

Council Assembly (Ordinary)

Wednesday 21 January 2015
7.00 pm

Harris Academy Peckham, 112 Peckham Road, London SE15 5DZ

Councillors are summoned to attend a meeting of the Council to consider the business contained herein

Eleanor Kelly
Chief Executive

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

Ian Millichap on 020 7525 7225 or 020 7525 7222 or email: ian.millichap@southwark.gov.uk;
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Date: 9 January 2015



Council Assembly

(Ordinary)

Wednesday 21 January 2015
7.00 pm
Harris Academy Peckham, 112 Peckham Road, London SE15 5DZ

Order of Business

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PART A - OPEN BUSINESS

1. PRELIMINARY BUSINESS

1.1. ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE

To receive any announcements from the Mayor, members of the cabinet or the chief executive.

1.2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT

In special circumstances an item of business may be added to an agenda within seven working days of the meeting.

1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.

1.4. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

1.5. MINUTES

To approve as a correct record the open minutes of the council assembly meeting held on 26 November 2014 (to be circulated separately).

2. ISSUES RAISED BY THE PUBLIC

2.1. PETITIONS

To formally receive any petitions lodged by members of the council or the public which have been received in advance of the meeting in accordance with council assembly procedure rules.

2.2. PUBLIC QUESTION TIME

The deadline for public questions is midnight, Thursday 15 January 2015.

Questions can be emailed to constitutional.team@southwark.gov.uk.

Questions from the public will be distributed in a supplemental agenda.

3. THEMED DEBATE - HEALTHY AND ACTIVE COMMUNITIES INCLUDING SPORT, LEISURE AND VOLUNTEERING

3.1. COMMUNITY EVIDENCE

The deadline for the submission of evidence from the public on the theme is midnight, Thursday 15 January 2015. Submissions can be emailed to constitutional.team@southwark.gov.uk.

Submissions from the public will be distributed in a supplemental agenda.

3.2. MOTION ON THE THEME: HEALTHY AND ACTIVE COMMUNITIES

1 - 3

Councillor Barrie Hargrove, the cabinet member for public health, parks and leisure, to present the theme for the meeting.

4. OTHER DEPUTATIONS

The deadline for deputation requests is midnight, Thursday 15 January 2015.

Deputations can be emailed to constitutional.team@southwark.gov.uk.

Deputation requests will be distributed in a supplemental agenda.

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6.	OTHER REPORTS	
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7.	AMENDMENTS	
	Any member of the council may submit an amendment to a report or motion on the agenda. The amendments will be circulated to all members in a supplemental agenda.	
	ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING	
	EXCLUSION MOTION (IF NECESSARY)	
	The following motion should be moved, seconded and approved if the council wishes to exclude the press and public to deal with reports revealing exempt information:	
	“That under the access to information procedure rules of the Southwark constitution, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in section(s) 1 – 7 of paragraph 10.4 of the procedure rules.”	
	PART B – CLOSED BUSINESS	
	ANY CLOSED ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING	

Item No. 3.2	Classification: Open	Date: 21 January 2015	Meeting Name: Council Assembly
Report title:		Motion on the Theme: Healthy and Active Communities	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The theme for this meeting is healthy and active communities.

The relevant cabinet member shall submit a motion on the theme. All other political groups on the council are allowed to submit one amendment to the motion. The cabinet member's motion and the amendments do not need to be seconded. The cabinet member will present the motion to the meeting, followed by the lead opposition spokesperson's response and moving of their amendment. Following this the subject matter of the theme will be open to debate. Amendment(s) from other opposition groups on the council can be moved during this part of the meeting.

MOTION FROM COUNCILLOR BARRIE HARGROVE

1. Everyone in our borough should have the opportunity to lead a healthy and active life. As a local authority Southwark Council is supporting local residents to be healthy and active by:
 - 1) Committing to make swim and gym use free for all Southwark residents in council leisure centres to ensure that that cost is not a barrier preventing people in Southwark from getting fit and healthy. This groundbreaking initiative will be particularly targeted at those who would benefit most from free swimming and gyms, including residents with ill health, children and young people, older people, and those with disabilities.
 - 2) Giving free healthy school meals to all primary school children in Southwark, despite four years of opposition from Liberal Democrat councillors, saving parents £340 a year for each of child, and extending free fruit to all primary school pupils as a healthy morning snack.
 - 3) Investing in our parks and open spaces and bringing even more of our parks up to green flag standards.
 - 4) Delivering a cycling strategy to improve cycle take up and safety in the borough.
 - 5) Doubling the number of free NHS health checks to catch problems like heart disease and diabetes.
 - 6) Providing a wide range of sports provision, including:
 - Free accredited training for Southwark residents

- Equipment grants for clubs and coaching courses to increase sport participation for young people
 - A wide range of disability sport opportunities and sportability grants to increase opportunities for disabled people in sport and physical activity
 - A large programme of older adult classes
 - Sports activities for women and girls
 - Free community sport hours at leisure centres and parks across the borough.
- 7) Investing in sports infrastructure, including the state of the art BMX track in Burgess Park, reinstating Southwark Park athletics track, and new leisure centres at Elephant and Castle and Canada Water.
- 8) Helping residents in Southwark to support each other to lead healthy and active lives, by working with partner organisations, including Volunteer Centre Southwark, Community Action Southwark and Southwark Arts Forum, to make it easier to volunteer and to encourage more people in Southwark to volunteer.
2. There are a number of barriers that can prevent people from being healthy and active, including finance, time, work, ill health, disability or access to health, sport and leisure services. Council assembly welcomes this administration's work to remove these barriers and support our residents to become healthy and active. However, council assembly is concerned that the government is making it harder for people to be healthy and active by:
- 1) Overseeing an increase in GP waiting times, cancelled operations and delays in treatments.
 - 2) Hitting 3,500 families in the borough with the bedroom tax, making it harder to make ends meet and forcing people into debt for the first time.
 - 3) Imposing harsh welfare cuts and forcing huge increases in the number of families in Southwark relying on food banks.
3. Council assembly calls on the cabinet to continue doing everything possible to support local residents to be healthy and active members of the community and to remove the barriers currently preventing some residents from leading healthy and active lives.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet member's motion	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager
Report Author	Andrew Weir, Constitutional Officer
Version	Final
Dated	5 January 2015

Agenda Item 5.1

Item No. 5.1	Classification: Open	Date: 21 January 2015	Meeting Name: Council Assembly
Report title:		Members' Question Time	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

Members' question time shall not exceed 30 minutes. During this time, members may not question any one cabinet member or committee chair for longer than fifteen minutes.

Members are limited to one question at each meeting. One councillor from each community council will be able to submit a question on behalf of their community council.

Questions to the leader will be taken first, followed by question from community council councillors followed by questions to other cabinet members. The order in which the different political groups ask questions of the leader will be rotated. Questions to cabinet members will be rotated. The order of portfolios will be rotated at each meeting such that the cabinet member answering questions immediately after the leader will be the last cabinet member to answer any questions at the next meeting of council assembly.

Cabinet members and committee chairs have discretion to refer a question to another cabinet member.

Responses to members' questions will be circulated on yellow paper around the council chamber on the evening of the meeting.

The Mayor will ask the member asking the question if they wish to ask one supplemental question to the member to whom the question was asked. The supplemental question must arise directly out of the original question or the reply. Therefore, supplemental questions to the leader or other cabinet members are not free ranging.

No question shall be asked on a matter concerning a planning or licensing application.

Notes:

1. The procedures on members' questions are set out in council assembly procedure rule 2.9 in the Southwark Constitution.
2. In accordance with council assembly procedure rule 2.9 (12) & (13) (prioritisation and rotation by the political groups) the order in which questions to the leader appear in this report may not necessarily be the order in which they are considered at the meeting.
3. A question from a community council must have been previously considered and noted by the relevant community council (CAPR 2.9.2).

1. QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI

The 'Community Conversation' budget consultation document lists all the areas where the council spends money but fails to mention cabs, catering or consultants. Please could the leader tell me how much has been spent on these in each of the last three years?

2. QUESTION TO THE LEADER FROM COUNCILLOR JANE LYONS

Could the leader provide an update on any communications he has sent or received and actions he has taken over the last six months regarding the future of the Dulwich Hospital Site?

3. QUESTION TO THE LEADER FROM COUNCILLOR NEIL COYLE

Is the leader concerned about the increase in accident and emergency waiting times and cancelled operations in local hospitals and the affect this is having on Southwark residents?

4. QUESTION TO THE LEADER FROM COUNCILLOR ADELE MORRIS

How many new homes at council rent currently have planning permission and, of these, how many have been built and how many are occupied?

5. QUESTION TO THE LEADER FROM COUNCILLOR MAISIE ANDERSON

Can the leader confirm how much Southwark's spending power will be reduced following the government's announcement of additional funding cuts in the 2015 financial settlement?

6. QUESTION TO THE LEADER FROM COUNCILLOR HAMISH McCALLUM

What is the council doing to ensure that equal priority status and housing need points are awarded to people with mental health illnesses as to those with physical medical conditions? When was the last review of medical assessment procedures carried out and what was the outcome?

7. QUESTION TO THE LEADER FROM COUNCILLOR EVELYN AKOTO

Following the successful launch of the women's safety charter last month, can the leader tell me how many venues in Southwark have signed up to the charter?

8. QUESTION TO THE LEADER FROM COUNCILLOR DAVID HUBBER

How many long-term empty and second homes in Southwark have been charged full council tax or the Empty Home Premium since April 2013? What is the total number of second and empty homes in the borough broken down by tenure type?

9. QUESTION TO THE LEADER FROM COUNCILLOR RENATA HAMVAS

How does the council tax collection rate being set this for 2015/16 compare to the council's performance in previous years?

10. QUESTION TO THE LEADER FROM COUNCILLOR JAMES BARBER

Can the leader provide a breakdown of spend so far of the council's £2 million capital funding for cycling improvements?

11. QUESTION TO THE LEADER FROM COUNCILLOR ANNE KIRBY

Can the leader give an update on the council's plans to build 1,500 new council homes by 2018?

12. QUESTION TO THE LEADER FROM COUNCILLOR SUNNY LAMBE

Can the leader explain how the additional funding recently awarded to Southwark Council through the government's transformation challenge programme will be used to help more residents back into work?

13. QUESTION TO THE LEADER FROM COUNCILLOR MARTIN SEATON (BOROUGH, BANKSIDE AND WALWORTH COMMUNITY COUNCIL)

What support is the council providing to carers in the light of recent government cuts?

14. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR COMMUNITIES, EMPLOYMENT AND BUSINESS FROM COUNCILLOR BILL WILLIAMS (BERMONDSEY AND ROTHERHITHE COMMUNITY COUNCIL)

What is the council doing to address the stereotyping of young people by businesses?

15. QUESTION TO THE CABINET MEMBER FOR PUBLIC HEALTH, PARKS AND LEISURE FROM COUNCILLOR ANDY SIMMONS (DULWICH COMMUNITY COUNCIL)

Could the cabinet member please provide an update on progress with Greendale and securing the future of Dulwich Hamlet Football Club?

16. QUESTION TO THE CABINET MEMBER FOR REGENERATION, PLANNING AND TRANSPORT FROM COUNCILLOR JOHNSON SITU (PECKHAM AND NUNHEAD COMMUNITY COUNCIL)

How does the council plan to ensure that future regenerations within Peckham and Nunhead are sustainable?

17. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR CHRIS GONDE

Can the cabinet member give an update on the council's plans to make Southwark a dementia friendly borough?

18. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR JASMINE ALI

What are the current usage rates in our Southwark libraries?

19. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR SANDRA RHULE

What was the turnout for the Southwark fireworks display this year?

20. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR MARIA LINFORTH-HALL

Will the cabinet member provide an update on the council's plans for day centre provision in the borough?

21. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR DAVID NOAKES

Can the cabinet member update councillors on plans to expand the work of lay inspectors?

22. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR TOM FLYNN

Can the cabinet member give an update on the progress of Camberwell library?

23. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR CATHERINE DALE

Can the cabinet member give an update on the introduction of the council's ethical care charter?

24. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR LISA RAJAN

What steps is the council taking to ensure good interventions at an early stage for residents with mental health issues to avoid presentations at local accident and emergency units

25. QUESTION TO THE CABINET MEMBER FOR ADULT CARE, ARTS AND CULTURE FROM COUNCILLOR BEN JOHNSON

Has the council calculated how many books have not been returned to Southwark libraries and how much money has been lost from fines that should have been paid for overdue books?

26. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR CLAIRE MAUGHAM

Can the cabinet member explain what the council is doing to increase primary school places to meet demand in the north of the borough?

27. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR JAMILLE MOHAMMED

Can the cabinet member explain what the council is doing to drive up standards in Southwark schools?

28. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR STEPHANIE CRYAN

Can the cabinet member confirm whether there are any further plans for new secondary schools to open in Southwark?

29. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR ROSIE SHIMELL

When will the council carry out an assessment of the impact of its free school meals programme on primary school children's obesity levels in the borough?

30. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR DAMIAN O'BRIEN

Will the cabinet member commit to no new schools being built in pollution hot spots in Southwark and installing air filtration systems in existing schools in these areas?

31. QUESTION TO THE CABINET MEMBER FOR CHILDREN AND SCHOOLS FROM COUNCILLOR JAMES OKOSUN

Please list all the potential free school sites in the borough and for each one state what progress is being made?

32. QUESTION TO THE CABINET MEMBER FOR REGENERATION, PLANNING AND TRANSPORT FROM COUNCILLOR MICHAEL MITCHELL

Please can the cabinet member provide an update on the implementation of the borough-wide 20mph zone? What has been the cost of introducing the measure? What steps are to be carried out for the post implementation review of the impact of the policy on traffic flows, with particular emphasis on the impact in the south of the borough?

33. QUESTION TO THE CABINET MEMBER FOR FINANCE, STRATEGY AND PERFORMANCE FROM COUNCILLOR ELIZA MANN

Can the cabinet member set out how many times Capita have incurred penalties for their performance since they became the council's IT contractor, the reasons why and how much they have been fined on each occasion?

Item No. 5.2	Classification: Open	Date: 21 January 2015	Meeting Name: Council Assembly
Report title:		Motions	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

BACKGROUND INFORMATION

The councillor introducing or “moving” the motion may make a speech directed to the matter under discussion. This may not exceed five minutes¹.

A second councillor will then be asked by the Mayor to “second” the motion. This may not exceed three minutes.

The meeting will then debate the issue and any amendments on the motion will be dealt with.

At the end of the debate the mover of the motion may make a concluding speech, known as a “right of reply”. If an amendment is carried, the mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.

The Mayor will then ask councillors to vote on the motion (and any amendments).

IMPLICATIONS OF THE CONSTITUTION

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and allocates to the cabinet responsibility for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. Therefore any matters that are reserved to the cabinet (i.e. housing, social services, regeneration, environment, education etc) cannot be decided upon by council assembly without prior reference to the cabinet. While it would be in order for council assembly to discuss an issue, consideration of any of the following should be referred to the cabinet:

- to change or develop a new or existing policy
- to instruct officers to implement new procedures
- to allocate resources.

Note: In accordance with council assembly procedure rule 2.10 (7) & (8) (prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting.

¹ Council assembly procedure rule 1.14 (9)

1. MOTION FROM COUNCILLOR ADELE MORRIS (Seconded by Councillor Ben Johnson)

Tackling empty homes in Southwark

1. Council assembly:
 - 1) Notes the projected rise in the borough's population within the next twenty years and the need to ensure sufficient housing as part of the borough's housing strategy and the new Southwark Plan.
2. Council assembly also:
 - 1) Agrees that minimising the number of empty homes in the borough will also be a key way of ensuring the maximum number of homes for Southwark residents.
 - 2) Notes recent trends in similar inner London boroughs for up to one third of new developments to be left empty as 'buy to leave' investment opportunities.
 - 3) Welcomes the new powers given to local authorities by the government to charge additional council tax for second and long-term empty homes.
3. Council assembly therefore calls on the cabinet to:
 - 1) Identify ways the council's planning powers could be used to ensure future new homes in Southwark do not stay empty for more than three months.
 - 2) Increase the number of existing empty homes in the borough that are charged council tax.
 - 3) Support calls for the qualifying period for charging the empty home premium to be reduced from two years to one and for the amount to be increased from 150% to 200% council tax.
 - 4) Enforce existing planning policies, such as car parking restrictions, density levels and building heights, to ensure that new housing meets the needs of existing residents and not properties that only investors can afford.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

2. MOTION FROM COUNCILLOR REBECCA LURY (Seconded by Councillor Kieron Williams)

Local government devolution

1. Council assembly believes that local government has significant potential to shape outcomes for residents and to positively change the lives of people in our borough. Therefore, council assembly believes that local

government is best placed to deliver services to residents to meet local need.

2. Local government has proved itself as the most efficient part of government. Local authorities are continuing to delivering services, balance budgets and grow local economies while at the same time making huge savings, following government cuts of up to 30% of councils' budgets.
3. The devolution of public health to local authorities has been a welcome first step towards delivering better health outcomes and a more joined up approach to health and social care. Council assembly notes the efforts of this administration to put public health in Southwark at the front and centre of the council's priorities in every area, including transport, housing, leisure and environment.
4. Council assembly believes giving local government greater control over health and welfare spending has the potential to tackle health inequalities locally, to deliver better services and to save taxpayers money.
5. Council assembly calls on cabinet to work with other London boroughs and the Mayor of London to lobby government to be less centralist and to introduce greater devolution to local authorities in London. Council assembly further calls on cabinet to write to the Secretary of State for Health and the Secretary of State for Work and Pensions to call for the devolution of greater health and welfare powers to local government, in order to improve service delivery and local accountability.

Note: If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member Motions	Constitutional Team 160 Tooley Street London SE1 2QH	Andrew Weir 020 7525 7222

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager
Report Author	Andrew Weir, Constitutional Officer
Version	Final
Dated	5 January 2015

Item No. 6.1	Classification: Open	Date: 21 January 2015	Meeting Name: Council Assembly
Report title:		The Council Tax Base for 2015/16	
Ward(s) or groups affected:		All	
From:		Strategic Director of Finance and Corporate Services	

RECOMMENDATIONS

1. That council assembly notes that in accordance with the decisions of council assembly about council tax on 28 November 2012:
 - 1) That the local discretionary premium for homes counted as long-term empty (over two years) shall remain unchanged and be set at 150%.
 - 2) That the discount for second homes shall remain unchanged and be set at 0%.
 - 3) That the discount to replace class A exemptions shall remain unchanged and be set at 0%.
 - 4) That the discount to replace class C exemptions shall remain unchanged and be set at 100% for a maximum of two months only.
2. That the council tax base for 2015/16 be set at 87,727.28 band D equivalent dwellings, as shown in paragraph 34.
3. That the assumed council tax collection level should be increased to 96.75% noting the risks outlined in paragraph 27.
4. That the council tax base for 2015/16 for St. Mary Newington be set at 10,515.90 band D equivalent dwellings.
5. That the council tax base for 2014/15 for St. Saviour's be set at 1,167.32 band D equivalent dwellings.
6. That the council tax reduction scheme (CTRS) for both working and pensionable age claimants shall remain unchanged in 2015/16, and note the consequential reduction in tax base of 21,645 band D equivalent dwellings as shown in paragraph 46.
7. Notes that:
 - Any minor and consequential amendments to the CTRS written policy are to remain delegated to the Strategic Director of Finance and Corporate Services, in consultation with the Monitoring Officer.

- No changes were made under the Strategic Director of Finance and Corporate Services' delegated authority during 2014/15.
8. Notes that following clarification from the Department of Communities and Local Government (DCLG), the NNDR1 return showing the national non-domestic rates base will be signed off by the council's Section 151 Officer (Strategic Director of Finance and Corporate Services).

BACKGROUND INFORMATION

9. Regulations require the council to inform its preceptors of the council tax base by 31 January 2015.
10. This report sets out the statutory information that members need in order to set the council's council tax base for 2015/16. A further report will be presented to council assembly in February 2015 setting out the level of council tax needed to meet the council's expenditure for the year 2015/16.

KEY ISSUES FOR CONSIDERATION

Council tax discounts

11. In November 2012 council assembly agreed a discount and exemption scheme to apply from 2013/14. This is in accordance with the statutory requirements or local discretion as granted under the Local Government Act 2003. No changes are proposed to the scheme for 2015/16.
12. On discounts for single persons, the council is required under statute to offer a 25% discount.
13. On discounts for "all except one person in a household disregarded" is required under statute to offer a 25% discount.
14. Therefore there are no proposed changes to council tax discounts for 2014/15 and will remain as follows:

Reason	Local / Statutory	Discount
Single Person	Statutory	25%
All except one person in household disregarded *	Statutory	25%
All persons in household disregarded *	Statutory	50%
Second Home	Local discretion within statutory minimum 0% and statutory maximum 50%	0%
Discount to replace Class A exemptions **	Local	0%
Discount to replace Class C	Local	100% for two

Reason	Local / Statutory	Discount
exemptions ***		months only
Empty (unoccupied) but furnished	Local	0%
*	Occupants may be disregarded for the purposes of establishing the billable amount. Qualifying students, for example, are disregarded, and households containing only students are fully exempt. If all but one of the occupants is disregarded, a 25% discount is awarded. If all occupants are disregarded, but no exemption is applicable, a 50% discount is awarded.	
**	Class A exemptions were abolished with effect from 1 April 2013, these allowed up to 12 months tax free for properties that were uninhabitable or undergoing major works.	
***	Class C exemptions were also abolished with effect from 1 April 2013. These allowed up to 6 months tax free for properties that were empty and unfurnished.	

15. Where properties are empty for over two years, property owners will be charged full council tax and an additional 50% making a total of 150%, allowing the council to levy more council tax.

Reason	Local / Statutory	Premium
Empty for over two years	Local discretion within statutory minimum 0% and statutory maximum 50%	50%

Council tax base for 2015/16

16. Calculation of the council tax ("the tax") is governed by the Local Government Finance Act 1992 ('the Act') and various regulations there under. In particular, Section 31B of the Act requires the basic (band D) tax to be calculated by applying the formula: The council tax requirement divided by the council's "tax base".
17. Although the council's net budget requirement has not yet been determined, the "tax base" can be set and is subject to the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, made under section 33 of the Act and subsequent amendments. Regulation 8 of the 2012 Regulations requires the calculation for 2015/16 to be made between 1 December 2014 and 31 January 2015.
18. The proportions applicable to the various council tax bands (the "basic" band being D) are as follows:

Band	Proportion (ninths)
A	6
B	7
C	8

Band	Proportion (ninths)
D	9
E	11
F	13
G	15
H	18

19. There is an additional band reported on the schedules, band –A (5/9 of band D). This only arises where a person in a band A property receiving a one band reduction through disabled relief.
20. The council's basic tax is calculated in respect of band D. Band A properties therefore pay 6/9 of the basic tax, band B pay 7/9 of the basic tax and so on up to band H where the tax is 18/9, or twice the tax at band D.

Council tax collection rate performance

21. Current in-year collection performance as at the end of December 2014 is 81.30%. The performance compared to the same time last year has seen an increase in the percentage of council tax collected by 0.4% with a further increase in the amount billed during this year following the removal of some single person discounts following review.
22. Arrears collection as at the end of December 2014 is £2.9 million against the annual target of £3 million.
23. Southwark continues to improve council tax collection despite the impact of the council tax reduction scheme and increasing the collectable amount. This has been reflected in the collection rate not only for collection in year but in total for the tax year over a six year period. The council tax collection and achieved and projected final collection is detailed in Appendix B.
24. A high level of customer service continues to be provided with prompt responses to customer enquiries and processing of changes to the council tax records. Ensuring customers receive timely and accurate bills is key to maximising collection.
25. Identifying accounts that should be written off continues to be part of business as usual activity alongside operational collection activity. With collection improving, less irrecoverable debt is being written off.
26. A further review of single person discounts has been undertaken during 2014/15 with 2,200 single person discounts have been removed as part of the review process.
27. The Strategic Director of Finance and Corporate Services recommends that, based on collection performance in previous years and to date in 2014/15 (see paragraph 29 below), a 96.75% assumed collection rate would give the best estimate of the likely value to be obtained from the demands issued in April 2015.
28. Consideration has also been given to the age and status of debt, the current economic climate and the high levels of transience and deprivation in Southwark which make collection challenging.

29. The collection rate of 96.75% for 2015/16 is considered achievable given the continued improvement and the work described in paragraphs 21 to 27 above. However, as there are still considerable uncertainties arising from the accumulated effects of welfare reform.

Calculation of the council tax base

30. From 2013/14 there has been a significant change in the calculation of the council tax base. The localisation of council tax support has resulted in a substantial reduction in the number of band D equivalent properties in the tax base. Instead of council tax benefit claimants having council tax paid for through council tax benefit, from 1 April 2013 through Southwark's localised council tax reduction scheme (CTRS) claimants receive a discount, from 100% discount for elderly people to 85% discount for working age claimants.
31. A calculation of the total number of dwellings net of discounts needs to be made for each of the bands A to H. This takes into account the number of dwellings on the official valuation list as at the 2015/16 CTB1 submission, the estimated number of dwellings that are exempt, attract disabled relief, attract single person discount, are empty, or have only disregarded residents, and estimated changes in the status of the dwellings during the year. Appendix A tabulates the above information for each of the bands. Line 5 of Appendix A (i) shows the total number of dwellings net of discounts for each band, which total 92,297.50.
32. The line 5 total of 92,297.50 described above must be converted into the number of band D equivalents by applying the proportions shown in paragraph 18 above. The result for each of the bands is shown on line 6 of Appendix A, which totals 90,674.19.
33. It is necessary to calculate the council's tax base by applying an estimated collection rate to the total of all properties converted to the average equivalent property at band D shown in Appendix A(i).
34. The resultant council tax base is calculated as follows:

Total of the relevant amounts (Appendix A (i) line 6) 90,674.19

Estimated collection rate 96.75%

2015/16 council tax base 87,727.28

35. The table below shows the tax bases before and after the application of the collection rate, lines 6 and 8 respectively in Appendix A.

	Number of band D equivalent properties	Number of band D equivalent properties after collection rate applied
For the parish of St. Mary Newington	10,869.15	10,515.90
For the parish of St. Saviour's	1,206.53	1,167.32
For the whole of the borough excluding the parishes of St. Mary Newington and St. Saviour's	78,598.51	76,044.06
For the whole borough	90,674.19	87,727.28

36. Additional earmarked income may be available from trust funds, which can subsidise the council tax in the former parishes of St. Mary Newington and St. Saviour's. Separate calculations have to be made for these specific areas. These are set out at Appendices A (ii and iii). The subsidy to St Mary Newington is taken from interest earned on the Walworth Common Trust capital sum, divided by the taxbase to give a band D equivalent subsidy. The subsidy to St Saviour's comes from contributions from the Borough Market Trustees, again divided by the taxbase.
37. A comparison of how the current tax base compares with the 2014/15 tax base is shown below. If the CTRS adjustments are excluded the council tax base has increased by 2.2%.

	Band D equivalent properties			
	2014/15	2015/16	Change	% Change
Number of Chargeable dwellings	118,708	121,285	2,577	2.2%
Adjustments for discounts	-12,023	-12,209	-186	1.5%
Adjustments for premiums	208	194.39	-14	-6.5%
Tax base excluding CTRS	106,893	109,271	2,378	2.2%
CTRS adjustment	-19,496	-18,597	899	-4.6%
Total tax base before collection rate adjustment	87,397	90,674	3,277	3.7%

38. The CTRS caseload has reduced gradually during 2014/15, leading to an increase in the tax base. Analysis shows that the greatest reduction has been in the "working age other" element of the scheme. This group are in receipt of passported benefits, job seekers allowance and income support. Typically this is indicative of claimants moving into work and therefore off benefits and eligibility for CTRS. Other movements can be attributed to a combination of movement in

and out of the borough, individuals no longer qualifying for CTRS, changes in circumstances, and moving into work.

National non-domestic rates

39. For 2013/14 and 2014/15, in the absence of formal guidance from DCLG the NNDR1 return has been given formal agreement by council assembly.
40. The timetable set by DCLG for publishing the NNDR1 return means that it is not possible to include the final NNDR1 in this council tax base setting report. For the 2014/15 council tax base and NNDR base report an addendum report was required, this only contained provisional figures as the final NNDR1 return was not received from DCLG for completion until 27 January 2014.
41. Guidance published by DCLG now clearly states the authorisation required for NNDR1 return.
 - The national non-domestic rates 1 forms need to be signed off by an authority's Section 151 Officer, and returned by 31 January.
 - There is no requirement for the figures to be approved by council assembly.
42. Following clarification from DCLG, the 2015/16 and subsequent NNDR1 returns will be signed off by the council's Section 151 Officer (strategic director of finance and corporate services). The final signed NNDR1 will be included as an appendix for noting in the 10 February 2015 Policy and Resources Strategy 2015/16 to 2017/18 cabinet report or the 2015/16 budget report for approval by council assembly on 25 February 2015.

Collection fund monitor 2014/15

43. The collection fund monitor continues to be worked on, and the forecast position will be reported in the Policy and Resources Strategy 2015/16 to 2017/18: balanced budget report to 27 January cabinet. Any resulting surplus or deficit must be accounted for in the council tax calculations for 2015/16.

Revenue budget implications 2015/16

44. Subject to council assembly approval, the tax bases recommended in this report and the projected surplus / deficit on the collection fund as at 31 March 2015 will be used in the calculation of the level of council tax that will be recommended to council assembly on 25 February 2015.

Council tax reduction scheme (CTRS)

45. On 28 November 2012 a report was presented to council assembly that set out the background and approach that had been adopted in relation to the CTRS scheme. Council assembly agreed to the adoption of a CTRS scheme that capped council tax support entitlement at 85% of current council tax benefit (CTB) entitlement levels and abolished the second adult rebate for non-pensioners in 2013/14.
46. The council tax reduction scheme replaced council tax benefit and is passed on to claimants through a discount. Current estimates show that for 2015/16 this will

reduce the overall council tax base by 21,645 equivalent properties (18,597 band D equivalents) before adjustment for collection.

47. In accordance with the regulations, officers developed a CTRS policy for both pension age and working-age claimants and used as its base the previous CTB rules and regulations. This approach was considered to deliver the least amount of change for existing claimants, for staff administering the scheme and indeed those professional groups who were and are engaged in offering advice and support to claimants.
48. On 23 January 2013 council assembly was presented with the council tax base report within which the full CTRS policy document was referenced and attached. The decision of council assembly confirmed the adoption of this policy. Members are referred to that report for the detail of the written policy.
49. On 23 January 2013 council assembly also approved that decision making on any minor and consequential amendments to the CTRS written policy be delegated to the Strategic Director of Finance and Corporate Services, in consultation with the Monitoring Officer. It is expected that the DCLG will continue to release further guidance, amendments and or corrections to the previously published complex regulations and which will result in additions and minor changes to the wording of the policy document itself. Officers consider therefore that these changes should not require council assembly approval and that the decision making on these future changes should remain delegated to the Strategic Director of Finance and Corporate Services, in consultation with the monitoring officer. No changes have been made by the Strategic Director of Finance and Corporate Services under delegated authority during 2014/15, none are planned for 2015/16.
50. On 22 January 2014, council assembly agreed to retain the existing CTRS scheme that capped council tax support entitlement at 85% for working age customers and removed second adult rebate for non-pensioners in 2014/15.
51. On 20 March 2014, a decision was formally published under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to include minor amendments to the existing CTRS policy.

Consultation

52. Calculation of the council tax base forms an integral part of the revenue budget setting process for 2015/16. The budget is underpinned by the council's medium term resource strategy as agreed by council assembly on 26 February 2014.

Community impact statement

53. This report contains technical calculations relating to the council's tax base for 2015/16.
54. There is no direct community impact at this stage. The impact on the community of any potential change in service design, outcomes or access arising from recommendations relating to the 2015/16 revenue budget will need to be addressed and identified as part of the final budget submission to council assembly on 25 February 2015.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

55. The Director of Legal Services advises that decisions relating to the budget and the setting of local taxation are reserved to council assembly under Part 3A of the council's constitution. Therefore council assembly is enabled to agree all of the recommendations in this report.
56. Members are reminded of the obligations pursuant to Section 106 of the Local Government Finance Act 1992 and the restrictions on voting therein. Section 106 of the Local Government Finance Act 1992 applies to members in arrears of council tax in respect of their capacity to vote in meetings on certain financial matters
57. Where a member has at least two months' arrears of council tax he or she must not vote on any matter which:
- 1) Relates directly to the setting of the next year's council tax; or
 - 2) Recommends income or expenditure forming part of the next year's levy;
or
 - 3) Relates to income or expenditure in the current year which is in excess of the current budget.
58. When a matter as described in paragraph 57 is to be considered at a meeting the member affected must declare that Section 106 of the Local Government Act 1992 applies to him or her. The member may remain in the meeting and may speak, but he or she may not vote on the matter.

Recommendations 1 to 5 - council tax base

59. The legal basis for agreeing the recommendations relating to the setting of the council tax base is found under Section 31B of the Local Government Finance Act 1992 which imposes a duty on a billing authority to calculate its council tax by applying a formula laid down in that Section. This relies on calculating a figure for the council tax base for the year. The Local Authority (Calculation of Council Tax Base) (England) Regulations 2012 require a billing authority to use a given formula to calculate the council tax base.

Recommendation 6 to 7 - council tax reduction scheme (CTRS)

60. On 23 January 2013 council assembly adopted the CTRS written policy which had been developed by officers. This was in accordance with the decision making powers reserved to council assembly under Part 3A of the council's constitution.
61. On 23 January 2013 council assembly also approved that decision making on any minor and consequential amendments to the CTRS written policy be delegated to the Strategic Director of Finance and Corporate Services, in consultation with the Monitoring Officer. The report author has outlined at paragraph 49 of the report the reasoning why officers consider any future minor and consequential changes should remain delegated to the Strategic Director of Finance and Corporate Services in consultation with the Monitoring Officer. It is

confirmed that council assembly has the power to delegate any of its decision making functions to an officer pursuant to section 101(1) of the Local Government Act 1972.

62. In respect of all recommendations, council assembly is reminded of the requirement to consider the public sector equality duty as set out in Section 149 of the Equality Act 2010 before reaching a decision.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council tax base (1) working papers	Revenues and Benefits 160 Tooley Street London SE1 2QH	Dominic Cain, Assistant Director (Revenues, Benefits and FTSS) 020 7525 0636

APPENDICES

Appendix	Title
Appendix A (i)	Council Tax Base for 2015/16 for the whole borough
Appendix A (ii)	Council Tax Base for 2015/16 for the Parish of St Mary Newington
Appendix A (iii)	Council Tax Base for 2015/16 for the Parish of St Saviours
Appendix A (iv)	Council Tax Base for 2015/16 for the whole borough excluding the parishes of St Mary Newington and St Saviours
Appendix B	Council Tax – Collection Achieved and Projected

AUDIT TRAIL

Lead Officer	Duncan Whitfield, Strategic Director of Finance and Corporate Services	
Report Author	John Braggins, Finance and Corporate Services Norman Lockie, Finance and Corporate Services	
Version	Final	
Dated	8 January 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	8 January 2015	

Appendix A (i)

COUNCIL TAX BASE FOR 2015/16 FOR THE WHOLE AREA – FOR COUNCIL TAX SETTING

		BAND - A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
1	Number of Chargeable Dwellings	9.00	11,103.00	36,007.00	32,951.00	21,851.00	14,848.00	5,930.00	4,102.00	591.00	127,392.00
2	Adjustment for the number of dwellings subject to a discount	(1.25)	(1,858.50)	(4,891.75)	(3,321.50)	(1,841.50)	(1,073.50)	(419.75)	(227.00)	(36.75)	(13,671.50)
3	Adjustment for the number of dwellings subject to a premium	0.00	56.50	77.50	43.50	19.50	10.00	5.00	3.50	6.50	222.00
4	Adjustment for the localised council tax support scheme	0.00	(2,819.00)	(8,575.00)	(5,833.00)	(2,754.00)	(1,394.00)	(206.00)	(61.00)	(3.00)	(21,645.00)
5	Total in band (1+2+3+4)	7.75	6,482.00	22,617.75	23,840.00	17,275.00	12,390.50	5,309.25	3,817.50	557.75	92,297.50
	Band Factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
6	Number of Band D Equivalents	4.31	4,321.33	17,591.58	21,191.11	17,275.00	15,143.94	7,668.92	6,362.50	1,115.50	90,674.19
7	Estimated Collection Level										96.75%
8	Estimated 2015/16 TAX BASE (6) x (7)										87,727.28

Appendix A (ii)

COUNCIL TAX BASE FOR 2015/16 FOR ST MARY NEWINGTON – FOR COUNCIL TAX SETTING

		BAND - A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
1	Number of Chargeable Dwellings	1.00	2,622.00	6,885.00	4,949.00	1,845.00	1,368.00	369.00	71.00	22.00	18,132.00
2	Adjustment for the number of dwellings subject to a discount	(0.25)	(416.75)	(872.75)	(465.75)	(161.00)	(94.25)	(20.25)	(3.75)	(1.25)	(2,036.00)
3	Adjustment for the number of dwellings subject to a premium	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	Adjustment for the localised council tax support scheme	0.00	(625.00)	(1,640.00)	(955.00)	(291.00)	(237.00)	(19.00)	(7.00)	0.00	(3,774.00)
5	Total in band (1+2+3+4)	0.75	1,580.25	4,372.25	3,528.25	1,393.00	1,036.75	329.75	60.25	20.75	12,322.00
	Band Factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
6	Number of Band D Equivalents	0.42	1,053.50	3,400.64	3,136.22	1,393.00	1,267.14	476.31	100.42	41.50	10,869.15
7	Estimated Collection Level										96.75%
8	Estimated 2015/16 TAX BASE (6) x (7)										10,515.90

Appendix A (iii)

COUNCIL TAX BASE FOR 2015/16 FOR ST SAVIOURS – FOR COUNCIL TAX SETTING

		BAND - A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
1	Number of Chargeable Dwellings	0.00	56.00	270.00	313.00	184.00	222.00	156.00	144.00	39.00	1,384.00
2	Adjustment for the number of dwellings subject to a discount	0.00	(9.25)	(33.00)	(34.75)	(20.00)	(20.50)	(10.75)	(13.00)	(3.75)	(145.00)
3	Adjustment for the number of dwellings subject to a premium	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4	Adjustment for the localised council tax support scheme	0.00	(12.00)	(47.00)	(70.00)	(26.00)	(23.00)	(3.00)	0.00	0.00	(181.00)
5	Total in band (1+2+3+4)	0.00	34.75	190.00	208.25	138.00	178.50	142.25	131.00	35.25	1,058.00
	Band Factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
6	Number of Band D Equivalents	0.00	23.17	147.78	185.11	138.00	218.17	205.47	218.33	70.50	1,206.53
7	Estimated Collection Level										96.75%
8	Estimated 2015/16 TAX BASE (6) x (7)										1,167.32

Appendix A (iv)

COUNCIL TAX BASE FOR 2015/16 FOR THE WHOLE AREA EXCLUDING THE PARISHES OF ST MARY NEWINGTON AND ST SAVIOURS – FOR COUNCIL TAX SETTING

		BAND - A	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H	TOTAL
1	Number of Chargeable Dwellings	8.00	8,425.00	28,852.00	27,689.00	19,822.00	13,258.00	5,405.00	3,887.00	530.00	107,876.00
2	Adjustment for the number of dwellings subject to a discount	-1.00	(1,432.50)	(3,986.00)	(2,821.00)	(1,660.50)	(958.75)	(388.75)	(210.25)	(31.75)	(11,490.50)
3	Adjustment for the number of dwellings subject to a premium	0.00	56.50	77.50	43.50	19.50	10.00	5.00	3.50	6.50	222.00
4	Adjustment for the localised council tax support scheme	0.00	(2,182.00)	(6,888.00)	(4,808.00)	(2,437.00)	(1,134.00)	(184.00)	(54.00)	(3.00)	(17,690.00)
5	Total in band (1+2+3+4)	7.00	4,867.00	18,055.50	20,103.50	15,744.00	11,175.25	4,837.25	3,626.25	501.75	78,917.50
	Band Factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
6	Number of Band D Equivalentents	3.89	3,244.66	14,043.16	17,869.78	15,744.00	13,658.63	6,987.14	6,043.75	1,003.50	78,598.51
7	Estimated Collection Level										96.75%
8	Estimated 2015/16 TAX BASE (6) x (7)										76,044.06

COUNCIL TAX - COLLECTION ACHIEVED & PROJECTED

	2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000
Total Debit	143,513	145,718	147,289	148,953	150,568	152,684
Exemptions	(8,449)	(8,341)	(7,901)	(8,040)	(6,619)	(6,270)
Disabled relief	(49)	(47)	(44)	(45)	(45)	(43)
Discounts	(14,901)	(15,394)	(15,449)	(14,731)	(15,011)	(13,919)
Collectable debit	120,114	121,935	123,895	126,138	128,894,652	132,451,960
Council Tax collected to date	(89,824)	(91,573)	(93,468)	(95,451)	(101,529)	(89,658)
Less credit balances	411	421	675	617	951	1,879
Migration Adjustments	0	0	0	0	0	0
CTax collection to date	(89,413)	(91,152)	(92,792)	(94,834)	(100,578)	(87,779)
Future collection adjustment	0	0	0	0	(414)	(17,619)
Total projected CTax collection	(89,413)	(91,152)	(92,792)	(94,834)	(100,991)	(105,398)
Benefits	(26,791)	(26,961)	(27,452)	(27,530)	(23,554)	(22,441)
Total projected income	(116,204)	(118,113)	(120,244)	(122,365)	(124,545)	(127,839)
Actual Collection to date (as at 31st December 2014)	96.7%	96.9%	97.1%	97.0%	96.3%	83.2%
Projected final collection level	96.7%	96.9%	97.1%	97.0%	96.6%	96.5%
Planned collection level	96.00%	96.00%	96.00%	96.25%	96.25%	96.50%

Item No. 6.2	Classification: Open	Date: 21 January 2015	Meeting: Council Assembly
Report title:		Member Allowances Scheme – London Councils Independent Remuneration Panel Report	
Ward(s) or groups affected:		All	
From:		Constitutional Steering Panel	

RECOMMENDATIONS

1. That council assembly considers whether it wishes to adopt the recommendations of the constitutional steering panel (see recommendations 2-4 below), having regard to the advice of the London Councils independent remuneration panel report (see Appendix 1).
2. That the basic allowance and special responsibility allowances be increased in accordance with the independent remuneration panel recommendation for allowances to be adjusted in line with the local government officer pay settlement, i.e. 2.2% increase from 1 January 2015 to 31 March 2016 covering years 2014/15 and 2015/16. That the licensing sub-committee payment and co-opted member's allowance be increased on the same basis.
3. The council assembly notes the level of the childcare and dependent carers allowances for councillors has increased in line with the London Living Wage, as recommended by the London Councils independent remuneration panel report and approved in line with the Southwark member allowances scheme under delegated authority (see paragraph 24).
4. That the member allowances scheme be amended so in future years the level of the childcare and dependent carers allowances for councillors is automatically reviewed in line with changes in the London Living Wage.
5. That the proper constitutional officer be authorised to update the member allowances scheme to reflect the changes approved and to make any consequential changes necessary.

BACKGROUND INFORMATION

Legal background

6. Under Section 18 of the Local Government and Housing Act 1989, the Secretary of State may make regulations authorising or requiring councils to make a scheme providing for the payment of allowances to members. The relevant regulations are the Local Authorities (Members' Allowances) (England) Regulations 2003 as amended. The council must publish its scheme of members' allowances, dealing with basic allowances and special responsibility allowances. Payments to members of the council may only be made in accordance with this scheme.

Current scheme and process for review

7. The current members' allowances scheme has not been significantly amended since 2010. Following the election of a new council at the May 2014 elections, the scheme is now being reviewed in the light of the London Councils independent remuneration panel report and the conclusion of the local government pay settlement.
8. This report sets out the recommendations of the London Councils independent remuneration panel report published in June 2014. The constitutional steering panel and council assembly are under a statutory duty to have regard to the advice of the panel when considering the council's own scheme for member allowances.
9. In Southwark, the constitutional steering panel considers and recommends any changes to the member allowances scheme to council assembly for final adoption. The approval of the member allowances scheme and the setting of allowances are matters reserved for decision by council assembly.
10. A copy of the current member allowances scheme is attached at Appendix 2.

Constitutional steering panel - 7 January 2015

11. The constitutional steering panel met on 7 January 2015 to consider the scheme and agreed to refer the recommended changes to council assembly for consideration.

KEY ISSUES FOR CONSIDERATION

London Councils independent remuneration panel report 2014

12. The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the panel') was established and reported in 2001, 2003, 2006 and 2010. It has been re-constituted and now comprises Sir Rodney Brooke CBE DL (Chair), Steve Bundred and Anne Watts CBE. The regulations require a review of the scheme every four years as a minimum. The current panel has therefore completed a review of remuneration for councillors in London and reported in June 2014. A full copy of the report is set out in Appendix 1.

Basic and special responsibility allowances

13. The independent remuneration panel provides guidance to councils which they are required to take into account when reviewing their member allowances schemes. This report included specific recommendations about the level of the member allowances. The remuneration panel's report recognises the current financial position in local government so does not explicitly recommend an increase in basic or SRAs allowances, other than to recommend that members' allowances be pegged to the annual local government pay settlement. The panel stated:

“Our 2010 report made no recommendations for increasing the levels of members’ allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement. As the Government-appointed Councillors’ Commission pointed out in their 2007 report, the recommendations of the London Panel had led to substantial convergence of members’ allowances across London. Indeed, the Councillors’ Commission recommended a similar system for the country as a whole. Following our recommendations, there is now considerable congruity in the basic allowance made by London boroughs. However, most London boroughs have not adopted our recommendations in their entirety. Our recommended allowances are tied to the annual local government pay settlement. Because of the current financial climate, the local government pay settlement has been frozen in three of the last four years. In 2013/14 there was a 1% pay award. Acutely sensitive to the current financial austerity, only two boroughs increased members’ allowances by that percentage. Indeed nine boroughs have reduced members’ allowances since the date of our last report. We are acutely aware that now is not the time to increase allowances made to councillors, though we continue to recommend that members’ allowances be pegged to the annual local government pay settlement. Such pegging will ensure that councillors can receive annual increases which are in line with those received by staff. We fully accept that, in the current financial climate, it would be entirely inappropriate to increase members’ allowances (beyond the annual updating). Nevertheless we hope that in the longer term the financial situation will permit further convergence of members’ allowances around our recommendations.”

14. The principle of pegging the basic allowance in line with the annual local government pay settlement is already recognised in the council’s member allowances scheme states, however any increases are still subject to final decision by council assembly. The special responsibility allowances are not pegged to the local government pay settlement and are set by council assembly.
15. In 2013/14 the local government pay settlement awarded a 1% increase, but in Southwark (as in many London local authorities) the basic allowances and special responsibility allowances were not increased by the council when it approved the budget report in February 2013.
16. The outcome of the 2014/15 local government pay settlement reported in November 2014 is for a 2.2% increase payable from 1 January 2015 covering years 2014/15 and 2015/16 i.e. applying up to 31 March 2016. In view of the remuneration panel’s recommendation on allowances, the constitutional steering panel recommended that the level of the basic allowance and special responsibility allowances be increased in line with the pay settlement. The panel also recommended that the licensing sub-committee payment be increased on the same basis.

Travel and subsistence

17. The remuneration panel at the request of some councils provided advice on travel and subsistence allowances. It view is the basic allowance should cover all reasonable out-of pocket expenses incurred by councillors, including intra-borough costs and expenses, although council may consider that there are

circumstances where it may be appropriate for a scheme for the cost of transport.

18. The Southwark scheme states that travel expenses may be claimed when councillors incur expenses carrying out their approved duties outside the borough, subject to a number of exceptions such as: members with mobility difficulties are able to claim travel costs when on council business; and members claiming taxis home after council meetings ending after 9.00pm in summer and 7.00pm in winter. Receipts must be provided for all claims.
19. It is noted that when undertaking civic duties, the Mayor and the Deputy Mayor is required to use taxis when other forms of transport are unavailable. Similarly cabinet members may on occasions need to take taxis to allow them to efficiently and effectively perform their approved duties, e.g. to enable them to attend back to back meetings.
20. Those members who claim car user, motorcycle or moped allowances these rates are payable in line with the rates payable to staff; the rates are normally reviewed annually and the scheme is updated in line with any changes.
21. Members are entitled to claim a monthly cycle allowance of £20 per month. Members in receipt of this allowance are not normally permitted to claim other travel allowances, unless exceptional circumstances are agreed by the proper constitutional officer.
22. Subsistence allowances may be claimed in respect of approved duties outside the borough, except where food is provided, if they involve an absence from the normal place of residence exceeding four hours in total which includes one hour travelling time. The rates claimable are in line with rates available to officers.

Co-opted members

23. The current allowance payable to co-opted members is £1,061. The constitutional steering panel recommended that a 2.2% increase be applied to this allowance.

Child-care and dependent carers allowance

24. The independent remuneration panel recommended that the child-care and dependent carers allowance should be not less than the level of the London Living Wage. The Southwark scheme allows this allowance to be reviewed from time to time by the chief executive. In October 2014 under delegated authority it was agreed that the allowance should come in line with the London Living Wage. At the time the London Living Wage was £8.70. In November 2014 an increase to £9.15 was announced.
25. Officer undertook to bring forward a number of changes to the member allowances scheme so that subsequently the child-care and dependent carers allowance is reviewed annually so it keeps in line with changes to the London Living Wage. The constitutional steering panel supported the proposal include a mechanism in the member allowances scheme to automatically increase this allowance in future years. The panel requested that officers email all councillors with further information on the child-care and dependent carers allowance.

26. The independent remuneration panel also recommended that in special circumstances (e.g. for the care of a severely disabled person) the council should reimburse a higher rate of dependant's carers' allowance where this can be justified.

Pensions

27. The London Council remuneration panel reported a legislative change to pensions which has impacted on members' remuneration. Prior to the election in May 2014, regulations provided the potential for all members to be eligible to join the Local Government Pension Scheme. However, further regulations abolished the right to join the LGPS with effect from the May 2014 elections.
28. The Local Government Association (LGA) has written out to all councils to see what level of interest there would be in establishing a LGA scheme. The council have responded positively to the consultation and are also keeping a watching brief on developments in other councils, who are exploring the possibility of offering their own pension scheme to members. Officers will report back to council assembly should a viable proposal become available.

Community impact statement

29. Any changes to the member allowances scheme would be published on the council's website.

Resource implications

30. The member expenditure budget makes provision for the basic allowance and special responsibility allowances, any proposed increase in allowances would be found from within this budget.

Legal implications

31. The council is under a duty to adopt a scheme of members' allowances by virtue of section 18 of the Local Government and Housing Act 1989 and relevant regulations. It may only pay allowances in accordance with such a scheme. Members are reminded of the need to have regard to the guidance issued in relation to members' allowances, which is referred to in the report of the London Councils Remuneration Panel attached as Appendix 1.
32. There is a general rule that members may not usually vote on matters in which they have a disclosable pecuniary interest. However decisions relating to the member allowances scheme are an exception to this general principle, and members may vote on this issue. A dispensation has been granted by the monitoring officer.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Member allowances Scheme – Dated July 2012, Southwark Constitution	160 Tooley Street, London SE1 2QH	Constitutional Team constitutional.team@southwark.gov.uk

http://www.southwark.gov.uk/info/10058/about_southwark_council/375/councils_constitution		020 7525 7228
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APPENDICES

Appendix	Title
Appendix 1	London Councils Remuneration Panel Report 2014
Appendix 2	Southwark's Member Allowance Scheme – Dated June 2014

AUDIT TRAIL

Lead Officer	Graeme Gordon, Director of Corporate Strategy	
Report Author	Ian Millichap, Constitutional Manager	
Version	Final	
Dated	8 January 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Included in the report
Strategic Director of Finance and Corporate Strategy	Yes	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	8 January 2015	

The Remuneration of Councillors in London 2014

Report of the Independent Panel



Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the Panel') was established and reported in 2001, 2003, 2006 and 2010. It has been re-constituted and now comprises Sir Rodney Brooke CBE DL (Chair), Steve Bundred and Anne Watts CBE.

The Regulations require a review of the scheme every four years as a minimum. The current Panel has therefore completed a review of remuneration for councillors in London. We present our findings and recommendations in this report.

As a preparation for our work, we invited all London boroughs to give their views on the operation of the existing scheme. We also invited comments from the Leaders' Committee of London Councils. We are grateful for the feedback, which confirms that the existing London scheme of members' allowances is still fit for purpose. We make recommendations accordingly.

The role of elected members

In our previous reports we reflected on the importance of the role of elected members. We repeat at Appendix B the job profile for councillors which we included in our 2010 report. In that report, we quoted the Government-appointed Councillors' Commission. The Commission took the view (which we continue to share) that: 'Allowances should be set at a level that enables people to undertake the role of councillor while not acting as an incentive to do so. Allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive.'

It is clearly desirable that service as a councillor is not confined to those with independent means. We do not repeat the arguments for appropriate remuneration for councillors which we have set out in our previous reports. We believe them to be self-evident. But we do repeat our belief in the importance of local democracy and the role of councillors within it. Each London Borough is responsible for services crucial to its residents. Each is responsible for a revenue budget of between £1.3bn and £3.3bn.

The responsibilities placed on local authorities continue to increase. The Localism Act 2011 devolved services to the boroughs, though, it was complained, without the resources to discharge them. From April 2013 London boroughs assumed the major new responsibility for health and wellbeing. Financial austerity brings substantial and further challenges to councillors: local authorities are required to make substantial cuts in their spending. Changes to the welfare system (particularly acute in London) give residual discretionary powers to local authorities. Councillors are faced with unenviable choices. Demand for local authority services continues to grow. In particular, there is exponential growth in the number of old people and a corresponding increase in demand for social care. The strain on and competition for resources increase the demands made on elected members.

Pensions

In the Panel's first report we recommended that councillors should be eligible for pensions. Councillors are often retired and currently have an average age of 60. It is increasingly desirable to attract a younger cohort of people to serve on councils. Access to a pension scheme is one way of achieving this. Councillors – especially those with lead responsibilities – must surrender earning potential elsewhere, earning potential which would normally be pensionable. It seems perfectly reasonable that allowances attracted by service as a councillor should be pensionable.

The Government agreed with this view and the Regulations introduced the potential for councillors' allowances to be pensionable upon the recommendation of the relevant Independent Panel. Accordingly the Panel recommended that all London borough councillors under the age of 75 be eligible to join the local government pension scheme. Twenty two of the 32 London boroughs have accepted that recommendation.

In March 2014 the Government laid before Parliament Regulations which would end the right of councillors to enter the local government pension scheme. These Regulations would extend not only to councillors but also to elected mayors (including the Mayor of London) and members of the Greater London Assembly, though Police and Crime Commissioners would retain their right of access to the pension scheme.

Councillor Sir Merrick Cockell, Chairman of the Local Government Association and Chair of London Councils from 2006 until 2010, responded: 'The government's decision isn't about saving money, it is fundamentally about undermining the role of a councillor and undermining the role of local democracy'. He added: 'Fair remuneration is important so that people from all walks of life can afford to stand for office. Otherwise we risk local government becoming the exclusive preserve of a privileged few who have the luxury of time and money to spare.' His remarks were endorsed by Cllr Gary Porter, Leader of the Local Government Association's Conservative Group, who pointed out that 'councillors are spending more time supporting their constituents and working with external organisations such as GPs, schools, police, local businesses and voluntary organisations. Secondly, recruitment and retention is becoming increasingly difficult... the commitment involved can be a deterrent when set against a possible loss of earnings and a potentially negative effect on their careers.'

We believe that access to a pension scheme can be an important factor in making service as a councillor financially possible for a wider range of people. It is particularly important for those who, like elected mayors, leaders and portfolio holders, give most or all of their time to service in local government and lose the opportunity to contribute to a pension scheme elsewhere. We would very much like the Government to reconsider this decision.

The current financial and political climate

Our 2010 report made no recommendations for increasing the levels of members' allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement. As the Government-appointed Councillors' Commission pointed out in their 2007 report, the recommendations of the London Panel had led to substantial convergence of members' allowances across London. Indeed, the Councillors' Commission recommended a similar system for the country as a whole. Following our recommendations, there is now considerable congruity in the basic allowance made by London boroughs. However, most London boroughs have not adopted our recommendations in their entirety.

Our recommended allowances are tied to the annual local government pay settlement. Because of the current financial climate, the local government pay settlement has been frozen in three of the last four years. In 2013/14 there was a 1% pay award. Acutely sensitive to the current financial austerity, only two boroughs increased members' allowances by that percentage. Indeed nine boroughs have reduced members' allowances since the date of our last report.

We are acutely aware that now is not the time to increase allowances made to councillors, though we continue to recommend that members' allowances be pegged to the annual local government pay settlement. Such pegging will ensure that councillors can receive annual increases which are in line with those received by staff. We fully accept that, in the current financial climate, it would be entirely inappropriate to increase members' allowances (beyond the annual updating). Nevertheless we hope that in the longer term the financial situation will permit further convergence of members' allowances around our recommendations. We continue to believe that the scheme we propose is sufficiently flexible to accommodate the different political management arrangements of different London boroughs. Our view is confirmed by the general response from the London boroughs.

Consultation with the boroughs

Level of allowances

In our consultation with the London boroughs we asked a number of questions. We enquired whether it was believed that the salary of an MP remains a sound comparator to fix the remuneration of a borough leader. [Our recommendations for other special responsibility allowances are related to that recommended for Leaders.] Members of Parliament currently receive a salary of £66,396, now rather more than our updated recommendation for the allowance for Leaders.

Though there was dissent from one Borough, another asserted that the Leader's allowance should reflect the total remuneration package paid to Members of Parliament. A different borough pointed out that whereas a Member of Parliament represented an electorate of 70,000 people, a leader was responsible for the delivery of a wide range of services to a population of 300,000 – an electorate of 220,000 across an area three times as large as a parliamentary constituency. Indeed, 'it is arguable that the responsibilities of some cabinet portfolio holders are greater than the local responsibilities of an MP' but 'on balance the salary of an MP is about as sound a comparator as is likely to be found'.

In considering the responses, we also took into account the remuneration payable to chairs and members of other public bodies. We continue to believe that the allowances we have recommended are suitable. In particular, we think it appropriate that Leaders should receive an allowance approximating to the salary of a Member of Parliament.

External paid appointments

There has been some controversy over councillors accepting paid appointments in other public bodies, given their cumulative remuneration. We asked the boroughs whether allowances should be adjusted to take into account external payments from other public bodies. One authority thought it reasonable to 'consider the balance of benefit to the local area before determining whether 'home' remuneration should be reduced accordingly'. Other boroughs disagreed.

We believe that if members take on extra work and responsibilities through undertaking external appointments, then they should be entitled to retain the remuneration attracted by those responsibilities. Of course the borough might reflect on the extent to which the external duties are compatible with the time required to discharge duties within the borough and adjust responsibilities accordingly.

Chair of the Health and Wellbeing Board

These new bodies govern commissioning decisions across health, public health and social care. They must develop with commissioning groups a shared understanding of the health and wellbeing needs of the community. They must undertake a Joint Strategic Needs Assessment and develop a joint strategy for how these needs can be best addressed. This will include recommendations for joint commissioning and integrating services across health and social care. The Boards must drive local commissioning of health care, social care and public health and create a more effective and responsive local health and care system. They must also address other services that impact on health and wellbeing such as housing and education.

It was recommended to us that the Chair of the Health and Wellbeing Board should receive a special responsibility allowance in Band Three, that designed for Cabinet members. We entirely agree: this is a statutory post conferring personal statutory responsibility. The role is of major importance to local government and should be remunerated accordingly where they are councillors. In practice we imagine that Chairs of Health and Wellbeing Boards will be members of the Cabinet and have been remunerated within Band Three since their creation.

Lead Member for Children's and Adult Services

It was suggested to us that the Lead Member for Children's Services should receive a special responsibility allowance higher than other Cabinet Members: 'The enhanced duty of safeguarding for the role of lead member for Children's Services and the time required to fulfil it makes the post a special case for an enhanced banding between the current bands three and four.'

We well understand the heavy responsibility on the lead member for Children's services and the consequences of any failure in the system. We are entirely sympathetic to the view that the responsibility might warrant a higher special responsibility allowance than other Cabinet members. In our 2010 report we specifically contemplated the different weight of responsibilities of different portfolios and suggested that they might justify different allowances. Our recommended Band Three for Cabinet Members has a range of over £6,000 and we believe that this is sufficient to enable boroughs to differentiate between the different weights of portfolios should they so decide.

It has also been suggested to us that the lead member responsible for adult safeguarding has a degree of responsibility equal to that of the lead member for children's services. We are not convinced of the comparison.

Given the different allocation of responsibilities in different boroughs, we do not make specific recommendations on differentiating special responsibility allowances for Cabinet members within Band Three.

Dependants' Carers' Allowance

The Regulations authorise the payment to councillors of an allowance ('the Dependants' Carers' Allowance') in respect of the expenses of arranging for the care of children or dependants when the councillor attends meetings or is engaged in other official duties. We received representations that the Allowance should be not less than the living wage.

We strongly believe that the boroughs should make a dependants' carers' allowance available to their members. Access to a dependants' carers' allowances can make it possible for a wider range of people to serve on their councils. Specifically by payment of dependants' carers' allowance, boroughs can attract some who would not normally expect to become councillors. 26 of the 32 boroughs provide in their allowances scheme for payment of dependants' carers' allowances. In those boroughs which do make a payment, allowances vary from £5.27 to £9.26 per hour (in one case £15 per hour for specialised care).

We recognise the need for payments to pay regard to local circumstances and the nature of specialist care. We believe that ordinary care should be remunerated at not less than the London living wage of £8.60 per hour; and (on presentation of proof of expense) payment should be made at a higher rate when specialist nursing skills are required.

Sickness, maternity and paternity leave

This issue has again been raised with us. We adhere to our recommendations in the 2006 report, repeated in 2010, namely that councils should make arrangements in their members' allowances schemes to allow the continuance of special responsibility allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).

Members of social care and health scrutiny panels and corporate parenting panel

One borough suggested that service on the Social Care and Health Scrutiny Panels and the Corporate Parenting Panel should be placed within Band One because of the risk profile of those roles.

We continue to recommend that the responsibility allowance payable under Band One should include membership of committees, sub-committees and adoption panels where membership requires attendance with exceptional frequency or for exceptionally long periods. If a Council believes that such memberships are substantially more onerous than service on other committees, then we agree that they would be appropriately remunerated on Band One.

Travel and subsistence allowances

We have been asked to give advice on travel and subsistence allowances. We continue to believe that the Basic Allowance should cover all reasonable out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses, though councils may consider that there are circumstances where it may be appropriate for a scheme to provide payment for the cost of transport, e.g. journeys home after late meetings, and for people with disabilities. We also continue to believe that, where travel and subsistence allowances are payable, they should be in accordance with the current scheme for travel and subsistence applicable to the Borough's staff; and that travel allowances should extend to travel by bicycle.

Update for inflation

We continue to recommend that the allowances we recommend should be updated annually in accordance with the headline figure in the annual local government pay settlement.

Sir Rodney Brooke CBE DL

Steve Bundred

Anne Watts CBE

London
1 June 2014

Appendix A

Basic allowance £10,703

Special responsibilities – beyond the basic allowance

The case for special allowances

The reasons for payment of additional special responsibility allowances should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

Calculation of special allowances

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below. We believe that the SRA, which the previous panel recommended for the leader of a London council (updated), continues to be appropriate.

Categories of special allowances

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating executive arrangements
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. They must have regard to our recommendations. We believe these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

BAND ONE

The posts we envisage falling within band one include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group
- Service spokesperson for first opposition group
- Group secretary (or equivalent) of majority group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums or community leaders
- Cabinet assistant
- Leadership of a strategic major topic
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

Remuneration

We propose that band one special responsibility allowances should be on a sliding scale of between 20 – 30 per cent of the remuneration package for a council leader.

This would be made up as follows:

Basic allowance: £10,703

Band one allowance: £2,392 to £8,941

Total: £13,095 to £19,644

BAND TWO

The types of office we contemplate being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g. planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

Remuneration

We propose that band two allowances should be on a sliding scale between 40 – 60 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £10,703

Band two allowances: £15,486 to £28,581

Total: £26,189 to £39,284

BAND THREE

We see this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

Remuneration:

We propose that band three allowances should be between 70 – 80 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £10,703

Band three allowance: £35,128 to £41,675

Total: £45,831 to £52,378

BAND FOUR

Leader of cabinet, including a strong leader.

This is a full-time job, involving a high level of responsibility and now includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service.

Remuneration:

We propose that the remuneration package for a council leader under band four of our scheme should be £64,824.

This is made up as follows:

Basic allowance: £10,703

Band four allowance: £54,769

Total: £65,472

BAND FIVE

Directly elected mayor

A directly elected mayor is a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However we believe this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. We believe that the distinction is paramount and this should be reflected in the salary level.

Remuneration:

We propose that a band five directly elected mayor should receive a remuneration package of 25 per cent higher than that recommended for a council leader and that it should be a salary set at **£81,839**.

Appendix B

On behalf of the community – a job profile for councillors

Purposes:

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

Key Tasks:

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (forexample, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.
6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
10. To participate in the activities of any political group of which the councillor is a member.
11. To undertake necessary training and development programmes as agreed by the authority.
12. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix C

The independent panel members

Sir Rodney Brooke has a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities. He was knighted in 2007 for his contribution to public service and is currently chairman of the Quality Assurance Agency for Higher Education.

Steve Bundred was chairman of Monitor, chief executive of the Audit Commission and chief executive of the London Borough of Camden.

Anne Watts CBE has an extensive career in equality and diversity that spans the private, voluntary and public sectors with organisations including the Open University, the Commission for Equality and Human Rights and Business in the Community. She chaired the NHS Appointments Commission.

MEMBER ALLOWANCES SCHEME

Introduction

1. The Local Government & Housing Act 1989 and the Local Authorities (Members' Allowances) (England) Regulations 2003 require authorities to make a scheme for payment of allowances to councillors. The regulations do not limit the amount that can be paid.
2. Before making, amending or reworking its allowance scheme, the council is required to have regard to the recommendations of an independent remuneration panel. The council is not, however, bound to adopt all or any of the panel's recommendations provided it has given them due consideration and is satisfied that it has justifiable reasons for not doing so. For this authority the relevant independent panel is the London Councils Panel.
3. In May 2011 the council agreed a new member allowances scheme having considered the recommendations of the constitutional steering panel and having taken into account the London Councils Independent Remuneration Panel's report.

Basic allowance

4. Each member of the council is entitled to receive the annual basic allowance of £10,599. This is paid on a monthly basis rather than as a lump sum.

Special responsibility allowance

5. The council has decided to pay special responsibility allowances (SRAs) to those members whom it considers to have special responsibilities for the discharge of the council's functions. This allowance is in addition to the basic allowance. No member may receive more than one SRA.

Where the leader of the council has appointed two members to the cabinet in a job share, the SRA is split between the members with 50% payable to each member.

The list of SRAs payable is set out below:

Band 1a	SRA
Chair audit & governance committee	£2,771
Deputy leader majority opposition	£2,771
Leader minority opposition	£2,771
Opposition whip	£2,771
Vice-chair overview & scrutiny committee	£2,771
Deputy cabinet member	£2,771

Band 1b	SRA
Deputy Mayor	£8,357
Chair community council	£8,357
Scrutiny sub-committee chair	£8,357

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Band 1b	SRA
Planning sub-committee chair	£8,357

Band 2a	SRA
Chair planning committee	£14,451
Chair licensing committee	£14,451
Chief whip	£14,451
Leader majority opposition	£14,451

Band 2b	SRA
Mayor	£22,631
Chair overview & scrutiny committee	£22,631

Band 3	SRA
Cabinet member	£33,604
Deputy leader	£33,604

Band 4	SRA
Leader	£50,065

6. The level of allowance paid to a band 3 or band 4 member is dependent on the average number of hours per week the member is employed elsewhere, as set out below:
- less than 11 hours elsewhere, full SRA
 - 11 to 24 hours elsewhere, two thirds SRA
 - more than 24 hours elsewhere, one third SRA.

Where cabinet members are appointed in a job share, the average number of hours employed elsewhere are doubled.

Licensing committee

7. Ordinary members of a licensing sub-committee will receive a payment of £117 per meeting attended.

Members will be selected to attend the sub-committee in accordance with a system of rotation agreed by members of the licensing committee which ensures all members have an equal opportunity to attend.

Where a sub-committee is cancelled, ordinary members summonsed to sub-committee meetings will be eligible for the attendance payment unless a cancellation notice is sent by 10.00am on the second working day prior to the date of the meeting, thereby giving one clear working day's notice.

Ordinary members attending the licensing committee will not be eligible for the attendance payment.

Travel allowance

8. Councillors (and co-optees receiving a special responsibility allowance) may only claim travel expenses necessarily incurred in carrying out their approved duties outside the borough, subject to the following exceptions:

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- Members with mobility difficulties are able to claim the cost of travel when on council business
- Members are able to claim for taxis home after council meetings ending after 9.00pm in summer (BST) and 7.00pm in winter (GMT)
- Non statutory co-optees (who do not receive an allowance) can claim their travel expenses.

A full list of approved duties is set out in paragraph 26 below.

9. Members cannot reclaim expenses they have incurred due to:
 - a) congestion charges, including fines or penalties
 - b) parking/clamping fines.
10. For public transport, receipts must be produced in respect of all claims. Members using their own transport may submit mileage claims. The maximum rates per mile are set out below.
11. The following is a summary of the conditions, and has been excerpted and adapted from those which apply to officers.

Car users

12. Casual car users allowances – general conditions:
 - Public transport must be used on all appropriate occasions, e.g. where more economic, timely etc
 - Members should not use their own cars when there is room in one of the local authority's cars or in the car of another member making the same journey on the same business. As far as possible journeys over the same route should be arranged so as to synchronise
 - All official mileage has to be recorded
 - Members shall have included and maintain in their insurance policy a clause indemnifying the local authority against all third party claims (including those concerning passengers) arising out of the use of the vehicle on official business
 - Members must ensure that the car they are travelling in has current insurance and MOT certificates and are encouraged to ensure that their car has passed emission checks:
 - For cars less than three years old, annually
 - For cars three years and above, twice yearly.
13. The national joint council reviews the rates payable to staff on an annual basis. The current rates are set out below. There are three bands of allowance according to the cubic capacity of the car: 451-999 cc; 1000-1199 cc; 1200 cc and above.

Casual Users	451-999 cc	1000-1199 cc	1200 cc and above
Per mile-first 8,500 miles	46.9 pence	52.2 pence	65.0 pence
Per mile-after 8,500 miles	13.7 pence	14.4 pence	16.4 pence

Motorcycles and mopeds

There are five bands of allowance according to the engine size of the motorcycle: the rates are set out below:

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Engine Size (cc)	
Up to 150	9 pence per mile
151 – 244	14 pence per mile
245 – 500	17 pence per mile
501 – 999	23 pence per mile
1000+	27 pence per mile

Pedal cycles

A monthly cycle allowance is payable to councillors, independent and co-opted members who use their own cycles in connection with their official duties. The rate is currently £20 per month. Members must notify the proper constitutional officer of their intention to claim this allowance as unlike other travel allowances it is not paid as an expense. Except in circumstances agreed by the proper constitutional officer members in receipt of the cycle allowance may not claim other travel allowances. Except in circumstances agreed by the proper constitutional officer members who have taken advantage of the Bikes4Work scheme are required to use their cycle for normal council business whether they claim the cycle allowance or not and will not be eligible to claim other travel allowances.

Subsistence allowance

14. Subsistence allowance may be claimed in respect of approved duties, except where food is provided, if they involve an absence from the normal place of residence exceeding four hours in total which includes one hour travelling time.
15. Claims are subject to the following maximum, which are the same for members as they are for officers:

Breakfast	£5.93
Lunch	£8.18
Evening Meal	£10.10

16. The amount to be reimbursed in respect of approved duties is the actual amount spent subject to the maximum figures quoted above. Receipts must be produced in respect of all claims.

Child-care and dependant carers allowance scheme

17. Members may claim this allowance as reimbursement of costs they incur in arranging carers to look after dependants who cannot be left by themselves by reason of age or other special needs. The allowance may only be claimed in respect of approved duties.
18. The maximum rate claimable is £6.00 per hour (and may be increased from time to time by the chief executive on the advice of the strategic directors of health & community services and children's services taking into account local conditions). The following criteria also apply:
 - payment is claimable in respect of children aged 15 or under or in respect of other dependants where there is medical or social work evidence that care is required
 - the allowance will be paid as a reimbursement of incurred expenditure against receipts

- the allowance is not payable to a member of the claimant's own household
- the carer must be 18 or over (and not a spouse or partner/co-habitee of the member or a relative living at the same address)
- any dispute as to entitlement and any allegation of abuse will be referred to the standards committee for adjudication.

Co-opted members

19. The following allowances are payable to co-opted members:
 - a) All statutory co-optees (i.e. statutory co-optees to the education committee) should receive an annual allowance; for 2012/13 this is £1,061
 - b) No statutory co-optees may receive more than one allowance under (a) above
 - c) That statutory co-optees should be subject to the same travel and subsistence claim regime as councillors, i.e. not able to claim for intra borough travel and subsistence except where one of the exceptions applies
 - d) Non-statutory co-optees should be able to claim re-imbursment of travelling and subsistence expenses.
20. Co-optees may, in writing to the proper constitutional officer, elect not to receive allowances.
21. The allowance to education co-optees should be payable from the date of appointment.
22. Co-optees allowances are subject to the same index linking as members' allowances generally.
23. Co-optees do not receive the basic allowance.
24. If a co-opted member does not serve for the whole of the 12 month period, or become disqualified, they will only be entitled to pro-rata payments for the period(s) during which they were actually a serving co-opted member.
25. Both statutory and non-statutory co-opted members are entitled to claim dependant carer's allowance as set out in paragraphs 17 and 18.

Approved duties

26. For a member, an approved duty for the purpose of travel, subsistence and childcare and dependant carers allowances means:
 - a) attendance at a meeting of the council or of any committee or sub-committee of the council
 - b) attendance at a meeting of a body to which the member has been nominated by the council or of any committee or sub-committee of such a body, provided they are a member of the body concerned
 - c) attendance at any other meeting, the holding of which is authorised by the council, or a committee or sub-committee of the council or a joint committee of the council, or a sub committee of such a joint committee, provided that it is a meeting to which members of at least two political groups have been invited

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- d) attendance at a meeting of any association of authorities of which the council is a member
 - e) attendance at a meeting of the cabinet or of any of its committees
 - f) performance of any duty in connection with the discharge of a function of the authority empowering or requiring the inspection of premises
 - g) performance of any duty in connection with arrangements made by the authority for the attendance of pupils at special schools
 - h) any other duty approved by the council for the purpose of, or in connection with, the discharge of the functions of the council, or any of its committees or sub-committees
 - i) any duty for the purpose of or in connection with the discharge of the functions of the cabinet
 - j) attendance at neighbourhood forums that fall within the member's ward
 - k) attendance at tenants' council and leaseholders' council
 - l) attendance at licensing or planning committees as a ward representative.
27. No allowances can be claimed in respect of political group meetings, members' surgeries or attendance at college or school governing bodies.

Entitlement to allowances

28. Allowances are paid automatically in equal monthly instalments. If a member of the council does not serve for the whole of the year, becomes disqualified or ceases to be entitled to a special responsibility allowance (SRA), they will only be entitled to payments for the proportion of the number of days served in that year. Overpayment of SRAs for continuing members will be automatically deducted from the basic allowance. Other overpayments must be repaid to the authority. If the scheme is amended so as to affect entitlement any variation will be paid from an agreed date only. Retrospective payments will not be made to members who are no longer serving.

Waiving right to receive allowances

29. Members do not have to take their allowance(s) – if a member wishes to waive their right to receive a basic allowance, SRA, any other allowance, or part thereof, they must notify the proper constitutional officer in writing.

Claiming allowances

30. Claims for travel, subsistence, child-care and independent carers allowances must be submitted within two months of the duty undertaken and accompanied by relevant receipts. Claims submitted outside of the two month period may be put forward to the standards committee for consideration.

Taxation and allowances

31. Allowances are not salaries but are subject to tax and national insurance as any allowance is considered as income. Any such deductions are subject to personal circumstances. Members should note that the council is unable to deal with personal tax enquiries on their behalf and should inform their tax office of any change in circumstances.

Publication of allowances

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32. In accordance with the Local Authorities (Members Allowances) (England) Regulations 2003, the council is required to publish details of any basic and special responsibility allowances paid to councillors for the previous financial year, along with details of the allowances scheme which applied at that time. This statutory notice also includes details of subsistence, travel and carer's allowance. In addition the council publishes further information regarding members' expenses.

Withholding allowances

33. The standards committee may withdraw allowances from individual members (including independent members of standards committee and co-opted members) in whole or in part as part of any sanction in relation to a breach of conduct, for non-attendance at meetings, or, for elected members only, for failure to attend required training. Withheld allowances are not repayable/recoverable.
34. Standards committee may also consider the withdrawal of allowances for a member given approval by council assembly for a failure to attend, subject to a referral being made by council assembly.

Amendments to the allowances scheme

35. Basic allowance and travel, subsistence and carers allowances are adjusted in accordance with the national local government pay settlement and allowances for officers¹. SRA levels are set by council assembly and are not subject to inflationary adjustments.
36. Travel and subsistence allowances will be amended in line with changes to allowances for officers.
37. Dependant carer's allowance may be increased from time to time by the chief executive, in consultation with the strategic directors of health & community services and children's services, to reflect local conditions, and amounts payable by the health and community services department for the level of care required.

Special leave arrangements

38. The special leave arrangement for members applies to all recipients of special responsibility allowances. Where SRAs are paid at a reduced level that level will apply during any special leave absence. Where members have elected not to receive their allowance no special leave payment will be made.
39. Where a period of special leave includes the annual meeting of council assembly and the member is not reappointed to a post attracting an SRA the special leave allowance will cease on the day following council assembly.

Maternity leave

40. The maternity leave arrangement will be for up to three months on full allowance. No additional allowance will be paid for absence beyond three

¹ Index linking is to the general settlement rather than any special provision for particular groups of staff such as the low paid.

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months. Antenatal care is part of the normal arrangements for short term absence and is not affected by special leave arrangements.

41. Members are not eligible for Statutory Maternity Pay (SMP) if they are not employed elsewhere. The council cannot pay SMP.

Adoption leave

42. The adoption leave arrangement will be for up to three months on full allowance. No additional allowance will be paid for absence beyond three months.

Paternity leave

43. The paternity leave arrangement will be for ten days paid absence and parental support absence of up to 13 weeks with no allowance.

Sick leave

44. The sick leave arrangement will be for up to six months full allowance in any 12 months.

Other special leave

45. Normal leave arrangements and emergency situations do not affect SRAs. Extended absence e.g. service abroad in the Territorial Army or jury service to be in line with officer guidelines.

Other arrangements

46. During any period for which special leave arrangements are in place any member who is appointed to deputise for the absent member who is not a member of the cabinet will be eligible for the full SRA payments due in the same period.
47. During any period for which special leave arrangements are in place any member who is appointed to deputise for an absent cabinet member will be eligible for a proportion of the SRA payments due in the same period, not exceeding nine tenths of the full SRA payment.

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**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)
MUNICIPAL YEAR 2014/15**

NOTE: Original held by Constitutional Team; all amendments/queries to
Lesley John Tel: 020 7525 7228

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		Sonia Sutton	1
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South London Press	1	4, Tooley Street)	
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