

SHEFFIELD CITY COUNCIL

ANNUAL COUNCIL MEETING – 15TH MAY, 2013

List of Amendments received by the Chief Executive

ITEM OF BUSINESS NO. 10 – MEMBERS’ ALLOWANCES 2013/14 AND ONWARD

1. Amendment to be moved by Councillor Julie Dore, seconded by Councillor Harry Harpham

That the recommendations of the Cabinet at its meeting held on 8th May, 2013 in relation to the Members’ Allowances Scheme for the remainder of 2013/14 and onward, be replaced by the following resolution:-

RESOLVED: That this Council:-

- (a) thanks the members of the Independent Remuneration Panel for their report;
- (b) (i) confirms that allowances will be frozen again as they have been since April 2010 and Councillors will not be taking the 1% pay rise awarded to council employees and all public sector workers for 2013/14 despite the long standing agreement that councillors’ allowances mirror the public sector pay award;

(ii) notes the following comments from the report of the Panel - “The Panel nevertheless recommends that the Council gives consideration to the comparatively low levels of allowances generally, but particularly in relation to its Leader and Executive Members, when next amending its Members’ Allowances Scheme”;

(iii) further notes that due to the current financial position of the Council, savings of £50 million have been made in this year’s budget and believes it would not be appropriate to increase the level of Special Responsibility Allowance awarded to any position when the Council is having to make such heavy cuts;

(iv) further notes the following comments from the report of the Panel - “The Panel notes that the role of Cabinet Advisor is paid at the same level as the Chairs of the Regulatory Committees (Planning and Highways Committee and Licensing Committee), yet has no formal decision-making responsibilities unlike the Chairs of those Committees. It also notes that Sheffield pays a relatively high rate of allowance for that role in comparison to other Core Cities and neighbouring authorities, both in actual monetary value and in terms of

the differential with the allowances paid to Cabinet Members. For these reasons, the Panel recommends that the Council reviews the level of its allowance for the role of Cabinet Advisor”;

(v) therefore proposes to reduce the level of Special Responsibility Allowance awarded to Cabinet Advisers, in line with the recommendations of the Panel;

(vi) acknowledges that this reduction in the level of Special Responsibility Allowance for Cabinet Advisers is in addition to a reduction in the number of Cabinet Advisers in recent years by 4 Cabinet Adviser positions, from 14 in 2010/11 to the current level of 10;

(vii) notes the following comments from the report of the Panel - “The Panel notes that the roles of Shadow Cabinet Member and Shadow Cabinet Assistant are not roles recognised by a large majority of other Core Cities or neighbouring authorities for the purposes of the payment of Special Responsibility Allowances. It also notes that some authorities allocate Special Responsibility Allowances to opposition groups according to the size of the group, whereas no such formula exists in Sheffield’s Scheme. Furthermore, unlike in Sheffield’s Scheme (which only recognises the leader of the largest opposition group on the Council), all opposition group leaders and whips are recognised in some authorities’ schemes. The Panel recognises the need to adequately support the opposition groups but acknowledges that its roles are that of spokesperson, challenger, scrutineer etc and do not include responsibility for decision-making. For this reason, the Panel recommends that the Council reviews its arrangements for providing Special Responsibility Allowances to members of opposition groups on the Council”;

(viii) therefore proposes to introduce a formula to allocate Special Responsibility Allowances to opposition groups according to the size of the group, in line with the recommendations of the Panel;

(ix) notes that the introduction of a formula to allocate Special Responsibility Allowances to opposition groups brings the number of Special Responsibility Allowances awarded to Opposition Members more into line with the practice in other authorities;

(x) confirms that changes to opposition group Special Responsibility Allowances does not impact on the status of the Shadow Cabinet; and

(xi) further confirms that as a result of the full range of changes to Special Responsibility Allowances in 2013/14, members of the ruling group will be subject to a greater total level of savings than Opposition Members;

(c) accordingly, and having regard to the recommendations contained in the Panel’s report, together with the information contained in the report

of the Executive Director, Resources, now submitted, a Members' Allowances Scheme comprising the arrangements approved and adopted by the City Council at its meeting held on 3rd March, 2010, be approved and adopted with immediate effect for the remainder of 2013/14 and onwards, with the following variations in relation to the responsibilities/duties in respect of which Special Responsibility Allowances are to be made available, and the rates of those Allowances:-

- (i) the posts of Chairs of Community Assemblies be removed from Band B1 and, on a provisional basis pending the outcome of the consultation currently being undertaken on locality management arrangements, 7 posts of Local Action Partnership Chair be established with a Special Responsibility Allowance to be included in Band B2, and be payable from the date of formal approval of the new locality management arrangements;
 - (ii) the role of Lead Member for Scrutiny be formally recognised within the Scheme, but in view of the current structure and delivery of the scrutiny function in the Council, the role be included in Band B1 along with the posts of Chairs of the Scrutiny and Policy Development Committees (one of whom is also appointed to perform the role of Lead Member);
 - (iii) the post of Leader of the largest group (not forming the Executive) be retained at Band B1 but be redesignated as "Leader of Opposition Groups" and be made subject to a qualifying threshold whereby it becomes payable to leaders of opposition groups with more than 20% of the membership of the Council;
 - (iv) the posts of Cabinet Adviser be removed from Band B2 and placed on a new Band to be established with a rate of allowance at the mid-point between Band B2 and Band C;
 - (v) no change be made at this point to the level of the allowance for the role of Chair of Planning and Highways Committee (i.e. Band B2), irrespective of the introduction of a single Committee in 2013/14; and
 - (vi) the posts of Shadow Cabinet Member (on Band B2) and Shadow Cabinet Assistant (on Band C) be removed and new posts of Opposition Group Office Holders be established on Band B2, and the number of posts for which that allowance is payable be made subject to a qualifying threshold as follows:-
 - with more than 40% membership of the Council (3);
 - with more than 30% membership of the Council (2)
 - with more than 20% membership of the Council (1)
- (d) accordingly, a new Schedule 1 to the Members' Allowances Scheme (which specifies the special responsibilities in respect of which Special Responsibility Allowances are payable, and the amounts of those allowances per annum) be approved as follows:-

Leader (£18,167.68)

Band A (£9,083.86)

- Deputy Leader
- Cabinet Members

Band B (£7,509.32)

- Lead Member for Scrutiny
- Chairs of Scrutiny and Policy Development Committee
- Leader of Opposition Groups with more than 20% of the membership of the Council

Band C (£5,268.63)

- Chair of Planning and Highways Committee
- Chair of Licensing Committee
- Local Action Partnership Chair
- Opposition Group Office Holders-
 - with more than 40% membership of the Council (3)
 - with more than 30% membership of the Council (2)
 - with more than 20% membership of the Council (1)

Band D (£4,148.29)

- Cabinet Adviser

Band E (£3,027.95)

- Deputy Chair of Licensing Committee

Pensions Authority

- Member (£3,385.22)
- Chair (£11,207.97)
- Vice Chair (£5,603.99)

- (e) arrangements be made for role descriptions to be produced and published on the Council's website for each of the roles for which Special Responsibility Allowances are paid;
- (f) it be made explicit in the Scheme that the dependent carers' allowance would not be paid where caring duties have been performed by a member of the Councillor's immediate family;
- (g) (i) as regards the annual index-linked increase, it be confirmed that, as in previous years, the annual index in relation to Basic, Special Responsibility (including the Pensions Authority), Co-optees and Dependent Carers' Allowances shall be the average percentage officer pay award in Sheffield, and in relation to travel and subsistence, the annual index shall be the relevant officer rates agreed from time to time; such arrangements to be implemented for a period of four years and (ii) however, no annual increase be implemented during 2013/14 in relation to Basic, Special Responsibility (including the Pensions Authority), Co-optees and Dependent Carers' Allowances;
- (h) the revised Scheme for 2013/14 appended to this amendment, which incorporates the changes set out in paragraphs (c), (d), (f) and (g) above, and contains (in the interests of enhancing clarity and transparency) more comprehensive detail on the current arrangements

for the availability and payment of travel and subsistence allowances and definition of “approved duties”, be approved;

- (i) it be noted that Sheffield is to relinquish its chairship of the South Yorkshire Pensions Authority with effect from 2013/14, and that this will result in a financial saving to the Council; and
- (j) it be noted that the effect of the revisions to the Special Responsibility Allowance aspects of the Members’ Allowances Scheme and the appointments to be made earlier at this meeting to positions of special responsibility, results in a full year saving to the Members’ Allowances budget totalling approximately £96K and an in-year saving for the remainder of 2013/14 of approximately £84K (see calculations below), and the freezing of Members’ allowances in 2013/14 avoids a further cost pressure on that budget of 1% in 2013/14 (approximately £15K).

Savings calculation:

Special Responsibility Allowances:

- Chairs of Community Assemblies/Local Action Partnership Chair – 7 reduced allowances of £2,240.69 = £15,684.83;
 - Cabinet Advisers – 10 reduced allowances of £1,120.34 = £11,203.40;
 - Chair of Planning & Highways Cttee – 1 less allowance of £5,268.63;
 - Shadow Cabinet Members/Opposition Group Office Holders – 7 less allowances of £5,268.63 = £36,880.41; and
 - Pensions Authority Chair – 1 less allowance of £11,207.97.
- Total SRA saving = £80,245.24 + 20% NI & Superannuation costs (actual savings depend on the individual circumstances of the Members affected) = £96,294.29. 10.5 months to end of financial year = 2013/14 SRA saving of approximately £84,257.50.
- Plus cost pressure saving of approximately £15,000 due to non-implementation of annual increase on allowances in 2013/14.
- Total approximate savings for 2013/14 of £99K.

2. **Amendment to be moved by Councillor Shaffaq Mohammed, seconded by Councillor Colin Ross**

That the recommendations of the Cabinet at its meeting held on 8th May, 2013 in relation to the Members’ Allowances Scheme for the remainder of 2013/14 and onward, be replaced by the following resolution:-

RESOLVED: That this Council:-

- (a) thanks the members of the Independent Remuneration Panel for their report;
- (b) regrets that a cross-party agreement could not be reached on members’ allowances;

- (c) recommends that a cross-party group should be immediately formed to seek consensus on a future scheme; and
- (d) accordingly, agrees that the interim Members' Allowances Scheme for 2013/14 approved by this Council at its meeting held on 1st March, 2013, be continued to be implemented from 15th May, 2013 until a new Scheme is approved by the Council at its meeting to be held on 5th June, 2013, informed by the work of the cross-party group.

3. **Amendment to be moved by Councillor Jillian Creasy, seconded by Councillor Robert Murphy**

That the recommendations of the Cabinet at its meeting held on 8th May, 2013 in relation to the Members' Allowances Scheme for the remainder of 2013/14 and onward, be replaced by the following resolution:-

RESOLVED: That this Council:-

- (a) thanks the members of the Independent Remuneration Panel for their report;
- (b) supports the intention of the Administration not to apply to Councillors' allowances the 1% pay rise awarded to Council employees and all public sector workers for 2013/14;
- (c) notes that the Administration did not consult in any meaningful sense with all political groups on the Council in respect of the report and its recommendations, prior to the annual meeting of the Council;
- (d) requests an urgent meeting of the Corporate Members Group in order to find a cross party solution to the challenge of meeting the target saving of £100,000 on Members budgets; and
- (e) accordingly, agrees that the interim Members' Allowances Scheme for 2013/14 approved by this Council at its meeting held on 1st March, 2013, be continued to be implemented from 15th May, 2013 until a new Scheme is approved by the Council, informed by the work of the Corporate Members Group.

SHEFFIELD CITY COUNCIL MEMBERS’ ALLOWANCES SCHEME

Sheffield City Council, in exercise of the powers conferred by the Local Authorities (Members’ Allowances) (England) Regulations 2003, hereby makes the following scheme:-

Citation

- 1 This scheme may be cited as the Sheffield City Council Members’ Allowances Scheme and shall have effect from 15 May 2013 for the remainder of the year ending 31 March 2014.

Interpretation

- 2 In this scheme:-

“Councillor” means a member of the Sheffield City Council who is a Councillor;

“Year” means the 12 months ending with 31 March.

Basic Allowance

- 3 Subject to paragraph 6, for each year a basic allowance of £11,742.45 shall be paid to each Councillor.

Special Responsibility Allowances

- 4(1) For each year, a special responsibility allowance shall be paid to those Councillors who have the special responsibilities in relation to the Authority that are specified in schedule 1 to this scheme.
- (2) Subject to paragraph 6, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.

Renunciation

- 5 A Councillor may by notice in writing given to the Director of Legal and Governance elect to forego any part of his/her entitlement to an allowance under this scheme.

Part-year Entitlements

- 6 (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (2) If an amendment to this scheme is made which affects payment of a basic allowance or a special responsibility allowance in the year in which the amendment is made, then in relation to each of the periods
- (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (3) Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the 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 subsists bears to the number of days in that year.
- (4) Where this scheme is amended as mentioned in sub-paragraph (2) and the term of office of a Councillor does not subsist throughout a period mentioned in sub-paragraph (2), the entitlement of any such Councillor to a basic allowance shall be the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his/her term of office as a Councillor subsists in that period bears to the number of days in that period.
- (5) Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor’s entitlement shall be to payment of such part of that allowance as bears to the whole 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.

- (6) Where this scheme is amended as mentioned in sub-paragraph (2) and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor’s entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion of the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

Claims and Payments

- 7(1) Payments shall be made in respect of basic and special responsibility allowances, subject to sub-paragraph (2), in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month.
- (2) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more or less than the amount to which, by virtue of paragraph 6, he or she is entitled, the payment shall be such amount as will ensure that no more or no less is paid than the amount to which he or she is entitled.
- (3) Councillors are required to submit claims for Childcare and Dependent Carers’ Allowances, and travel and subsistence allowances, within a time limit of 2 months from the date of the duty.

Childcare and Dependent Carers’ Allowances

- 8(1) A Councillor may claim a Childcare and Dependent Carers’ Allowance, in respect of duties outlined in schedule 2 to this scheme, in accordance with the Local Authorities (Members’ Allowances) (England) Regulations 2003.
- (2) The rate for such an allowance is

½ day up to 4 hours up to £24.00

- (3) Paid receipts must be submitted to support claims for Childcare and Dependent Carers’ Allowances.
- (4) Childcare and Dependent Carers’ Allowances may not be claimed in respect of caring duties which have been performed by a member of the Councillor’s immediate family.

Travel and Subsistence Allowances

- 9(1) A Councillor may claim travelling allowances in respect of duties outlined in schedule 2 to this scheme, at the following rates:-

Travel within the City: *(These allowances are only available to Councillors who are not in possession of a Members’ Travel Pass)*
Car Mileage – 45p per mile up to 10,000 miles per annum and 25p per mile above 10,000 miles, plus 5p per mile for each passenger (up to four) who can claim an allowance;
Motor Cycle/Moped mileage – 24p per mile;
Pushbike – 20p per mile;
Public Transport – actual fare incurred, subject to submission of ticket/receipt.
Car Parking – charges will not be reimbursed as City Centre car parking arrangements are in place for Councillors.

Travel out of City: *(subject to separate approval)*
Rail Fare – cheapest standard fare.
Car Mileage – 45p per mile for the first 60 miles, then 13.8p per mile – plus 5p per mile for each passenger (up to four) who can claim an allowance – but overall amount to be paid is limited to the cost of the cheapest standard rail fare, with no allowance for parking fees or other charges (except in case of disabled Members – in this case, mileage rate without limitation calculating journey there and back individually).
Taxis – reimbursement of the fare where public transport is not reasonably available, and subject to submission of receipts.
Car Parking – reimbursement of car parking charges, subject to submission of ticket/receipt.

(Note: Members who travel to and from work for an approved duty can only claim an allowance up to the equivalent home return journey.)

- (2) Subject to separate approval, a Councillor may claim subsistence allowances in respect of approved duties set out in schedule 2 to this scheme, at the following rates:-

Subsistence within the City – Nil

Subsistence out of City – Breakfast £7.37; Lunch £10.16; Tea £3.99; Evening Meal £12.60.

Subsistence overnight – Actual cost.

Co-Optees’ Allowance

- 10 A co-optees’ allowance may be paid to individuals appointed to serve as members of committees of the Council, but who are not Members of the Council. The amount of the co-optees’ allowance is £707.98 per annum.

Annual Adjustments of Allowances

- 11(1) The annual adjustment of allowances will be ascertained by reference to an index. In relation to Basic, Special Responsibility (including the Pensions Authority), Childcare and Dependent Carers’ and Co-optees Allowances, the annual index shall be the average percentage officer pay award in Sheffield. In relation to travelling and subsistence allowances, the annual index shall be the relevant officer rates agreed from time to time. These annual indexes apply for a period of four years commencing from 2013/14.
- (2) However, in relation to Basic, Special Responsibility (including the Pensions Authority), Childcare and Dependent Carers’ and Co-optees Allowances in 2013/14, no annual increase will be implemented.

Pensions

- 12 All Councillors have the option of accessing the Local Government Pension Scheme with effect from 1st May, 2003. Both Basic and Special Responsibility Allowance are treated as amounts in respect of which such pensions are payable.

Entitlement to Allowances

- 13(1) No Councillor shall receive more than one Special Responsibility Allowance, except in relation to the Pensions Authority.
- (2) Where a Councillor is also a member of another Authority, he/she may not receive allowances from more than one Authority in respect of the same duties.

SCHEDULE 1

The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances.

Leader	£ 18,167.68 pa
Band A Deputy Leader Cabinet Members	9,083.86 pa
Band B Lead Member for Scrutiny Chairs of Scrutiny and Policy Development Committees Leader of Opposition Groups with more than 20% of the membership of the Council	7,509.32 pa
Band C Chair of Planning and Highways Committee Chair of Licensing Committee Local Action Partnership Chair Opposition Group Office Holders – - with more than 40% membership of the Council (3) - with more than 30% membership of the Council (2) - with more than 20% membership of the Council (1)	5,268.63 pa
Band D Cabinet Advisers	4,148.29 pa
Band E Deputy Chair of Licensing Committee	3,027.95 pa
Pensions Authority Member Chair Vice Chair	3,385.22 pa 11,207.97 pa 5,603.99 pa

SCHEDULE 2

Duties in respect of which travel, out of City subsistence and Childcare and Dependent Carers Allowance are available shall be:-

- (a) The attendance at a meeting of the authority or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more local authorities within the meaning of section 270(1) of the Local Govt Act 1972, or a sub-committee of such a joint committee provided that:-
 - 1. Where the authority is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited, or
 - 2. If the authority is not so divided, it is a meeting to which at least two Members of the authority have been invited;
- (c) The attendance at a meeting of any association of authorities of which the authority is a member;
- (d) The attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) The performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- (g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996, and
- (h) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with

the discharge of the functions of the authority or of any of its committees or sub-committees

In terms of paragraph (h) above the following duties are approved by the Council:-

- Meetings by Members in receipt of a special responsibility allowance with a Chief Officer or relevant officer or on any other matter arising from the statutory duties of the Council as deemed necessary;
- Deputations to Ministers and Government Departments;
- Working groups including officers as approved by Council;
- Attendance at Ward or area-based events connected with the locality management function;
- Attendance at meetings of Neighbourhood Action Groups;
- Conferences and seminars;
- Members surgeries on up to 3 days per month and, in exceptional cases, also those surgeries held on behalf of a colleague in case of illness;
- Members induction courses and training sessions to which all relevant Members are invited; and
- Attendance at their Council office to carry out preparatory work in connection with the discharge of the functions of the authority or any of its committees or sub-committees for up to 8 occasions per month.

(Note: Out of City duties require separate approval.)

Duties Excluded

- Attendance at meetings of a political group nature, except the Policy Working Group (Labour), the Policy Working Group (Liberal Democrat) and the Policy Working Group (Green) at which officers provide briefings open to all members of the respective group;
- Attendance at civic functions; and
- For Councillors not in receipt of a special responsibility allowance, attendance at informal discussions, meetings or visits between Councillors and/or with officers or with other organisations, as these duties are deemed to form part of the Councillor's constituent duties.