

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

(i) URGENT IMPLEMENTATION OF DECISIONS

RECOMMENDATION: That the Urgency decisions detailed below be noted.

Information

1. The Constitution allows a Cabinet or Cabinet Member decision to be implemented before the expiry of the 5 day call-in provided there is agreement from the Chief Executive and the Chairman of the Executive Scrutiny Committee to waive this. All such decisions are to be reported for information only to the next full Council meeting.
2. Recently the following decisions have been made using the urgency procedures:

Date of Decision	Decision Type / Nature of Decision	Decision-Maker
07/01/2016	Capital Release of for the Missouri Court Communal Boiler Replacement	Leader of the Council / Cabinet Member for Finance, Property & Business Services
07/01/2016	Associated Award of a Works Contract for the Missouri Court Boiler Replacement.	Leader of the Council / Cabinet Member for Finance, Property & Business Services
11/01/2016	Capital Release for the next phase of improvements to roads as part of the Borough's Highways Programme 2015/16.	Leader of the Council / Cabinet Member for Finance, Property & Business Services
14/01/2016	Contract Award and Capital Release towards the Universal Infant Free School Meals and kitchen improvements at 6 schools in the Borough.	Leader of the Council / Cabinet Member for Finance, Property & Business Services
15/01/2016	Appointment of Contractor and capital release to provide pre-construction support for the development of the new Battle of Britain Education & Visitors Centre and Underground Bunker project, Uxbridge.	Leader of the Council / Cabinet Member for Finance, Property & Business Services
28/01/2016	New Allocation & Release of S106 Contributions: Installation of a New "High Performance" Kitchen at Whiteheath Junior School, Ruislip	Leader of the Council / Cabinet Member for Finance, Property & Business Services
28/01/2016	New Allocation & Release of S106 contributions: Improvements to the Heating System at Whiteheath Junior School, Ruislip.	Leader of the Council / Cabinet Member for Finance, Property & Business Services
09/02/2016	Approve of the procedure for the Review of Flexible Tenancies in the Borough.	Leader of the Council / Cabinet Member for Social Services, Health & Housing

Date of Decision	Decision Type / Nature of Decision	Decision-Maker
15/02/2016	New Allocation & Release of S106 contributions: A scheme to improve clinical facilities at Otterfield Medical Centre, Otterfield Road, Yiewsley.	Leader of the Council / Cabinet Member for Finance, Property & Business Services

BACKGROUND PAPERS: Decision Notices

(ii) PROGRAMME OF MEETINGS 2016/17

RECOMMENDATION: That the timetable of meetings for 2016/17 as set out in Appendix A, be approved and the Head of Democratic Services in consultation with the Chief Whip of the Majority Party be authorised to make any amendments that may be required throughout the course of the year.

Members should note that during the course of the year meeting times and dates of some meetings may change or additional meetings may be called in order for the effective conduct of the council's business.

(iii) MEMBERS' ALLOWANCES 2016/17

1. The Council is required to undertake an annual re-adoption of its Allowances Scheme and, in doing so give due regard to the recommendations made by the report of the Independent Panel on the Remuneration of Councillors in London. The last report by that body was published in June 2014 and, having given due regard to its contents, no change is proposed to the nature of the Allowances Scheme for 2016/17.

RECOMMENDATIONS: That:

- a) the current Members' Allowances Scheme be revoked as of 31 March 2016 and the new Scheme for 2016/17 be approved, as shown in the Appendix B, for implementation from 1 April 2016.
- b) The Head of Democratic Services be authorised to increase the level of Basic and Special Responsibility allowances in line with any annual pay award to staff.

INFORMATION

2. Regulation 10 Local Authorities (Members' Allowances) (England) Regulations 2003 requires re-adoption of the scheme by 31 March 2016.

FINANCIAL IMPLICATIONS

3. Provision has been made in the 2016/17 budget for Members' Allowances, although it is important to note this is based upon current posts being held by Members and those who occupy more than one post are only eligible to receive one Special Responsibility Allowance, normally the higher. It is therefore difficult to accurately estimate the true cost until after the Annual General Meeting in

May when Members are confirmed or re-confirmed into posts receiving a Special Responsibility Allowance.

LEGAL IMPLICATIONS

4. The current scheme, which has been adopted by the Council, needs to be revoked as of 31 March 2016 and a new scheme, in accordance with the 2003 Regulations, has to be made before 31 March 2016. If it is not, any allowances paid to Members would not comply with the law and could therefore be challenged.
5. Before making or amending its allowances scheme, the Council is required, by virtue of Regulation 19, to have regard to the recommendations of an Independent Remuneration Panel. The latest recommendations made by the Panel in 2014 have been taken into account when making these recommendations.

BACKGROUND PAPERS: Report of the Independent Panel on the Remuneration of Councillors in London

APPENDIX A

Programme of Meetings 2016/2017 (NB. Times may occasionally vary from those shown in first column.)

MEETING (and start time)	May	June	July	Aug'	Sept'	Oct'	Nov'	Dec'	Jan'	Feb'	Mar'	April	May
COUNCIL (7.30pm)	12* (A)		7		8		3		19	23			11 (A)
CABINET (7pm)	19*	23	21		22	20	17	15	17	9	16	20	18
Central & South Planning Committee (7pm)	18*	9,28	20	9,31	20	13	1,24	13	18	8	2,21	12	2,25
North Planning Committee (7pm)	11*,31	21	14	3,24	13	4,26	16	6	11	1,22	16	6,25	16
Major Applications Committee (6pm)	11*,31	21	14	3,24	13	4,26	16	6	11	1,22	16	6,25	16
Whips Meeting (5pm)			5		6		1		17	21			
Pensions Committee (7pm)		15			21			7			22		
Pensions Board (5pm)		29				5			10			4	
Audit Committee (5pm)		30			22			15			16		
Health & Wellbeing Board (2.30pm)			5		29			8			14		
Health & Wellbeing Board Working Group (dates tbc)													
Domestic Violence Action Forum (2pm)			20			19			18			19	
Domestic Violence Steering Executive (10am)		27			12						19		
Petition Hearings with the Cabinet Member for Planning, Transportation & Recycling (7pm)	18*	15	13		14	12	9	7	18	15	15	12	17
Petition Hearings with the Cabinet Member for Finance, Property & Business Services (7pm)		22			7		2		11	22		19	
Petition Hearings with other Cabinet Members (dates & times tbc)													
Licensing Committee (10am)			13			19			10			13	
Licensing Sub-Committee (2pm)	4,20	8,24	6,20	5,19	5,19	7,19	7,21	2,16	4,20	7,16	2,20	4,19	3,19
Executive Scrutiny Committee (at the rising of Cabinet)	19*	23	21		22	20	17	15	17	9	16	20	18
Social Services, Housing & Public Health Policy Overview Committee (POC) (7pm)		21	28		6	4	2		18	21	23	19	
Residents' & Environmental Services POC (5.30pm)		16	27		21	18	22		10	22	22	26	
Children, Young People and Learning POC (7pm)		14	13		28	19	23		11	14	14	12	
Corporate Services and Partnerships POC (7.30pm)		16	19		13	11	8		5	7	9	25	
External Services Scrutiny Committee (6pm)		15	12		15	6	15		12	15	15	27	
Hillingdon SACRE (7.30pm)		7					2				7		
Standards Committee (7pm)		13			12			12			6		
Corporate Parenting Board (5.30pm)	18*		11		26		21		23		20		22
Registration & Appeals Committee (dates / times tbc)													

MEMBERS' ALLOWANCES SCHEME 2016/17**1. Introduction**

In accordance with Local Authorities (Members Allowances) England Regulations 2003 No. 1021 (as amended) the London Borough of Hillingdon makes the following scheme: -

2. Basic Allowance

For 2016/17 an allowance of **£10,819.25** will be payable to all Councillors. This figure will be increased each subsequent year in line with the annual Local Government Pay Settlement and it will be paid in equal monthly instalments. The basic allowance includes intra borough travel and subsistence costs.

3. Special Responsibility Allowances

Special responsibility allowances of the following amounts shall be paid in equal monthly instalments to Councillors holding the following responsibilities:

	(£)
1. Mayor	21,756.36
2. Deputy Mayor	8,484.84
3. Leader of the Council	53,828.88
4. Deputy Leader of the Council	45,344.04
5. Chief Whip of Largest Party	21,756.36
6. Cabinet Member	37,919.88
7. Chairman of Scrutiny and Policy Overview Committee	21,756.36
8. Chairman of Planning Committee	21,756.36
9. Chairman of Licensing Committee	9,198.00
10. Vice Chairman of Licensing Committee	6,132.00
11. Chairman of Standards Committee	3,066.00
12. Standards Committee Independent Person	1,533.00
13. Chairman of Audit Committee*	2,916.86
14. Champion	5,594.76
15. Council representative on Adoption and Permanency Panel	12,264.00
16. Cabinet Assistant	8,484.84
17. Leader of 2 nd Party	21,756.36
18. Deputy Leader of 2 nd Party	5,594.76
19. Chief Whip of 2 nd Party	5,594.76
20. 2 nd Party Lead on Scrutiny and Policy Overview Committee	5,594.76
21. Party Lead on Planning Committee	5,594.76

* Where a non-Councillor is Chairman or Vice Chairman a co-optees' allowance is payable as set out in the Scheme under section 9.

Special Responsibility Allowances will be increased each subsequent year in line with the annual Local Government Pay Settlement.

4. Limit on Payment of Special Responsibility Allowances

Individual Councillors may not claim a special responsibility allowance for more than one position for which they qualify.

5. Renunciation

Councillors may elect to forego any of their entitlement to an allowance under the scheme by giving written notice to the Corporate Director of Finance.

6. Part-Year Entitlements

(a) This paragraph regulates Councillors' entitlement to allowances where the scheme is amended during the course of the year or where an individual ceases to be a Councillor or accepts or relinquishes a position of special responsibility.

(b) If an amendment to this scheme is made during the year to which it refers and changes the amount which a Councillor may claim in basic allowances the annual entitlement shall be calculated using the following method:-

Annual entitlement to basic allowance	=	Days at unamended rate divided by 365	X	Annual payment at unamended rate	+	Days at amended rate divided by 365	X	Annual payment at amended rate
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(c) Where the term of office of a Councillor begins or ends part way through the year the annual entitlement to basic allowance shall be calculated using the following method:

Annual entitlement to basic allowance	=	Days as a Councillor divided by 365	X	Annual rate of allowance
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(d) Where this scheme is amended during the year to which it refers the annual entitlement to basic allowance of Councillors beginning or ending their term of office part way through the year shall be calculated using the following method:

Annual entitlement to basic allowance	=	Days as a Councillor during unamended scheme divided by 365	X	Annual payment at unamended rate	+	Days as a Councillor during amended scheme divided by 365	X	Annual payment at amended rate
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(e) Where Councillors hold positions of special responsibility during part of the year their annual entitlement to special responsibility allowance shall be calculated using the following method:

Annual entitlement for special responsibility allowance	=	Days holding position of special responsibility during unamended scheme divided by 365	X	Annual payment at unamended rate	+	Days holding position of special responsibility during amended scheme divided by 365	X	Annual payment at amended rate
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7. Out of Borough Travelling and Subsistence Allowances

Councillors shall be entitled to claim for out of borough travelling allowances incurred in undertaking approved duties as agreed in advance by the Council.

The out of borough car mileage allowance for Councillors shall be paid at the same rate as those paid to officers for the Standard Mileage User Allowance.

The amounts paid for out of borough subsistence shall be in accordance with the maximum levels laid down from time to time by the Department for Communities and Local Government but claims may only be made for approved duties.

8. Dependent / Carers Allowance

A dependent / carers allowance shall be payable at the National Minimum Wage for Adults hourly rate based on the following criteria:

- payments should be subject to a maximum weekly payment, equivalent to seven-and-a-half hours of care per week;
- the maximum rate should be set locally to reflect local costs, in accordance with social service departments levels;
- payment should be 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;
- only one weekly payment should be claimable in respect of the household of each Member, except in special circumstances to be judged by the Council's Standards Committee;
- the allowance should be paid as a reimbursement of incurred expenditure against receipts;
- the allowance should not be payable to a member of the claimant's own household and;
- any dispute as to entitlement and any allegation of abuse should be referred to the Council's Standards Committee for adjudication.

9. Co-optees' Allowances

Where a co-optee and non-Councillor is the Chairman of the Audit Committee, an annual entitlement allowance of £2,916.86 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. Where a co-optee is an Independent Person on the Standards Committee an annual entitlement allowance of £1,533 may be paid. Where a co-optee is one of the three statutory education co-optees on the Executive Scrutiny Committee, an annual entitlement allowance of £408.80 may be paid. This will be paid on a pro-rata basis if the appointment of the co-optee begins or ends otherwise than at the beginning or end of a year. These allowances will cover expenses, such as travel and subsistence, related to the duties of the postholder.

10. Claims and Payments

- (a) All claims for out of borough travelling and subsistence and carers allowances must be submitted within two months of the date of the approved duty to which they relate, made on the standard form as used by officers and returned to the Head of Democratic Services.

- (b) Payments shall be made in respect of basic and special responsibility allowances subject to sub-paragraph (c) below in Instalments of one twelfth of the amount specified in this scheme on or before the 15th of the month direct to each Member's bank or building society account.
- (c) Where the payment of allowances in one-twelfth instalments would result in a Councillor receiving more than he or she is entitled to because of a part year effect (as defined in paragraph 9 above) the payment shall be restricted to the annual entitlement.

11. Withholding Members' Allowances

Where there has been an adjudication, which suspends or partially suspends a Councillor from office following a breach of the Code of Conduct, the Council may withhold all allowances paid to that Councillor with immediate effect.

12. Records of Allowances and Publicity

In accordance with the 2003 regulations a detailed record will be kept of the name of the recipient and the amount and nature of each payment made. This will be available for public inspection at all reasonable times or copies supplied following the payment of a reasonable fee.

As soon as is reasonably practicable after the end of the municipal year to which the scheme relates the total sum paid to each recipient in respect of basic allowances, special responsibility allowance, dependant carers allowance and out of borough travelling and subsistence allowance will be published on the Council's website and local newspaper.

13. Independent Remuneration Panel

Hillingdon Council has had regard to the recommendations made by the Independent Panel for the Remuneration of Councillors in London in developing its Members' Allowances Scheme.