
MEMBERS' ALLOWANCES

Responsible Cabinet Member - Councillor Bill Dixon, Leader

Responsible Director - Paul Wildsmith, Director of Resources

Purpose of Report

1. To consider the recommendations of the Independent Panel appointed by the Council in relation to the adoption of a new Scheme of Members' Allowances.

Summary

2. The Independent Panel has produced a report with recommendations in accordance with the Council's terms of reference for the Panel. The report covers a wide range of issues and the conclusion of the Panel is, that in view of the evidence it received, it has sought to correct the current minor anomalies where they exist rather than undertake a fundamental re-setting of the whole allowances scheme. The recommendations of the Panel do not seek to increase the total spend on Members' allowances for Darlington Borough Council and, if they are all accepted, they should result in some overall savings.

Recommendation

3. Members are requested to :-
 - (a) approve the Members Independent Panel's recommendations as detailed in Appendix 1 in full, with effect from 1st April, 2012;
 - (b) approve the new Members' Allowances Scheme attached at Appendix 2; and
 - (c) approve the preparation of a report on the implications of the Localism Bill on the role of Members following its implementation.

Reason

4. The recommendations are supported by the following reason :-

- (a) To implement the recommendations of the Independent Panel appointed by the Council to adopt a new Members' Allowances Scheme with effect from 1st April, 2012.

Paul Wildsmith
Director of Resources

Linda Todd : Extension 2354

Background Papers

- (i) Independent Panel's Report to the Council
- (ii) Darlington Borough Council's Members' Allowances Scheme

S17 Crime and Disorder	There are no specific implications for Crime and Disorder
Health and Well Being	There are no implications for Health and Wellbeing
Carbon Impact	There are no additional recommendations that will affect Carbon Impact
Diversity	There are no diversity issues
Wards Affected	All Wards affected equally
Groups Affected	All Groups affected equally
Budget and Policy Framework	This does not represent a change to the budget or policy framework
Key Decision	This is not an executive decision
Urgent Decision	This is not an executive decision
One Darlington: Perfectly Placed	The recommendations, if approved, represent an efficiency contributing to a key outcome in the Strategy
Efficiency	The recommendations, if approved, will make an efficiency

MAIN REPORT

Information and Analysis

5. Council, at its meeting on 26th May, 2011, asked its Independent Remuneration Panel to review its Members' allowances to comply with legislation. Council also asked the Panel to review Mayoral Allowances. A review has been conducted in accordance with the terms of reference approved by the Council and the report of the Panel is attached at **Appendix 1**.

Panel's Review

6. The process and methodology of the Panel's Review is detailed in paragraphs 9 to 14 of Appendix 1. The report covers a wide range of issues and the conclusion of the Panel is, that in view of the evidence it received, it has sought to correct the current minor anomalies where they exist rather than undertake a fundamental re-setting of the whole allowances scheme. The recommendations of the Panel do not seek to increase the total spend on Members' allowances for Darlington Borough Council and, if they are all accepted, they should result in some overall savings.

Recommendations of the Panel

7. In respect of the **Basic Allowance** (paid to all Members of the Council) the Panel has recommended that it is deemed sufficient to include incidental expenses and the current provision of ICT equipment, consumables, and peripherals by Members. Accordingly, the direct provision of ICT equipment, related consumables, and peripherals by the Council should be discontinued. In the case of those Members who already have personal computers/laptops or request them then they should continue to be provided until the current stock held by the Council has lapsed. Members who continue to receive direct provision of computers/laptops will still be expected to meet any broadband and associated line rental costs out of their Basic Allowance.
8. In relation to **Special Responsibility Allowances** (SRA) the Panel has recommended no change and that Members continue to be able to claim only one SRA.
9. At the request of Council, the Panel also reviewed the current **Mayoral Allowances** and have recommended that:-
 - (a) the Civic Allowance (paid directly to the Mayor) is set at £11,000 per year;
 - (b) the £12,631 (the remaining sum from the Mayor's current Civic Allowance) should be ring fenced as a 'hospitality budget' to pay for those events that are scheduled and identifiable and are common to any Member who is Mayor;
 - (c) the current provision for the payment of a Mayoresses or Mayor's Escort Allowance of £437 should be discontinued; and
 - (d) the Deputy Mayor's Civic Allowance (£929) is unchanged.
10. The Panel also suggests that the Council undertake a cost/benefit analysis of the different options available to deliver the most efficient travel support for the civic posts.
11. In relation to other allowances and expenses the Panel has recommended the following:-

- (a) **Pensions** – All elected Members of Darlington Borough Council continue to be eligible to join the Local Government Pension Scheme, applied to both their Basic Allowance and Special Responsibility Allowances.
- (b) **Dependent Carers' Allowances (DCA)** - The DCA is maintained and in its current form and maximums payable.
- (c) **Independent/Co-opted Members on the Standards Committee** – No change to allowances.
- (d) **Travelling and Subsistence Allowances:-**
 - (i) Subsistence Allowances – within the Darlington Borough Council area – That there is no change to the provision prohibiting Members claiming Subsistence Allowance for attending meetings within the Darlington Borough Council area.
 - (ii) Subsistence Allowances - outside the Darlington Borough Council area – That the Subsistence Allowances and the conditions by which they can be claimed, by Members attending approved duties outside the Darlington Borough Council area should remain based and indexed to the same rates that apply to Council Officers.
 - (iii) That the applicable rates and conditions should be inserted into the Darlington Borough Council Members' Allowances scheme in an appropriate schedule.
 - (iv) Mileage Allowance – within Darlington Borough Council Area – That there is no change to the provision prohibiting Members claiming Mileage Allowance for attending meetings within the Darlington Borough Council area.
 - (v) Mileage Allowance – Outside Darlington Borough Council Area – That there is no change to the mileage rates claimable by Members undertaking approved duties outside the Borough; they should continue to be linked to rates applicable to Officers (casual user rate).
 - (vi) The applicable mileage rates, and the conditions, including reimbursement of other relevant travel expenses should be inserted in a relevant appendix to the Members' Allowances scheme.
 - (vii) Approved Duties and Attendance at other Statutory Bodies - That a full schedule of approved duties for which Members may claim travel and subsistence allowances should be appended to the Members' Allowances Scheme.
 - (viii) That the schedule above should include those outside bodies to which the Council is required to appoint but have the ability to pay their own travel and subsistence allowances and therefore will not be reimbursed by Darlington Borough Council.

(e) **Index Linking** – That the following indices are applied to the remuneration and allowances paid to Members of Darlington Borough Council:-

(i) Basic Allowance, Special Responsibility Allowance, Co-optees, and Civic Allowances:-

Indexed to the annual percentage salary increase for local government staff (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable.

(ii) Dependant Carers Allowance: Elderly/Disabled element:-

Indexed to the rate chargeable by the Council for provision of a Home Care Assistant

(iii) Travel and Subsistence Allowances (outside the Borough only):-

Indexed to same rates that are applicable to Officers of the Council.

Review

12. The Panel has suggested that the Council undertake a further review of allowances by the end of 2013/14 to enable the impact of the impending Localism Bill to become clear and to ensure that Members' Allowances in Darlington are not falling to levels where they become a barrier to public service. It is recommended that rather than agree to a further review at this stage, Council receive a report post implementation of the Localism Bill to consider the impact of the bill on Members roles.

Members' Allowances Scheme

13. Should any or all of the Independent Panel's recommendations be approved it will be necessary to amend Darlington Borough Council's Members' Allowances Scheme.

14. An amended scheme is attached at **Appendix 2** which takes into account all the recommendations suggested by the Independent Panel.

Outcome of Consultation

15. No consultation has been undertaken on the content of this report.

**A Review
Of
Members' Allowances
For
Darlington Borough Council**

The Fifth Report

By the

**Independent Remuneration
Panel**

**Declan Hall (Chair)
Paul McGee**

Rob Shotton

October 2011

Foreword

This is the fifth report produced by the Independent Remuneration Panel (the Panel or IRP) for Darlington Borough Council. The first independent review was conducted in November 1999, with a report published in January 2000. The first review was conducted in the context of the wider modernisation agenda that was being undertaken throughout the country in anticipation of the implementation of the Local Government Act 2000. The recommendations of the first review, which were broadly accepted by the Council, set the broad framework for the Members' Allowances scheme of Darlington Borough Council, a framework of allowances that has largely been maintained to this date.

The second review, carried out in September 2003, was required by the *Local Authorities (Members' Allowance) (England) Regulations 2003*¹. The 2003 Regulations mandated all English Councils to maintain and reconvene their statutory IRPs to make recommendations on specified allowances such as travel and subsistence, Co-optees' Allowances, and pensions for Members before 31 December 2003. The Panel was also charged with looking at the whole allowances scheme in light of experience of the [then] new roles undertaken by Members arising out of implementation of the Local Government Act 2000. While the allowances scheme was amended in 2003, the framework of allowances that had been set in 2000 was largely maintained. The third review was carried out in the spring of 2006 and was relatively minor in scope in that it considered two specific SRAs arising out the establishment of a new Audit Committee.

The fourth review in January 2008 (see IPR Report February 2008) was carried out under the requirement of the 2003 Regulations for all English local authorities to seek advice from their statutory IRP to provide fresh authority for the indexation of allowances. The Panel also undertook a whole review to check the Darlington Borough Council Members' Allowances scheme was still fit for purpose. The Panel concluded in 2008 that the scheme was broadly appropriate and consequently it sought to address anomalies rather than revisit the fundamental framework.

Similarly, this review, arises out of the statutory requirement for all councils to reconvene their remuneration panels every 4 four years to provide fresh authority for the indexing of councillors' allowances. Again, the Panel has been asked to take a view across the whole scheme of allowances to ascertain whether it is still appropriate in light of any changes in council structures and roles since 2008. The Panel concluded that at this particular time the scheme needs revising rather than remaking.

The Panel emphasises that it is has not been part of its remit to take a view on the philosophy behind the Government's approach in legislating for the roles that Members in councils like Darlington Borough Council are required to carry out. What the Panel has done however is to have regard, as it must, to the Government's intention that Members' Allowances schemes should contribute to vigorous and healthy local democracy. To that end the Panel, as previously, has been mindful of the view that if local democracy is to prosper people must have choice. Choice means having

¹ See Statutory Instruments 2003 Nos. 1021, 1022 and 1692 for further details.

candidates for Council membership from different backgrounds and life experiences. Remuneration of elected Members is one means to achieve that end.

The Panel has had the benefit of receiving a considerable amount of oral and written evidence. Some of the latter inevitably draws on comparisons from elsewhere. From this evidence, the Panel has concluded that being a Member is not simply about dealing with the Council's formal business agenda. Attending meetings and contributing to debate under the media spotlight is only part of the role. It is the work behind the scenes, often outside of 'normal' working hours, which can be equally if not more demanding.

These demands are such that people who stand for their local Council cannot reasonably expect to pursue a career or make progress in their chosen employment in the accepted sense. Whilst they may make that sacrifice knowingly, the demands need to be understood and support provided to fulfil those demands. If they are not, then councils will continue to fail to attract a more representative cross-section of the communities they represent and equality of opportunity will continue to be denied to potential candidates.

The role of the Panel has been to recognise these dilemmas and recommend a Members' Allowances scheme accordingly, which is also equitable and transparent. While it is never a good time to review Members' Allowances, the Panel is cognisant that now is a particularly challenging time to do so in light of the difficulties facing local government and the public sector in general. The Panel, while mindful of the current economic climate has sought to place this in the context against what it judges the posts under consideration are worth. The Panel has attempted to balance the requirement that the Council provides proper remuneration for being an elected Member while ensuring that a degree of public accountability is brought to bear on the Council's right to determine its own Members' Allowances Scheme.

Dr Declan Hall

Independent Remuneration Panel Chair
October 2011

Executive Summary of Panel's Recommendations 2012/13

Post	Number of SRAs Payable	Basic Allowance	SRA Per Post	Total per Member	SRAs: Totals Payable
Basic Allowance					
All Members (53)		£8,027			
SRAs					
Band One					
Leader	1	£8,027	£22,933	£30,960	£22,933
Band Two					
Deputy Leader	1	£8,027	£13,759	£21,786	£13,759
Band Three					
Cabinet Members	6	£8,027	£11,467	£19,494	£68,802
Band Four					
Chair of Monitoring & Co-ordination Group (including Chair of Scrutiny Committee)	1	£8,027	£9,747	£17,774	£9,747
Band Five					
Leader of Opposition	1	£8,027	£9,173	£17,200	£9,173
Chair of Planning Committee	1	£8,027	£9,173	£17,200	£9,173
Chair of Licensing Committees	1	£8,027	£9,173	£17,200	£9,173
Chairs of Scrutiny Committees	4	£8,027	£9,173	£17,200	£36,692
Band Six					
Vice Chair of Planning Committee	1	£8,027	£3,211	£11,238	£3,211
Vice Chair of Licensing Committees	1	£8,027	£3,211	£11,238	£3,211
Vice Chairs of Scrutiny Committees	5	£8,027	£3,211	£11,238	£16,055
Band Seven					
Deputy Leader of Opposition	1	£8,027	£1,147	£9,174	£1,147
Leader of Minority Opposition	1	£8,027	£1,147	£9,174	£1,147
Band Eight					
Chair Audit Committee	1	£8,027	£558	£8,585	£558
Sub Totals	26	£425,431			£204,781
TOTAL					£630,212
Co-optees' Allowances					Totals
Chair of Standards Committee	1	£1,204			£1,204
Other Co-optees on Standards Committee	2	£802			£1,604

The Panel also recommends the following, namely that:

Factoring in Expenses and Provision of IT Equipment and Communications

The Basic Allowance is deemed sufficient to include incidental expenses and the current provision of IT equipment, consumables, and peripherals by Members. Accordingly, the direct provision of IT equipment, related consumables, and peripherals should be discontinued. In the case of those Members who already have personal computers/laptops or request them then they should continue to be provided until the current stock held by the Council has lapsed. Members who continue to receive direct provision of computers/laptops will still be expected to meet any broadband and associated line rental costs out of their Basic Allowance.

Maintaining the 1-SRA Only Rule

The convention by which Members are able to claim 1-SRA only be maintained.

Other Allowances

The Mayor and Deputy Mayor of the Council: The Civic Allowance

The Civic Allowance (paid directly to the Mayor) is set at £11,000 per year.

Furthermore, £12,631 (the remaining sum from the Mayor's current Civic Allowance) should be ring fenced as a 'hospitality budget' to pay for those events that are scheduled and identifiable and are common to any Member who is Mayor.

The current provision for the payment of a Mayor's Escort Allowance of £437 should be discontinued.

The Deputy Mayor's Civic Allowance (£929) is unchanged.

The Panel suggests that the Council undertake a cost/benefit analysis of the different options available to deliver the most efficient travel support for the Civic posts.

The Dependants' Carers' Allowance (DCA)

The DCA is maintained and in its current form and maximums payable.

Councillors and the Local Government Pension Scheme (LGPS)

All elected Members of Darlington Borough Council continue to be eligible to join the LGPS, applied to both their Basic Allowance and SRAs.

Travelling and Subsistence Allowances

Subsistence Allowances – Within the Darlington Borough Council area

There is no change to the provision prohibiting Members claiming Subsistence Allowance for attending meetings within the Darlington Borough Council area.

Subsistence Allowance: Outwith the Darlington Borough Council area

The Subsistence Allowances, and the conditions by which they can be claimed, by Members attending approved duties outwith the Darlington Borough Council area should remain based and indexed to the same rates that apply to Council Officers.

Furthermore, the applicable rates and conditions should be inserted into the Darlington Borough Council Members' Allowances scheme in an appropriate schedule. The relevant rates and conditions are set out below:

Allowance	Rates (£)	Condition
Breakfast	£4.92	Only if travelling before 8am
Lunch	£6.77	When lunch is not provided, a lunch allowance will be paid to Members who are away from Darlington during the lunchtime period between 12noon and 2pm
Tea	£2.67	When a Member returns to Darlington/home after 6.30pm but before 8.30pm
Dinner	£8.38	When a Member returns to Darlington/Home after 8.30pm N.B. a tea allowance cannot be claimed in addition to a dinner allowance

- **Overnight Accommodation:** Any overnight accommodation required by Members will be reserved and paid for in advance by the Council

Mileage Allowance – Within Darlington Borough Council Area

There is no change to the provision prohibiting Members claiming Mileage Allowance for attending meetings within the Darlington Borough Council area.

Mileage Allowance – Outwith Darlington Borough Council Area

No change to the mileage rates claimable by Members undertaking approved duties outwith the Borough; they should continue to be linked to rates applicable to Officers (casual user rate).

The applicable mileage rates, and the conditions, including reimbursement of other relevant travel expenses should be inserted in a relevant appendix to the Members' Allowances scheme. The applicable rates are set out below:

- Engine size – up to 999cc: 46.9p per mile
- Engine size – over 1,000cc: 52.2p per mile

Approved Duties and Attendance at other Statutory Bodies

A full schedule of approved duties for which Members may claim travel and subsistence allowances should be appended to the Members' Allowances scheme.

Moreover, the same schedule should include those outside bodies to which the Council is required to appoint but have the ability to pay their own travel and subsistence allowances and therefore will not be reimbursed by Darlington Borough Council.

Indexation

The following indices are applied to the remuneration and allowances paid to Members of Darlington Borough Council:

Basic Allowance, SRAs, Co-optees, and Civic Allowances:

- Indexed to the annual percentage salary increase for local government staff (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable.

DCA: Elderly/Disabled element:

- Indexed to the rate chargeable by the Council for provision of a Home Care Assistant

Travel and Subsistence Allowances (Outwith the Borough Only):

- Indexed to same rates that are applicable to Officers of the Council

Implementation

The recommendations contained within this report are adopted by Council from 1st April 2012, or any other date agreed by the Council if sooner.

Future Review

The Council undertake a further review of allowances by the end of 2013/14 to enable the impact of the impending Localism Bill to become clear and to ensure that Members' allowances in Darlington are not falling to levels where they become a barrier to public service.

Independent Remuneration Panel: Review of Members' Allowances

For

Darlington Borough Council

The Fifth Report

Introduction: The Regulatory Context

1. This report is a synopsis of the proceedings and recommendations made by the statutory Independent Remuneration Panel (the Panel) appointed by Darlington Borough Council to advise the Council on its current Members' Allowances scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations – which replaced the 2001 Regulations). These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an Independent Remuneration Panel (or IRP) to review and provide advice to Councils on their Members' Allowances schemes although Members retain the final right to set their own scheme. In particular, all Councils are required to convene their IRP and seek its advice before they make any changes or amendments to their Allowances scheme and they must 'pay regard' to the recommendations of their Panel before setting a new or amended Members' Allowances scheme.
3. In particular, the Panel has been reconvened under 2003 Regulations [10. (5)] which states:

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 independent remuneration panel established in respect of that authority on the application of an index to its scheme.
4. This mechanism is utilised to oblige all Councils to reconvene their Panel, usually at least once every four years, as a means of ensuring a degree of public accountability vis-à-vis any changes in Members' Allowances schemes.

Terms of Reference

5. The Panel was asked to review the 2011/12 Members' Allowances' scheme and make recommendations to Darlington Borough Council on the following:
 - i The amount of Basic Allowance that should be payable to its elected Members
 - ii The categories of Members who should receive a Special Responsibility Allowance and as to the amount of such an allowance
 - iii The duties for which Travelling and Subsistence Allowances can be made and as to the amount of these allowances, where applicable
 - iv Those Co-opted Members who should receive a Co-optees' Allowance and as to the amount of such an allowance
 - v The expenses of arranging for the care of children and other dependants and the amount of these Dependants' Carers' Allowance and the means by which they are determined
 - vi The application of an index to allowances payable and if so what the relevant indices should be
 - vii The pensionable allowances for Members and whether any changes should be made to the current provision
 - viii Whether any other allowance should be payable to elected and co-opted Members
 - ix To make recommendations to the Council on the Mayoral (Civic) Allowances and in particular
 - x The level of allowances paid to the Mayor and Deputy Mayor
 - xi When and how Mayoral (Civic) Allowances should be increased
 - xii Whether the Mayoral (Civic) Allowances should include a 'transport' or any other allowance
 - xiii The implementation date for the new scheme of Members' allowances

The Panel

6. Darlington Borough Council reconvened its Independent Remuneration Panel and the following Panel Members were appointed to carry out the independent review of allowances, namely:
 - Dr Declan Hall: (Panel Chair), a former academic at the Institute of Local Government, now an independent consultant specialising in Members' Allowances and support
 - Paul McGee²: Director, Know How North East Limited
 - Rob Shotton: ex-Chair of Business-Link, Tees Valley
7. The Panel was supported by Linda Todd, Head of Democratic and Customer Services, who acted as the 'Panellists' Friend', and took the organisational lead in facilitating the whole process.

² Paul McGee is a new appointment replacing Alistair Arkley who stood down from the Panel.

8. The Panel records its gratitude to Members of Darlington Borough Council for making themselves available to meet with the Panel. In particular, the Panel would like to record its gratitude to Linda Todd, who was invaluable in ensuring the Panel was organised and operated in an efficient and effective fashion by facilitating its requests for information and who generally ensured that the whole review was carried out competently.

Process and Methodology

Evidence Reviewed by the Panel

9. The Panel met at Darlington Town Hall on 20th-21st September 2011. The Panel was conducted in private to enable it to meet with Members and Officers and conduct deliberations in confidence.
10. In arriving at its recommendations, the Panel took into account the following range of evidence:
 - Relevant changes in Member roles and responsibilities since 2008
 - The views of Members, both written and oral
 - The current challenges facing Darlington Borough Council
 - 'Reviewing Allowances: Issues to consider' presentation from the Chair
 - The scope and level of allowances payable in comparable authorities, namely other unitary councils in Teesside and the nearest 10 neighbours as defined by the Chartered Institute of Public Finance Accountancy (CIPFA) near neighbours model and the CIPFA democratic services benchmarking club for all 44 unitary authorities in England
 - Other relevant supporting material such the guidance from Department of Communities and Local Government (DCLG), the meetings schedule of the Council and its committees, including membership and remit
11. All Members were invited to make written submissions to the Panel (none were formally received but there was one from UNISON) and all Members who wished to meet with the Panel were accommodated as far as practically possible. See Appendix 1 for Members and Officers who met with the Panel and Appendix 2 for full range of evidence considered by the Panel.

Considering the Evidence

12. The Panel took a tiered approach in considering the evidence. The 2003 Members' Allowances Regulations sets out the legal framework within which the Panel is required to operate, i.e., providing discretion for the payment of SRAs, and Travel and Subsistence Allowances, while mandating the payment of a Basic Allowance to be paid equally to all Members. Within this legislative context, the Panel has an obligation to pay regard to the 2006 Statutory Guidance, which for instance mandates certain considerations for Panels in reaching their recommendations vis-à-vis the Basic Allowance, SRAs and the Travel and Subsistence Allowances' scheme.

13. The next level of evidence considered by the Panel were the representations made by the Members, which obtained the views of the groups and individual Members of the Council. The interviews in particular were deliberative in nature and provided the Panel with a qualitative feel of the issues facing elected Members in relation to the topics under consideration. The meetings with Officers were primarily to gather the factual context and inform the Panel of relevant changes in council structures since the previous review.
14. Finally, all the evidence and representations were reviewed and evaluated within the comparative context. In particular, the Panel has benchmarked the scope and levels of allowances paid in Darlington Borough Council against those paid in the CIPFA Nearest 10 Neighbours and any Teesside Unitary Council that does fall into the former group. A wider benchmarking was undertaken by utilising the Final Report of the CIPFA Democratic Services Benchmarking Club (2011) which benchmarked Members' Services in all 44 unitary councils in England, which also looked at Members' Allowances. The Panel has not been driven by the scope and levels of allowances paid across the comparator authorities, rather it wanted to understand how the allowances under review have been addressed elsewhere, i.e., what is the most common and good practice. (See Appendix 3 for summary of benchmarking information utilised by the Panel).

The Evidence Reviewed: Findings

Key Messages and Observations

Councillors: Recognition they are "Doing More with Less"

15. The Panel is aware that Darlington Borough Council has implemented major savings measures in past couple of years and will continue to do so. In particular, there has been a reorganisation of the top three tiers of management, resulting in a savings of £1.8 million, with shared back-office services with Stockton-on-Tees Borough Council. Moreover, the Council is seeking further savings in expenditure and greater collaboration.
16. This does not mean Members are doing less. The workload and responsibility on all Members has increased. All Members, but particularly Executive Members, have had to make hard decisions on how to achieve cost savings, and how services may be delivered more effectively. More specifically, a reduction in the number of Cabinet Members and realignment of the scrutiny function accordingly means the respective Members are taking on a heavier workload (which in turn has produced savings in the Members' Allowances scheme). On top of this, the reduction in numbers of senior Officers means that there has been a corresponding reduction in Officer support. Finally, pressures on council services and further government legislation, such as the forthcoming Localism Act, means that 'front line' Members will face further pressures – the role for most Members will become more complicated. In short, being an elected Member will not get easier.

The Role of the Panel and Current Economic Context

17. The evidence reviewed by the Panel indicates that the current level of allowances payable to Darlington Borough Council Members does not realistically reflect the workload and responsibility that is expected from them and will be expected from them in the near future.
18. However, the overwhelming message to the Panel was that it is not an opportune time to revise allowances in order to provide a closer recognition of the demands placed upon Members. The overwhelming view presented to the Panel was that Members should not be receiving increased allowances while the Council is seeking further savings. Consequently, the recommendations of the Panel do not seek to increase the total spend on Members' allowances for Darlington Borough Council. In fact, if they are all accepted, they should result in some overall savings.

A Future Review

19. Equally, the economic context has to be balanced against the demands that continue to be placed upon Members who cannot be expected to be "arms length volunteers". It is unrealistic not to at least provide a degree of support and recognition through the allowances' scheme to ensure proper democratic representation and fulfilment of the duties that they are required to carry out.
20. The Council is going through a time of great flux and change, both financially and structurally and in terms of impending legislation. The Panel notes that there is no requirement to wait until another four years pass to undertake another review of allowances. Indeed, a theme that did emerge was that there may be a case to undertake a review of allowances once the impact of changes have become clear and the difficult financial times have eased. An issue the Panel has addressed.

A Robust Scheme for the Present

21. Consequently, bearing the above in mind, the evidence received and reviewed by the Panel, both oral and written – including the contextual comparisons indicate that increases in allowances or additional remunerated posts cannot be justified – unless there is an overwhelming case to make such a recommendation. This, and the broader context, means that the Panel has sought to correct the current minor anomalies where they exist rather than undertake a fundamental re-setting of the whole allowances scheme.

RECOMMENDATIONS

The Basic Allowance

Calculating the Basic Allowance (2003)

22. In 2003, the Panel, in line with the (then) 2003 Statutory Guidance, calculated the Basic Allowance for Members of Darlington Borough Council (2003/04) based on the following formula:
- **Input:** 104 days per year expected minimum input
 - **Public Service Discount:** 45% - given as the voluntary element
 - **Rate for Remuneration:** £122.10 per day
23. As the Basic Allowance is a time-based allowance, in that it is designed to provide a degree of compensation for the time put in by all Members on those tasks and duties that are common to all, the Panel had to evaluate the time required from Members to attend meetings, undertake constituency and ward duties, including preparation, etc.
24. In 2003, this expected minimum annual input was assessed at 104 days per year and then discounted by 45% to reflect the fact that an element of a Members' time is to be given freely, as public service or *pro bono publico*. Thus, 46.2 days out of 104 days were assumed unremunerated, leaving 57.2 days to be remunerated. This latter figure was multiplied by £122.10 per day – which was the Local Government Association (LGA) advisory day rate session to Panels on the rate for remuneration for Members in 2003. This produced a recommended Basic Allowance in 2003 of £6,984, an approach the Panel endorsed in 2008. Currently, the Basic Allowance, due to indexation, stands at £8,027, although that index has been 0% for the past two years.

Replicating the Original Methodology (2011)

25. The Panel received evidence (as it did in 2008 but even more so now) that the expected time inputs from Members have increased due to the realignment of the overview and scrutiny function and the pressures put on scrutiny through the implementation of the Local Government and Public Involvement in Health Act (2007). The same Act also means that there now is greater emphasis on Members as Community Leaders or local facilitators and being more active within their wards. However, for the purposes of this review the Panel has assumed the workload of the ordinary Member has not increased since 2003 and remains at a minimum of 104 days per year. This is despite it being at the lower end of the spectrum that Members in similar authorities say they put in on average, as reported in the National Census of Local Authority Councillors (2008) by the LGA.
26. Similarly, the Panel has maintained the public service discount at 45 – again despite it being higher than the normal voluntary discount applied by Panels. The

normal range is 30%-40%. However, the most recent advice from the LGA providing guidance to Panels on an appropriate “day session” rate for Members is £152.77 per day³.

27. Thus, if the Panel replicated the 2003 methodology with the rate for remuneration updated in line with the 2010 LGA advice, it produces the following Basic Allowance based on the original calculation:

- 104 days minimum annual expected average input minus 46.8 days per year as the Public Service Discount
= 57.2 remunerated days multiplied by £152.77 per day
= **£8,378**

28. Thus, by updating the rate of remuneration alone, to put it on par with the equivalent rate utilised in 2003, it shows that the Basic Allowance has decreased in relation to its 2003 level – although much of this can be explained by the index utilised.

Benchmarking the Current Basic Allowance

29. The current Basic Allowance was benchmarked against the CIPFA Near Neighbour/Teesside and national comparator groups to ascertain whether the current Basic Allowance in Darlington Borough Council has fallen behind peer authorities, thus suggesting there may a strong case for ‘recalibration.’

Table 1: BA Payable in CIPFA Near Neighbours/Teesside Unitary Authorities

Authority	Basic Allowance (2011/12)
DERBY	£9,976
HALTON	£8,004
HARTLEPOOL	£5,767
MEDWAY	£9,025
MIDDLESBROUGH	£6,130
N. LINCOLNSHIRE	£7,638
N.E. LINCOLNSHIRE	£7,500
REDCAR & CLEVELAND	£9,550
STOCKTON-ON-TEES	£9,300
STOKE-ON-TRENT	£11,000
SWINDON	£7,710
TELFORD & WREKIN	£7,870
<i>DARLINGTON</i>	£8,027
Highest	£11,000
Lowest	£5,767
Mean	£8,269

³ See LGA alert, 62/10, Members’ Allowances, 23 June 2010

Median	£8,004
CIPFA Benchmarking Club – all 44 Unitaries (mean)	£9,462

30. As Table 1 above shows, the current Basic Allowance payable in Darlington is on par with the average and median Basic Allowance paid in the 10 Nearest Neighbours/Teesside unitary authorities. However, the average and median is noticeably brought down by a very low Basic Allowance (among the lowest in the UK for unitary councils) in Hartlepool and Middlesbrough – both of which have directly elected Mayors. Although neither Council pay their main Committee Vice Chairs a SRA they do pay a greater range of principal SRAs, with Hartlepool paying Chairs of Neighbourhood Forums, and Middlesbrough more appeals chairs in, than in Darlington so Members have a greater opportunity to enhance their remuneration through being more able to hold a remunerated post. Another comparator Council, North Lincolnshire, also has a comparatively low Basic Allowance (£7,638) also makes available a SRA of £6,120 to 11 ‘Lead Members’ in addition to a daily SRA to Members on Licensing Sub Committees, which means the majority of Members in North Lincolnshire are able to enhance their Basic Allowance through SRAs.
31. Interestingly, and to vindicate the choice of near neighbour/Teesside comparator group, the national picture is different. It shows that for all unitary councils across all of England the average Basic Allowance is £9462, which is noticeably higher than that paid in Darlington. Nonetheless, the near neighbour/Teesside dimension does show that if the Panel accepts the representations made to it during this review and not increase the Basic Allowance despite a strong case to do so it will not leave Members of Darlington Borough Council lagging behind their immediate peers.
32. **Consequently, the Panel recommends that the current Basic Allowance (£8,027) is still appropriate and not revised for 2011/12.**

Factoring in Expenses and Provision of Equipment

33. Historically, the Panel has recommended, and the Council has accepted, that the Basic Allowance should be deemed sufficient to cover minor incidental costs, such as the use of a member’s home, occasional stationery, postage and administrative costs, and travel and subsistence for approved duties within the Borough.
34. The 2006 Members’ Allowances statutory guidance (par. 10) states the:
- Basic allowance is intended to recognise the time commitment of all Members, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes.

35. The Council also provides to Members items such as personal computers or laptops (if Members ask for one) and consumables, broadband access (and associated telephone rental) and peripherals, such as a desk and chair. However, the Council is now trying to get Members to use their own equipment on the grounds it is reasonable to expect them already to have this equipment – and now 60% of Members do so. Blackberries are provided to Council Members to access e-mails.
36. The Panel supports this approach and **recommends that the Basic Allowance is deemed sufficient to cover the provision of IT equipment, consumables, and peripherals and the current direct provision should be discontinued. Where those Members who already have personal computers/laptops or request them then they should continue to be provided until the current stock held by the Council has lapsed.** Members who continue to receive direct provision of computers/laptops will still be expected to meet any broadband and associated line rental costs out of their Basic Allowance.
37. The adoption of this recommendation will directly save the Council money by not having to purchase equipment for Members as well as result in a small saving in administration costs.

SRAs and Determining Scope and Numbers: Meeting the Significance Test

38. Historically, the Panel has made recommendations that ensured a majority of Members in Darlington Borough Council were not in receipt of a Special Responsibility Allowance (SRA), which is currently the case. In particular, the Panel was cognisant that while the 2003 Members' Allowances Regulations do not prohibit the numbers of SRAs payable in an authority or to a Member the 2006 Statutory Guidance states (paragraphs 70 and 73) that a:

Special responsibility allowance (SRA) may be paid to those members of the council who have *significant* additional responsibilities, over and above the generally accepted duties of a councillor. These special responsibilities must be related to the discharge of the authority's functions.

It does not necessarily follow that a particular responsibility which is vested to a particular member is a *significant* additional responsibility for which a special responsibility allowance should be paid. Local authorities will need to consider such particular responsibilities very carefully. Whilst such responsibilities may be unique to a particular member it may be that all or most members have some such responsibility to varying degrees. Such duties may not lead to a *significant* extra workload for any one particular member above another. These sorts of responsibilities should be recognised as a time commitment to council work which is acknowledged within the basic allowance and not responsibilities for which a special responsibility allowance should be recommended.

39. The Panel has, when considering whether a role merits an SRA, has applied the test of being vested with “*significant* additional responsibility”. While this has not led the Panel to recommend the discontinuation of any SRAs (albeit with some reservations – see below) it has led to no additional SRAs being recommended.

The Leader’s SRA

40. In 2003, the SRA for the Leader of Darlington Borough Council was arrived through ‘triangulation’. It is an approach often used in social sciences to indicate that two or more methods are used in a study with a view to double (or more) checking results. Consequently, the Panel looked at a time-based approach, compared to peers approach, an analogy approach, and a factor approach. These approaches produced a range of figures, which indicated at the time an SRA of £20,000 for the Leader was appropriate. This was not changed in 2008, bar the application of the relevant index.
41. The Panel received a great deal of evidence that the Leader’s role has become greater since 2008. In particular, the implementation of the Local Government and Public Involvement in Health Act (2007) has placed a statutory responsibility on councils to provide strategic and political leadership and involve the full range of stakeholders in developing and delivering a shared vision for their area. This responsibility has fallen primarily upon the Leader (and to a lesser extent the other Cabinet Members and Scrutiny Chairs) by being required to take part and a lead in the new partnership arrangements such as the Local Strategic Partnership and comitative Local Area Agreements. Moreover, the same act has now imposed the “strong leader” model on all local authorities with a Leader and Cabinet, in that the Leader now appoints the Cabinet and determines the scope and remit of the Executive Members, not the Council.

Table 2: SRAs paid in Comparator Group and All English Unitary Councils 2011/12

42. As Table 2 (above) shows, the Leader's SRA in the near neighbour/Teesside context is on par with peers but less than that paid on average to Leaders of unitary authorities nationally. However, the average Leader's SRA in the former context is noticeably depressed by the peculiar model of remuneration (for very specific reasons) for the Leader in Redcar and Cleveland, who is paid an SRA of £12,890 – marginally above the Deputy Leader and other Cabinet Members (see Appendix 3). If Redcar and Cleveland were removed from the comparison then the SRA for the Leader of Darlington would be significantly below that paid to Near Neighbour/Teesside peers.
43. Nonetheless, the comparative data on the Near Neighbour/Teesside level shows that by accepting the representations made to the Panel and not increasing the Leader's SRA at this time it does not leave the Leader significantly under paid compared to peers.
44. **The Panel recommends that the SRA for the Leader of Darlington Borough should remain at £22,933.**

Post	SRA payable in DBC	Near Neighbour/Tees side Mean SRA	Near Neighbour/Tees side Median SRA	All 44 English Unitary Councils Mean SRA
Leader	£22,933	£23,709	£22,768	£32,556
Deputy Leader	£13,759	£15,899	£15,221	£18,229
Cabinet Members	£11,748	£11,528	£11,558	£13,437
Chair Scrutiny Main	£9,747	£9,258	£9,747	NA
Chair Scrutiny Other	£9,173	£7,300	£7,139	£7,952
Vice Chair Scrutiny Other	£3,211	£3,665	£3,741	£NA
Chair Planning	£9,173	£7,708	£7,500	NA
Vice Chair Planning	£3,211	£3,665	£3,741	NA
Chair Licensing	£9,173	£6,746	£7,178	NA
Vice Chair Licensing	£3,211	£3,645	£3,589	NA
Chair Audit	£558	£4,964	£5,590	NA
Leader Opposition Group	£9,173	£7,637	£7,776	£9,536
Deputy Leader Opposition Group	£1,147	£3,987	£3,764	NA
Leader Minority Opposition Group	£1,147	£3,557	£3,664	NA

The Deputy Leader

45. The 2003 review arrived at the recommended SRA for the Deputy Leader by sizing it at 60% of the Leader's SRA, which was maintained in the 2008 review. The Panel received no evidence that this relative assessment of the role is incorrect. However, the benchmarking shows that in Darlington Borough Council the Deputy Leader is remunerated significantly less than peers are, particularly nationally. However, in line with accepting the representations made, **the Panel recommends no change to the current SRA (£13,759) payable to the Deputy Leader.**

Other SRAs Payable – No Change

46. Likewise the Panel has accepted the representations made to it for all other SRAs (payable and potential), namely that there should be no increases in the scope and level of remuneration paid to Members of Darlington Borough Council nor should any other posts be recommended a SRA.
47. **Consequently, the Panel recommends no change to the other SRAs payable and they should remain at the level specified above in Table 2.**

Comments on Specific SRAs

The Chairs of Scrutiny Committees (5)

48. The SRA for the Chair of the Other Scrutiny Committees was set at 40% of the Leader's SRA. Table 2 (above) shows that the Other Chairs of Scrutiny in Darlington Borough Council when compared to peers in both comparator groups (Near Neighbours/Teesside and nationally) are remunerated more than the average/median. This cannot be explained by the fact that Darlington Borough Council has fewer Scrutiny Committees than other unitary councils – it does not. The Panel has always supported a well-resourced Scrutiny Chair – it is a statutory post and underpins the effective decision-making and policy review and development of all Councils. Moreover, the implications of the impending Localism Bill will undoubtedly have an impact on the scrutiny function for all councils, particularly through the community right to challenge and scrutinising the exercise of the new rights and powers for local communities.
49. Consequently, the Panel flags up the potential impact of the Localism Bill on role and scope of Scrutiny and will, in its next review, revisit the current SRAs for the Other Chairs of Scrutiny Committees, particularly in the comparative context.

The Chair of the Planning Committee

50. Similarly, the Panel previously set the SRA for the Chair of Planning at 40% of the Leader's SRA and it is noticeably higher than that paid to peers in both comparator groups – see Table 2 above. Again, the Panel will revisit this SRA, particularly in the comparative context, in its next review.

The Chair of General Licensing and Licensing Act 2003 Committees

51. It is noticeable that the Chair of Licensing in Darlington Borough Council receives an SRA (£9,173) higher than the average SRA (£7,637) and median SRA (£7,776) paid to Chairs of Licensing in the Nearest Neighbours/Teesside comparator group. The CIPFA national benchmarking does not distinguish between types of committees beyond scrutiny so there is no national comparative data. However, in Darlington, the Chair of the General Licensing Committee also chairs the Licensing Act 2003 Committee.
52. The statutory responsibility upon Darlington to discharge its licensing functions is not any greater than other unitary authorities but the workload in Darlington, particularly in relation taxi licensing appeals, is and has been consistently demanding and the main responsibility falls upon the Chair of Licensing, and to a lesser extent the Vice Chair. In contrast, Derby City pays a SRA for its Chair of Licensing at £7,482, with the Vice Chair also receiving an SRA of £3,741 but it also pays the three Vice Chairs of its Taxi Licensing & Appeals Sub Committees a SRA of £3,741 each. In Darlington this function remains with the General Licensing Committee (and its Sub Committees), with the Chair (and to lesser extent Vice Chair) undertaking bulk of the responsibility and a great deal of the workload, mainly through chairing the Sub Committees for Taxi Licensing Appeals. Moreover, Derby pays all Members appointed to its Licensing Committee an SRA of £898 – presumably for the time required to attend licensing appeals sub committees, and chair them when required. Again, in Darlington the Chair of Licensing (Act 2003) Committee chairs the vast majority of Liquor Licensing Appeals Sub Committees. Out of the Near Neighbours/Teesside comparator group, Middlesbrough, North Lincolnshire, and Swindon also pay SRAs to Members on their Licensing Committee – see Appendix 3 for more details. Once the comparative context has been reviewed more closely, the remuneration provided to fulfil the Licensing function in Darlington start to look like a great deal more value for money than first it appears.

The Chair of the Audit Committee

53. The most glaring anomaly is the low SRA (£558) for the Chair of Audit in Darlington Borough Council. The Near Neighbour/Teesside benchmarking data shows that the average SRA for this post is £4,964, with the median SRA being £5,590. However, in some of the comparator authorities the Audit Committee has additional functions, such as in Derby where it is “Audit and Accounts”, and Middlesbrough, where it is “Audit and Governance”. Moreover,

the Audit Committee in Darlington only consists of three Members and only meets 3 times per year. It is a very Darlington-specific model.

54. Nonetheless, if the Chair is exercising an additional significant responsibility at all the SRA does still appear unusually low. However, this Committee may be reconfigured – dependent upon the future of Standards Committees in England and the final form of the Localism Act. Consequently, the Panel will revisit this post and any reconfiguration of Audit and Standards Committees in its next review.

The Principle of Paying SRAs for Vice Chairs

55. It became clear to the Panel that the workload and responsibilities undertaken by the remunerated Vice Chairs of main committees in Darlington Borough Council is variable. Some Vice Chairs prime responsibility is to stand in for their Chair when required (which in some cases is either never or rarely). They are also expected to attend briefings by Officer with their Chairs.
56. On the other hand, some Vice Chairs do have specific and discrete tasks and responsibilities. The Panel understands that part of the problem is the lack of clarity on the specific role and responsibilities required from Vice Chairs. Consequently, a Committee Chair is able to exercise a large degree of latitude in how they utilise (or not) their respective Vice Chair, some Chairs are inclusive and some less so.
57. The Panel will revisit the role of Committee Vice Chairs and whether they continue to meet the test of significant responsibility in its next review.

Maintaining the 1-SRA Only Rule

58. The Council, on the recommendation of the Panel has enforced what is known as the 1-SRA only rule; in that regardless of the number of remunerated posts held by an elected Member of Darlington Borough Council only one SRA can be paid. It is regarded as good practice and is the norm in local government.
59. **Consequently, the Panel recommends that the convention by which Members are able to claim 1-SRA only be maintained.**

Other Allowances

The Mayor and Deputy Mayor of the Council: The Civic Allowance

60. The Civic Allowance is outside the formal remit of the Panel – the Council is permitted to set the Civic Allowance without seeking advice, under the 1972 Local Government Act (sections 3(5) and 3(4)). Specifically, a principal council may pay the civic head and deputy civic head of the council an

allowance that it thinks reasonable for meeting the expenses of undertaking the civic roles. However, the Panel has been asked to provide a view to assist the Council in supporting the civic roles. Indeed, many Panels are asked to provide a view on the Civic Allowances as a means of providing a degree of independence their setting.

61. The benchmarking data shows that the Civic Allowance paid to the Darlington Borough Council Mayor (£23,631) is comparatively high. However, the Darlington context needs to be understood. The Mayor's Civic Allowance, which is subject to tax and national insurance, supports all the costs associated with the Office, such as hosting civic events and other visiting dignitaries, tickets for events, raffles and donations as well as the normal expense of buying suitable clothing that a Mayor is expected to wear when undertaking civic duties. In all other comparable councils, insofar as information can be obtained, the Mayor/Chairman has separate budgets to draw upon to finance the scheduled events and hospitality that they are required to attend and support – usually called the “hospitality budget”. While it is usually utilised by a civic head to meet the hospitality expenses and a civic head has degree of discretion on where and how it can be spent, the office holder does not personally have access to the budget – it is spent on their behalf. Normally, the Civic Allowance is paid to the civic head to pay for the variable, ad hoc and daily, often un-receipted costs of Office, such as raffle tickets, clothing for Mayor (including Mayors Escort), church collections, and other minor expenses. In Darlington, the separate hospitality budget has been rolled into the Mayor's Civic Allowance.
62. The Panel understands that holding the office of Mayor is regarded as a great honour, but despite the high Civic Allowance it often costs Mayors more than they receive via their Civic Allowance during their term of office. Part of the problem is that, unlike a separate ‘hospitality budget’, the Civic Allowance is subject to tax and national insurance. It is an inefficient way to support the Mayor role: up to 50% is automatically paid to HMRC in tax and national insurance before it reaches the Mayor.
63. The Panel believes that the total currently paid under the Civic Allowance is necessary to support the civic offices but that it can be delivered in a more efficient fashion, which will have no cost implications to the Council. **Consequently, the Panel recommends that that the current Civic Allowance is divided between a new Civic Allowance and a new ‘hospitality budget’.**
64. **The new Civic Allowance, paid to the Mayor should be set at £11,000 per year, subject to the same index applied to the Basic Allowance, SRAs and Co-optees’ Allowances. This allowance is to pay for the ad hoc un-receipted costs of holding office, new clothing and any costs incurred by the Mayoral Escort. The remaining sum from the old Civic Allowance (£12,631) should be ring fenced as a ‘hospitality budget’ to pay for those**

events that are scheduled and identifiable and are common to any Member who is Mayor.

65. **The current provision for the payment of a Mayor's Escort Allowance of £437 should be discontinued, as the Council has no express authority to pay such an allowance.**
66. **The Panel further recommends that Deputy Mayor's Civic Allowance (£929) is unchanged.**
67. The Panel did not receive enough information to make an informed judgement on the transport arrangements for the Mayor and Deputy Mayor. Currently, the Council utilises a leased car and a Council Officer to take the Mayor to most civic functions. The Panel suggests that the Council undertake a cost/benefit analysis of the different options available to the Council to deliver the most efficient means of travel for the civic offices that up holds the dignity of the office holders.

Co-optees' Allowances: Chair and two other Independent Members on the Standards Committee

68. The Chair of the Standards Committee is required to be a non-elected Member, and as such qualifies for a Co-optees' Allowance. The Chair of the Standards Committee Co-optees' Allowance was set in 2008 at 15% of the Basic Allowance, and now stands at £1,204. The Co-optees' Allowance for the 2 other Independent Members on the Standards Committee was set at 10% of the Basic Allowance, which now stands at £802.
69. The Co-optees' Allowances were substantially increased in 2008 in anticipation of new powers for English local government Standards Committees – an anticipation that proved to be correct. The Darlington Borough Council has been more active than it was at the time of the previous review. In particular, complaints against elected Members are now dealt with in the first instance by local standards committees who have to form a sub-committee or panel to hold an assessment hearing to decide whether the complaint should be investigated. If the sub-committee decides that the complaint should not be investigated, the complainant may ask for a review, which goes onto a further Standards sub-committee to consider. If the sub-committee decides that a complaint should be investigated then a further sub-committee is convened to hear the complaint and determine further action (which can include suspension of a member up to 6 months).
70. The impending Localism Bill proposes to abolish the current standards regime and the requirement that all councils have a standards committee. However, recent amendments to the Bill have maintained the statutory duty for councils to have a code of conduct. The future of standards committees is uncertain and as a result, for the time being **the Panel recommends no change to the scope of level of Co-optees' Allowances.**

The Dependants' Carers' Allowance (DCA)

71. In line with the recommendations of the Panel in 2003, Darlington Borough Council adopted the DCA. The Local Government Act 2000 explicitly clarifies the right of local authorities to pay a Dependants' Carers' Allowance, which Members can claim to assist them with the costs for care for any dependants they may have while on approved Council duties. It is an allowance explicitly designed to enable a wider range of candidates to stand for and remain on Council.
72. The DCA is capped at 35 hours per week and is a reimbursement paid upon production of receipts. For the care of dependent children Members can claim "reasonable expenses", and for other dependants up to the maximum rate chargeable by the Council for provision of a Home Care Assistant. It is not claimed often but there was general support for the DCA, as it is specifically aimed at reducing barriers to public service.
73. **The Panel recommends that the DCA is maintained and in its current form.**

Councillors and the Local Government Pension Scheme (LGPS)

74. In line with its guiding principle to reduce barriers to public service the **Panel confirms that all elected Members of Darlington Borough Council should continue to be eligible to join the LGPS, applied to both their Basic Allowance and SRAs.**

Travelling and Subsistence Allowances

Subsistence Allowances – Within the Darlington Borough Council area

75. In line with the Panel's previous recommendations the Council does not pay Subsistence Allowances for Members attending approved duties within the Borough. The Panel received no evidence to change this approach.
76. **The Panel recommends that there is no change to the provision prohibiting Members claiming Subsistence Allowance for attending meetings within the Darlington Borough Council.**

Subsistence Allowance: Outwith the Darlington Borough Council area

77. Presently, Members are entitled to claim subsistence allowances at the same rate payable to Officers for attending approved duties outwith the Darlington Borough Council area. The Panel received no evidence that these rates, and the conditions by which they can be claimed, should be altered.

The Panel recommends that the Subsistence Allowances, and the conditions by which they can be claimed, by Members attending approved duties outwith the Darlington Borough Council area should be remain based on and indexed to the same rates that apply to Officers of the Council. The rates and conditions should also be inserted into the Darlington Borough Council Members' Allowances scheme in an appropriate schedule. The relevant rates and conditions are set out in Table 3 below:

Table 3: Subsistence Allowance

Allowance	Rates (£)	Condition
Breakfast	£4.92	Only if travelling before 8am
Lunch	£6.77	When lunch is not provided, a lunch allowance will be paid to Members who are away from Darlington during the lunchtime period between 12noon and 2pm
Tea	£2.67	When a Member returns to Darlington/home after 6.30pm but before 8.30pm
Dinner	£8.38	When a Member returns to Darlington/Home after 8.30pm N.B. a tea allowance cannot be claimed in addition to a dinner allowance

- **Overnight Accommodation:** Any overnight accommodation required by Members will be reserved and paid for in advance by the Council

Mileage Allowance – Within Darlington Borough Council Area

78. In line with the Panel's previous recommendations the Council no longer pays a Mileage Allowance for Members attending approved duties within the Borough. The Panel received no evidence to change this approach.
79. **The Panel recommends that there is no change to the provision prohibiting Members claiming Mileage Allowance for attending meetings within the Darlington Borough Council area.**

Mileage Allowance – Outwith Darlington Borough Council Area

80. Currently, Members are able to claim the mileage allowance at the same rates applicable to Officers. In turn, Officers can claim at the lower two mileage rate bands as agreed each year by the National Joint Council (NJC) for Local Government Staff. For 2011-12, the applicable rates are:
 - Engine size – up to 999cc: 46.9p per mile
 - Engine size – over 1,000cc: 52.2p per mile

81. The NJC has a third band, for cars with engine size over 1,199cc paid at 65p per mile but the Council has voluntarily agreed not to pay the higher rate in order to make a savings. Nonetheless, the current rates are above the HMRC standard mileage rate of 45p per mile and they do incur a tax and national insurance liability. The Panel was minded to recommend that the Members switch to the HMRC single mileage rate as it is increasingly becoming the standard for Members. However, it would break the principle of treating Members and Officers equally where appropriate. Moreover, the Panel understands that Officers may move over to the standard HMRC mileage rate of 45p per mile in the near future, which would automatically apply to Members in any case.
82. **The Panel recommends no change to the mileage rates that may be claimed by Members when undertaking approved duties outwith the Borough, and that they should continue to be linked to rates applicable to Officers (casual user rate).**
83. **Furthermore, the applicable mileage rates, and the conditions, including reimbursement of other relevant travel expenses should be inserted in a relevant appendix to the Members' Allowances scheme.**

Approved Duties and Attendance at other Statutory Bodies

84. The Panel understands that Members occasionally claim travel and subsistence allowances for attending bodies which the Council has to appoint but some of these bodies are able to pay their own travel and subsistence allowances, most noticeably the Durham and Darlington Combined Fire and Rescue Authority and the Durham Police Authority.
85. These two authorities are statutory bodies in their own right and they have the ability to reimburse their Members travel and subsistence. The Panel sees no reason why the Borough should subsidize these bodies. **Consequently, the Panel recommends that the list of approved duties for which Members may claim travel and subsistence allowances outwith the Borough be included in the Members' Allowances scheme. Moreover, the list should include those outside bodies to which the Council is required to appoint but where Members are able to claim travel and subsistence and therefore is NOT an approved duty for Darlington Borough Council.**

Indexation

86. **The Panel recommends that the following indices are applied to the remuneration and allowances paid to Members of Darlington Borough Council:**
- A. **Basic Allowance, SRAs, Co-optees and Civic Allowances:**
- Indexed to the annual percentage salary increase for local government staff (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable.
- B. **DCA:**
- **Elderly/Disabled element:** indexed to the rate chargeable by the Council for provision of a Home Care Assistant
- A. **Travel and Subsistence Allowances:**
- Indexed to same rates that are applicable to Officers of the Council

Implementation and a Future Review

87. **The Panel recommends that the recommendations contained within this report are adopted by Council from 1st April 2012, or any date agreed by the Council that occurs sooner.**
88. **The Panel recommends that there should be further review of the Darlington Borough Council Members' Allowances scheme by the end of 2013/14 once the impact of the impending Localism Bill become clear and to ensure that Members' allowances in Darlington are not falling to levels where they become a barrier to public service.**

Appendix 1: Interviewees and Other Submissions to Panel

Members:

Cllr P. Baldwin:	Deputy Mayor & Chair of Planning & Audit Committees
Cllr B. Dixon:	Leader of the Council and Labour Group
Cllr I. Haszeldine:	Chair of Monitoring & Co-ordination Group + Scrutiny Committee (Resources)
Cllr C. Hughes:	Cabinet Member (Children & Young People)
Cllr L. Hughes:	Labour Member
Cllr J. Kelley:	Liberal Democrat Member
Cllr G. Lee:	Conservative Member
Cllr W. Newall:	Chair of Scrutiny Committee (Health & Well Being)
Cllr T. Nutt:	Chair of Licensing & General Licensing Act 2003 Committees
Cllr H. Scott:	Leader Conservative (Opposition) Group
Cllr J. Taylor:	Vice Chair of Scrutiny Committee (Health & Well Being)
Cllr B. Thistlethwaite:	Chair of Scrutiny Committee (Neighbourhood Services)
Cllr L. Vasey:	Mayor

Written Submissions:

G. White:	UNISON Darlington Local Government Branch
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Other Submissions:

Cllr M. Swainston:	Leader of Liberal Democrat (Minority) Opposition Group
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Co-optees:

Mr Mike Airey:	Independent Chair of Standards Committee
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Officers:

Ada Burns:	Chief Executive
Linda Todd:	Head of Democratic & Customer Services
Paul Wildsmith:	Director of Resources

Appendix 2: Written information received & considered by the Panel

1. Panels' terms of reference
2. Consolidated guidance on Members' Allowances, issued by Department for Communities and Local Government, May 2006
3. Member's Allowances (England) Regulations, 2003
4. Darlington Borough Council Members' Allowances scheme, 2011/12
5. IRP for Darlington Borough Council, Review of Allowances Report, November 2007
6. The Members' Allowances schemes from the other 10 Hampshire District Councils 2011/12
7. SEE Members' Allowances Survey 2010/11 – District Councils
8. Presentation/paper by Dr Hall on issues to consider in reviewing allowances
9. Details of elected Members' mileage, travel and subsistence, carers' and telephone allowances, including details of other support received
10. List of Co-optees and summary of their expenses claims 2010/11
11. Summary of Darlington Borough Council Constitution
12. Other relevant information on Darlington Borough Council, including how the council operates, functions, political structures, Council departments, finance and vision statement
13. Darlington Borough Council schedule of meetings and membership of committees and panels and their terms of reference
14. HMRC mileage (AMAP) rates 2011/12
15. LGAAlert 62/10, Members' Allowances, 23 June 2010

AUTHORITY	BA	Leader	Leader Total Package	Deputy Leader	Cabinet Members	Chair Principal O&S	Chairs O&S	O&S V/Chairs	Chair Planning &/or Regulatory	Planning &/or Regulatory V/Chairs	Chair Licensing	Licensing V/Chair	Members Licensing &/or Appeals	Chair Audit
DERBY	£9,976	£29,929	£39,905	£22,447	£14,965		£7,482	£3,741	£7,482	£3,741	£7,482	£3,741	£898	£5,238
HALTON	£8,004	£20,641	£28,645	£14,036	£11,558		£6,873	£3,437	£6,873	£3,437	£6,873	£3,437		£6,873
HARTLEPOOL	£5,767				£5,767	£5,767	£3,461		£5,767		£3,461			£1,153
MEDWAY	£9,025	£26,507	£35,532	£20,827	£11,360		£9,467	£3,787	£7,574	£3,787	£33 p/meeting	£33 p/meeting	£33 p/meeting	£5,680
MIDDLESBRO' N. LINCOLNSHIRE	£6,130				£12,260	£12,260	£6,130		£9,200		£9,200			£6,130
N.E. LINCOLNSHIRE	£7,638	£21,960	£29,598	£14,544	£12,546		£12,546	£6,120	£12,546	£6,120	£12,546	£6,120	£624	£7,320
REDCAR & CLEVELAND	£7,500	£22,500	£30,000	£18,000	£14,625		£5,625		£6,750		£2,250			Co-Optee
STOCKTON-ON-TEES	£9,550	£12,890	£22,440	£11,280	£9,680		£6,320	£1,610	£4,840	£1,610	£4,840	£1,610		£1,490
STOKE-ON-TRENT	£9,300	£28,000	£37,300		£13,000		£7,500	£3,750	£7,500	£3,750	£7,500	£3,750		£7,500
SWINDON	£11,000	£33,000	£44,000	£16,500	£11,000		£8,250		£8,250		£5,500			£5,500
TELFORD & WREKIN	£7,710	£19,674	£27,384	£11,699	£9,837		£4,930		£6,381		£4,253		£1,063	£4,253
DARLINGTON	£7,870	£22,768	£30,638	£15,898	£11,805		£7,139		£7,870		£7,870			£7,870
	£8,027	£22,933	£30,960	£13,759	£11,467	£9,747	£9,173	£3,211	£9,173	£3,211	£9,173	£3,211		£558
Highest	£11,000	£33,000	£44,000	£22,447	£14,965	£12,260	£12,546	£6,120	£12,546	£6,120	£12,546	£6,120	£1,063	£7,870
Lowest	£5,767	£12,890	£22,440	£11,280	£5,767	£5,767	£3,461	£1,610	£4,840	£1,610	£2,250	£1,610	£624	£558
Mean	£8,269	£23,709	£32,400	£15,899	£11,528	£9,258	£7,300	£3,665	£7,708	£3,665	£6,746	£3,645	£862	£4,964
Median	£8,004	£22,768	£30,638	£15,221	£11,558	£9,747	£7,139	£3,741	£7,500	£3,741	£7,178	£3,589	£898	£5,590

Appendix 3: Benchmarking - Darlington BC: CIPFA 10 Nearest Neighbours + Teesside Unitaries: BA + Exec + Committee SRAs 2011/12

Darlington BC Comparator Group: Other Committee/Functional SRAs Payable		
Unitary Council	Other SRAs Payable	
DERBY	Members of Fostering (1) + Adoption Panel (2) - £1,871 Vice Chairs of Taxi Licensing & Appeals (3) - £3,741	
HALTON	Scrutiny Co-ordinator - £6,873	
HARTLEPOOL	Neighbourhood Forum Chairs - £3,461 Contract Scrutiny Committee Chair - £1,153	
MEDWAY	NONE	
MIDDLESBROUGH	Corporate Affairs Chair - £6,130 Staff Appeals Chair - £6,130 Complaints & Appeals Chair - £3,070 Teesside Pension Fund Chair £3,070 Corporate Parenting Board Chair - £3,070	
N. LINCOLNSHIRE	Lead Members (11) - £6,120	
N. E. LINCOLNSHIRE	Appeals Chair - £4,500 Community Protection Chair - £2,250	
REDCAR & CLEVELAND	Health Scrutiny Committee Chair - £3,230 Employment Issues Chair - £1,490 Health Scrutiny Committee V/Chair £1,120	
STOCKTON-ON-TEES	Audit V/Chair - £3,750	
STOKE-ON-TRENT	Human Resources Committee Chair - £5,500	
SWINDON	Scrutiny Chair when held by Opposition Leader - £9,837 £3,720	Overview Chair -
TELFORD & WREKIN	Appeals Committee Chair - £2,361	
DARLINGTON	NONE	

Darlington Comparator Group: Political SRAs 2011/12						
	Main Opposition Group Leader	Main Opposition Group Deputy Leader	Shadow Executive or Spokesmen	Minority Opposition Group Leader	3rd Opposition Group Leader	Other
Derby	£7,482	£3,741				
Halton	£6,873					
Hartlepool	£3,461			£3,461		Majority Group Leader - £5,767
Medway	£9,467	£3,787	£5,680	£4,733		Main Opposition Group DCC Spokesperson - £3,787 Majority Group Whip - £1,893 Main Opposition Group Whip - £947
Middlesbrough	£9,200			£3,070		
N. Lincolnshire	£10,980	£7,272				Majority Group Secretary - £12,546 Minority Group Secretary - £6,273
N.E. Lincolnshire	£6,400		£2,000	£4,500		
Redcar & Cleveland	£8,070			£4,840		
Stockton-on-Tees	£6,000			£5,000	£5,000	4th Opposition Group Leader - £4,000
Stoke-on-Trent	Not Specified					
Swindon	£4,670			£1,595		
Telford & Wrekin	£9,873			£3,664	£3,664	
Darlington	£9,173	£1,147		£1,147		
Highest	£10,980	£7,272	£5,680	£5,000	£5,000	
Lowest	£3,461	£1,147	£2,000	£1,147	£3,664	
Mean	£7,637	£3,987	£3,840	£3,557	£4,332	
Median	£7,776	£3,764	£3,840	£3,664	£4,332	

Appendix 4: Declarations of Interest

Declan Hall:

- Chair/Member of numerous IRPs, including Northumberland Council

Paul McGee:

- Member of Stockton Borough Council and Cleveland Fire Service IRPs

Rob Shotten:

None

Members' Allowances Scheme

The Darlington Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended), hereby makes the following scheme:-

Introduction

1. This scheme may be cited as the Darlington Borough Council Members' Allowances Scheme, and shall have effect for the period commencing 1st April, 2012 and shall continue in force thereafter until amended.
2. The previous Darlington Borough Council Members' Allowances Scheme is revoked with effect from 1st April, 2012.

3. In this scheme,

'the Authority' means Darlington Borough Council;

'Councillor' means a Member of the Darlington Borough Council who is a Councillor; and

'Year' means the period beginning 1st April to 31st March.

Basic Allowance

4. For each year a basic allowance ('Basic Allowance') set out in Schedule 1 shall be paid to each Councillor.
5. Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, his/her entitlement shall be to payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office as Councillor subsists bears to the number of days in that year.
6. Where a Councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, the part of basic allowance payable to him/her in

respect of the period for which he/she is suspended or partially suspended may be withheld by the Authority. Travelling and Subsistence Allowances may also be withheld.

Special Responsibility Allowances

7. For each year for which this scheme relates a Special Responsibility Allowance ('Special Responsibility Allowance') shall be paid to those Councillors who have the special responsibilities in relation to the Authority that are specified in Schedule 2.
8. The amount of each Special Responsibility Allowance shall be the amount specified against that special responsibility in Schedule 2.
9. Where a Councillor does not have throughout the whole of the year any such special responsibilities as entitle him/her to a Special Responsibility Allowance, his/her entitlement shall be to payment of such part of the Special Responsibility Allowance as bears to whole of the same proportion as the number of days during which he/she has such Special Responsibilities bears to the number of days in that year.
10. Where a Councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, the part of Special Responsibility Allowance payable to him/her in respect of the responsibilities or duties from which he/she is suspended or partially suspended may be withheld by the Authority. Travelling and Subsistence Allowances may also be withheld.
11. Any Councillor who will be entitled to claim more than one special responsibility allowance in accordance with Schedule 2, shall only be entitled to receive one such allowance (and where the allowances are of different amounts, the entitlement shall be to the highest amount), unless otherwise provided in Schedule 2.

Mayoral Allowances

12. Allowances will be payable as detailed in Schedule 3

Dependent Carers' Allowance

13. An Allowance ('the Dependent Carers' Allowance') will be paid to each Councillor who needs to incur the expenses of arranging for the care of their children or dependants whilst undertaking the duties as specified in Schedule 3.
14. The Dependents' Carers' Allowance will be payable in respect of actual expenditure up to a maximum of 35 hours in any one week, as specified in Schedule 3.

Travel and Subsistence Allowances

15. No allowance will be made to any Councillor for any travelling or subsistence incurred whilst performing Council duties within the Borough Council boundary.
16. Travelling and Subsistence Allowances will be paid at the same rate as employees of Darlington Borough Council who are covered by National Joint Council for Local Government Services (Green Book) when Councillors incur travelling and subsistence expenditure outside the Borough boundary on approved Council business.

Co-optees Allowance

17. For each year an allowance shall be paid to a co-optee as specified in Schedule 4 in respect of the Independent Members and Parish Council Members serving on the Council's Standards Committee. The amount of each co-optee's allowance shall be the amount specified in Schedule 4.
18. Where the appointment of a co-optee begins or ends otherwise than at the beginning or end of a year, his/her entitlement shall be to payment as such part of the co-optees allowance as bears to the whole the same proportion as the number of days during which his/her term of office as co-optee subsists bears to the number of days in that year.
19. Where a Co-optee is suspended or partially suspended from his/her responsibilities or duties as a co-optee of the Authority in accordance with the Part III of the Local Government Act 2000 or Regulations made under that Part, any co-optee's allowance payable to him/her in respect of the responsibilities or duties from which he/she is

suspended or partially suspended may be withheld by the Authority. Travelling and Subsistence payments may also be withheld.

Co-optees Travelling and Subsistence Allowances

20. Statutory co-optees on the Standards Committee who reside outside the Borough are able to claim travel and subsistence payments when attending Standards Committee meetings and associated approved duties at the same rates as applied to Members of the Council who are able to claim allowances for attending approved duties outside the Borough boundary.

Amendments and Repayment of Part of Allowances

21. This scheme may be amended at any time but may only be revoked with effect from the beginning of a year.
22. This scheme makes provision for an annual adjustment of the Basic, Special Responsibility and Co-optees allowances for a period of four years indexed to the annual local government pay percentage increase as agreed each April and the Travel and Subsistence Allowances indexed to the same rates applicable to employees.
23. Where an amendment is to be made which affects an allowance payable for the year in which the amendment is made, the entitlement to such allowance may apply with effect from the beginning of the year in which the amendment is made.
24. Where payment of any allowance already being made in respect of any period during which the Councillor or co-optee concerned :-
 - is suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or Regulations made under that part;
 - ceases to be a Councillor or a co-optee; or
 - is in any other way not entitled to receive the allowance in respect of that period,

The Authority may require that such part of the allowances relates to any such period be repaid to the Authority.

25. Where a Councillor is also a Member of another Authority (as defined in the Regulations) that Councillor may not receive allowances from more than one Authority in respect of the same duties.

Pensions

26. All Councillors shall be entitled to Pensions in accordance with the Scheme made under Section 7 of the Superannuation Act 1972.
27. Both basic allowance and special responsibility allowance shall be treated as amounts in respect of which such pensions are payable in accordance with the scheme made under Section 7 of the Superannuation Act 1972.

Election to Forego Allowances

28. A person may, by notice in writing given to the Director of Resources, elect to forego all or part of his/her entitlement to any allowances under this scheme.

Payments

29. Payments shall be made in respect of basic and special responsibility allowances, in instalments of one-twelfth of the amount specified in this scheme.
30. Where a payment of one-twelfth of the amount specified in this scheme in respect of the basic allowance or a special responsibility will result in the Councillor receiving more than the amount to which, by virtue of the basic and special responsibility allowance, he/she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he/she is entitled.

Publicity

31. The Council is required to make arrangements for the publication of this Scheme within the Council's area as soon as practicable after it is made.

32. The Council is also required to publish after the end of the year the total sum paid to each Councillor during the year.

Indexation

33. The following indices are applied to the remuneration and allowances paid to Members of Darlington Borough Council:-

Basic Allowance, SRAs, Co-optees, and Civic Allowances:-

- Indexed to the annual percentage salary increase for local government staff (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable.

Dependant Carers Allowance: Elderly/Disabled element:

- Indexed to the rate chargeable by the Council for provision of a Home Care Assistant

Travel and Subsistence Allowances (Outside the Borough Only):

- Indexed to same rates that are applicable to Officers of the Council

Basic Allowance 2011/12

The amount of the Basic Allowance payable to each Member of the Council is £8,027.00.

The Basic Allowance is deemed sufficient to include incidental expenses and the current provision of ICT equipment, consumables, and peripherals by Members. Accordingly, the direct provision of ICT equipment, related consumables, and peripherals is not provided.

Members who continue to receive direct provision of computers/laptops (until supplies are exhausted) will still be expected to meet any broadband and associated line rental costs out of their Basic Allowance.

SCHEDULE 2

Special Responsibility Allowance 2012/13

The following are specified as special responsibility allowances in respect of which special responsibility allowances are payable, and the amounts of those allowances, subject to the provisions contained in this scheme are :

	£
Leader	22,933.00
Deputy Leader (60 per cent of Leader)	13,759.00
Cabinet Member (50 per cent of Leader)	11,467.00
Chair of Monitoring and Co-ordination Group (to include role of Chair of Scrutiny Committee) (42.5 per cent of Leader)	9,747.00
Scrutiny - Chair (40 per cent of Leader)	9,173.00
Scrutiny - Vice-Chair (35 per cent of Scrutiny Chair)	3,211.00
Chair - Planning (40 per cent of Leader)	9,173.00
Vice-Chair - Planning (35 per cent of Chair of Planning)	3,211.00
Chair - Licensing (40 per cent of Leader)	9,173.00
Vice-Chair - Licensing (35 per cent of Chair of Licensing)	3,211.00
Leader of Opposition (40 per cent of Leader)	9,173.00
Deputy Leader of Opposition (5 per cent of Leader)	1,147.00
Leader of Minority Group (5 per cent of Leader)	1,147.00
Chair Audit Committee	557.99

SCHEDULE 3

MAYORAL ALLOWANCES

The following allowances are payable:-

Mayor £11,000

Deputy Mayor £ 929

Darlington Borough Council

Dependent Carers' Allowance Scheme

1. A Councillor may claim a Carers' Allowance in accordance with this scheme when they incur additional expenditure for the care of children or dependent relatives whilst undertaking the following 'approved duties' :-
 - a meeting of Council
 - a meeting of Cabinet or its Sub-Committee
 - a meeting of a Scrutiny Committee or a Task and Finish Group
 - a meeting of Standards Committee or its Sub-Committees
 - a meeting of Planning Applications Committee or its Sub-Committee
 - a meeting of Licensing Committee and its Sub-Committee
 - a meeting of the Audit Committee
 - a meeting of a Subsidiary Body appointed by the Council
 - a Training and Development Session
 - a meeting of an outside body

The Childcare Element

2. The childcare element reimburses reasonable expenses incurred for the care of dependent children whilst a Member carries out approved duties as specified in the 2003 Members' Allowances Regulations.
3. The re-imbusement is for actual expenditure incurred up to a maximum of 35 hours in any one week. A Member can therefore claim for care for multiple children but the total number of hours claimed for can be no more than 35 hours in total in any one week. The maximum hours claimable also allows for cancellation of meetings and for childcare that has to be booked in pre-defined blocks of time.

Qualifying Criteria

4. The childcare element of the allowance is paid on the basis of self monitoring. A Member must :-
 - (a) self-register with the Council's Monitoring Officer (the Assistant Director Resources) that they have a dependent child or children under the age of 16 living with them; and
 - (b) claim the allowance on production of a receipt or signed statement, which declares that the childcare has actually been provided by a childminder and not by a member of the immediate family normally resident at the Member's home address.

Care for Dependents on Social/Medical Grounds

5. The DCA also provides for care of dependents on social/medical grounds, such as dependents who are elderly and/or disabled. The social/medical dependent care element of the allowance will be paid at a similar rate chargeable by Darlington Borough Council for provision of a Home Care Assistance.
6. The allowance is to be paid only on the production of a receipt for actual expenditure incurred whilst a Member is on approved duties. As care for dependents with social/medical needs will be provided by professional carers they will be in a position to provide formal receipts in a way that many child carers will not be able to do so.
7. The social/medical element of the Dependants' Carers Allowance is available to Members who have an express need for such an allowance. This express need is to take the form of a written declaration by a Member, which is lodged with the Monitoring Officer (the Assistant Director Resources).

Further Restrictions on Claiming the DCA

8. Members cannot claim for multiple carers for multiple dependents within the same category of care.

SCHEDULE 5

Co-optees Allowance	£
Chair of Standards Committee (if an Independent Member) (15 per cent of Basic Allowance)	£1,204.00
Independent Member (including Parish Council representatives) (10 per cent of Basic Allowance)	£802.00

SCHEDULE 6

Travelling and Subsistence Allowances

Subsistence Allowance: Outside the Darlington Borough Council area

The Subsistence Allowances, and the conditions by which they can be claimed, by Members attending approved duties outside the Darlington Borough Council area are based and indexed to the same rates that apply to Council Officers.

The relevant rates and conditions are set out below:

Allowance	Rates (£)	Condition
Breakfast	£4.92	Only if travelling before 8am
Lunch	£6.77	When lunch is not provided, a lunch allowance will be paid to Members who are away from Darlington during the lunchtime period between 12noon and 2pm
Tea	£2.67	When a Member returns to Darlington/home after 6.30pm but before 8.30pm
Dinner	£8.38	When a Member returns to Darlington/Home after 8.30pm N.B. a tea allowance cannot be claimed in addition to a dinner allowance

- **Overnight Accommodation:** Any overnight accommodation required by Members will be reserved and paid for in advance by the Council

Mileage Allowance – Within Darlington Borough Council Area

There is no change to the provision prohibiting Members claiming Mileage Allowance for attending meetings within the Darlington Borough Council area.

Mileage Allowance – Outside Darlington Borough Council Area

No change to the mileage rates claimable by Members undertaking approved duties outside the Borough; they are linked to rates applicable to Officers (casual user rate).

The applicable mileage rates are set out below:-

- Engine size – up to 999cc: 46.9p per mile
- Engine size – over 1,000cc: 52.2p per mile

Approved Duties and Attendance at other Statutory Bodies

A full schedule of approved duties for which Members may claim travel and subsistence allowances (when taking place outside the Borough Boundary is detailed in the schedule below:-

Travelling and Subsistence Allowances can be claimed for the activities and meetings below when the sessions take place outside the Borough Boundary

Travelling and Subsistence Allowances cannot be claimed where the external body pays a travel and subsistence allowance or when has its own Members Allowances Scheme

Training and Development Events

Courses, Seminars and Conferences

Council Appointments

Association of Councillors (a) General Management Committee (b) Northern Branch Committee
Association of North East Councils:- (a) Leaders' and Elected Mayor's Group (b) Director
Combined Fire Authority – Travelling and Subsistence not claimable (a) Appeals Committee (b) Human Resources Committee (c) Standards Committee
(d) Performance Committee (e) Audit and Finance Committee (f) Local Government Association (g) Joint Consultative Committee
Cruse Bereavement Care and Resource Centre
Darlington and District Town Twinning Association Management Committee
Darlington Citizen's Advice Bureau
Darlington Community Carnival Committee

Darlington Hospital (Radio Skerne) Management Team
Darlington Young Men's Christian Association – Local Management Board
Durham Police Authority – Travelling and Subsistence not claimable
eVOLution – Executive Committee (Darlington Council for Voluntary Service)
Local Government Association
Local Government Association Urban Commission
Local Government Association Rural Commission
Police Community Consultation Group
Poor Moor Charity
Sadberge Village Hall Association - Management Committee
Standing Advisory Council on Religious Education (SACRE)
Willow Road Community Centre – Management Committee

Cabinet Appointments

Arts Council England North East
Charitable Organisations for the Blind
County Durham and Darlington Foundation Trust – Board of Governors
County Durham Waste Management Partnership Steering Group
Darlington and District Youth and Community Association (2002)
Darlington Borough Council Family Placement Panel
Darlington College Corporation Board
Darlington Partnership Board (a) Children's Trust/Aspiring Themed Group (b) Community Safety Partnership Executive Board/Safer Themed Group (c) Greener Themed Group
(d) Healthy Darlington Board

(e) Prosperous Themed Group
Darlington Railway Museum Trust
Disability Sport England – Northern Region
Durham County Pension Fund Committee
Durham Tees Valley Airport Limited - Board
Durham Tees Valley Airport Limited Consultative Committee
Family Help Organisation
Firthmoor Community Centre Management Committee
Groundwork North East:- (a) Board (b) Sub-Regional Board
Maidendale Nature and Fishing Reserve (Associate Member)
Museums Libraries Archives North East – Company
National Society for Clean Air (Northern Division)
North East Strategic Migration Partnership (NESMP)
North East Contracting Consortium for Asylum Support (NECCAS)
North East Highways Training Centre – Management Committee
North East Purchasing Organisation (NEPO) Joint Committee
North East Regional Employers Organisation
Northern Housing Authorities
Northern Council of Education Authorities
Northumbrian Regional Flood Defence Committee
Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee
RELATE North East
Shopmobility Steering Group
Skerne Park Youth and Community Centre – Management Committee
Strategic Transport for Health Management Group
Tees Valley Environmental Protection Group

Tees Valley Local Access Forum
Tees Valley Rivers and Fisheries Association
Tees Valley Unlimited:- (a) Leadership Board (b) Planning and Economic Strategy (c) Transport for Tees Valley
(d) Housing Board
Tidy North Regional Consultative Committee