

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

---

**The Seventh Report**

**By the**

**Independent  
Remuneration Panel**

**Dr Declan Hall (Chair)  
Paul McGee  
Rob Shotton**

**December 2019**

## **Independent Remuneration Panel:**

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

**For**

**Darlington Borough Council**

**The Seventh Report**

**December 2019**

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

1. This report is a synopsis of the deliberations and recommendations made by the statutory Independent Remuneration Panel (the Panel) appointed by Darlington Borough Council (Darlington BC) to provide advice on the Councils' Members' Allowances scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations). These regulations, arising out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an independent remuneration panel (also known as an IRP) to review and provide advice to their respective councils on Members' allowances. This is in the context whereby the Council retains the right to determine Members allowances.
3. All Councils are required to convene their Panel and seek its advice before they make any changes or amendments to their members' allowances scheme and they must 'pay regard' to their Panel's recommendations before setting a new or amended members' allowances scheme.
4. In particular, the Panel has been reconvened under the 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.
5. This mechanism is the means by which all councils are required to reconvene their Panel at least once every four years thus ensuring a degree of public

scrutiny and accountability vis-à-vis their Members' Allowances schemes. It is under this requirement that the Panel has undertaken this review of Members' Allowances for Darlington Borough Council.

## **Terms of Reference**

6. The Panel was given the following terms of reference as agreed by Council on 26<sup>th</sup> September 2019 as contained in a report to Council,<sup>1</sup> namely to make recommendations on:
- I. The amount of Basic Allowance that should be payable to Members
  - II. The categories of Members who should receive a Special Responsibility Allowance and the amount of such an allowance;
  - III. The duties for which a Travel and Subsistence Allowance can be made and as to the amount of these allowances;
  - IV. The scope and amount of Co-optees' allowances, where applicable;
  - V. The expenses of arranging for the care of children and dependants (the Dependants' Carers' Allowance) and the amount of these allowances and the means by which they are determined;
  - VI. Whether the annual adjustments of allowances should continue to be referred to employees annual pay awards (the National Joint Committee for Local Government Employees or NJC index) or another index if any;
  - VII. Other allowances or expenses should be payable to Members or co-opted Members;
  - VIII. The Mayoral or the Civic Allowances;
  - IX. On allowances to be paid to Independent Members appointed to the Education Appeals Panel;
  - X. The implementation date for the new Scheme of Allowances;
  - XI. Any other issues that are brought to the attention of the Panel.

## **The Panel**

7. Darlington Borough Council reconvened its Panel and the following Members were appointed to carry out the independent allowances review, namely:
- Dr Declan Hall: Panel Chair and a former academic at the Institute of Local Government, The University of Birmingham, now an independent consultant specialising in Members' allowances and support.
  - Paul McGee: Paul has a background that spans the private, public and social enterprise sectors. He currently retains an involvement in industry as Commercial Director of an engineering consultancy. He was formerly a member of the Chief Officer Management Team of Cleveland County Council and has been active in promoting

---

<sup>1</sup> Paul Wildsmith, Managing Director of Council, (responsible Cabinet Member – Councillor Heather Scott, Leader of the Council), "Members' Allowances Review" 26<sup>th</sup> September 2019

social enterprises for over 30 years. He has contributed to a number of award and assessment panels and was previously a member of Stockton-On-Tees IRP.

- Rob Shotton: Former Chair of Business-Link, Tees Valley, now a businessman.

8. The Panel was supported by

- Shirley Wright: Democratic Manager, Democratic Services

### **Process and Methodology - Evidence Reviewed by the Panel**

9. The Panel met at the Town Hall, Darlington on 13<sup>th</sup>-14<sup>th</sup> November 2019 to consider all the evidence and hear representations from Members and receive factual briefings on the Council by Officers. All Members were invited to make written submissions to the Panel (of which three were received) and a number of Members met the Panel – see appendices one and two for details. The Panel also reviewed further written information pertinent to the review, such as meetings schedules, benchmarking data, statutory guidance, etc. See appendices three and four for further details. The Panel meetings were held in private session to enable the Panel to meet with Members and Officers and consider the evidence and undertake its deliberations in confidence.
10. For full details of whom the Panel met and full range of information reviewed see:
- Appendix 1: for Members and Officers who met with the Panel
  - Appendix 2: for a list of the full range of written evidence considered by the Panel
  - Appendix 3: summary the other allowances schemes referred to by the Panel for benchmarking purpose

### **Considering the Evidence – A Tiered Approach**

11. As per the previous review, the Panel took a tiered approach in considering the evidence. It is required to operate within the broad statutory framework laid down by the 2003 Regulations and 2006 Members' Allowances Statutory Guidance. The 2003 Regulations set out the legal framework within which the Panel is required to operate, i.e., providing discretionary authority for the payment of SRAs, and while mandating the payment of a Basic Allowance, paid equally to all Members. Within this legislative context, the Panel is obligated to pay regard to the 2006 Statutory Guidance, which for instance mandates Panels to consider a number of variables in arriving their recommendations.

12. The next level of evidence considered by the Panel was the representations made by the Members, both oral and written, which obtained the views of the groups and individual Members of the Council. The interviews were deliberative in nature and provided the Panel with a qualitative feel of the issues facing Members in relation to the topics under consideration. The meetings with Officers served to update the Panel on developments in the council since the last review in November 2016. Finally, all the evidence and representations have been reviewed and evaluated within the comparative context where meaningful comparisons can be made.

## **Principles and Key Messages**

### **The Darlington BC model of remuneration: transparency, equity and simplicity**

13. Benchmarking highlighted that the Darlington BC members' allowances scheme is based on a number of principles that are not always apparent in other schemes. In particular the scheme is underpinned by:
  - A. Transparency:
    - largely a function of the '1-SRA only' rule and the fact that the Basic Allowance is inclusive of a range of expenses that Members may incur in carrying out their duties. The Darlington BC allowances scheme does not provide for a range of allowances and the reimbursement of expenses that are often available in other authorities. The stated Basic Allowance and SRAs are in the main the sole payments received by Members.
  - B. Equity:
    - Compared to other council Darlington pays relatively few SRAs. In accordance with the 2006 Statutory Guidance no more than 50% of Members can be paid an SRA. For those SRAs payable in Darlington BC, there is a limited number of SRA bands. Other schemes will differentiate across the whole range of SRAs payable.
  - C. Simplicity:
    - The Darlington BC Members' Allowances scheme is simple to administer in that Members are not required to make a plethora of claims and Officers are not required to devote scarce resources that would be required for instance if Members were able to claim for instance travel and subsistence for duties carried out within the Borough. The scheme is not administratively burdensome.
14. These principles, which underpin the current Darlington BC allowances scheme, were understood by interviewees and recognised as being beneficial. There was a general view that these principles should continue to be adhered to unless there is a clear case to deviate from them.

**Benchmarking: Regionally – North East Unitary and Metropolitan Councils**

15. More than one Member during the course of the review said that, in the main, their allowances should be in line with those paid in the other four Teesside unitary councils. While this is understandable for the Panel, it is too limited a group of councils to make meaningful comparisons for benchmarking purposes. This small pool for benchmarking is further compounded by the fact that Hartlepool has a committee governance model and Middlesbrough has an elected mayor executive model - both of which mean different roles and considerations for their members' allowances.
16. Consequently, while being cognisant of the allowances paid in the other four Teesside Unitary, the Panel has widened the benchmarking to include all Unitary and Metropolitan councils in the North East. By utilising this wider group of councils for benchmarking purposes it provides a regional and therefore a more balanced perspective.
17. A key observation emerging from this benchmarking is that, as was the case in the previous review in 2016, it shows the Darlington BC Basic Allowance and executive SRAs remain comparatively low. It also shows that some Darlington BC SRAs are higher than the average paid in the comparator groups yet this is in the context whereby the number of SRAs payable in Darlington Borough Council is not as extensive as in many comparator authorities. The SRAs payable in Darlington Borough Council take the role and responsibilities of the post 'in the round' into account and do not 'build up' remuneration through the collection of remunerable posts as does occur in Newcastle for instance. It also leads to a more transparent model of remuneration in which both peers and the public can understand the level of remuneration received by Members, whereas in other comparator authority schemes a degree of obfuscation may be detected.
18. The Panel has not been driven by the rates and levels of allowances paid across the comparator authorities but was in the very least concerned 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).

**A low Basic Allowance and Executive SRAs**

19. The Basic Allowance and SRAs have been frozen at their current levels since 2012 – bar a two per cent increase in the Basic Allowance in 2017 after the HMRC no longer gave the Council a blanket £500 tax exemption in recognition that it included an element for expenses (in addition to their personal allowance) to partially compensate. While the Council has had the power to uplift allowances to take into account cost of living increases via indexation for the past seven years, it has decided not to do so. This is on top of the Council not accepting the recommended Basic Allowance of £8,285 in 2016. The Council has every right not to apply all or part of the operative indices if it so chooses. Yet, it is not without cost and not just in losing relative value – it slowly but surely

increases the financial barrier to being an elected Member.

### **The changing of nature of elected Members**

20. Another theme emerging from the representations and evidence received was that the body of elected Members has changed since the last review. In particular, there is a more active, younger and more widely employed set of Members. Members now have a greater outward focus and, as the Officer body has been required to take its share of the burden of austerity, so have Members; not just in effectively freezing the allowance but having to step in and work more with local communities as 'self-starters' to step in where the Council may no longer be able provide the same level of services e.g., litter picks. Yet, with some exceptions, the workloads and responsibilities of elected Members of Darlington Borough Council have not changed dramatically to the extent that a root and branch review of the scheme is required – the main function of the Panel in this review has been to address the most glaring anomaly namely the Basic Allowance.

### **Function of Members Allowances – an enabler**

21. It was mentioned during meetings with Members that the levels of remuneration payable under the current Darlington BC Members' Allowances scheme were not sufficient to 'attract' a wider range of people to put themselves forward to stand for Council. Moreover, they were insufficient to enable the role of a Member to be effectively a full time professional role. Indeed, this may well be the case, however, members' allowances schemes are not intended to 'attract' candidates for Council - they would have to be at a level so as not to be publically acceptable. Moreover, the Panel was not at ease with the argument on a conceptual level - if elected Members were standing for and remaining on the Council out of any financial appeal it would run contrary to the public service ethos and the desire to serve local communities and residents as the prime motive for being a Councillor. Members' allowances were never intended to be paid at full 'market rates' or support a body of full time professional local politicians.
22. The intention behind the requirement to establish a Members' Allowances scheme for all English councils is to enable and facilitate the Members' roles and responsibilities as far as practically possible while taking into account such factors as the nature of the council, local economic conditions and comparative and good practice. Thus the Panel has sought to recommend a scheme (particularly in regards to the Basic Allowance) that seeks to minimise financial barriers to public service so as to enable a wide range of people to become an elected Member without incurring undue personal financial cost.

### **Recommending the Basic Allowance**

23. In considering the appropriateness of the current Basic Allowance, the Panel has adopted a 'triangulation' process. This has been done by arriving at a

tentative Basic Allowance via three different approaches namely

- I. Recalibration based on the 2006 Statutory Guidance
- II. Benchmarking
- III. Applying a retrospective indexation

### **The basis of the current Basic Allowance (2003)**

24. The methodology to arrive at the current Basic Allowance (£8,027) has not been revisited since 2003, when the Panel, in line with the advice laid out in the 2003 (since revised in 2006) Statutory Guidance, calculated the Basic Allowance for Members of Darlington Borough Council (2003) based on the following formula:
- 104 days annual expected input – 45% (46.8 days) per year Public Service Discount = 57.2 remunerated days per year
  - 57.2 days per year x £122.10 per day (LGA day rate) = **£6,984**
25. In 2003, this recommended Basic Allowance was also deemed to be inclusive of incidental expenses such as in-borough travel and subsistence. By 2012, the Basic Allowances had, through indexation, reached £8,027 and is currently £8,188 with a 2 per cent indexation applied in 2017. While the 2011 review recommended no change in the level of Basic Allowance, the Panel did further deem the Basic Allowance to be inclusive of all IT hardware costs. The 2015 review recommended that the Basic Allowance increase to £8,285 but the Council did not accept that recommendation.

### **Recalibrating the Basic Allowance (2019)**

26. The Panel recalibrated the Basic Allowance based on the most recent and relevant data available for the three variables used in the formula as set out in paragraphs 67-69 of the 2006 Statutory Guidance to arrive at a recalibrated Basic Allowance as follows:

Increasing expected time input to 152.5 days per year

27. The latest (2018) LGA Census of Councillors (England) shows that Councillors in unitary authorities who hold no positions of responsibility put in an average of 22 hours per week on “Council business”. This includes dealing with constituent/ward issues, community related meetings and other associated work such as emails, reading and preparation. It excludes group and other party business.<sup>2</sup> This equates to 152.5 days per year on a 7.5 hour working day. The Panel has adopted 152.5 days per year as the time expectation to recalibrate the Basic Allowance.

The Public Service Discount (PSD): no change at 45%

---

<sup>2</sup> This information is derived from the 2018 Councillors Census and the breakdown by type of council and by whether there are any posts held has been supplied to the Chair in an email from the Stephen Richards, LGA, 21<sup>st</sup> October 2019.

28. When considering the Basic Allowance, the 2006 Statutory Guidance (paragraph 68) states that it “is important that some element of the work of members continues to be voluntary – that some hours are not remunerated.” This is often called the ‘Public Service Discount’ (PSD).
29. A PSD of 45% is at the high end of the normal range (30-50%) used to recognise the principle of voluntary service within the Basic Allowance. However, the Panel has always conceptualized this as the element of work that relates to Members wards and local communities and in Darlington BC if anything this aspect has increased. The Panel is content that a PSD of 45% remains appropriate. This gives a voluntary contribution of 69 days per year (68.64 rounded up to 69 days) and leaves a remunerated time of 83.5 days per year.

#### Rate of Remuneration at £103 per day

30. Historically the Panel utilised the Local Government (LGA) 'day session' rate as the relevant rate of remuneration. This was a daily rate published each year by the Local Government Association (LGA) as a service to councils and IRP chairs. However, the LGA since 2011 stopped providing such advice. By that date most IRPs had switched to a more locally based rate of remuneration. They were able to do this as the Office of National Statistics starting to publish average earnings on an authority by authority basis as set out each year in the Annual Survey of Hours and Earnings (ASHE). The most recent ASHE publication (October 2108) shows the median daily gross earnings for all full time employees within Darlington BC area is £103.<sup>3</sup>
31. By replicating the formula approach with up dated variables it produces a recalibrated Basic Allowance as follows:
- 152.5 days annual expected input – 45% PSD (69 days)  
= 83.5 remunerated days per year
  - 83.5 days per year x £103 per day  
= **£8,600**

### **Benchmarking the Basic Allowance**

32. Benchmarking shows that the current Darlington BC Basic Allowance is now markedly below that paid to regional peers, with a mean and median Basic Allowance of £9,556 and £9,150 respectively. This in itself is not a reason to revise the Basic Allowance but it does show that the Darlington BC Basic Allowance may be in danger of not fulfilling the function of enabling most people

---

<sup>3</sup> ASHE shows the median gross weekly earnings for all full time jobs in the Borough of Darlington to be £515.20, Table 7.1a, ONS, October 2019. To arrive at a daily rate, the Panel divided this sum by 5 working days, which equates to £1043.04, rounded down to £103. The ONS advises that the median, rather than mean, is a more accurate measure of average earnings due to a few high earners and a high number of employees on or just over the national living wage.

to be a Councillor as it has started to drift below the average in peer councils.

**Table 1: Benchmarking across NE Unitary Councils - Basic Allowance & main SRAs – NE Unitary Councils 2019/20**

<b>Allowance</b>	<b>Darlington</b>	<b>NE Unitary Councils - Mean</b>	<b>NE Unitary Councils - Median</b>
<b>Basic Allowance</b>	£8,188	£9,556	£9,150
<b>SRAs</b>			
Leader	£22,933	£41,433	£38,386
Deputy Leader	£13,759	£16,109	£15,440
Cabinet Members	£11,467	£16,070	£16,970
Chairs Scrutiny Other	£9,173	£6,957	£6,250
Chair Planning	£9,173	£7,329	£6,954
Chair Licensing	£9,173	£6,750	£6,959
Chair Audit	£558	£5,335	£5,112
Leader Main Opposition Group	£9,173	£7,199	£5,046

### Applying the full indexation since 2016 Review

33. As the third leg of the triangulation process, the Panel notes that if the Basic Allowance had been indexed from 2016 as recommended, then it would have increased to £8,519 for 2019/20. Table 2 below shows the how it would have increased over the past four years, including showing the annual percentage salary increase for Staff and Chief Officers for the same period.
34. The Panel notes that one of the reasons cited for not consistently indexing the Basic Allowance over the past four years was to be in line with Chief Officers who did not receive any increase in pay. This argument is undermined on two points
- Since 1<sup>st</sup> April 2016 Chief Officers have received the same percentage annual salary increase as Staff
  - The Panel recommended that the applicable indexation should be the annual cost of living percentage increase for Staff as agreed each year by the National Joint Council for Local Government Staff (the national pay negotiation body)

**Table 2: The Basic Allowance if indexing had been applied since 2016 and Officers annual percentage salary increase in same period**

Date	Basic Allowance Actual	Staff Increase %	Chief Officers Increase %	Basic Allowance if indexed to Staff % increase (recommended 2016)
2015/16	£8,027			
1/04/16	£8,027	1%	1%	£8,107
1/04/17	£8,188	1%	1%	£8,188
1/04/18	£8,188	2%	2%	£8,352
1/04/19	£8,188	2%	2%	£8,519

### Basic Allowance: The range produced by Triangulation

35. By the process of triangulation, a number of potential figures for the recommended Basic Allowance has been arrived at as follows:
- I. Recalibration (2006 Statutory Guidance approach)      £8,600
  - II. Benchmarking      £9,556 Mean  
£9,150 Median

- III. Applying a retrospective indexation £8,519

### **The recommended Basic Allowance (2020/21)**

36. This process of triangulation shows there is a strong case to increase the Basic Allowance. The Panel has chosen not to be guided by the level suggested by benchmarking, as it would require too large an increase, something that had very limited support amongst Members. The recalibrated Basic Allowance has also not been accepted simply on the grounds that it is the second highest figure. Instead, the Panel has been cognisant of the views of Members in that the financial context must be acknowledged. Therefore the recommended Basic Allowance is the lowest figure produced by triangulation - applying a retrospective indexation as recommended in 2016. As the lowest figure it is the most defensible and can be seen to be fair in that it brings the Basic Allowance received by all Members in line with annual percentage staff increases since 2016.
37. **The Panel recommends that the Basic Allowance for 2020/21 should be £8,519, subject to any index that may apply.**

### **The Basic Allowance and Expenses – ICT and a Paper-Light Policy**

38. On the recommendation of the Panel in 2011, the Council agreed that the Basic Allowance is deemed sufficient to include the costs of incidental expenses and ICT equipment, consumables and peripherals incurred on the part of Members. This resulted in a major administrative and real savings to the Council. Members can buy into an ICT support package provided by the Council which supplies relevant hardware but they have to buy it from the Council at £27 per month. Members are also expected to meet any broadband and associated line rental and operational costs out of their Basic Allowance.
39. The comparative practice is difficult to discern as the practice differs across councils in how ICT support is provided to Members and where such support is provided it is not always published in a council's allowances scheme. Nonetheless, it is typical for a Council to provide some support to Members for ICT outside the Basic Allowance, whether it is through direct provision or for instance North Tyneside Members can be reimbursed for the cost of the installation of a telephone line if not already connected, they can also claim the cost of line and telephone rental. In Middlesbrough Members can claim an annual telephone allowance of £300.
40. While there was not a firm consensus on the way forward (which is not an issue for the Panel as it is a matter reserved to the Council) there was an argument that if the Council was to formally adopt a 'paper-light' policy, then printed agendas and reports would no longer be available to Members as a matter of course and necessary ICT equipment to access relevant information electronically and/or print out papers they felt necessary and navigate the Council's intranet then they would need a relatively high specification of ICT

package. It is only equitable that Members are provided with such a standard ICT package if the Council goes 'paper light'.

41. **The Panel recommends that the Basic Allowance continues to be deemed sufficient to include the costs of incidental expenses and ICT equipment, consumables and peripherals incurred on the part of Members.**
42. **However, if and when the Council adopts a 'paper-light' policy, then it should provide all Members with a standard ICT package to enable them to comply with such a policy at no cost to Members either directly or through a reduction in the Basic Allowance.**

### **Arriving at the Special Responsibility Allowances - the Leader's SRA**

43. Like all other SRAs, the Leaders' SRA has been frozen since 2012. This is in a context where the Leader and other executive Members are increasingly called upon to undertake a regional and sub-regional role, whether it is with the Darlington Partnership and the Teesside Combined Authority, an aspect of the Leader's work which has increased since the last review. Although this has been balanced out by the Leader no longer having a portfolio and increasing the size of the Cabinet from six to seven, including the Deputy Leader.
44. Benchmarking shows that the Leaders' SRA (£22,933) has also started to drift markedly below that of peers (see table 1 above). This further supports the case to apply a retrospective index to all SRAs in general. However, it was clear from the representation received that the main priority for this review was to address the Basic Allowance and when it came to SRAs, in particular the Panel should be cognisant of economic constraints. The Members still wish to lead by example when it came to SRAs and were keen to maintain this principle for SRAs in general. Consequently, the Panel at this stage is not recommending any change to the Leader's SRA.
45. **The Panel recommends that the SRA for the Leader should be maintained at £22,933 for 2020/21, subject to any index that may apply.**

### **The Deputy Leader**

46. Many of the observations regarding the role of Leader are also pertinent for the Deputy Leader and to a lesser extent the other Cabinet Members, they are also required to take up a larger external role and their SRAs are generally lower than peers. Nonetheless, for the same reasons the Panel has recommended no change to the Leader's SRA the Panel is doing the same for the Deputy Leaders SRA.
47. **The Panel recommends that the SRA for the Deputy Leader of Darlington Borough Council remains at £13,759 for 2020/21, subject to any index that may apply.**

**Other Cabinet Members (6)**

48. One issue raised with the Panel was the degree of difference between the Cabinet Members' SRA (£11,467) and chairs of the main committees SRA (£9,173) being too narrow to reflect the real differentials in workloads and responsibilities. While a case can be made to increase the SRA for Other Cabinet Members, the Panel, as per the SRA for the Leader and Deputy Leader is not recommending any change at this stage.
49. **The Panel recommends that the SRA for the other Cabinet Members (6) is unaltered at £11,467 for 2020/21, subject to any index that may apply.**

**Chairs of the Main Committees – Planning, Licensing and Scrutiny**

50. All the chairs of the main committees receive the standard SRA (£9,173) for such posts. There was some representation that argued there is a case to differentiate between these committees but overall the principle of having flat rate SRAs for the Chairs of the main committees retained support. One consequence of this flat approach is that the SRA for the Chairs of the Scrutiny, Planning and Licensing Committees in Darlington BC are above their peers regionally although this is not so distinctive when looking at Teesside.
51. More specifically, the Planning Committee does have more scheduled meetings (12 per year) than the Licensing and Scrutiny Committees, as the Planning Committee has to deal with planning applications within a statutorily defined timeframe. On the other hand, the Chair of the Licensing Committee actually chairs two committees – the General Licensing Committee which meets four times per year and the Licensing Act 2003 Committee which meets no more than a couple of times per year, although they are both held on the same day. However, much of the work of the Licensing Committees is done through the General Licensing Sub Committee (mostly dealing with taxi/private hire applications/objections) and the Licensing Act 2003 Sub Committee (which deals mainly where there are objections to applications for obtaining an alcohol license or variation in hours of an already licensed premise). These two sub committees meet as and when but in 2018/19 the General Licensing Sub Committee met five times and so far this year has met four times. The Licensing Act 2003 Sub Committee met once and not at all so far during the same time periods. While the Chair of the Licensing Committees does not always chair the sub committees the expectation is they will be chaired by the Chair of the Licensing Committees. Where the Chair has not done so it is expected that the Vice Chair of Licensing will do so. Similarly, much of the work of scrutiny can be done outside the formal scheduled meetings, through Review or Task and Finish Review Groups. As such, while differentiations can be made between the workloads of the main committees it is not overwhelming.
52. It was also suggested that there was a case to differentiate between the SRAs for the Chairs of the five Scrutiny Committees as some have larger remits than others. Indeed, a case can be made that not all the Scrutiny Committees carry a similar range of responsibility and workload and some Scrutiny Committees may have a more extensive brief than others but that is partly due to issues

rising up and falling down the local government agenda over time and there is an element of swings and roundabouts at play. Moreover, the Scrutiny Committees now have greater control of their own work programme with the demise of the Scrutiny Monitoring and Coordination & Group (see below).

53. Moreover, as there was general support to retain an equal SRA for the Chairs of the main committees, the Panel recognises that if the remit of the Scrutiny Committees varied significantly then it is in the gift of the council to address such an imbalance - which it has done in the past.
54. **The Panel recommends that current SRA (£9,173) paid to each of the chairs of the main committees remains unaltered for 2020/21, subject to any index that may be applied. Specifically this recommendation applies to the Chairs of the following committees:**
- **Planning Committee**
  - **Licensing (General & Licensing Act 2003) Committees**
  - **Scrutiny Committees (5)**

#### **Chair of the Scrutiny Monitoring & Coordination Group**

55. The current allowances scheme contains provision for a SRA for the Chair of the Scrutiny Monitoring & Co-ordination Group, paid at slightly higher SRA (£9,747) than the other main Chairs as the post holder was *ex officio* a Chair of another Scrutiny Committee. Its role was to coordinate and oversee the work of the other Scrutiny Committees. The Scrutiny Monitoring and Coordination & Group no longer meets and has become redundant and much of its work has been devolved to the Scrutiny Committees.
56. **The Panel recommends that the SRA (£9,747) for the Chair of the Scrutiny Monitoring & Coordinating Group is removed from the allowances scheme.**

#### **Vice Chairs of the Regulatory Committees (Planning and Licensing)**

57. The Panel took time to explore the role of the Vice Chairs of the main Committees, who are all currently paid an SRA of £2,293, set at 25 per cent of the SRA paid to their respective Chairs. It was set on this level on the basis that all the Vice Chairs undertook a standard set of duties, including:
- I. Stand in for their respective Chairs when required
  - II. Attend relevant pre-meetings and briefings with Officers with their Chairs
  - III. Generally keep up to speed on their committees remit and support their Chair as required
  - IV. For the Vice Chair of Licensing taking a lead role in chairing Licensing Sub Committees when Chair is unable to do so
  - V. For the Vice Chair of Planning it's recognised they have to stand in on occasion due to the restrictions imposed by Planning law, such as

- conflict of interest where the Chair has to stand down; for instance there may be a particular application in their ward
- VI. For the Vice Chairs of the Scrutiny Committees taking a lead role in chairing task and finish working groups, and
  - VII. Sit on and attend the Scrutiny Monitoring & Coordination Group, and
  - VIII. Undertaking discrete tasks at the direction of their Chairs
58. The case remains that the Vice Chairs of the Planning and Licensing Committees have to stand-in regularly for the former and take an active part in the Sub Committees on the part of the latter. In particular, the animated nature of many Planning Committee meetings means the Chair has to regularly rely on the Vice Chair to keep things on track.
59. As such the Panel has decided to maintain the SRAs for the Vice Chairs of the Planning and Licensing Committees. It is noted that out of the 13 other Councils in the benchmarking group, eight pay Planning Vice-Chairs (mean/median SRA of £3,568/£3,125) and seven pay Licensing Vice Chairs (mean/median SRA of £3,154/£2,328). So, while not always paid elsewhere they are somewhat above that paid in Darlington, more so for Planning. Nonetheless, the Panel received no further evidence that the SRAs for the Vice Chairs of the Planning and Licensing Committees warranted revision.
60. **The Panel recommends that that the SRA for the Vice Chairs of the Planning and Licensing Committees remains at £2,293 for 2020/21, subject to any indexation that may apply.**

### **The Vice-Chairs of the Scrutiny Committees**

61. The Panel took a long look at the role of the Vice-Chairs of the Scrutiny Committees. It remains the case that there is no standard brief for these Vice-Chairs, their workloads and responsibilities being variable. For instance, the Panel was informed that there is no expectation that Scrutiny Vice-Chairs will take a lead role in chairing task and finish review groups, some may but it is not a discrete task assigned to Scrutiny Vice-Chairs across the board; in practice it is not consistent across the Council. A further change since the previous review is that Scrutiny Vice-Chairs are no longer *ex officio* on the Scrutiny Monitoring & Coordination Group as this body no longer meets.
62. One suggestion put to the Panel was to pay an SRA to the Vice Chairs of the Scrutiny Committees when they have to stand-in for their Chair. However, the Panel rejected this approach as it cuts across the principle of simplicity.
63. Benchmarking shows that in all but two of the 13 other comparator councils, the Vice-Chairs of Scrutiny are paid an SRA (mean/median £3,258/£2,293). However, what the benchmarking does not show is the role(s) that may be undertaken such as chairing sub-committees or task and finish review groups.
64. The Panel does not feel that the role of Vice-Chairs of the Scrutiny Committees is significant enough to merit an SRA. **As such the Panel recommends that the SRA for the Vice Chairs of the Scrutiny Committees is discontinued**

**with effect from 31<sup>st</sup> March, 2020**

### **Chair of Audit Committee**

65. The current SRA (£558) for the Chair of Audit is a historical figure and in the last review the Panel recommended an increase; up to £2,293, set at 10 per cent of the Leader's recommended SRA (£22,933).
66. It is recognised that the Chair of Audit continues to be held by convention by another post holder and therefore not payable under the 1-SRA only rule. Nonetheless, this may not always be the case and to future proof the scheme the Panel has decided to revisit this SRA. The Panel accepts that the Audit Committee is not a main committee, it only has four scheduled meetings per year but it still undertakes a number of regulatory functions including reviewing the Council's policies and procedures regarding:
- Governance, risk and control
  - Internal Audit
  - External Audit
  - Financial Reporting
  - Treasury Management
  - Ethical Standards – which is an additional function since the previous review
67. Benchmarking shows that the only other comparator council that does not pay an SRA to a Chair of an identifiable Audit Committee is Stockton-On-Tees but it does remunerate a Chair and Vice Chair of Governance (£2,108 and £992 respectively), a function included in the remit of the Darlington BC Audit Committee. Benchmarking further shows that the equivalent post is paid a mean SRA of £5,335 and median SRA of £5,112. The Panel has decided not to be guided by benchmarking largely on the grounds that the Audit Committee in Darlington BC is seen very much a junior committee. As such, the Panel reiterates its previous recommendation and has reset this SRA at 10% of the Leader's SRA, which equates to £2,293.
68. **The Panel recommends that the SRA for the Chair of the Audit Committee is reset at £2,293 for 2020/21, subject to any indexation that may apply.**

### **The Leader of the Main Opposition Group**

69. The SRA (£9,173) for the Leader of the Opposition has been linked to that paid the Chairs of the main committees and set at 40% of the Leader's SRA. Benchmarking shows this is a comparatively high SRA with a mean SRA of £7,199 and median SRA of £5,046 for Main Opposition Group Leaders in the comparator councils.
70. One reason for this regional divergence may be down to the size of the Opposition Group - often the smaller the Opposition Group the smaller the SRA.

In Darlington BC the Opposition Group has consistently remained large, currently 20 Members. Nonetheless, the Panel is content with the current SRA. There is a duty on the Opposition Group Leader to provide challenge across the Council and for a healthy democracy to flourish the Opposition must be resourced. This view is underpinned by the 2003 Regulations (5. [2.] [b.]), which require an SRA to be paid to an Opposition Member where members divided into groups and a majority of Members form a ruling group.

71. **The Panel recommends that the SRA for the Leader of the Main Opposition Group remains at £9,173 for 2020/21, subject to any index that may be applied.**

### **The Deputy Leader of the Main Opposition Group**

72. The Panel deliberated on the merits of whether to introduce a qualifying criteria before the SRA for the Deputy Leader of Main Opposition would be payable, e.g., have at least 20 per cent of the Council Membership. But as the Main Opposition Group in Darlington BC has consistently been over 20 per cent (and typically more) of the Council membership then this type of qualifying criteria was in effect a non-issue. As such the Panel has decided to maintain this SRA (£1,147), which was set at 5% of the Leaders' SRA.
73. **The Panel recommends that the Main Opposition Group Deputy Leader's SRA remains at £1,147 for 2020/21, subject to any index that may apply.**

### **Leaders of the Minority Opposition Groups**

74. Likewise the Panel deliberated whether there was a case to set a qualifying criterion before the current SRA (£1,147) paid to the Leaders of the three Minority Opposition Groups became operable, particularly as two of these groups only had three Members while the third has two Members. This is type of qualification threshold is not uncommon. For instance, Middlesbrough pay Leaders of Minority Opposition Groups an SRA of £3,189 but only when such a Group attains 10 per cent of the Council membership. The Panel decided not to go down this route largely on the grounds that the current political context (with a minority administration) means that over the next four years the Minority Opposition Groups will be integral to the operation of the Council.
75. **The Panel recommends that the SRA for the Leader[s] of Minority Opposition Group[s] remains at £1,147 for 2020/21, subject to any index that may apply.**

### **Where a Political Group has a Co-Leadership model**

76. One proposal presented to the Council was the possibility of recommending a Minority Opposition Group Leaders' SRA split between two Members where there was a co-leadership model in place. However, the Panel was advised that this proposal would be contrary to The Local Government (Committees and

Political Groups) Regulations 1990 SI 1553 (Regulation 8 (3) (c)) which specifies that there has to be a named Leader for constituted groups, and as such the Panel cannot recommend a split SRA.

### **Confirmation of the 1-SRA only rule**

77. The 2003 Regulations do not prohibit the payment of multiple SRAs to Members, as the benchmarking clearly shows. The limit of 1-SRA only regardless of whether a Member holds more than one remunerated post is an internal rule agreed by the Council Members' Allowances going back to the recommendation of the Panel of 2003. The majority of Councils have a similar internal rule.
78. Moreover, this restriction on the payment of SRAs to Members means that posts are not simply sought out for financial reasons. Indeed, the pressure is that if anything, posts tend to be spread around more. It also makes for a more transparent allowances scheme and in practice it will also lead to a slight reduction in amounts paid out in SRAs, as there is often at least one Member who also holds more than one remunerated post, Due to the 1-SRA only rule such a Members is only paid the higher SRA.
79. **The Panel recommends that the Council retains the 1-SRA only rule within the Darlington Borough Council Members' Allowances scheme.**

### **The Mayor and Deputy Mayor of the Council and the Civic Allowances**

80. The Civic Allowances are constitutionally outside the formal remit of IRPs. The Civic Allowances are paid under the Local Government Act 1972 (sections 3.5 and 5.4), not as remuneration (although in many authorities it has in effect become a substitute salary), but to meet the expenses of holding the office of Civic Head and Deputy Civic Head of the Council. However, many Panels are often asked to provide advice on the Civic Allowances in lieu of a council being able to draw upon any external validation.
81. Meaningful benchmarking is difficult when it comes to the Civic Allowances as some authorities explicitly remunerate their equivalent of Mayor and Deputy Mayor through an SRA in addition to the provision of a civic allowance for meeting the cost of holding office. Moreover, not all councils publish the Civic Allowances in their allowances scheme.
82. The Panel recognises the Mayoral role is an important one with the post holder expected to attend functions in and out of the Borough on an almost daily basis. The Mayor is the public face of the Council for most of the Borough's residents. Nonetheless, no evidence was received that the current Civic Allowance for the Mayor is insufficient to meet the cost of holding civic office and associated out of pocket expenses.
83. **The Panel does not recommend any change to the current Civic Allowance (£11,000) paid to the Mayor of Darlington Borough Council for 2020/21,**

**subject to any index that may apply.**

84. The Deputy Mayor, who is always the Mayor in waiting in Darlington, receives a Civic Allowance of £929 to meet their operational out of pocket expenses. This much lower sum is appropriate as the Deputy Mayor's main role is to stand-in where the Mayor is unable to attend a function. No evidence was received to change this allowance.
85. **The Panel recommends that the Civic Allowance for the Deputy Mayor of Darlington Borough Council for 2020/21 remains at £929, subject to any index that may apply.**

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

86. The scheme does not provide for a Co-optees' Allowance. This is an allowance that may be paid to independent non-voting Members co-opted onto committees under the Local Government Act 2000. In Darlington, these co-optees are restricted to the parent and religious governor representatives on the Children and Young Peoples' Scrutiny Committee. No evidence was received to indicate there was a case to pay co-optees in Darlington Borough Council a Co-optees' Allowance. The Panel is making no recommendation in this regard.

### **Travel and Subsistence Allowances**

#### **The Subsistence Allowance – Within the Borough**

87. The right for Members to claim a Subsistence Allowance has been discontinued, it is deemed to be covered by the Basic Allowance. This is typical practice in the more geographically compact councils. The Panel received no evidence to revisit this provision; it is in line with the Panel's principle of simplicity.
88. **The Panel recommends that the Basic Allowance continues to be deemed to inclusive of subsistence costs incurred by Members for undertaking Council-related duties within the Borough.**

#### **The Subsistence Allowance – Outwith the Borough**

89. There were no issues brought to the Panel's attention regarding the scope and levels payable under the Subsistence Allowance scheme which Members can claim for undertaking approved duties outwith the Borough. The rates and terms and conditions are the same that apply to Officers. **The Panel does not recommend any changes to the current rates and terms and conditions of the Subsistence Allowances scheme for Members undertaking approved duties outwith the Borough.**

#### **The Travel Allowance – Within the Borough**

90. As with the Subsistence Allowance the Basic Allowance is currently deemed sufficient to cover Members' travel costs while carrying out Council-related duties within the Borough. There was however a couple of issues raised with the Panel in this regards, namely the cost of parking to attend Council meetings and the extra mileage costs incurred by Members living in or representing the more rural wards, whether it be travelling to Council, Parish Council or local community meetings or visiting constituents.
91. The Panel acknowledges that there can be additional parking costs for those Members who drive into the centre of Darlington to attend Council meetings. This is even more so in the case of Members representing the more rural wards as there are 10 Parish Councils and 15 Parish Meetings within the Borough. Although attending Parish Councils/Meetings is not part of a Member's formal duties it can be seen as part of their larger community role and advantageous for the Council to have an informal direct link to the Parishes.
92. Yet, the Panel is not making a recommendation regarding either parking costs or recognising additional travel costs associated with representing/living in a rural ward. To make exceptions in both these cases would undermine the Panel's principles of simplicity and transparency. In particular there would be a below the line administrative cost incurred through Officers having to check and process such claims. Finally, a small part of the rationale in recommending an increased Basic Allowance is to acknowledge these types of costs and other supplementary travel related costs that will be incurred by nearly all Members from time to time.
93. **The Panel recommends that the Basic Allowance continues to be inclusive of all travel related costs incurred by Members while carrying out Council-related duties within the Borough.**

### **The Travel Allowance – Outwith the Borough**

94. Currently, the mileage rates that Members can claim for undertaking approved duties outwith the Borough are based on the HMRCs "Authorised Mileage Approved Mileage" (AMAP) rates. These rates are typically utilised by local authorities in determining Members' (and in some cases Officers') mileage rates; primarily because they are tax efficient in that they do not incur any tax liability for Members. The HMRC mileage rates are also the most prevalent mileage rates in the wider public sector. The Panel received no evidence to revise these rates.
95. However, the Panel notes the advice of the Office for Low Emission Vehicles which states (paragraph 12.1) that "electric and hybrid cars are treated in the same way as petrol and diesel cars for the purposes of AMAPs." AMAPs (Authorised Mileage Allowance Payments) are the rates applicable to Members when claiming mileage allowances. While no issues were raised regarding a Member using electric or hybrid vehicles the Panel has taken this opportunity to future proof the scheme to clarify the appropriate mileage rates if a Member uses an electric or hybrid vehicle for attending an approved duty outwith the Borough.

96. It is pointed out that HMRC AMAP rates do not simply cover the fuel element but are intended to reflect the total running costs of running a vehicle including wear and tear, depreciation, etc.
97. **The Panel recommends that the allowances scheme is amended to clarify that where a Member is using an electric or hybrid vehicle on an approved duty outwith the Borough that they are able to claim mileage at AMAP rates, which is currently 45p per mile for the first 10,000 miles and 25p per mile thereafter.**
98. **The Panel further recommends that the outwith current mileage rates, approved duties, terms and conditions that are applicable for which Members can claim travel mileage allowances and the reimbursement of public transport (where used) remain unchanged.**

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

99. The Local Government Act 2000 explicitly clarifies the right of local authorities to pay a Dependants' Carers' Allowance (DCA), which Members can claim to assist in meeting costs for care for their dependants while on approved Council duties. It is an allowance explicitly designed to enable a wider range of candidates to stand for and remain on Council. In the 2003 review, the Panel recommended that the Council make available the DCA to those Members who have dependants living with them.
100. While it is not often claimed the Panel continues to support the DCA. The only issue raised that relates to caring for dependants was whether the Council should adopt a Parental/Adoption Leave policy for Members – there is such a policy in place for Officers. It is noted that Members are not legally classified as employees and are not entitled to paid parental/adoption leave just as they are not entitled to other statutory employee benefits such as redundancy, access to employer pension schemes and holidays. To some extent the issue is somewhat a red herring at least in regards to the Basic Allowance. If a Member did take parental/adoption (or sick) leave they would still receive their full Basic Allowance for up to six months. Under the six months rule a Member only has to attend an approved duty once every six months to remain a Councillor and the Basic Allowance is paid by virtue of being a Member. Even then the Council has the ability to vote to extend that period.
101. **Consequently, the Panel recommends no change to the current conditions and scope for which the DCA may be claimed for 2020/21 subject to any index that may be applied to the care for dependants on social/medical grounds.**

### **Independent Members on School Appeals Panels**

102. The School Admission (Appeals Arrangements) (England) Regulations 2012 (paragraph 6.1) provide for the payment of a Financial Loss Allowance (FLA) to

independent members appointed to school appeals panels when attending "a meeting of an appeal panel or associated training." The Statutory Guidance 2012<sup>4</sup> provides further clarification in that in addition to a FLA such appointees are eligible to receive travel and subsistence allowances and to be compensated for any expenses, including child minding costs. The Statutory Guidance also states that the "rate of payment for community and voluntary controlled schools is set by the local authority which must have regard to the recommendations of its independent remuneration panel."

103. Currently Darlington Borough Council pays independent appointees to its appeals panels a:

- FLA: £27.65 (meetings up to 4 hours)  
£55.31 (meetings over 4 hours)
- Subsistence Allowance: at same rates that are applicable to Officers & elected Members although the conditions vary slightly
- Mileage Allowance: at HMRC AMAP rates
- DCA: at the same rates and conditions applicable to Members

104. No evidence was received to indicate the FLA or other allowances that may be claimed by the Independent Members on the Educations Appeals Panels required revisiting. **The Panel recommends that the FLA and allowances that may be claimed by the Independent Members appointed to the Council's School Appeals Panels are maintained at their current rates for 2020/21, subject to any indexation that may be applicable.**

### **Confirmation of Indexing**

105. Although the Council has not implemented indexation except in 2017 in relation to the Basic Allowance, the Panel continues to support the principle of the indexation of allowances as it helps to prevent the loss of relative value that necessitates periodic increases that go beyond any uplift for cost of living increases.

106. The Panel has always recommended that the Basic Allowance and SRAs are indexed to the annual percentage cost of living increase received by Officers, as agreed each year by the National Joint Council for Local Government Staff (known as the NJC index). It conforms with one of the Panel's principles, namely equity, if Officers receive no annual percentage increase (which has occurred in the past) then the applicable percentage increase for Members is 0 per cent. Moreover, non-indexation of the Basic Allowance and SRAs as a matter of course has led to an erosion in their value over the years, to continue not indexing the Basic Allowance and SRAs would only exacerbate that context. It is also noted that the majority of English Councils now apply the NJC index to their Members Basic Allowance and SRAs.

---

<sup>4</sup> Department for Education, School Admission Appeals Code: Statutory Guidance for School Leaders, Governing Bodies, and Local Authorities, paragraph 1.15, February 2012

107. **The Panel recommends and confirms the use of the following indices for allowances for the next four years:**
- **Basic Allowance, SRAs, Civic Allowances & Appeals Panel Members FLA:**
    - Increased by same percentage applied annually to the pay of local government staff, implemented at the start of each municipal year (linked to spinal column point 43 of the NJC scheme) starting from annual meeting on 21 May 2020.
  - **DCA: Elderly/Disabled element:**
    - Indexed to the hourly rate chargeable by the Council for provision of a Home Care Assistant.
  - **Travel (out of authority only):**
    - Mileage rates to be indexed to HMRC rates. Other travel will be reimbursement of actual costs taking into account the most cost effective means of transport available and the convenience of use.
  - **Subsistence (out of authority only):**
    - Indexed to the same rates that apply to Officers of Darlington Borough Council, for reimbursement of actual costs up to the maximum rate applicable.
108. **The Panel further recommends that as per regulations, the indices recommended by the Panel are to run for four years from 21<sup>st</sup> May 2020 up until the day before the annual meeting of the Council in May 2024 or until the Council requires a further review.**
109. The Panel notes that if the Council does not have provision for indexation in place it cannot apply any indices. Yet, if the provision is in place the Council can still decide not to apply all or any of the indices that may be applicable, e.g., the Council could decide to apply adopted index to the BA but not SRAs in any one year. It was only by adopting the principle of indexation in 2016 that enabled the Council to apply a one off uplift to the Basic Allowance in 2017.

## **Implementation**

110. **The Panel recommends that the recommendations within this report (with any amendments as agreed by Council) are implemented with effect from 1<sup>st</sup> April, 2020 or any date beforehand that the Council may agree upon subsequent to the publication of report.**

**Appendix One****Members and Officers who met with the Panel****Members**

Cllr H. Allen	Backbench Representative (Liberal Democrat)
Cllr J. Clarke	Vice-Chair Health & Partnerships Scrutiny Committee (Conservative)
Cllr P. Culley	Backbench Representative (Conservative) and Vice Chair of Children & Young People Scrutiny and Place Scrutiny Committees
Cllr A-M Curry	Leader of Minority (Liberal Democrat) Opposition Group
Cllr J. Dulston	Portfolio Holder for Community Safety (Conservative)
Cllr S. Durham	Chair of Scrutiny Committee (Efficiency & Resources) and Chair of Audit Committee
Cllr S. Harker	Leader of Main (Labour) Opposition Group
Cllr C. Johnson	Deputy Leader of the Council & Portfolio Holder – Efficiency & Resources
Cllr D Jones BEM	Chair of Planning Committee (Conservative)
Cllr A. Kier	Vice Chair of Planning Committee (Conservative)
Cllr C. McEwan	Backbench Representative (Labour) and Deputy Mayor
Cllr K. Nicholson	Leader of Minority (Independent) Opposition Group and Chair of the Licensing Committee
Cllr H. Scott OBE	Leader of the Council and Conservative Group and Chair of Cabinet
Cllr M. Snedker	Co-Leader Minority (Green) Group
Cllr N. Wallis	Mayor of Council (Labour)

**Written Submissions:**

Cllr H. Allen                      Backbench Representative (Liberal Democrat)

Cllr E. Heslop                    Backbench Representative (Labour)

One written submission was submitted anonymously

**Officers**

Luke Swinhoe:                  Assistant Director Law & Governance

Shirley Wright:                Democratic Services Manager

Paul Wildsmith:                Managing Director, Darlington Borough Council

## **Appendix Two**

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

1. Darlington Borough Council, Members Allowances Review - Council report dated 26<sup>th</sup> September, 2019 (including Terms of Reference)
2. The local Authorities (Members' Allowances) (England) Regulations 2003
3. New Council Constitutions: Guidance on Regulation for Local Authority Allowances May 2006 version (Extract of section on allowances)
4. Darlington Borough Council current Members' Allowances Scheme 2019/20
5. Details on other support received by Members :-
  - Training and development programme;
  - Advertising/booking of ward surgeries
  - Assistance with preparation/printing of newsletters
  - Letter templates
  - Business cards
  - IT Services and Support
  - Booking on courses/conferences
  - Support in Committee Roles – particularly to Chairs of Scrutiny
  - Modern.Gov
6. Darlington Borough Council statutory publication of allowances and expenses received by Members 2018/19
7. Darlington Borough Council Committee Information:-
  - Memberships of Cabinet/Committees and Joint Arrangements – 2019/20;
  - Calendar of Meetings 2019/20; and
  - Political Balance/Council
8. Number of meetings of Licensing Committees and Subs :-
  - General Licensing Committee met four times during the 2018/19 Municipal Year;
  - General Licensing Act Sub-Committee met five times during the 2018/19 Municipal Year
  - Licensing Act 2003 Sub-Committees met once during the 2018/19 Municipal Year; and
  - Licensing Act 2003 Committee met once during the 2018/19 Municipal Year

9. Darlington Borough Council remit or responsibility for functions for main committees and sub committees:-
  - Schedule 1 –Council Committees; their membership and powers :-  
Council :-  
Planning Applications Committee;  
General Licensing Committee;  
General Licensing Sub-Committee;  
Licensing Act 2003 Committee;  
Licensing Act 2003 Sub-Committee;  
Member Standards Hearing Committee  
Audit Committee
  - Schedule 2 – The Executive :-  
Executive Portfolios;  
Delegation of Executive Functions;  
Cabinet Sub Committee  
Executive Members Scheme of Delegation
  - Schedule 3 - Scrutiny Committees :-  
Efficiency and Resources;  
Adults and Housing;  
Health and Partnerships  
Children and Young People  
Place Scrutiny Committee  
General Role of the Council's Scrutiny Committees  
Tees Valley Joint Health Scrutiny Committee  
Monitoring and Co-ordination Group
10. Benchmarking information :-
  - Summary of Basic Allowances and SRAs paid in all 14 North East Unitary Councils: BM1-3
11. Darlington Borough Council, Members' Allowances - Council report dated 25<sup>th</sup> February, 2016 (including report of the Independent Remuneration Panel December, 2015) and Council Minutes dated 28<sup>th</sup> February, 2016 that shows amendment to report and subsequent approval
12. Councillors' Census 2018 (LGA), breakdown of weekly hours worked (mean) by councillors by number of positions held, as set out in personal email to the Panel Chair from Stephen Richards (LGA) 21 November 2019
13. Education Appeals :-
  - Department for Education, School Admissions Appeals Code, Statutory Guidance for school leaders, governing bodies and local authorities (with particular reference to paragraphs 1.4-1.5 – Costs), February 2012; and

- Darlington Borough Council – Scale of Allowances currently paid to Education Appeals Panel Members
14. Annual Survey of Hours and Earnings (ASHE), Table 7.1a, Weekly Pay – Gross (£) – for full-time employee jobs (median and mean) in Darlington Borough Council (Work Geography), Office of National Statistics, October 2019
  15. Written submissions from members (X3)
  16. Office for Low Emission Vehicles, Tax Benefits for Ultra Low Emission Vehicles, 14<sup>th</sup> May 2018

### Appendix Three: Benchmarking – all North East Unitary and Metropolitan Councils

BM1 Darlington BM Group: BA + Leaders/Elected Mayors + Exec & Scrutiny SRAs 2019/20												
Comparator Council	Basic Allowance	Leader or Elected Mayor	Leader or Elected Mayor Total	Deputy Leaders	Exec Mbrs	Exec Support Mbrs	Chair Main O&S	V/Chair Main O&S	Chairs or Leads Scrutiny	V/Chairs Scrutiny	Comments	
Sunderland	8,369	37,667	46,036	25,111	20,716	12,556	12,556	6,277	5,179	2,590		
Newcastle	9,000	18,000	27,000	9,000	6,750				4,500	2,250	Scrutiny Sub Chair & V/Chair £3,375/£1,688	
South Tyneside	7,667	28,121	35,788	17,894	12,241				10,226	7,668		
N. Tyneside	<b>10,358</b>	55,161	65,519	7,209	3,187		3,187	2,229	2,229	1,564		
Gateshead	10,977	32,940	43,917	21,956	16,471				16,471	6,864		
Durham	13,300	36,575	49,875	19,950	13,300		13,300	7,980	2,660	1,330		
Northumberland	14,004	27,000	41,004	18,090	14,850				12,150	5,467	Only BA is indexed	
Hartlepool	8,107	24,321	32,428	Committee Governance Structures							BA inc. Tel costs	
North Yorks	9,885	32,243	42,128	16,970	15,273	1,697	10,182		5,091	1,697		
Cumbria	8,573	25,755	34,328	14,423	10,302		10,302		7,158			
Middlesbrough	6,506	65,056	71,562	19,517	13,011	6,130	13,011		6,506			
Stockton	9,300	25,000	34,300	13,750	11,250		6,250	3,125	6,250	3,125		
Redcar & C'land	9,550	15,500	25,050	11,280	9,680				2,852	992	Tel Allowance £180	
<b>Darlington</b>	<b>8,188</b>	<b>22,933</b>	<b>31,121</b>	<b>13,759</b>	<b>11,467</b>		<b>9,747</b>		<b>9,173</b>	<b>2,293</b>		
Mean	<b>9,556</b>	<b>31,877</b>	<b>41,433</b>	<b>16,070</b>	<b>12,192</b>	<b>6,794</b>	<b>9,817</b>	<b>4,903</b>	<b>6,957</b>	<b>3,258</b>		
Median	<b>9,150</b>	<b>27,561</b>	<b>38,396</b>	<b>16,970</b>	<b>12,241</b>	<b>6,130</b>	<b>10,242</b>	<b>4,701</b>	<b>6,250</b>	<b>2,293</b>		
Lowest	6,506	15,500	25,050	7,209	3,187	1,697	3,187	2,229	2,229	992		
Highest	14,004	65,056	71,562	25,111	20,716	12,556	13,300	7,980	16,471	7,668		

BM2 Darlington BM Group: Main Regulatory SRAs 2019/20										
Comparator Council	Chair Planning	V/Chair Planning	Chair Licensing	V/Chair Licensing	Chair Audit & Risk/Other	V/Chair Audit	Chair Standards	Chair Appeals	V/Chair Appeals	Comments or Other
Sunderland	6,277		8,369		6,277					Area Chairs £10,350, Chairs DCC Sub Area + V/Chairs £6,277, Chair Regulatory £8,369
Newcastle	6,750	3,375	4,500	2,250	3,375	1,688	2,250	4,500	2,250	Members of Planning £1,350, Members of Licensing + Regulatory & Appeals £450, Chair Constitutional £1,125
South Tyneside	7,668	5,112	7,668	5,112	5,112	2,556	5,112	7,668	5,112	Chairs & V/Chairs HR + Thematic Panels £5,112 & £2,556, Area Chairs £6,053, Standards V/Chair £2,556
N. Tyneside	3,187	2,229	2,229	1,564	2,229	1,564	3,187			Chair & V/Chair HR £2,229 & £1,564, Tel line rental paid
Gateshead	13,721	6,864	13,721	6,864	13,721	6,864	Inc in Audit	13,721	6,864	Chair & V/Chair Health & WB £13,721 & £6,864
Durham	3,325	1,662	3,325	1,662	2,660	1,330	2,660	2,660	1,330	Chairs & V/Chairs Area Planning + Statutory Licensing £3,325 & £1,662, Chairs Licensing Subs £3,325
Northumberland	12,150	5,467	9,450	2,362	4,005	1,350	2,700			Area Chairs & V/Chairs £10,800 & £3,645, Area DCC Chairs £3,645, Chair & V/Chair Rights of Way £9,450 & £5,467, Chairs & V/Chairs WGs £4,005 & £1,350
Hartlepool	8,107		4,864		8,107					
North Yorks	4,243		1,697		3,394		1,697	5,091	849	Chair Pensions £5,091, Area Chairs £2,546,
Cumbria	7,158		Inc in DCC		7,158					Chairs Areas + Pensions £7,158, Harbour Board £7,094
Middlesbrough	9,758		9,758		6,506		3,253			Chairs Staff Appeals + Pension Fund £3,253, Tel Allow £300
Redcar & C'land	4,836	1,984	Inc in DCC							Chair & V/Chair HR £2,852 & £992, Chair & V/Chair Governance £2,108 & £620
Stockton	6,250	3,125	6,250	3,125	6,250	3,125				
<b>Darlington</b>	<b>9,173</b>	<b>2,293</b>	<b>9,173</b>	<b>2,293</b>	<b>558</b>					
<b>Mean</b>	<b>7,329</b>	<b>3,568</b>	<b>6,750</b>	<b>3,154</b>	<b>5,335</b>	<b>2,640</b>	<b>2,980</b>	<b>6,728</b>	<b>3,281</b>	
<b>Median</b>	<b>6,954</b>	<b>3,125</b>	<b>6,959</b>	<b>2,328</b>	<b>5,112</b>	<b>1,688</b>	<b>2,700</b>	<b>5,091</b>	<b>2,250</b>	
<b>Lowest</b>	<b>3,187</b>	<b>1,662</b>	<b>1,697</b>	<b>1,564</b>	<b>558</b>	<b>1,330</b>	<b>1,697</b>	<b>2,660</b>	<b>849</b>	
<b>Highest</b>	<b>13,721</b>	<b>6,864</b>	<b>13,721</b>	<b>6,864</b>	<b>13,721</b>	<b>6,864</b>	<b>5,112</b>	<b>13,721</b>	<b>6,864</b>	

<b>BM3 Darlington BM Group: Main Group SRAs 2019/20</b>					
<b>Comparator Council</b>	<b>Main Opposition Group Leader</b>	<b>Main Opposition Deputy Leader</b>	<b>Minor Opposition Group Leaders</b>	<b>Minor Opposition Groups Deputy Leaders</b>	<b>Comments or Other</b>
<b>Sunderland</b>	12,556	8,369	6,277	4,184	Cabinet Secretary £25,111
<b>Newcastle</b>	6,750	3,375			Opposition Spokespersons £2,250
<b>South Tyneside</b>	2,556				
<b>N. Tyneside</b>	2,229	3,187			
<b>Gateshead</b>	16,471	6,782			
<b>Durham</b>	3,325		3,325		5 Minor Opposition Groups
<b>Northumberland</b>	12,150	4,860	2,430		
<b>Hartlepool</b>	4,864				
<b>North Yorks</b>	5,091		2,546		Group Secretaries £2,546, £1,697 & £849
<b>Cumbria</b>	12,534		5,374		
<b>Middlesbrough</b>	3,253		3,253		
<b>Redcar &amp; C'land</b>	4,840				
<b>Stockton</b>	5,000				
<b><i>Darlington</i></b>	<b><i>9,173</i></b>	<b><i>1,147</i></b>	<b><i>1,147</i></b>		<b><i>Pays 3 Minor Opp Group Leaders</i></b>
<b>Mean</b>	<b>7,199</b>	<b>4,620</b>	<b>3,479</b>		
<b>Median</b>	<b>5,046</b>	<b>4,118</b>	<b>3,253</b>		
<b>Lowest</b>	<b>2,229</b>	<b>1,147</b>	<b>1,147</b>		
<b>Highest</b>	<b>16,471</b>	<b>8,369</b>	<b>6,277</b>		

