

<b>Subject:</b>	<b>Review of Members Allowances</b>		
<b>Date of Meeting:</b>	<b>18 July 2019</b> Council – 25 July 2019		
<b>Report of:</b>	<b>Executive Lead for Strategy, Governance &amp; Law (Monitoring Officer)</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Wall</b>	<b>Tel: 01273 291006</b>
	<b>Email:</b>	<b>mark.wall@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>			

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The report details the recommendations of the Independent Remuneration Panel (IRP) following its review of the decision taken at the Budget Council meeting to “Remove the subsidy to Councillors’ parking at car parks at Norton Road, Hove and The Lanes, Brighton, releasing £0.038m in recurrent funding.”
- 1.2 The Panel were also minded to consider whether to make a recommendation in regard to the introduction of a maternity/paternity/adoption scheme for councillors taking into account the recommendations of the Local Government Commission’s and Fawcett Society’s report on Women in Local Government.

**2. RECOMMENDATIONS:**

**Policy & Resources Committee recommend to Council**

- 2.1 That the Members Allowances Scheme be amended to provide that for those councillors opting to take a car park pass for Norton Road and the Lanes car parks, a monthly contribution equivalent to that applied for councillors taking a bus pass (currently £23.09 for 2019/20), be deducted from their monthly Basic Allowance payment;
- 2.2 That the car park permit issued to councillors for Norton Road should be for Mondays–Fridays only, and
- 2.3 That the intention of the Independent Remuneration Panel to undertake a review on the establishment of maternity/paternity/adoption leave policy for councillors (in so far as it relates to allowances) and to report back in the autumn be noted.

**3. CONTEXT/ BACKGROUND INFORMATION**

**Car Passes**

- 3.1 At the Budget Council meeting in February it was agreed that car parking passes should not be provided to Councillors thereby providing recurrent funding of £38k

per annum to be used to support the Community Safety Team and the establishment of Community Clean-up Fund. However, the provision of the passes formed part of the Members Allowances Scheme and as such any changes to the Scheme were subject to consultation with the Independent Remuneration Panel. As such, the IRP were asked to review the recommendations and consider the implications for the Scheme.

- 3.2 The IRP met in April and invited councillors to give their views on the proposed withdrawal of the car park passes and the provision of spaces to the rear of the Norton Road car park that had been allocated for councillors. Having received comments from councillors and taking into account the impact of implementing the proposed removal of the subsidy, the Panel were minded to recommend that provision of car park passes should remain within the Scheme. The Panel also felt that the spaces to the rear of the car park should continue to be designated spaces for councillors to park.
- 3.3 The Panel noted the comments of the Chief Finance Officer to the amendment that was approved at the Budget Council meeting and that the passes did not guarantee a space at either Norton Road or the Lanes.

“Both car parks are popular and often full and therefore the risk of the forecast income not being achieved is considered to be relatively low. Members currently allocated parking spaces or passes are entitled to an alternative subsidised annual bus pass. This cost has been taken into account in estimating the potential net income generated.

The impact on Members’ ability to undertake council business is a matter for them to consider. However, the use of spaces and passes for councillors is kept under regular review to ensure that they are only issued according to reasonable business need. Spaces and passes save time for councillors, particularly when travelling between venues for different meetings. Removal of these facilities would generally mean the use of buses, cycling or other methods likely to add to travel time. Removing parking spaces and passes may ultimately cause upward pressure on allowances and expenses if alternative travel frustrates the efficient and timely operation of council meetings and other business, and/or increases councillors’ expenses.

Should the amendment be carried there will be a need for the Independent Remuneration Panel to review the Members Allowances Scheme and make recommendations to the Council.

The other increased income and savings targets in this amendment are modest and considered low risk.”

- 3.4 The Panel also noted that the car park passes were not restricted and did not guarantee a parking space hence the provision of the spaces at the rear of the Norton Road car park. As such, the Panel felt that restricting the passes to the working week, i.e. Mondays-Fridays for the Norton Road car park was justifiable as it was unlikely that councillors would be attending meetings at the Town Hall on weekends. The Panel also noted that it would be difficult to apply a similar restriction to the Lanes passes because of the different system used. However, a report on usage could be produced and included as part of the annual publication of allowances and expenses.

## **Maternity/Paternity/Adoption Leave**

- 3.5 As part of its full review of the Members Allowances Scheme in 2018, the Panel was also mindful of the Local Government Commissions report which followed the Fawcett Society's paper on Women In Local Government; the Panel noted the need to consider the Commission's recommendation, and sought agreement to bring proposals back to the council in this regard:

*"The Secretary of State for Communities and Local Government should introduce a statutory England-wide, comprehensive maternity, paternity, adoption and parental leave policy for councillors. This should be in line with leave available to employees, and ensure that cabinet members continue to receive their allowances."*

- 3.6 The Panel have noted the change in the make-up of the Council following the elections in May and before making any recommendations for the adoption of a specific maternity/paternity/adoption policy for the council wish to consult with councillors. The Panel therefore intend to undertake a short review in September and report to full Council in October.

## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The Panel felt that removal of the car park passes was likely to lead to councillors being directly affected and unable to fulfil their duties as they would not be able to attend meetings. There were clear difficulties for those councillors in wards on the edge of the city to use public transport as an alternative to their car, in order to attend meetings without it impacting on their time. The majority of council meetings took place in Hove Town Hall and the majority of officers who councillors may need to meet with were also based at Hove Town Hall.
- 4.2 The Panel are aware that the council does not have a stated policy for maternity/paternity/adoption leave and therefore believe it should undertake a review so that the council can then determine a clear position.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Panel sought the views of councillors and met with a number of councillors prior to the May elections to ascertain their views on the proposed removal of the car park passes. Having received feedback from councillors, the Panel accepted that concerns around personal safety and the ability to undertake duties should be taken into consideration.
- 5.2 The Panel intend to consult all councillors on the possibility of establishing an agreed policy for maternity/paternity/adoption leave and to take into account existing schemes that may exist in other local authorities and how this relates to the Members Allowances Scheme.

## 6. CONCLUSION

- 6.1 The Panel concluded that the use of a car and the ability to park was an important factor that should be taken into account when seeking to enable councillors to undertake their role and responsibilities.
- 6.2 The need for councillors to utilise their time and attend meetings at the Town Hall meant that the use of a car was necessary, and the provision of a car park pass, whilst not guaranteeing a parking space, was justified and equitable to providing a bus pass.
- 6.3 In addition, the provision of the 12 spaces to the rear of the Norton Road car park should be maintained and further consideration given to ensuring the spaces remained available for use by councillors and/or visitors meeting with the Chief Executive and the Executive Leadership Team.
- 6.4 That a review of maternity/paternity/adoption leave arrangements for councillors should be undertaken with a report to committee in the autumn.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The proposal to remove parking permits was part of the Green Amendment 2 agreed at Budget Council in February. If the recommendation to retain permits is approved, this will apply £38k income pressure to the Parking Service, which may need to be reflected in future TBM forecasts.
- 7.2 This pressure may be partly offset by £5k contributions from Members, dependent on the numbers choosing a car park pass. The budgets would need to be realigned as part of the 2020/21 budget setting process.

*Finance Officer Consulted: James Hengeveld* *Date: 25/06/19*

### Legal Implications:

- 7.3 Changes to the Members Allowances Scheme have to be considered by the Independent Remuneration Panel and its recommendations taken in to consideration by the council in approving its Members Allowances Scheme.

*Lawyer Consulted: Abraham Ghebre-Ghiorghis* *Date: 25/06/19*

### Equalities Implications:

- 7.4 The Panel felt that the introduction of a monthly contribution for a car park pass in line with that for a bus pass was a fair and equitable approach and may encourage more councillors to opt for a bus pass.
- 7.5 The Panel also believed that enabling the councillors to park their cars met their concerns for health and safety issues where they were having to leave meetings late at night and felt vulnerable in having to wait for buses and potentially have 2 or 3 changes in order to reach their homes.

Sustainability Implications:

- 7.6 Whilst the use of a car has recognised environmental implications, these need to be taken into consideration in enabling a councillor to fulfil their duties and responsibilities and that is a personal choice for each councillor.

Any Other Significant Implications:

- 7.7 There are no other implications.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. IRP's Terms of Reference

**Background Documents**

1. Members Allowances Scheme 2019-2023

Brighton & Hove City Council appointed the following to its Independent Remuneration Panel, namely:

**Ken Childerhouse (Chair)** (retired university lecturer);

**Martin Andrews** (civil servant);

**John Bateman** (teaches Corporate Governance in the Department of Business and Management at the University of Sussex);

**Rachel Potter** (JP, Journalist and Editor specialising in local government and the public sector).

## 1 Introduction: The Regulatory Context and Background to the Report

- 1.1 The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)*. These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to set up and maintain an advisory Independent Remuneration Allowances Panel to review and provide advice on Members' allowances. All councils are required to convene their Allowances Panel and seek its advice before they make any changes or amendments to their allowances scheme, and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.
- 1.2 The Panel was given general terms of reference to make recommendations to the City Council on the appropriate form and level of remuneration:
- For all councillors (i.e. the Basic Allowance);
  - Special Responsibility Allowances;
  - Childcare and Dependant's carers' allowances for councillors;
  - Travel and Subsistence allowances;
  - Allowances for co-optees;
  - To recommend a scheme for the duration of the 4-year term of the council; subject to an annual and any other periodic reviews;
  - To consider the recommendations of the Local Government Commission and report of the Fawcett Society – Does Local Government Work for Women.