



STANDARDS COMMITTEE

MINUTES of the OPEN section of the meeting of the STANDARDS COMMITTEE held on MONDAY, 13TH OCTOBER, 2003 at 7.00pm at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Mr. Ian Powe (Chair)
Councillor David Hubber (Vice-Chair)
Councillor Peter John
Councillor Danny McCarthy
Councillor Lewis Robinson
Councillor Tony Ritchie
Councillor Mark Pursey

**INDEPENDENT
VOTING
MEMBERS:** Ms. Jean Sackur
Sir Keith Morris

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr. Barry Albin-Dyer who has also informally declared a wish to resign from the Committee due to pressure of business. An apology for absence was also received from Councillor Ian Wingfield.

2 **CONFIRMATION OF VOTING MEMBERS**

The voting members as set out under present were confirmed.

3 **NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS AS URGENT**

The Chair agreed to accept the following late item as urgent:

Item 8 – Freedom of the Borough – Lord Harris

4 **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

None were made. The Committee has general dispensation on matters of personal and collective allowances.

The Standards Committee considered the items set out on the open agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

5 **MINUTES**

RESOLVED: That the minutes of the meeting held on the 2nd September, 2003 be approved and signed as a correct record by the Chair.

It was agreed that Standards Committee training would be held in the evening on Tuesday, 11th November, 2003.

6 **CONCLUSION TO REVIEW OF APPOINTMENTS TO CHARITIES** (see pages 1-47)

RESOLVED:

1. That the report from Voluntary Bodies Appointments Panel be noted.
2. That the following is noted and endorsed:-
 - Process which has been followed to review appointments to charities.
 - The New Information pack at appendix 1 of the report, including the revised application form and reference form.
 - Article from Southwark Life at appendix 2 of the report.
 - Procedure for appointing school governors via Community Councils at appendix 3.
 - Principles which apply to charity appointments at Appendix 4.
3. That the decision to nominate an independent member to serve on the Panel be deferred while individual members decide whether or not to volunteer.

7 **MEMBERS ALLOWANCES** (see pages 4 –6)

RESOLVED: **To make the following recommendations to Council Assembly:**

1. That given that the Association of London Government (ALG) Panel was formed specifically to make recommendations on allowance levels, and that considerable work went into research, their recommendations should be given significant weight.

- a) **Index Linking.** That the level of Basic and Special Responsibility that allowances should in future be indexed linked, for a period of 4 years, to the Local Government Pay Settlement.
- b) **The Basic Allowance.** The basic allowance should be set at the level recommended by the ALG, of £9149.50.
- c) **Special Responsibility Allowances: Level of Allowances and Relativity.**
 - (i) That the Leader's Allowance should be based on the ALG recommendation(linked to a back bench MP), as uplifted by the LGPS, to go to an SLA of £46,823 and a total allowance figure of £55,973.
 - (ii) That other SLAs should be set by reference to percentages so that the Total Allowance received is a percentage of the Leader's Total Allowances
 - (iii) That the percentages should be within the ranges set by the ALG.
 - (iv) That Band 3 allowance should be set at 70% of the Leader's total, which is at the lowest level of the ALG recommendation.
 - (v) That it be noted that the ALG place the Mayor (Chair of Council Business) in their Band 2. That a payment in the middle or higher ranges of the ALG Band 2 would be realistic, given that Southwark's Mayor is one of the busier in London and the Council expects the Mayor to take a lead on community partnership issues.
 - (vi) The Committee recommends the Mayor's allowance be set at 55% of the Total of the Leaders Allowance, which would lead to a figure of £30,785. The committee noted that this would mean the Mayor would receive an amount very close to the average earnings of people employed full time in Southwark.
 - (vii)The Committee considered a recommendation that Southwark's Band 1 and Band 2 allowances should be set so at the lower (20%) and Upper (30%) ends of the ALG's Band 1. This would mean the Total Allowances for a Councillor receiving Band 1 would be £11,195 (20% of the leader) and a Band 2 would be £16,792 (30% of the leader).

The Committee discussed whether this would lead to the gap between Band 1 and Band 2 being too large. The committee made no final recommendations on this, and asked that Council Assembly should receive information on alternative different percentages (within the ALG recommendations).

d) **Special Responsibility Allowances. Abatement of Band 3 and 4 allowances.** The Committee discussed the ALG's recommendation that allowances should not be abated and resolved that Council Assembly should decide whether or not to follow the ALG recommendation.

e) **Posts to which allowances are payable.** The Committee considered the Banding of allowances and made the following recommendations:

- That Band 1 Allowances should be payable to the Leader Minority Opposition, Deputy Leader of Majority Opposition, and Opposition Group Whip
- That no SRA should be payable to the Vice Chairs of Scrutiny Sub Committees, the Vice-Chair of Planning, Vice-Chair of Licensing.
- Councillors on the Adoption Panel should receive a band 1 payment.
- The Vice-Chair of Overview and Scrutiny Committee should not receive an SRA (i.e. be removed from Band 2.)
- Chair of Disciplinary Appeals Sub-Committee to be added to band 2.
- The Committee maintained its previous recommendation that Community Council Chairs should be in Band 2
- That Council Assembly consider whether the Leader of the Majority Opposition is in the correct band.

f) **Co-optees Allowances.**

That statutory co-optees should receive allowances as follows:-

Statutory Co-optees

- The Chair of the Standards Committee should be entitled to receive a Band 2 Allowance.
- Other Independent members of the Standards Committee, and Statutory Co-optees to the Education Scrutiny Committees should be entitled to claim a Band 1 Allowance.

Statutory Co-optees receiving an allowance should be subject to the same travel and subsistence claim as Councillors. (i.e. not able to claim for intra borough travel and subsistence, except in the circumstances set out below).

Non Statutory Co-optees

Non-statutory co-optees (i.e. those co-opted to Housing Scrutiny) should not receive an allowance, but should be entitled to reimbursement of their expenses.

- g) **Electing not to receive allowances.** The current provision should continue i.e. that Members may elect in writing not to receive some or all of their allowance entitlement.
- h) **Withholding Allowances.** The ALG recommendations on withholding allowances were agreed.
- i) **Travel and Subsistence Allowance.**
- **Level of allowance.** On travel and subsistence, the amounts and conditions should be the same as officers who claim a casual car or cycle user allowance, subject to the exceptions set out below.
 - **Basic Allowance.** That the basic and Special Responsibility allowances should continue to cover intra-borough travel and subsistence with the following exceptions:-
 - ❖ Members with mobility difficulties are able to claim the cost of taxis when on council business.
 - ❖ That Members be eligible to claim for travel after 9.00pm in Summer (BST) and 7.00pm in Winter (GMT).
- j) **Childcare and Dependent Carer Allowance.**
- The Committee noted that amounts paid in respect of this allowance were now required to be published annually. Given that that accountability mechanism is in place, the committee recommended that the £200 cap be removed.
 - The Committee recommended that rate remain at £6 per hour, with increases from time to time. Having started at £6 this will be controlled by the Chief Executive in line with the amounts payable by the Council's Social Services department (there can only be an increase on this figure).
- k) **Approved Duties.** That the duties for which travel, subsistence and dependent carers allowance can be claimed should be the same.

- l) **Pensions.** That the ALG recommendation on Pensions be noted, and that Council Assembly should make the final decision.
- m) **Annual Reports / Accountability.** The Committee heard that role descriptions had been developed as part of the Forward@Southwark Member Development Programme, and were shortly going to Members for consultation, and that the role descriptions could form the basis of a ward report.

The Committee discussed whether all members should be entitled to publish a ward report on the website and to all residents. Some concerns about the cost of sending reports in hard copy to residents were raised, and issues were raised about Council publicity. The Borough Solicitor noted that some communications were already sent, and that it may be able to contain the cost within current budgets. She would address issues around communications in the report back to Members on the Member Officer Protocol.

The Committee agreed to receive a report back on the issue of Ward Reports and Accountability, and in the interim to make no concluded recommendation to Council Assembly.

- n) **Backdating of Allowances.** That the increases in allowances should be backdated to Constitutional Council Meeting. This includes back-payments of allowances which have been suspended. (With regard statutory co-optees their backdated payments should be backdated in accord with the regulations).
- o) **Time period for claiming:** That the current provision should remain, in that Members should submit allowance claims within 2 months.
- p) **Arbitration Panel:** Members noted concerns that the level of payments to Members and others sitting on the Arbitration Panels had not been amended for 4 years. The Committee asked to receive a report on this issue, with a view that such payments could be index-linked in the same way as Member Allowances.

(In accordance with Council Procedure Rule 1.9 (3&4) Councillor Lewis Robinson requested that his opposition to resolution (c)(iv) be recorded in the minutes.)

In discussing Community Council Chairs, the Chair reported that the perception of the people living in his road was that Community Councils, in particular the Walworth Community Council was a success, and that this should be recognised. The establishment of a locally based community council has been positively welcomed.

8 **FREEDOM OF THE BOROUGH** (see pages 81-84)

This item had not been circulated five clear days in advance of the meeting. The Chair accepted this item as urgent in order for its consideration by Council Assembly on the 29th October, 2003.

RESOLVED

1. That Council Assembly be recommended to award the Freedom of the Borough to Sir Phillip Charles Harris, Lord Harris of Peckham.

The meeting ended at 9.45pm

CHAIR:

DATED: