

Report title

Agenda item

**Members' Allowances - Monitoring of the Authority's
Scheme 2007-2008****18**

Meeting

Date

Authority

24 July 2008

Report by

Document Number

Head of Legal and Democratic Services

FEP 1231

Summary

In accordance with the statutory requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003 this annual report provides details of actual payments made to individual members under the Members' Allowances Scheme in force during the financial year (1 April 2007 – 31 March 2008) in respect of basic and special responsibility allowances; as well as travel and subsistence; and deals with payments made to Councillor Tandy and former Councillor Gallop in relation to Firelink/Fire Control and Firebuy

Recommendations(s)

That the report be received

Introduction/Background

1. On 18 September 2003 the Authority (FEP 475) agreed a new scheme for Members' allowances to implement Regulations which replaced the previous legislation on Members' allowances. Whilst not required in law the Authority asked the independent panel of the London Councils (then the Association of London Government (ALG)) to undertake a review of the Authority's Members' Allowances Scheme. In making the scheme it also had regard to the recommendations of the London Councils' Independent Remuneration Panel review of allowances in the London boroughs and a comparison with other metropolitan fire authorities. The rates agreed also recognised the fact that allowances paid by LFEPA are non pensionable.
2. Following revisions to the executive and non executive member structures in June 2005, on 21 July 2005 the Authority (FEP 755) agreed to revise the scheme with regard to the level of basic allowance, special responsibility positions and levels of special responsibility allowances, as well as a minor amendment to the scheme in relation to the arrangements for travel and subsistence allowances. These revisions again had regard to the London Council's Panel's conclusions, LGA guidance, the remuneration paid by other functional bodies in the GLA family and the fact that the allowances continued to be non pensionable.
3. Following further revisions to the executive and non executive member structures in June 2006, on 20 July 2006 the Authority (FEP 896) agreed to revise the scheme with regard to the special responsibility positions and levels of special responsibility allowances, as well as authorising the Head of Democratic Services (now the Head of Legal and Democratic Services) to make a payment of £50 per day, plus

reasonable travel costs, to Anne Gallop on occasions when she was obliged to debrief or be briefed by officers of the Authority in connection with her role as an ex-officio Director on the Board of Firebuy Ltd.

4. On 21 June 2007 the Authority (FEP 1037) agreed its member-level executive and non executive structure for the municipal year 2007-08, and on 26 July 2007 the Authority agreed revisions to the Scheme to take account of these changes. On 22 November 2007 the Authority (FEP1129) agreed that the two Mayoral representatives be paid the basic allowance of £7,384 per annum (pro rata) as members of LFEPA.
5. On 20 March 2008 the Authority (FEP 1195) agreed a new members' allowances scheme (attached as Appendix A) following consideration of the report produced by the Independent remuneration panel which included provision for payments to the Chair and Vice Chair. The Authority also amended the scheme then in place to allow payments to the Chair and Vice Chair from 21 January 2008. In summary the key features of the new scheme were -

- Basic allowances of £7,384 per year to each borough and mayoral representative
- Special responsibility allowances (SRAs) to borough representatives who hold the following positions [Note: Members are only entitled to one SRA equal to the greater or greatest of the SRAs arising under the positions of responsibility which the member holds.]

Position	Annual Amount
	(£)
Chair	25,000
Vice Chair	15,000
Deputy Chair	11,604
Chair of Finance, Procurement and Property Committee	11,604
Liaison Member	8,440
Chair of Audit Committee	5,000
Chair of Standards Committee	1,176
Director of Firebuy Ltd	4,000
Leader of largest political group	7,500
Leader of second largest political group	5,000
Leader of third largest political group	2,500

- Co-optees allowance (Independent Member of Standards Committee) £558 per annum
- Travel and subsistence rates - for approved duties (set out in the scheme) – the rates are those from time to time applicable to LFEPA MGPO staff, including specified rates for travel by bicycle; first class travel outside Greater London; taxi fares in cases of urgency, etc; reimbursement of car parking/congestion charge; overnight accommodation, etc (all as specified in detail in the scheme)
- Annual Indexation effective from 1 April 2008 (yet to be settled) each year until 1 April 2011 by

the same percentage as the percentage increase in pay agreed by the NJC Local Government Services settlement.

6. The Authority also agreed on 21 June 2007, as part of its consideration of representation on outside bodies (FEP 1038), to nominate Councillor Colin Tandy for appointment as an ex officio Director on the Board of Firebuy Ltd for the municipal year 2007-8, and considered it appropriate that this additional responsibility, which included the member debriefing or being briefed by LFEPA members or officers in connection with this role, should be recognised financially. It was agreed that the amount should be in line with the amount other Directors received for office in 2006-7 which was £4,000 per annum. The Authority had unsuccessfully sought agreement that the cost would be met by Firebuy Ltd for the year 2006/7 and whilst discussions continued to resolve who should meet this cost it was agreed that the Authority should pay an SRA at £4,000. It was therefore agreed to create a new SRA of Liaison Member and Director of Firebuy Ltd at the same rate as the other liaison members plus the £4,000 (i.e. £12,236). It was also agreed that Councillor Tandy should continue in the role of ex-officio Director of Firebuy for the municipal year 2007/8 irrespective of his appointment as a Member of LFEPA and that should he cease to be an LFEPA Member before the end of the municipal year, the Head of Legal and Democratic Services be authorised to make appropriate arrangements to continue to pay the £4,000 'Firebuy' Special Responsibility Allowance and recompense him for travel/subsistence costs related to his Firebuy role until the end of the municipal year 2007/8.
7. The new Scheme, as indicated above, has an annual indexation effective until 2011 and it is not proposed therefore to adjust the rates attached to the present SRAs. (The rates of basic, special responsibility and co-optees' allowances will be increased with effect from 1 April 2008 once the NJC Local Government Services Settlement has been agreed.)
8. The regulations require that an authority, as soon as is reasonably practicable after making or amending a scheme, make arrangements for its publication by:-
 - a) ensuring copies of the scheme itself are available for inspection by members of the public at the Authority's principal office at all reasonable hours;
 - b) publishing in one or more newspapers circulating in its area a notice which:-
 - states that the Authority has made or amended a scheme, stating its effective date,
 - describes the main features of the scheme and specifies the amounts payable in respect of each allowance mentioned in the scheme
 - describes any responsibilities or duties specified in the scheme in relation to special responsibility allowances and travelling and subsistence allowance
 - confirms that the Authority complied with its duty to have regard to the recommendations of an independent remuneration panel, what those recommendations were and the recommended amounts
 - specifies the address of the principal office of authority at which such copies are available
9. In addition to the above requirements, an authority is required to publish a notice as in (b) above after 12 months have expired since the previous notice, irrespective of whether the scheme has been amended in the previous 12 month period.
10. The Authority is also required to supply a copy of the scheme to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine. The Authority's existing policy is to publish its current scheme on its external web site and for copies to be provided free of charge.
11. Following the Authority's agreement to the new scheme, arrangements were made, in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, for an appropriate advertisement to

be placed in the Evening Standard. The costs of such an advertisement can be met from the 2008-9 budget of £11,000 for statutory advertising held by Legal and Democratic Services.

12. The Local Authorities (Members' Allowances) (England) Regulations 2003 also require the Authority, as soon as reasonably practicable after the end of the year to which its statutory allowance scheme relates, to make arrangements for the publication within Greater London of the total sum paid to each member (i.e. payments in respect of basic, special responsibility and co-optees allowances, and travel and subsistence).
13. To meet the requirements of the Regulations, the Authority must publish the total amounts paid to each member in the period 1 April 2007 to 31 March 2008 under the scheme.
14. Appendix B to this report sets out actual payments made to LFEPA borough representatives by way of basic and special responsibility allowances in the period from 1 April 2007 to 31 March 2008. Schedule 28 to the Greater London Authority Act 1999 prohibited the payment of basic and special responsibility allowances to Assembly Members, however the statutory framework was amended by the Greater London Authority Act 2007 to enable the Authority to pay the Chair and Vice Chair an allowance in respect of that office even if one or both of them are Assembly members.
15. Appendix C details the actual payments made to LFEPA members in the period 1 April 2007 to 31 March 2008 for travel and subsistence allowances, together with details of expenditure on travel and subsistence paid directly by Democratic Services on behalf of individual members. In addition it shows the total actual expenditure paid to each member in the financial year, regardless of when the duty was for which the payment was made.
16. The following table demonstrates actual spend against budget for 1 April 2007 to 31 March 2008 on members' allowances payable under both the Authority's Schemes together with travel and subsistence and expenses of office.

Allowance	Annual budget (a) £	LFEPA spend at 31.3.08 £
Basic		63,447.15(b)
SRA		46,694.55
Sub-total	110,600	110,141.70
Travel	8,350	5,072.77(c)
Subsistence	3,200	661.21
Expenses of office	4,500	577.84
Total	126,650	116,453.52
Conference fees	7,650	2,352.00
National insurance	8,200	8,795.64
TOTAL	142,500	127,601.16

NOTES: (a) Annual Budget exclusive of Member training.

(b) Includes £4200 paid to Anne Gallop and £817.20 paid to Colin Tandy for Firebuy duties and £556.92 paid as an allowance to Anne Dickens

(c) Includes £42.23 paid to Anne Gallop for travel re Firebuy

17. To comply with the statutory requirement to make arrangements for the publication within Greater London of the total sums paid by the Authority in the year in question under the Scheme to each Member, details will be circulated to all borough councils. The scheme is available on the Authority's external website and the sums paid to LFEPA Members under the Scheme for 2007-2008 will also be made available on that website. The arrangements to publicise are in line with the current procedures for the publication of the Authority's Scheme and are consistent with the statutory Code of Practice on Local Authority Publicity, which lays particular stress on the importance of cost effectiveness.

Authority's Strategic Objectives

18. The report contributes towards the Authority's strategic aims through providing a sound framework for the monitoring of members' allowances.

Head of Legal and Democratic Services comments

19. The legislative background is set out in the body of the report

Head of Finance Comments

20. No additional comments from the Head of Finance

Environmental Implications

21. Whilst there is no environmental impact arising directly from the report it does give details of expenditure on travel undertaken by members which would have had an environmental impact

Equalities Implications

22. None

List of Appendices to this report:

- A Members' Allowances Scheme
- B Totals paid for LFEPA Borough Members in the period 1/4/2007 – 31/3/2008
- C Totals for all LFEPA members for the period 1/4/2007 – 31/3/2008

Local Government (access to information) Act 1985	
List of background documents	
1. Members' claim forms	
2. Statutory register	
Proper officer	Head of Legal and Democratic Services
Contact officer	Tony Mendes
Telephone	020 8555 1200 ext. 30088
Email	tony.mendes@london-fire.gov.uk

MEMBERS' ALLOWANCES SCHEME

THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) REGULATIONS 2003

1. The London Fire and Emergency Planning Authority scheme for members' allowances pursuant to the Local Authorities (Members' Allowances) (England) Regulations 2003 is set out below.

2. Basic Allowance

2.1 With effect from 1st April 2008 a basic allowance of £7,384 per year is payable to each borough and Mayoral representative.

3. Special Responsibility Allowance

3.1 With effect from 1st April 2008 special responsibility allowances are payable at the rates indicated to borough or Mayoral representatives who hold the following positions of special responsibility. Also with effect from 1st April 2008 special responsibility allowances are payable at the rates indicated to those London Assembly representatives who hold the position of Chair and Vice Chair. No other special responsibility allowances are payable to London Assembly representatives.

Position	Annual Amount
	(£)
Chair	25,000
Vice Chair	15,000
Deputy Chair	11,604
Chair of Finance, Procurement and Property Committee	11,604
Liaison Member	8,440
Chair of Audit Committee	5,000
Chair of Standards Committee	1,176
Director of Firebuy Ltd	4,000
Leader of largest political group	7,500
Leader of second largest political group	5,000
Leader of third largest political group	2,500

Provided that a member who falls within more than one of the above categories shall be entitled to one special responsibility allowance only, equal to the greater, or greatest, of the special responsibility allowances arising under the positions of responsibility which the member holds.

4. Co-optees' Allowance

- 4.1 With effect from 1st April 2008 the Independent members of the Standards Committee may claim a co-optees' allowance of £558 per year in respect of attendance at conferences and meetings.

5. Payment of allowances

- 5.1 Basic, co-optees' and (subject to paragraph 5.2 below) special responsibility allowances will be paid monthly at a rate per month of one twelfth of the annual amount. Payment will be made on the last day of each calendar month, but when the last day is a Thursday, Friday, Saturday, Sunday or Bank Holiday, payment will be made on the preceding Wednesday.
- 5.2 If a member so requests, in writing to the Head of Legal and Democratic Services, payment of the member's special responsibility allowance will be made in one lump sum at the end of the financial year, on the first payment day after the end of the financial year concerned.

6. Adjustment of allowances

- 6.1 Where the period for which a person is a borough or Mayoral representative, or the holder of a position of special responsibility, or a co-opted member, is less than a whole financial year, the basic, special responsibility or co-optees' allowance (as the case may be) will be reduced to be proportionate to the number of days in the year in which she/he held the office or position concerned.

7. Travel and Subsistence Allowance

- 7.1 With effect from 1 October 2003 members of the Authority and the Independent Member of the Standards Committee may claim travel and subsistence allowances in respect of travelling and subsistence (including an allowance in respect of travel by bicycle or by any other non-motorised form of transport) undertaken in connection with or relating to the duties set out in the Annex to this scheme.
- 7.2 Subject to 7.3 to 7.8 below, the rates of travel and subsistence allowances shall be those from time to time applicable to LFEPA main grade/PO staff.
- 7.3 The rate of travel allowance for travel by bicycle or any other non-motorised form of transport is at the rate of the lower motor cycle rate payable from time to time to LFEPA main grade/PO staff.
- 7.4 The rate of travel allowance for travel by public transport is expenditure necessarily incurred (including seat reservations, luggage deposit, sleepers, and similar associated costs) except that first

class travel is payable only for journeys outside Greater London. Taxi fares may be paid only if the taxi was used in a case of urgency, or if there was no public transport reasonably available or if taxi use was justified by the nature of the business on which the member was engaged.

- 7.5 For travel by car the rate of allowance shall be increased to include car parking and congestion charges.
- 7.6 The rates of subsistence and travel allowances for duties outside the United Kingdom shall be decided in each case by the Head of Legal and Democratic Services, to reflect actual expenditure reasonably incurred.
- 7.7 Where expenditure is necessarily incurred by a member on overnight accommodation the maximum reclaimable amount (excluding meals) is £115.
- 7.8 Where the period of duty entitles a member to subsistence for more than one meal the member may aggregate the allowances to spend on one meal only provided a receipt is supplied.
- 7.9 In respect of travel and subsistence in the United Kingdom, receipts are required for reimbursement of subsistence expenses and for first class travel outside London, car parking, congestion charges, taxi fares, seat reservations, luggage deposit, sleepers and other similar associated costs. Where no receipt is available, reimbursement will only be made if an explanation is provided with the claim form.

8. Indexation

- 8.1 The rates of basic, special responsibility and co-optees' allowances will be increased with effect from 1 April 2008, 1st April 2009, 1st April 2010 and 1st April 2011 by the same percentage as the percentage increase in pay agreed by the NJC Local Government Services settlement.

9. Waiving Allowances

- 9.1 A member may elect to forgo all or any of her/his entitlement to an allowance under this scheme by giving notice in writing to the Head of Legal and Democratic Services.

10. Claims

- 10.1 Claims for travel, subsistence and co-optees' allowances should be made within 2 months of the date on which the relevant duty was performed. Payment of late claims may be made if the Head of Legal and Democratic Services, in consultation with the 3 Party Group Leaders, considers that the lateness of the claim is justified.

11. Amendment to the Scheme

- 11.1 An amendment to this Scheme which affects an allowance payable for the year in which the amendment is made may be effective from the beginning of that year.

12. Membership of another Authority

- 12.1 A member of LFEPA who is also a member of another authority to which the 2003 regulations apply shall not claim an allowance from more than one authority in respect of the same duty. When claiming an allowance from LFEPA every member shall be required to certify that no allowance has been, or will be, claimed from any other authority or to give details of any such other allowance.

13. Withholding and Reclaiming of Allowances

- 13.1 The Standards Committee of the Authority can withhold all or part of an allowance payable to a member in respect of responsibilities or duties from which the member is suspended or partially suspended in accordance with Part III of the Local Government Act 2000 or regulations thereunder.

- 13.2.1. Where payment of any allowance has already been made in respect of any period during which a member-

a) is suspended or partially suspended from his or her responsibilities or duties as a member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations thereunder;

b) ceases to be a member of the Authority; or

c) is in any other way not entitled to receive the allowance in respect of that period,

the Standards Committee may require that such part of the allowance as relates to any such period be repaid to the Authority.

ANNEXE TO THE LFEPa MEMBERS' ALLOWANCES SCHEME - APPROVED DUTIES FOR TRAVEL AND SUBSISTENCE ALLOWANCES

1. Meetings of the Authority and its committees.
2. Meetings of the Chair's Co-ordinating Group
3. Meetings of Panels and Task Groups established by the Chair's Co-ordinating Group or Deputy Chairs.
4. Any other meeting the holding of which is authorised by the Authority or an Authority committee provided members of at least two political groups are invited to the meeting.
5.
 - (a) Meetings of any body (or any committee or sub-committee of any body) to which the Authority makes appointments or nominations.
 - (b) Attendance by official Authority representatives (or their nominees) at meetings, briefings and seminars arranged by any body to which the Authority makes appointments or nominations.
6. Meetings of any association of authorities of which the Authority is a member.
7. Meetings with any external body for the purpose of discussing matters within the responsibilities of the Authority.
8. Attendance at one group meeting per party for each meeting of a committee or the Authority called to give preliminary consideration to matters coming before the Authority or Committee provided that appropriate records as to attendance, duration and matters discussed (being identifiable to matters coming before the relevant meeting) are maintained.
9. Seminars, training courses, launches and briefing events organised by the Authority and external training courses.
10. Attendance by official Authority representatives (or their nominees) at external conferences and attendance at conferences or meetings, or official and courtesy visits outside the UK subject to the prior agreement of the Head of Legal and Democratic Services, following consultation with the three Party Group Leaders.
11. Visits to fire stations.
12. Long Service and Good Conduct Awards ceremonies hosted by the Authority.

13. Meetings with the Authority's principal officers and/or members of another group for the purpose of discussing matters within the responsibilities of the Authority.
14. Interviews required as part of a formal investigation of a complaint by the Commission for Local Administration.
15. Attendance at proceedings of the Greater London Assembly and subsidiary bodies to discuss matters within the responsibilities of the Authority.
16. Occasions when the Chair or Vice-Chair of the Authority and/or other members represent the Authority or act as hosts or speak at social or ceremonial functions.

APPENDIX B

LFEPA Members' Allowances Scheme

Totals paid for LFEPA Borough Members in the period 1/4/2007 – 31/3/2008

Member	Basic	SRA	Total
Ali, Liaquat	7369.13	8422.96	15792.09
Butcher, Ed	7369.13	8422.96	15792.09
Evans-Jacas, Betty	7369.13	0.00	7369.13
Gilbert, Rebekah	7369.13	0.00	7369.13
Heaster, Maurice	7369.13	11580.67	18949.80
Joseph, Bertha	1449.00	0.00	1449.00
Shah, Navin	7698.44	0.00	7698.44
Tandy, Colin	5939.97	9754.77	15694.74
Whelan, John	5939.97	8513.19	14453.16
Total	57873.03	46694.55	104567.58
Co-optees allowance paid to Anne Dickens			556.92
Payments to ex-officio Director of Firebuy (Anne Gallop)			4200.00
Payments to ex-officio Director of Firebuy (Colin Tandy)			817.20
Final total			110141.70

APPENDIX C

Totals for all LFEPA Members for the period 1/4/2007 – 31/3/2008

Member	<i>Subsistence</i>		<i>Travel</i>		Total
	Claimed	Paid Direct	Claimed	Paid Direct	
Borough Members					
Ali, Liaquat	0.00	215.52	628.60	168.18	1012.3
Butcher, Ed	0.00	0.00	0.00	75.85	75.85
Evans-Jacas, Betty	0.00	0.00	47.80	257.77	305.57
Gilbert, Rebekah	0.00	60.45	19.00	0.00	79.45
Heaster, Maurice	0.00	0.00	382.82	309.65	692.47
Joseph, Bertha	0.00	0.00	0.00	0.00	0.0
Shah, Navin	0.00	0.00	3.00	0.00	3
Tandy, Colin	0.00	60.45	479.01	527.77	1067.23
Whelan, John	0.00	144.38	121.50	546.48	812.36
Assembly Members					
Blackman, Robert	0.00	0.00	0.00	0.00	0.00
Bray, Angie	0.00	0.00	8.00	0.00	8.00
Coleman, Brian	34.99	145.42	596.44	28.51	805.36
Evans, Roger	0.00	0.00	0.00	0.00	0.00
Hulme Cross, Peter	0.00	0.00	8.00	0.00	8.00
Johnson, Darren	0.00	0.00	0.00	0.00	0.00
Pope, Geoff	0.00	0.00	0.00	0.00	0.00
Qureshi, Murad	0.00	0.00	0.00	62.81	62.81
Shawcross, Valerie	0.00	0.00	136.50	622.85	759.35
Tuffrey, Mike	0.00	0.00	0.00	0.00	0.00
Independent Member					
Dickens, Anne	0.00	143.68	0.00	0.00	143.68
Hilton, Leslie	0.00	0.00	0.00	0.00	0.00
Travel claimed by ex-officio Director of Firebuy (Anne Gallop)	0.00	0.00	42.23	0.00	42.23
Total	34.99	769.9	2472.9	2599.87	5877.66