting of Full Council, namely 12noon on 18<sup>th</sup> July 2024.



<b>Report Title:</b> Members Allowance Scheme 2024/25	
<b>Report to:</b> Council	
<b>Date:</b> 23 <sup>rd</sup> July 2024	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2023/86
<b>Report Presented by:</b> Councillor Graham Butland, Leader of the Council	
<b>Enquiries to:</b> Kim Mayo, Head of Governance and Monitoring Officer <a href="mailto:Kim.mayo@braintree.gov.uk">Kim.mayo@braintree.gov.uk</a>	

## 1. Purpose of the Report

- 1.1 The purpose of this report is to consider the Independent Remuneration Panel (IRP) Report, as set out in Appendix A, and approve the Members Allowance Scheme 2023/24 and 2024/25 as set out in Appendix B.

## 2. Recommendations

- 2.1 To note the Independent Remuneration Panels Report, as set out in Appendix A.
- 2.2 To approve the Member Allowance Scheme 2023/24 and 2024/25 as set out in Appendix B.

## 3. Summary of Issues

- 3.1 The Members Allowance Scheme (the Scheme) enables Braintree District Council (the Council) to have in place a set of allowances that can be paid to District Councillors. The Scheme provides for a Basic Members Allowance and other allowances designed to assist Members with the performance of their roles as a District Councillor and Special Responsibility Allowances in recognition of extra duties a Member is expected to perform when holding certain positions.
- 3.2 In setting its scheme of Allowances, the Council has a duty to have regard to the views and recommendations of the IRP and must comply with the requirements the Regulations.
- 3.3 The Scheme states that the IRP will be convened at least every four years for the consideration of the Scheme. The Council's Scheme was last substantially reviewed in 2019 with two light touch reviews taking place in 2021 and 2022.

- 3.4 The IRP Members are non-elected Members and were appointed following an open recruitment exercise to ensure representation from those living and working in the County and were appointed by the Monitoring Officer. Members of the IRP cannot be elected members nor are they permitted to be politically active. From those appointed, a Panel of four members was convened to conduct this review and consisted of the following:
- Andy Barton
  - Joy Ikumoinin
  - David Irvine
  - Georgia Riley
- 3.5 The IRP commenced its review of the Member Allowance Scheme on 22nd March 2024 receiving a presentation from the Head of Governance and Monitoring Officer and Legal and Governance Manager and Deputy Monitoring Officer on the Council's current Members' Allowance Scheme as set out in Chapter 3 of the Constitution.
- 3.6 The IRP was provided with information which included evidence in the form of benchmarking/comparison exercises undertaken with all Essex District/Borough Authorities and the Council's CIPFA Comparator Authorities which focused on the provisions of the different Members Allowances Schemes, the amounts paid as allowances, the cost per head of population of the Member Allowances. All 49 District Councillors were invited to respond to a questionnaire relating to the current Scheme. A total of 20 responses were received from across all political parties, and recipients of special responsibility allowances and results of the questionnaire were presented to the IRP.
- 3.7 The IRP then met on two further occasions on 26th March 2024 and 10th April 2024. The focus of the review at the second meeting held on 26th March 2024, included:
- Members attendance at committees to which they are appointed, the frequency of the meetings, and the business conducted by the committees;
  - Roles and responsibilities of Members in relation to Special Responsibility Allowances (SRAs);
  - Consideration of the Member Development Allowance; and
  - the attendance threshold required for the Minor SRA (MSRA) for the Planning Committee.
- 3.8 The focus of the review meeting held on 10th April 2024, was:
- Panel Members individual thoughts/initial considerations of the Member Allowance Scheme
  - seeking clarification on the evidence following the Panel undertaking their own research into Member Allowances.

- 3.9 At the conclusion of the meeting held on 10th April, the Panel outlined their initial considerations on the Members Allowance Scheme. Following which the IRP, prepared their report, which is set out in Appendix A.
- 3.10 On 17 June 2024 the IRP Report was considered by the Developing Democracy Group (DDG). The DDG considered each of the recommendations put forward by the IRP and sought to finalise a Scheme for Councils consideration. In the main the DDG agreed with the recommendations put forward by the IRP. This report sets out the rationale for any departure from the recommendations of the IRP.

### **The IRP Recommendations**

- 3.11 The IRP were satisfied with the format of the current Scheme, and therefore did not propose to make changes to the overall structure of the Scheme. Rather they focused on the values of each of the allowances paid, and the roles held by Members. The IRP considered the work programmes of each of the Committees and the number of meetings Members were required to attend. They gave additional weight to those committees that meet frequently or held a quasi-judiciary role.
- 3.12 As part of their considerations, the IRP reflected on the continuing burden on local government finances and the continuing cost of living pressures. The IRP were mindful of the public perception of Member expenses and allowances and the cost of these on residents of the District. However, they recognised that the cost-of-living crisis had impacted on all sections of society, including Members and therefore recognise that Members should receive a BMA which supported them in carrying out their duties as District Councillors.

### **Basic Members Allowance (BMA)**

- 3.13 The IRP were advised that since 2009, the BMA has increased a total of 11% to its current rate of £5,154p.a. The last increase was made in February 2022, which increased the BMA by 1.75% in line with the Local Government Staff Annual Pay Award for 2021/22. It was noted by the Panel that Council had agreed not to apply subsequent Staff Annual Pay Awards to the Members Allowances.
- 3.14 In undertaking the comparison with other District/Borough authorities in the County and CIPFA authorities, the current Member Allowance is 8% below the average BMA, and against CIPFA authority comparators is 10% below the average.
- 3.15 The IRP considered the costs of the BMA on per head of population. The evidence presented to the Panel showed that the cost of the BMA per head of population for the Braintree District was £3.02. Comparing this to Essex authorities and the CIPFA Authorities, the Council's BMA was 2% below the average for Essex Authorities and 12% below the average for the CIPFA Authorities.

3.16 The IRP recommended that:

- a) The BMA to be increased from £5,154 to £5,500 per annum.
- b) To link the annual BMA increase to the Office for National Statistics (ONS) Public Sector Index, to be fixed to the start date of the financial year and capped at a maximum of 4%.

3.17 Currently the Scheme links the annual increase to the National Joint Council (NJC) Local Government Annual Pay Award. However, over recent years there has not been a clearly identifiable national percentage uplift due to the offering to Local Government staff being based on a fixed sum payment rather than a set percentage. For 2024, the Local Government offer is a fixed sum or 2.5% whichever is the higher, and this is currently being consulted upon.

3.18 Further, there is an impact arising from the second recommendation. The IRP recommendation seeks to cap the annual increase to 4%. Currently the ONS rate for 1<sup>st</sup> April 2024 is 6.8%. The cap would mean that in this circumstance, the maximum increase for 2024 would be capped at 4%. Whilst the DDG agreed that linking the annual BMA increase to the ONS at the start of the financial year was a sensible approach, it did not consider there was a need to cap the level of increase.

### **Communications Allowances**

3.19 The IRP noted the purpose of the Communications Allowance is to support Members with their communication requirements whilst performing their duties as District Councillors, which could include the purchase of a device and associated equipment and consumables.

3.20 The IRP noted from the comparison information with Essex District/Borough Councils, that only two other Councils (Maldon DC- £200 broadband allowance, and Basildon BC - £37.50pcm IT Allowance) provided a similar allowance. Others (Brentwood BC, Colchester CC, and Harlow DC) either included an element of it within their BMA or did not provide a communication allowances.

3.21 The IRP considered that communication and working electronically is a fundamental part Council business. It recognised that most households have broadband and devices which would enable electronic working. The IRP considered that an allowance should be to facilitate the additional need for broadband and devices over and above those held by a standard household.

3.22 The IRP recommend that the Communications Allowance should cease as a separate allowance and should be combined with the BMA. By combining the Communication Allowance with the BMA this would increase the BMA from £5,500 per annum to £5,980 per annum.

- 3.23 The DDG agreed with this recommendation. However, it was noted that the Council are already within its 4-year term, and many Members have already drawn down their communication allowance for 2 years in advance as permitted under the current Scheme. Therefore, in applying this recommendation, those Members that have already drawn down their Communication Allowance will need to have that draw down removed from the BMA until the expiry of the two-year period. Similarly those members that have already received the Communication Allowance at a rate of £40 per month for 2023/24 will also have this removed from the BMA paid for this period.
- 3.24 In combining the BMA and communication Allowance it would mean that the multiplier calculations for Special Responsibility Allowances would be based on £5,980.

### **Member Development Allowance**

- 3.25 The IRP questioned the purpose of the Member Development Allowance, reflecting that the allowance appeared to be an incentive/reward for attending training/development sessions. The IRP considered that Members should attend training as part of their own ongoing development and that constituents would expect that Members to be fully appraised and trained on the issues affecting them and the district. They did, however, recognise that there was some inconvenience to Members attending development/trainings sessions
- 3.26 The IRP Recommend that the Member Development Allowance is reduced from £400 per annum to £200 per annum to be paid in accordance with the current attendance thresholds as follows:

<b>% Annual Attendance</b>	<b>Less than 10%</b>	<b>Over 10%</b>	<b>Over 25%</b>	<b>Over 50%</b>	<b>Over 75%</b>
% of allowance	0%	25%	50%	75%	100%
Current Allowance	£0	£100	£200	£300	£400
<b>New Allowance</b>	<b>£0</b>	<b>£50</b>	<b>£100</b>	<b>£150</b>	<b>£200</b>

- 3.27 The DDG acknowledged the rationale behind the recommendation of the IRP. They were mindful of the administrative costs involved with the monitoring and awarding of the Member Development Allowance. In view of the recommendation to reduce this allowance, the cost of administering it would outweigh the allowance.
- 3.28 In considering this recommendation, Members will be aware that the Allowance is paid at the end of the financial year. The Member Development Allowance for 2023/24 has already been paid to Members based on the current Scheme. Therefore, this element would only effect from 1st April 2024.
- 3.29 Having regard to the rationale of the IRP and the wider implications of the recommendation, the DDG consider that the Member Development Allowance for 2024/25 should be removed in its entirety.

### **Special Responsibilities Allowance (SRA)**

- 3.30 The Council's Scheme has a number of SRA's. The IRP reviewed all of these, both in terms of the work undertaken, as well as the levels of responsibility the frequency of meetings, decision making powers and benching marking against comparable authorities.
- 3.31 The IRP identified that the roles of Deputy Cabinet Members and Cabinet Support Member were not frequently used by other authorities. From the evidence received on the comparator authorities, only Chelmsford CC had Deputy Cabinet Members, and none had Cabinet Support Members.
- 3.32 The IRP noted that there had been a substantial change in the frequency of meeting held by the Local Plan Sub-Committee, following the adoption of the Local Plan. They did acknowledge that the number of meetings would increase once more as the Council commences the Local Plan Review process. The IRP noted that only Tendring DC had a SRA for the Chairman role of this committee, and that this was substantially lower than that paid by the Council.
- 3.33 The IRP also raised concerns in respect of the SRA received by Leader of the Largest Opposition Group. The SRA is currently £5,154 and sits within a range of £1,017 to £10,567.23, with the average across the Essex Authorities being £5,004.40. The IRP considered that the role of Leader of the Largest Opposition Group was an important one, but the work undertaken by this role was significantly less than other roles undertaken which receive a SRA.
- 3.34 The IRP recommended that there is a reduction to the multiplication factors of the BMA to calculate the Special Responsibility Allowance as follows:
- a) Cabinet Members reduce from 2x BMA to 1.82x BMA
  - b) Deputy Cabinet Members reduce from 1x BMA to 0.5x BMA
  - c) Cabinet Support Members reduce from 0.75x BMA to 0.27x BMA
  - d) the Chairman of the Local Plan Sub-Committee reduce from 1x BMA to 0.75x BMA
  - e) The Leader of Largest Opposition group reduce from 1x BMA to 0.75x BMA
- 3.35 The IRP recommended that all multipliers for the other SRA contained within the Scheme would remain unchanged.
- 3.36 The DDG acknowledged that whilst it remains within the IRP's remit to make positive and negative recommendations, recommendations that seek to reduce an allowance are uncommon. This Council has been proactive in its support following the cost-of-living crisis and has brought in a range of provisions to support not only the residents of Braintree District, but also its officers. Accordingly, the DDG considered it unfair at this stage to penalise Members at a time where the cost of living is still having an impact.

- 3.37 Further, during the previous election in May, there was a clear drive to encourage new Members to stand from all backgrounds and walks of life. A reduction to the SRA multipliers may be seen as a further inhibitor to individuals wanting to become a more active Member and to engage in the functioning of the Council. As a result, the DDG recommend that the multiplier for these Special Responsibilities remain the same.
- 3.38 The DDG did also acknowledge that following the local elections in May 2023, the size of the opposition groups has increased. The largest has 11 members, whilst the next largest has 9 members. Under the current Scheme the Leader of the first would receive a multiplier of 1 x BMA, whilst the Leader of the second receives 0.25 x BMA. The DDG felt that in order to recognise the similar sizing of the groups, that the second multiplier should be raised from 0.25 to 0.75 x BMA for those whose Group has more than 5 members.

### **Minor Special Responsibility Allowances (MSRA)**

- 3.39 The IRP reviewed the MSRA applicable to the Planning Committee, noting that the Planning Committee which had previously met on a fortnightly basis, since May 2023, now sat on a three-weekly cycle with the Planning Member forum. However, they felt that the introduction of the Planning Member Forum maintained the levels of work to be undertaken by Planning Committee Members and therefore did not seek to make any changes to the current MSRA.
- 3.40 However, the IRP did review the attendance threshold for the Planning Committee. The Panel noted that the threshold was a “pass or fail” threshold, meaning that a Member who attended 74% of called meetings would not receive the MSAR and that the difference between achieving more than 75% to 100% attendance could be the attendance of a single meeting.
- 3.41 The IRP noted that there were no provisions to allow for discretion to be applied. If a Member was unable to attend meetings due to serious illness/bereavement or caring responsibilities for dependents, under the current Scheme, they would be penalised if this resulted in them failing to meet the 75% threshold.
- 3.42 The IRP also considered the role of the Licensing Committee and noted that there was not a MSRA for this Committee. They noted that there are fewer meetings of the main Licensing Committee when compared to the Planning Committee, however, the Licensing Committee Members meet frequently to form Drivers’ Panel and Licensing Hearings.
- 3.43 Members sitting on Licensing hearings are required to undertake significant preparation work which includes advance reading of evidence, policy, and statutory guidance, with hearings lasting from half a day to potentially several days. All Members of the Licensing Committee may be called upon to chair the Drivers’ Panels and Licensing Hearings and therefore the IRP felt that the work undertaken by the Licensing Committee Members is comparable to the Planning Committee.

3.44 The IRP recommended that:

- a) the attendance threshold for the Planning Committee should be reduced to 50%;
- b) to introduce three Minor SRAs for the Licensing Committee:
  - i. £400 per annum based upon 50% attendance threshold
  - ii. payment of £25 per Drivers Panel or Licensing Hearing attended.
  - iii. payment of £50 per Committee meeting for Substitutes
- c) that a provision is introduced into the MAS which gives the Monitoring Officer discretion to award the Minor SRA to those Members who are within 5% of the attendance threshold with valid medical absence or close family bereavement/ emergency or those caring for a family member where notice has been given and agreed in advance by the Monitoring Officer.

3.45 There is only a small number of Members each year who do not achieve the attendance threshold for the Planning Committee Minor SRA. Members may seek approval of their absence for the 6-month rule however, this approval has no bearing on the entitlement to allowances. It has been the source of frustration for those Members who have not been able to attend meetings due to caring for family members who have been seriously ill or have suffered a close family bereavement and therefore not achieved the attendance threshold.

3.46 The recommendations in relation to Licensing Committee would place the Committee on a similar footing as the Planning Committee Members as the Council's other Regulatory Committee which required mandatory training for participation. Accordingly, the DDG were satisfied that this recommendation should be included within the Scheme.

#### **Subsistence and other allowances**

3.47 The IRP considered the current arrangements for Childcare Allowance and noted that the maximum which could be claimed currently was £10 per hour. This was also restricted to only being able to claim for no more than two meetings per week up to a maximum of 8 hours. The IRP considered that the current arrangement for Childcare was not sufficiently flexible to cover necessary childcare arrangements or the actual costs for childcare and did not take into consideration the full range of childcare options available i.e. informal "baby sitting" compared to formal contracted childcare arrangements.

3.48 The IRP were advised that the current subsistence scheme that enable Members to claim for refreshments and accommodation was significantly out of date and that it was are no longer sufficient to cover the actual cost particularly in relation to accommodation.



3.49 The IRP recommended that:

- a) the actual costs incurred by a Member for Childcare Allowance and Dependence Carers Allowance are reimbursed, subject to receipt being provided or a declaration being signed by the Member.
- b) To adopt the Officer scheme for Travel Expenses and Subsistence Allowances for refreshments for Members where incurred in the performance of their duties, as follows:

#### **Overnight accommodation**

Where Members cannot reasonably be expected to make a return journey to/ from their destination in the same day, an overnight accommodation stay can be booked.

The Council does not set rates for accommodation due to the variable and dynamic pricing operated by providers of accommodation, although Members will be expected to choose reasonably priced accommodation that ensures value for money and best use of public funds.

Reasonable effort should be made to book as far as possible in advance to secure the best rate available. Any requirement for overnight accommodation must be agreed in advance. Evidence will be required at that time to demonstrate that the best rate available has been sought.

The Council will not reimburse accommodation rated at 5-star or above, or equivalent.

Where the accommodation does not include meals, the following may also be claimed:

Breakfast	When part of an overnight stay	Up to £8.50
Dinner	When part of an overnight stay	Up to £20.00
Breakfast	When part of an overnight stay	Up to £8.50
Dinner	When part of an overnight stay	Up to £20.00

3.50 The DDG were satisfied that these recommendations should be incorporated into the Scheme.

#### **4. Options**

- 4.1 Option A: Do not approve the Scheme for 2023/24 and 2024/25. Should the Council not wish to approve the Scheme for 2023/24 and 2024/25, then the current Scheme will remain in place and allowances to all members will be paid in accordance with the provision contained within the same.
- 4.2 Option B: Approve the Scheme for 2023/24 and 2024/25. Members have not had an increase to their BMA for two years. In approving the Scheme for 2023/24 and 2024/25, the Council would be actioning the commitment given that the Scheme would be reviewed, and that any difference in the Schemes

would be paid retrospectively. With the link to the ONS Public Sector Index, the Scheme will be subject to an automatic increase each year in line with the rate as recorded on 1<sup>st</sup> April.

## **5. Financial Implications**

- 5.1 The recommendations contained in this report will increase the cost of Members' allowances. The increase is due to both the changes proposed to the Basic Member Allowance (BMA), and consequently the level of existing and new Special Responsibility Allowances (SRAs). The actual cost increase is dependent on the Member appointments agreed by the Council and Leader of the Council. There are also elements of the allowances which are variable due to either being paid at levels determined by specified attendance thresholds or only when a Member is acting in the capacity of substitute.
- 5.2 The BMA proposed for 2023/24 is £5,980, including consolidation of the Communications Allowance of £480 which is currently paid separately. On a like/ like basis, this represents an increase of 6.14% in BMA. Using the current profile of Member appointments, the estimated cost of BMAs and SRAs is £534,113. Additional provision was made in the 2023/24 budget outturn which allowed for an estimated total cost of allowances for that year, including a retrospective award, of £521,150. The one-off extra cost of £12,963 resulting from the proposed increase in BMA will be accounted for as an in-year variance against the budget for 2024/25.
- 5.3 The BMA for 2024/25 is recommended at £6,372, an additional increase of 6.56%. Applying the current profile of Council and Leader appointments, and estimating the variable elements of allowances, the total cost for 2024/25 including SRAs is estimated to be £562,450, compared to a budget of £512,450, resulting in an estimated additional cost and in-year budget variance of £50,000. For the purposes of planning for the 2025/26 budget and updating of the Medium-Term Financial Strategy, an equivalent ongoing amount will need to be reflected as an unavoidable cost pressure.

## **6. Legal Implications**

- 6.1 The Scheme is required to be reviewed in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003. The review by the IRP is in compliance with the Regulations and the Council's obligations under the MAS.
- 6.2 Council, in considering the Scheme for adoption, is required by the Regulations to have regard to the views and recommendations of the IRP. The Council may accept all, some or none of the recommendations put forward by the Panel when deciding the MAS. This report sets out those considerations, and rationale for any departure from the recommendations from the IRP.

## **7. Other Implications**

- 7.1 There are no other implications arising from the recommendations set out in this report.

## **8. Equality and Diversity Implications**

- 8.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 8.3 The Equality Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## **9. Appendix**

- 9.1 Appendix A - The Independent Remuneration Panel Report
- 9.2 Appendix B - Member Allowance Scheme 2023/24 and 2024/25

## **10. Background Papers**

- 10.1 Reports to IRP and supporting documentation
- 10.2 Report to the Developing Democracy Group – 17<sup>th</sup> June 2024.



# Report of the Independent Remuneration Panel

## Braintree District Council Members' Allowance Scheme

Review undertaken - March-May 2024

## **1. Introduction**

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) makes provisions for the Council to have in place a Members Allowance scheme. In setting its scheme, the Council has a duty to have regard to the views and recommendations of the Independent Remuneration Panel.
- 1.2 The Council's Members Allowance Scheme states that an Independent Remuneration Panel (the Panel) will be convened at least every four years to undertake a review of the Scheme. The Council's Scheme was last substantially reviewed in 2019 with two light touch reviews in 2021 and 2022.
- 1.3 A Panel was convened to conduct a review in accordance with the requirements of the Regulations and the Scheme and consisted of the following Independent Panel Members:
- Andy Barton
  - Joy Ikumoinin
  - David Irvine
  - Georgia Riley
- 1.4 This is the report of the Panel's review of the Council's Member Allowance Scheme which was conducted in March and April 2024. This report sets out the Panel's considerations and recommendations to Full Council.
- 1.5 Recommendations:**
- 1.6 The recommendations of the Panel are set out under the relevant Allowance headings below. Section 2 of this report outlines the meetings held and evidence gathering with section sets out the Panel's considerations and its conclusion for supporting their recommendations to Full Council. Appendix 1, sets out the Panel's recommendations in the table form as

### **Structure of Scheme**

- a) The overall structure of the Allowances Scheme to remain unchanged.

### **Basic Members Allowance**

- b) The Basic Member Allowance (BMA) to be increased to £5,500 per annum.
- c) To link the annual BMA increase to the Office for National Statistics Public Sector Index, to be fixed to the start date of the financial year and capped at a maximum of 4%.

### **Communications Allowances**

- d) To cease the Communications Allowance of £40 per month (£480 per annum) as a separate allowance and combine it with the BMA bringing the total to £5,980<sup>1</sup> per annum.

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<sup>1</sup> Based upon the acceptance of recommendation b, that the BMA to increase to £5500pa.

## Member Development Allowance

- e) Member Development Allowance to be reduced from £400 per annum to £200 per annum to be paid in accordance with the attendance thresholds as set in the table in paragraph 3.3.2 of this report.

## Special Responsibilities Allowances

- f) To reduce the multiplication factors of the BMA to calculate the Special Responsibility Allowance for Cabinet to the following:
  - 1. Cabinet Members from 2x BMA to 1.82x BMA
  - 2. Deputy Cabinet Members from 1x BMA to 0.5x BMA
  - 3. Cabinet Support Members from 0.75x BMA to 0.27x BMA.
- g) To reduce the attendance threshold for the **Minor SRA for Planning Committee** Members from 75% to 50% attendance rate.
- h) To allow the Monitoring Officer discretion to award the **Minor SRA for Planning Committee** to those Members who are within 5% of the attendance threshold with valid medical absence or close family bereavement/ emergency or those caring for a family member where notice has been given and agreed in advance.
- i) The introduction of a **Minor SRA for Licensing Committee** Members of £400 per annum based upon a 50% attendance threshold being met.
- j) The introduction of a **Minor SRA for Licensing Committee** Members of £25 per Drivers' Panel or Licensing Hearing attended.
- k) The introduction of a **Minor SRA for Licensing Committee** of a payment for Substitute Members of £50 for each meeting they attend.
- l) To allow the Monitoring Officer discretion to award the **Minor SRA for Licensing Committee** to those Members who are within 5% of the attendance threshold with valid medical absence or close family bereavement/ emergency or those caring for a family member where notice has been given and agreed in advance.
- m) To reduce the multiplier for the **Chairman of the Local Plan Sub-Committee** from 1x BMA to 0.75x BMA
- n) To reduce the multiplication factors of the BMA to calculate the Special Responsibility Allowance for the **Leader of Largest Opposition** group from 1x BMA to 0.75x BMA.
- o) All other SRA multipliers as set out in the current system remain unchanged.

## Subsistence and other allowances

- p) To reimburse the actual costs incurred by a Member for **Childcare** subject to receipt being provided or a declaration being signed by the Member.

- q) To adopt the Officer scheme for **Travel Expenses** and **Subsistence Allowances** for refreshments for Member were incurred in the performance of their duties.

1.7 Appendix 1 sets out the recommendations in a table format, which if accepted by Full Council, would appear in the Members Allowance Scheme

## **2. Evidence Gathering and Meetings of the Panel**

2.1 The Panel commenced its review of the Member Allowance Scheme on 22<sup>nd</sup> March 2024 receiving a presentation from Kim Mayo, Head of Governance and Monitoring Officer and Emma Wisbey, Legal and Governance Manager and Deputy Monitoring Officer on the Council's current Members' Allowance Scheme as set out in Chapter 3 of the Constitution.

2.2 Panel was provided with information which included evidence in the form of benchmarking/comparison exercises undertaken with all Essex District/Borough Authorities and the Council's CIPFA Authorities which focused on the provisions of the different Members Allowances Schemes, the amounts paid as allowances, the cost per head of population of the Member Allowances and results of a questionnaire completed by District Councillors<sup>2</sup>.

2.3 The Panel met on two further occasions on 26<sup>th</sup> March 2024 and 10<sup>th</sup> April 2024.

2.4 The focus of the review at the second meeting held on 26<sup>th</sup> March 2024, included:

- Members attendance at committees to which they are appointed, the frequency of the meetings, and the business conducted by the committees;
- Roles and responsibilities of Members in relation to Special Responsibility Allowances (SRAs);
- Consideration of the Member Development Allowance; and
- the attendance threshold required for the Minor SRA (MSRA) for the Planning Committee.

2.5 The focus of the review meeting held on 10<sup>th</sup> April 2024, was:

- Panel Members individual thoughts/initial considerations of the Member Allowance Scheme
- seeking clarification on the evidence following the Panel undertaking their own research into Member Allowances.

2.6 At the conclusion of the meeting held on 10<sup>th</sup> April, the Panel outlined their initial considerations on the Members Allowance Scheme.

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<sup>2</sup> All 49 District Councillors were invited to respond to the questionnaire – 20 responses were received which included all political parties, and recipients of special responsibility allowances

### **3. The Panel's considerations and recommendations**

#### **3.1 Basic Member Allowance (BMA)**

- 3.1.1 It is considered by the Panel that the Council's BMA is significantly lower than that of its comparable authorities and recommends that the Basic allowance should receive a 6.7% increase, raising the Basic Member Allowance allocation to £5,500 per annum.
- 3.1.2 The Panel were advised that since 2009, the Basic Member Allowance has increased a total of 11% to its current rate of £5,154.00pa. The last increase was made in February 2022, which increased the BMA by 1.75% in line with the Local Government Staff Annual Pay Award<sup>3</sup> for 2021/22. It was noted by the Panel that Council has agreed not to apply subsequent Staff Annual Pay Awards to the Members Allowances.
- 3.1.3 The Panel considered the continuing burden on local government finances and the attention which other Councils have received in terms of maintaining their finances to deliver services and the continuing cost of living crisis. Furthermore, they were mindful of the public perception of Member expenses and allowances and the cost of these on residents of the District. However, it also recognised that the cost-of-living crisis has impacted on all sections of society, including Members and therefore recognise that Members should receive a BMA which supports them in carrying out their duties as District Councillors.
- 3.1.4 In undertaking the comparison with other District/Borough authorities in the County and CIFPA authorities, the current Member Allowance in comparison with the Essex authorities average is 8% below the average BMA, and against CIFPA authority comparators is 10% below the average.
- 3.1.5 The Panel considered the costs of the BMA on per head of population. The evidence presented to the Panel showed that the cost of the BMA per head of population for the Braintree District was £3.02. Comparing this to Essex authorities and the CIFPA Authorities, the Council's BMA was 2% below the average for Essex Authorities and 12% below the average for the CIPFA Authorities.
- 3.1.6 The Panel considered the mechanism for the increase of the BMA<sup>4</sup> which currently is the Local Government Staff Annual Pay Award (LGPA). The Panel noted the recent trend of the LGPA featuring a financial figure rather than a percentage increase and of the decisions of Full Council not to apply LGPA to Members Allowances, noting further that if these were pay awards based upon sums were converted to a percentage increase and directly applied as a sum to the BMA, would have created a significant and disproportionate increase in Members Allowances.
- 3.1.7 Having recognised that the difficulties with LGPA, the Panel considered whether indexing to the rate of inflation (at a fix date) would be appropriate. On reflecting on the fluctuations in the rate inflation at the end of the current

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<sup>3</sup> Annual Staff Pay Awards are agreed at national level.

<sup>4</sup> The Regulations state that where an Authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the IRP on the application of an index to its scheme.



financial year, it was considered that this presented issues. Subsequently it was considered that the appropriate index for annual adjustment of allowances would be the Office for National Statistics Public Pay Sector Index, to be fixed from the start of each financial year from 1st April. The Panel however recognised that due to the unstable rate of inflation, any increase should be capped at 4%<sup>5</sup>.

### **Communications Allowance:**

- 3.2.1 The Panel reviewed provisions for the Communications Allowance, which is currently paid as a monthly payment of £40 per month. The Panel noted the purpose of the Communications Allowance is to support Members with their communication requirements whilst performing their duties as District Councillors, which could include the purchase of a device and associated equipment and consumables and that it may be drawn down in advance for a maximum period of two years. The Panel further noted that Councillors are not required to evidence that devices purchased are only used of Council business and accepted that a degree of use would be for private use.
- 3.2.2 The Panel was advised that the Communications Allowance was introduced in the 2015 review of Members Allowance Scheme to support Members with the transition to electronic working within the Council. The Panel recognised that electronic working had become embedded within the Council, with the Council working principally paperless and electronically.
- 3.2.3 The Panel noted from the comparison information with Essex District/Borough Councils, that only two other Councils<sup>6</sup> provided an allowance similar to the communications allowance. Others<sup>7</sup> either included an element of within their BMA or did not provide a communication allowances.
- 3.2.4 The Panel considers that communication and working electronically is a fundamental part Council business and reflected on the purpose of the communications allowance to support District Councillors in the performance of their duties. The Panel also recognised that most households have broadband and devices which would enable electronic working. The Panel also considered that an allowance should be to facilitate the additional need for broadband and devices over and above those held by a standard household. The Panel therefore held that it should not be a separate allowance to the BMA and considered that it should be combined with the BMA providing a single allowance which is designed to support them in their role as a District Councillor.
- 3.2.5 The Panel recommends that the Communications Allowance should cease as a separate allowance and be combined with the BMA. By combining the Communication Allowance with the BMA this would increase the BMA to £5980 per annum<sup>8</sup>.

### **Member Development Allowance:**

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<sup>5</sup> Given latest inflation figure of 2.3% (expected to fall further)

<sup>6</sup> Maldon DC pay a £200 broadband allowance and Basildon BC pay £37.50 IT allowance.

<sup>7</sup> Brentwood BC, Colchester CC and Harlow DC

<sup>8</sup> On the assumption that the BMA is increase to £5500.

- 3.2.6 The Panel reviewed the Member Development Allowance and questioned its the purpose, reflecting that the allowance appeared to be an incentive/reward for attending training/development sessions. The Panel considered that Members should attend training as part of the basic expectation of being a Councillor and therefore form part of their normal duties as constituents would expect that Members were fully appraised and trained on the issues affecting the residents and the district.
- 3.2.7 The Panel did recognise there was some inconvenience to Members attending development/trainings sessions which are mainly held in the evenings and therefore consider there should be some remuneration but considered that the amount of payable should be reduced to £200 with the threshold payments maintained as set out in the table below.

Table 1 – Proposed Member Development Allowance

Percentage annual attendance	Less than 10%	10% & over	25% & over	50% & over	75% & over
Percentage of allowance	0%	25%	50%	75%	100%
Paid Allowance	£0	£50	£100	£150	£200

### 3.3 Special Responsibility Allowances:

- 3.3.1 The Council's Members Allowance Scheme has a number of Special Responsibility Allowances (SRA), the Panel has reviewed all of these, both in terms of the work undertaken, as well as the levels of responsibility the frequency of meetings, decision making powers and benching marking against comparable authorities.
- 3.3.2 In undertaking this review, the Panel have considered the positions which receive a SRA and have considered the role, rather than any particular personal circumstances of the current incumbents. No comments therefore should be taken as a comment on the current incumbents of any given role.
- 3.3.3 As set out above, the Panel has reviewed and considered all the SRA, and considering the evidence of the comparison with other Essex District/Borough Authorities and the Council's CIPFA Authorities, the Panel had recommended that the multiplier used to calculate the following SRA reduced:
- a) Cabinet Members from 2x BMA to 1.82x BMA
  - b) Deputy Cabinet Members from 1x BMA to 0.5x BMA
  - c) Cabinet Support Members from 0.75x BMA to 0.27x BMA.
  - d) Chairman of the Local Plan Sub-Committee from 1x BMA to 0.75x BMA
  - e) Leader of Largest Opposition group from 1x BMA to 0.75x BMA.
- 3.3.4 The Panel requested a cost per head of resident in the district calculation of the overall scheme to enable them to assess the impact of any amendments. The calculation provided was £3.02 per head, against the benching marking

of authorities this sat within a range of £2.17<sup>9</sup> to £3.50<sup>10</sup>. The Panel considered that this was a helpful indicator and associated it with being value for money.

- 3.3.5 The Panel considerations of SRA were based upon the assumption that the BMA will increase in line with their recommendation to £5500pa.
- 3.4.6 Cabinet Member SRA is currently £10,308 and sits within a range<sup>11</sup> of £2,965 to £13,637.81, the Panel felt that if the current multiplier (x2 MA) was applied placed the Cabinet Member SRA at the higher end of the range. In addition, as there can be up to 10 Cabinet Members, this could result in a substantial cost to the authority the average across the Essex authorities was £8,997.72 and the current SRA paid by the Council is £10,308. On this basis of the principles as set out in paragraph 3.4.1 above and having regard to the benchmarking it was felt with that the SRA was too high and that it needs to be brought into line with other authorities.
- 3.4.7 The Panel raised concerns in respect of the roles of Deputy Cabinet Members and Cabinet Support Member as these roles are not frequently used by other authorities. From the evidence received on the comparator authorities there was only one other Essex authority<sup>12</sup> which had Deputy Cabinet Members and none having Cabinet Support Member. The Panel recognised that within the Council's MAS, these roles have been in existence within the scheme for few years but noting that there are no current appointments of Cabinet Support Member.
- 3.4.8 The Panel also raised concerns in respect of the SRA received by the Chairman of the Local Plan Sub-Committee and noted that there had been substantial changes in the frequency of meeting held following the adoption of the Local Plan. The Panel did acknowledge that the number of Local Plan Sub-Committees could increase as the Council commences the Local Plan process. The Panel also note that from the evidence received on the comparator authorities there was only one other Essex Authority<sup>13</sup> which had a SRA and this was substantially lower than that paid by the Council. The Panel again on this basis of the principles as set out in paragraph 3.4.1 above and having regard to the benchmarking it was felt with that the SRA was too high and that it needs to be brought into line with other authorities.
- 3.4.9 The Panel also raised concerns in respect of the SRA received by Leader of the Largest Opposition Group. The SRA is £5154 and sits within a range<sup>14</sup> of £1,017 to £10,567.23, with the average across the Essex Authorities being £5004.40. The Panel considered that the role of Leader of the Largest Opposition Group an important one, but the work undertaken by this role was significantly less than other roles undertaken which receive a SRA and basis of the principles as set out in paragraph 3.4.1 above and having regard to the benchmarking it was felt with that the SRA was too high and that it needs to be brought into line with other authorities.

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<sup>9</sup> Harlow DC

<sup>10</sup> Maldon DC

<sup>11</sup> Essex District/Borough Comparator Authorities

<sup>12</sup> Chelmsford CC of £6519pa

<sup>13</sup> Tendring DC of £3265pa

<sup>14</sup> Essex District/Borough Comparator Authorities

### **3.5 Minor Special Responsibility Allowances MSRA**

- 3.5.1 The Panel also reviewed the MSRA applicable to the Planning Committee, noting that the Planning Committee which had previously met on a fortnightly basis, since May 2023, they sat on a three-weekly cycle with the Planning Member forum.
- 3.5.2 Whilst the Panel noted the reduction in the number of committee meetings, it considered that the introduction of the Planning Member Forum maintained the levels of work to be undertaken by Planning Committee Members and therefore make no recommendations to change the amount of the MSRA.
- 3.5.3 However, the Panel did consider that the attendance threshold of 75% should be reviewed. The Panel noted that the threshold was a “pass or fail” threshold, meaning that Member who attended 74% of the called meetings did not receive the MSAR, which did not appear to be recognising the commitment of those Member who had attended the majority of the meetings held and that the difference between achieving more than 75% to 100% attendance could be the attendance of a single meeting.
- 3.5.4 The Panel also noted that there were no provisions within the MAS to allow for a discretion to be applied enabling the payment of the allowance to Member where they have not been able to attend meetings due to serious illness/bereavement or when they have been required to look after dependents. The Panel, from evidence from the Member questionnaire, was aware that this was an area which Members were particularly aggrieved, as Members had reported that they spent considerable time preparing for planning committee which included reading large agenda and complex reports and carrying out their own research prior to the meetings, which they cannot attend due to matters beyond their control.
- 3.5.5 The Panel acknowledged the work undertaken by Planning Committee Member in advance of and attending meetings and fora. The Panel also recognises that due to the level of commitment required by the Committee Members, there may be some exceptional circumstances whereby these thresholds cannot be met.
- 3.5.6 The Panel considered that the threshold was too high but felt that it remained appropriate to have an attendance threshold to receive the MSRA<sup>15</sup>. Furthermore, the Panel considered that there should be a mechanism which allowed for a Members’ non-attendance due to ill health/bereavement or family emergency to be authorised to count for the purpose of the MSRA.
- 3.5.7 The Panel therefore recommend the attendance threshold should be reduced to 50% and that a provision is introduced into the MAS which gives the Monitoring Officer discretion to award the Minor SRA to those Members who are within 5% of the attendance threshold with valid medical absence or close family bereavement/ emergency or those caring for a family member where notice has been given and agreed in advance by the Monitoring Officer.

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<sup>15</sup> £1290pa

- 3.5.8 The Panel also considered the role of the Licensing Committee, being another of the Council's regulatory committee noting that there was not a MSRA for this Committee.
- 3.5.9 The Panel noted that whilst there are considerably fewer meetings of the main Licensing Committee when compared to the Planning Committee, the Licensing Committee Members meet frequently to form Drivers' Panel and Licensing Hearings. The Panel noted that Members of the Licensing Committee are required to undertake mandatory training for perform the Licensing Authority function for Taxi Licensing, the Licensing Act and the Gambling Act, which included determinations and managing decisions on applications.
- 3.5.10 The Panel was advised that Members when sitting on Licensing hearings are required to undertake significant preparation work which includes advance reading of evidence, policy and statutory guidance, with hearings lasting from half a day to potentially several days. All Members of the Licensing Committee may be called upon to chair the Drivers' Panels and Licensing Hearings.
- 3.5.11 The Panel considered that the work undertaken by the Licensing Committee Members was comparable to that of the Planning Committee and consider that given the extra work taken by Members that a MSRA should be introduced on a similar basis, including an attendance threshold, to that which is available to Members of the Planning Committee, including payment of an allowance to Licensing Committee Substitutes.
- 3.5.12 The Panel recommends that a MSRA of £400 per annum should be introduced for Members of the Licensing Committee<sup>16</sup>, along with an additional £25 per Licensing Hearing or Drivers' Panel attended per Member. The Panel also recommends that a payment be introduced for Substitute Members of £50 per meeting attended.
- 3.5.13 The Panel considers the amount payable as a MSRA should not be at the same level as the Planning Committee as it considered that there is a significant difference in the number of meetings called for the Planning Committee and the Planning Member Forums.

### **3.6 Subsistence and other Allowances**

- 3.6.1 The Panel reviews the subsistence and other allowances which may be claimed by Members to support them in their roles as District Councillors.
- 3.6.2 The Panel considered the arrangement for Childcare Allowance and noted that the maximum which could be claimed was £10 per hour, provided that no Member may claim for more than two meetings per week up to a maximum of 8 hours. The Panel was satisfied with the provisions as set out in the MAS as to how and when the allowance can be claimed, however, they were concerned that the amount which could be claimed was below the National Living Wage<sup>17</sup>.

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<sup>16</sup> MSRA are not payable to Substitute Members

<sup>17</sup> National Living Wage as of 1<sup>st</sup> April 2024 £11.24 [National Minimum Wage and National Living Wage rates - GOV.UK \(www.gov.uk\)](https://www.gov.uk/national-minimum-wage-rates)

- 3.6.3 The Panel compared the Childcare Allowance to the Dependence Carers Allowances which allows for the actual costs of care to be reimbursed, subject to the same limitations as the Childcare Allowance in terms of claiming. The Panel considered that the current arrangement for Childcare were not sufficiently flexible to cover the costs for childcare and did not take into consideration the full range of childcare options available i.e. informal “baby sitting” compared to formal contracted childcare arrangements.
- 3.6.4 The Panel were also mindful that Councillors should be representative of the entire community and considered that the support available should not deter any section of community from standing for election because of being unable to meet childcare costs due to their commitments as Councillor. The Panel therefore recommends that the Childcare Allowance should be a full reimbursement of the actual fee incurred subject to proof of service either via a receipt or declaration<sup>18</sup>.
- 3.6.5 The Panel also considered the Travelling Expenses and Subsistence Claims. It was confirmed to the Panel that the rates of mileage that can be claimed are the HMRC rates and not rates set by the Council. The Panel considered that there was no basis to change rates for mileage claims.
- 3.6.6 The Panel were advised that the current subsistence scheme, that enable Members to claim for refreshments and accommodation, was significantly out of date and that it was are no longer sufficient to cover the actual cost particularly in relation to accommodation. The Panel was also advised that the Council had adopted a new simplified subsistence scheme for officers which can be claim in the performance of their official duties.
- 3.6.7 The Panel considered that Officers and Members should have the same entitlement for claiming subsistence when performing their official duties and therefore considered that would be rational to have a single scheme. In light that officers’ scheme had recently been reviewed and adopted by the Council, the Panel there recommends that the Officer scheme for Travel Expenses and Subsistence Allowances is adopted for Members.

#### **4. Background Reports/Information and research**

- 4.1 In addition to the Panel’s own research the following was provided to and considered by the Panel:
- a. Report to the IRP Panel dated 22<sup>nd</sup> March 2024 - Review of the Braintree District Council Members Allowance Scheme – March 2024
  - b. Member Committee Attendance and Allowances for District Councillors for 2023/24
  - c. Comparison Data - Cost per head of populations for each Essex District/Borough Council and CIFPA Councils
  - d. Summary of the Statement of Accounts – Members Allowances and Reimbursements for 2022/23
  - e. Data on the increase of the Basic Members Allowance since 2009
  - f. Age profiles and gender split of District Councillors
  - g. Members Allowance Scheme (Chapter 3 of the Constitution)

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<sup>18</sup> The Current MAS requires claimants to certify that amounts claimed have actually been incurred.

- h. Member Questionnaire responses
- i. Officer Travel, Subsistence and Hospitality Scheme.

5. Acknowledgements

- 5.1 The IRP would like to thank the Council for the support of the Officers and the contributions Members made to work of the Panel.

## APPENDIX 1

The following tables sets out the SRAs as proposed by recommendations B & D set in section 2 of this report.

Table 1 - Basic Member Allowance of £5500pa (Recommendation B)

Special Responsibility	X Basic Allowance	Additional Allowance
<b>All Members Basic Allowance</b>		<b>£5,500</b>
<b>Council</b>		
Chairman of the Council	X 1	£5,500.00
Vice Chairman of the Council	X 0.5	£2,750.00
Leader of the Council	X 3	£16,500.00
Deputy Leader of the Council	X 2.5	£13,750.00
<b>Cabinet</b>		
Member of the Cabinet	X 1.82	£10,010.00
Deputy Cabinet Members	X 0.5	£2,750.00
Cabinet Support Member	X 0.27	£1,485.00
<b>Committees</b>		
<b>Planning Committee</b>		
Chairman of the Planning Committee	X 1.75	£9,625.00
Vice-Chairman of the Planning Committee	X 0.875	£4,812.50
Minor SRA to all Members of the Planning Committee (excl. Chairman and Vice-Chairman) at least 50% of called meetings of the Committee	X 0.25	£1,375.00
Substitutes – paid per meeting attended		£50.00
<b>Local Plan Sub-Committee</b>		
Chairman of the Local Plan Sub-Committee	X 0.75	£4,125.00
<b>Licensing Committee</b>		
Chairman of the Licensing Committee	X 1	£5,500.00
Vice-Chairman of the Licensing Committee	X 0.5	£2,750.00
Minor SRA to all Members of the Licensing Committee (excl. Chairman and Vice-Chairman) at least 50% of called meetings of the Committee		£400
Minor SRA to all Members of the Licensing Committee of £25 per Drivers' Panel or Licensing Hearing attended		£25.00
Substitutes – paid per meeting attended		£50.00



<b>Scrutiny Committees</b>		
Chairman of Corporate Scrutiny Committee	X 1.5	£8,250.00
Vice-Chairman of Corporate Scrutiny Committee	X 0.75	£4,125.00
Chairman of Governance and Audit Committee	X 1	£5,154.00
Vice-Chairman of Governance and Audit Committee	X 0.5	£5,500.00
Chairman of Corporate Policy Committee	X 1	£5,500.00
Vice-Chairman of the Corporate Policy Committee	X 0.5	£2,750.00
<b>Others</b>		
Leader of the Largest Opposition Group	X 0.75	£4,125.00
Leader of Other Opposition Groups of more than 5 members (Note no SRA is payable to Leaders of groups of less than 5 Members)	X 0.25	£1,375.00

Table 2 - Basic Member Allowance £5980pa (Recommendation D)

<b>Special Responsibility</b>	<b>X Basic Allowance</b>	<b>Additional Allowance</b>
<b>All Members Basic Allowance</b>		<b>£5,980</b>
<b>Council</b>		
Chairman of the Council	X 1	£5,980.00
Vice Chairman of the Council	X 0.5	£2,990.00
Leader of the Council	X 3	£17,940.00
Deputy Leader of the Council	X 2.5	£14,950.00
<b>Cabinet</b>		
Member of the Cabinet	X 1.82	£10,883.60
Deputy Cabinet Members	X 0.5	£2,990.00
Cabinet Support Member	X 0.27	£1,614.60
<b>Committees</b>		
<b>Planning Committee</b>		
Chairman of the Planning Committee	X 1.75	£10,465.00
Vice-Chairman of the Planning Committee	X 0.875	£5,232.50
Minor SRA to all Members of the Planning Committee (excl. Chairman and Vice-Chairman) at least 50% of called meetings of the Committee	X 0.25	£1,495.00
Substitutes – paid per meeting attended		£50.00
<b>Local Plan Sub-Committee</b>		
Chairman of the Local Plan Sub-Committee	X 0.75	£4,485.00
<b>Licensing Committee</b>		
Chairman of the Licensing Committee	X 1	£5,980.00
Vice-Chairman of the Licensing Committee	X 0.5	£2,990.00
Minor SRA to all Members of the Licensing Committee (excl. Chairman and Vice-Chairman) at least 50% of called meetings of the Committee		£400
Minor SRA to all Members of the Licensing Committee of £25 per Drivers' Panel or Licensing Hearing attended		£25.00
Substitutes – paid per meeting attended		£50.00
<b>Scrutiny Committees</b>		
Chairman of Corporate Scrutiny Committee	X 1.5	£8,970.00
Vice-Chairman of Corporate Scrutiny Committee	X 0.75	£4,485.00
Chairman of Governance and Audit Committee	X 1	£5,154.00
Vice-Chairman of Governance and Audit Committee	X 0.5	£5,980.00

Chairman of Corporate Policy Committee	X 1	£5,980.00
Vice-Chairman of the Corporate Policy Committee	X 0.5	£2,990.00
<b>Others</b>		
Leader of the Largest Opposition Group	X 0.75	£4,485.00
Leader of Other Opposition Groups of more than 5 members (Note no SRA is payable to Leaders of groups of less than 5 Members)	X 0.25	£1,495.00

## **22. Member Allowance Scheme**

### **22.1 Scheme and Commencement**

This Members' Allowances Scheme is set further to the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) and takes effect from the 25 March 2019 and supersedes previous schemes.

The scheme will continue until reviewed, either in accordance with the terms of the scheme or by way of amendment by Council.

This Scheme may be amended at any time by the Council but may only be revoked with effect from the beginning of a Civic Year.

This scheme shall be reviewed annually, and any amendments must have regard to any recommendations of the Independent Remuneration Panel made as part of their report.

The Independent Remuneration Panel shall convene at least every four years for consideration of the scheme and submission of its recommendations to Council.

### **22.2 Basic Allowance**

All Councillors will be entitled to receive an annual Basic Allowance as set out in Table 1 and subject to the provisions of this Scheme.

### **22.3 Special Responsibility Allowance**

A Special Responsibility Allowance shall be paid to those Councillors who hold positions with additional special responsibilities as specified in Table 1 and is paid in recognition of the extra duties which the Member is expected to perform. The amount of the Special Responsibility Allowance payable will vary according to the position held, the duties undertaken, and the level of responsibility involved.

Subject to Paragraph 22.5, the amount of each such Special Responsibilities Allowances as set out in Table 1.

Councillors are not able to claim more than one Special Responsibility Allowance and are only entitled to whichever is highest.

For the Planning and Licensing Committees, Members of those Committees will receive a Minor Special Responsibility Allowance, payable at the end of the financial year, at the rate set out in Table 1. This will be paid on the basis that the Member attends at least 50% of all called meetings for that Committee.

The Monitoring Officer shall have discretion to award the Minor Special Responsibility Allowance to those Members who are within 5% of the

attendance threshold, in circumstances where there is a valid medical absence, family bereavement, an emergency or the Member is required to care for a family member. In each instance, notification of the absence must be given and approved in advance by the Monitoring Officer of the meeting to which the absence is accruing. This discretion will not be exercised retrospectively.

#### **22.4 Renunciation**

A Councillor may, by notice in writing to the Head of Governance, elect to forego any part of their entitlement to any allowance under this Scheme.

#### **22.5 Increases in Entitlements**

The Basic Allowance shall be increased in line with the Office for National Statistics (ONS) Public Sector Index, taken on the start date of the financial year.

#### **22.6 Part-year Entitlements**

The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to Basic and Special Responsibility Allowances where, in the course of a year, this Scheme is amended, or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.

In respect of a Basic Allowance, where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a civic year, the entitlement shall be proportioned to the number of days during which the term of office as a Councillor bears to the number of days in that civic year, taken together with the Member Development Link in the same relative proportions.

Where a Councillor has during part of, but not throughout, a whole year such special responsibilities as entitle them to a Special Responsibility Allowance, that Councillor's entitlement shall be proportioned as the number of days during which they held the special responsibilities, and which bears to the number of days in that civic year.

Where an amendment to this Scheme is made which affects an allowance payable for the civic year in which an amendment is made, the entitlement to such allowance, as amended, may apply with effect from the beginning of the civic year in which the amendment is made.

#### **22.7 Claims and Payments**

Any and all claims for travelling expense reimbursement and/or subsistence payment under this Scheme shall be made via the Council's online payroll system not later than two months following the date of the approved duty in

respect of which the entitlement to the payment arises.

Except, where the approved duty is undertaken in March in any year then all claims shall be submitted no later than the following 1st May. No reimbursement or payment under this Scheme shall be made where these time limits have not been complied with unless there are extenuating circumstances.

A claim for travelling expense reimbursement and/or subsistence payment under this Scheme shall include, or be accompanied by, a statement by the Councillor claiming the payment, that they are not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under this Scheme.

Payments shall be made by bank transfer on the twentieth day in each month or earlier working day if the twentieth day falls at a weekend/bank holiday.

Basic, Special Responsibility and Communication Allowances are paid in twelve equal instalments and apportioned for part-year entitlement where applicable.

Allowances and claims will be taxed according to the prevailing taxation rules including for PAYE and National Insurance. Councillors are responsible for meeting any tax liabilities which relate to their circumstances.

## **22.8 Membership of another Council**

Where a Councillor is also a Member of another Council, that Councillor may not claim expenses from more than one Council in respect of the same duties.

## **22.9 Childcare Allowance**

The Council has agreed that a Childcare Allowance shall be paid.

An Allowance may be claimed for costs incurred when a carer for a child has been engaged to enable a Councillor to undertake an approved duty. The actual cost of care will be reimbursed, subject to a receipt being provided or a declaration being signed by the Member claiming the allowance.

An Allowance will be payable in respect of any child being cared for who normally lives with the Councillor as part of that Councillor's family and who should not be left unsupervised.

The carer must not be an immediate member of the Councillor's family or be someone who normally lives with the Councillor as part of that Councillor's family.

Councillors who claim a Childcare Allowance are required to certify that the

amounts claimed have actually been incurred and that neither the Councillor nor the person being cared for has received an allowance for care from any other source.

## **22.10 Dependent Carer's Allowance**

The Council has agreed that a Dependent Carer's Allowance shall be paid.

An Allowance may be claimed for costs incurred when a carer for a dependent person has been engaged to enable a Councillor to undertake an approved duty. The actual cost of care will be reimbursed subject to a receipt being provided or a declaration being signed by the Member claiming the allowance.

An allowance will be payable in respect of any dependent being cared for who normally lives with the Councillor as part of that Councillor's family and who should not be left unsupervised.

The carer must not be an immediate member of the Councillor's family or be someone who normally lives with the Councillor as part of that Councillor's family.

Members who claim a Dependent Carer's Allowance are required to certify that the amounts claimed have actually been incurred and that neither the Councillor nor the person being cared for has received an allowance for care from any other source.

## **22.11 Travelling Expenses/Subsistence Allowance Claims**

For travelling expense reimbursement and subsistence allowance purposes, any claim for payment must be in respect of the previous undertaking of an Approved Duty as set out in in paragraph 22.12.

Expenditure must have been incurred in the performance of duties that were designated as approved before the duty was performed.

Any claim will be paid for actual expenditure up to the limits set out in this scheme. Any sum expended over this is not recoverable. Receipts must be submitted for all expenditure, including any parking, tolls, or other fees.

When booking public transport where any low cost or reduced travel fare is available, it must be used. Standard class accommodation should be used.

Councillors would not normally be expected to use their own vehicles for journeys outside the District boundary unless it can be demonstrated that the cost to the Council would be less than travel by train, e.g., where a number of Councillors are going to the same destination and will be travelling in the same car. There may also be cases where it would be more practical to use a Councillor's own vehicle. In such cases a claim may be made equivalent to the cost of the most economic method of travel.

Where Councillors and Officers are travelling to the same destination the least number of cars necessary to safely undertake the journey shall be used. Where any one or more of the officers has a lease car then a lease car must be used for the journey. Where this is not the case, but an Officer has a car purchased with the benefit of a loan from the Council then this car must be used. If there is no lease car or car purchased with the benefit of a loan available, then agreement shall be reached between all those travelling as to the car which will be used.

Any penalty charges for failure to pay for sufficient parking, tolls or other charges are the responsibility of the Councillor and may not be claimed for.

## **22.12 Approved Duties**

- a) The attendance at a meeting of the Council, or of any Committee or Sub-Committee of the Council, or of any other body to which the Council makes appointments or nominations and for which the Councillor making the claim is the appointed nominee, or any Committee or Sub-Committee of such a body.
- b) The attendance at any other meeting, the holding of which is authorised by the Council, or a Committee or Sub-Committee of the Council, or a Joint Committee of the Council and one or more Authorities within the meaning of Section 270(1) of the Local Government Act 1972, or a Sub-Committee of such a Joint Committee provided that: -
  - (i) Where the Council is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited; or
  - (ii) If the Council is not so divided, it is a meeting to which at least two members of the Council have been invited.
  - (iii) The attendance at a meeting of any association of authorities of which the Council is a member.
- c) The attendance at a meeting of the Cabinet or any of its Committees.
- d) Duties undertaken on behalf of the Council: -
  - i. In pursuance of any standing order made under Section 135 of the Local Government Act 1972 requiring a Member to be present while tender documents are opened;
  - ii. In connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises
- e) Pre-agenda briefings.
- f) Training authorised under the Members' Training Programme which has



been pre- booked through the Council's Training Administrator.

- g) Attendance at Parish Council meetings within a Councillor's ward for the sole purpose of representing the District Council.
- h) Previously arranged meetings with Officers of the Council at Council premises regarding constituency or relevant Council matters.
- i) Site meetings at any location detailed in the agenda/minutes of a Committee with or without the attendance of a Council Officer.
- j) Non-social public relations events.
- k) Any other duty approved by the Council, or any duty of a class so approved for the purpose of, or in connection with, the discharge of the functions of the Council, or any of its Committees or Sub-Committees.
- l) Attendance at meetings of organisations (e.g. the Local Government Association) are approved by the Council for travel and subsistence claims SUBJECT to approval by the relevant Member's Political Group Leader (if any); and appropriate arrangements being in place for reporting back from the relevant meeting
- m) Attendance at conferences has been approved under Section 175 of the Local Government Act 1972 for the payment of travel and expenses claims subject to approval by the relevant Member's Political Group Leader (if any), completion in advance of the appropriate Member Nomination Form (obtained from the OD&L or Human Resources); and appropriate arrangements being in place for reporting back from the relevant conference.

## **22.13 Exclusions to Approved Duties**

The Council excludes the following activities from being Approved Duties even if they may also fit within a relevant definition: -

- a) Political meetings whether National, Local, Group or Parish
- b) Ward visits including research except in accordance with paragraph 22.14i of this Scheme;
- c) Civic hospitality, social events, funerals, and functions (receptions, official openings, sporting occasions) where invitations are personal and not as a representative of the Council;
- d) Conferences and seminars of interest where the Member attends on a personal basis rather than as a representative of the Council;
- e) Visits by Members to the Council offices except in accordance with paragraph 22.14h of this Scheme; and
- f) Surgeries

## **22.14 Approved Mileage Rates**

- a) For Motor cars 45p a mile
- b) For Motorcycles 24p a mile
- c) Pedal cycles 20p a mile

The rates specified for Motor Cars and Motorcycles shall be increased by 5p per mile for each additional passenger, who would be able to claim mileage under this scheme.

## **22.15 Taxis**

The use of taxis or mini cabs should be kept to a minimum. They should only be used when public transport operations in the area visited are unknown, not reasonably available or in cases of urgency. In these cases, the actual fare will be reimbursed.

Where public transport is available, but the Member chooses to use a taxi or mini- cab, reimbursement will be limited to the equivalent public transport ordinary second-class fare.

In limited circumstances, a Member may be reimbursed for the actual cost of a taxi within the District. Except for Members with a disability which prevents them from using public transport, travel from home to council offices (or vice versa) is excluded from this arrangement.

The limited circumstances are: -

- a) If there is insufficient time for a Member to travel from one approved duty to another in the District and the use of other forms of transport would result in the Member arriving late to the second approved duty;
- b) For reasons of safety; and
- c) Where a Member has a disability which prevents them from using public transport

## **22.16 Air Travel**

Air travel is only to be approved where there are no reasonable alternatives taking into account availability and cost. The rate of travel by air shall in each case be individually considered by the Chief Executive and the Leader and if approved, booked by the office of the Chief Executive.

## **22.17 Subsistence Allowances**

The payment of Subsistence Allowances is subject to the principle that expenditure on meals/accommodation has actually been incurred. Members will be reimbursed the actual expenditure incurred up to the maximum rates set out in the scheme. All claims must be supported by receipts or third-party

documentation.

No claim for subsistence is permitted where refreshments are provided, either by the venue or through the Council.

Where Members cannot reasonably be expected to make a return journey to/ from their destination in the same day, an overnight accommodation stay can be booked.

The Council does not set rates for accommodation due to the variable and dynamic pricing operated by providers of accommodation, although Members will be expected to choose reasonably priced accommodation that ensures value for money and best use of public funds.

Reasonable effort should be made to book as far as possible in advance to secure the best rate available. Any requirement for overnight accommodation must be agreed in advance. Evidence will be required at that time to demonstrate that the best rate available has been sought.

The Council will not reimburse accommodation rated at 5-star or above, or equivalent.

Subsistence will be paid where the Member cannot reasonably be expected to eat at home as the result of an overnight accommodation being booked.

Where the accommodation does not include meals, the following may also be claimed:

Breakfast	When part of an overnight stay	Up to £8.50
Dinner	When part of an overnight stay	Up to £20.00
Breakfast	When part of an overnight stay	Up to £8.50
Dinner	When part of an overnight stay	Up to £20.00

**Table 1: 2023/24 Member Allowance Scheme**

<b>Special Responsibility</b>	<b>X Basic Allowance</b>	<b>Additional Allowance</b>
<b>All Members Basic Allowance <sup>1,2</sup></b>		<b>£5,980.00</b>
<b>Council</b>		
Chairman of the Council	X 1	£5,980.00
Vice Chairman of the Council	X 0.5	£2,990.00
Leader of the Council	X 3	£17,940.00
Deputy Leader of the Council	X 2.5	£14,950.00
<b>Cabinet</b>		
Member of the Cabinet	X 2	£11,960.00
Deputy Cabinet Members	X 1	£5,980.00
Cabinet Support Member	X 0.75	£4,485.00
<b>Committees</b>		
<b>Planning Committee</b>		
Chairman of the Planning Committee	X 1.75	£10,465.00
Vice-Chairman of the Planning Committee	X 0.875	£5,233.00
Minor SRA to all Members of the Planning Committee (excl. Chairman and Vice-Chairman) at least 50% of called meetings of the Committee	X 0.25	£1,495.00
Substitutes – paid per meeting attended		£50.00
<b>Local Plan Sub-Committee</b>		
Chairman of the Local Plan Sub-Committee	X 1	£5,980.00
<b>Licensing</b>		
Chairman of the Licensing Committee	X 1	£5,980.00
Vice-Chairman of the Licensing Committee	X 0.5	£2,990.00
Minor SRA to all Members of the Licensing Committee (excl. Chairman and Vice-Chairman) at least 50% of meetings of the Committee		£400
Member attendance on a Driver Panel or Licensing Hearing – paid per meeting attended		£25
Substitutes – Paid per Committee meeting attended		£50
<b>Scrutiny Committees</b>		
Chairman of Corporate Scrutiny Committee	X 1.5	£8,970.00
Vice-Chairman of Corporate Scrutiny Committee	X 0.75	£4,485.00
Chairman of Governance and Audit Committee	X 1	£5,980.00
Vice-Chairman of Governance and Audit Committee	X 0.5	£2,990.00
Chairman of Corporate Policy Committee	X 1	£5,980.00
Vice-Chairman of the Corporate Policy Committee	X 0.5	£2,990.00
<b>Others</b>		
Leader of the Largest Opposition Group	X 1	£5,980.00

Leader of Other Opposition Groups of more than 5 members (Note no SRA is payable to Leaders of groups of less than 5 Members)	X 0.75	£4,485.00
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- <sup>1</sup> Payable from 1<sup>st</sup> June 2023, this being the date all Members had signed the Office of Acceptance following the May 2023 Elections, and from which point Allowances were paid.
- <sup>2</sup> Where Members have drawn down the previously approved Communication Allowance an adjustment to the amount payable will be made.

**Table 1: 2024/25 Member Allowance Scheme**

<b>Special Responsibility</b>	<b>X Basic Allowance</b>	<b>Additional Allowance</b>
<b>Members Basic Allowance <sup>1 2</sup></b>		<b>£6,372.00</b>
<b>Council</b>		
Chairman of the Council	X 1	£6,372.00
Vice Chairman of the Council	X 0.5	£3,186.00
Leader of the Council	X 3	£19,116.00
Deputy Leader of the Council	X 2.5	£15,930.00
<b>Cabinet</b>		
Member of the Cabinet	X 2	£12,744.00
Deputy Cabinet Members	X 1	£6,372.00
Cabinet Support Member	X 0.75	£4,779.00
<b>Committees</b>		
<b>Planning Committee</b>		
Chairman of the Planning Committee	X 1.75	£11,151.00
Vice-Chairman of the Planning Committee	X 0.875	£5,576.00
Minor SRA to all Members of the Planning Committee (excl. Chairman and Vice-Chairman) at least 50% of called meetings of the Committee	X 0.25	£1,593.00
Substitutes – paid per meeting attended		£50.00
<b>Local Plan Sub-Committee</b>		
Chairman of the Local Plan Sub-Committee	X 1	£6,372.00
<b>Licensing</b>		
Chairman of the Licensing Committee	X 1	£6,372.00
Vice-Chairman of the Licensing Committee	X 0.5	£3,186.00
Minor SRA to all Members of the Licensing Committee (excl. Chairman and Vice-Chairman) at least 50% of meetings of the Committee		£400
Member attendance on a Driver Panel or Licensing Hearing – paid per meeting attended		£25
Substitutes – Paid per Committee meeting attended		£50
<b>Scrutiny Committees</b>		
Chairman of Corporate Scrutiny Committee	X 1.5	£9,558.00
Vice-Chairman of Corporate Scrutiny Committee	X 0.75	£4,779.00
Chairman of Governance and Audit Committee	X 1	£6,372.00
Vice-Chairman of Governance and Audit Committee	X 0.5	£3,186.00
Chairman of Corporate Policy Committee	X 1	£6,372.00
Vice-Chairman of the Corporate Policy Committee	X 0.5	£3,186.00
<b>Others</b>		

Leader of the Largest Opposition Group	X 1	£6,372.00
Leader of Other Opposition Groups of more than 5 members (Note no SRA is payable to Leaders of groups of less than 5 Members)	X 0.75	£4,779.00

<sup>1</sup> Payable from 1<sup>st</sup> April 2024

<sup>2</sup> An adjustment will be made where Members have drawn down the previously agreed Communication Allowance already in 2024/25.

<b>Report Title:</b> Sport England Grant – Swimming Pool Support Fund - Urgent Key Decision	
<b>Report to:</b> Council	
<b>Date:</b> 23 <sup>rd</sup> July 2024	<b>For:</b> Decision
<b>Key Decision:</b> Yes	<b>Decision Planner Ref No:</b> DP/2024/23
<b>Report Presented by:</b> Councillor Graham Butland, Leader of the Council	
<b>Enquiries to:</b> Kim Mayo, Head of Governance <a href="mailto:Kim.mayo@braintree.gov.uk">Kim.mayo@braintree.gov.uk</a>	

## 1. Purpose of the Report

- 1.1 To inform Braintree District Council (the Council) that it became necessary to use the Special Urgency Provision set out in the Council Constitution.

## 2. Recommendations

- 2.1 To note the decision taken by the Leader of the Council on 19<sup>th</sup> April 2024, relating to the Sport England Grant Swimming Pool Support Fund.

## 3. Summary of Issues

- 3.1 The Government's Swimming Pool Support Fund (SPSF) provides a total of £60 million to local authorities in England as a support package for public leisure facilities with swimming pools and is split into two phases.
- 3.2 The bidding window for this Sport England grant was incredibly short, effectively a 3 week turnaround to identify, prepare and submit bids based on proposals for the Council's leisure centres. The Council engaged with a range of partners in the preparation of a bid that aligned to the Sports England Grant criteria.
- 3.3 Sports England has confirmed in a grant offer to the Council in the sum of £375,350, for the installation of LED lighting, solar carpark canopy, and roof top solar panels at the Witham Leisure Centre.
- 3.4 The timing of the outcome of the bid did not allow for inclusion within the MTFS bidding process for capital funds. The solar carpark canopy element of the grant offer is dependent on a capital contribution from the Council.
- 3.5 In accordance with paragraph 13.11 of the Council's Constitution, the Monitoring Officer, in consultation with the Chief Executive is satisfied that a matter of urgency has arisen in connection with the work of the Cabinet and



requires a decision before the next regular meeting of Cabinet. In such circumstances the Leader of the Council is authorised to take the Key Decision.

- 3.6 In accordance with paragraph 15.17 (Special Urgency relating to key Decisions), the Chairman of the Corporate Scrutiny Committee, having considered the matter, is in agreement that the taking of the decision is urgent and cannot reasonably be deferred.
- 3.7 Accordingly, Notice is given that, in accordance with the Council's Constitution, Councillor Graham Butland, Leader of the Council, will be taking the Key Decision.

#### **4. Financial Implications**

- 4.1 There are no financial implications arising out of this report. All financial implications arising out of the decision taken by the Leader were considered and are set out within that decision report.

#### **5. Legal Implications**

- 5.1 The use of the Special Urgency provision and the decision taken by the Leader of the Council was in accordance with the Council's Constitution.

#### **6. Other Implications**

- 6.1 There are no other implications arising out of the recommendations set out within this report.