

# Public Document Pack

## Southend-on-Sea City Council

Civic Centre  
Southend-on-Sea

11 October 2023



I hereby summon you to attend the meeting of the Southend-on-Sea City Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, **Thursday, 19th October, 2023** commencing **6.30 p.m.** for the transaction of the following business.

R. Tinlin  
Chief Executive and Town Clerk

### **A G E N D A**

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# Public Document Pack

## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of The Council

**Date: Thursday, 7th September, 2023**

**Place: Council Chamber - Civic Suite**

# 6

**Present:** Councillor S Habermel (Chair)  
Councillors K Robinson, M Berry, M Borton, H Boyd, K Buck, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, N Folkard, D Garston, S George, I Gilbert, J Harland, L Hyde, A Jones, D Jones, A Line, R McMullan, J Moyies, C Mulrone, D Nelson, M O'Connor, M Sadza, M Stafford, M Terry, S Wakefield, N Ward, J Warren, R Woodley, S Aylen, C Campbell, O Cartey, G Leroy, R Longstaff, C Nevin and D Richardson

**Start/End Time:** 6.30 pm - 11.02 pm

#### **49 Apologies for Absence**

Apologies for absence were received from Councillors Beggs, Buckley, Jarvis, Lamb, Murphy, Walker and Wexham.

#### **50 Declarations of Interest**

The following declarations of interest were made:

(a) Cllr Buck – Minute 62 (Notice of Motion – Belfairs Park) – Member of Belfairs Golf Club for 30 years and former member of the Board.

(b) Councillor Collins - Minute 65 (Notice of Motion: Securing a Future for Southend United Football Club) – former season ticket holder of SUFC and lifelong supporter.

(c) Cllr Dent – Minute 60 (Notice of Motion – Stand in opposition to potential closure of Rail Station Ticket Offices in Southend-on-Sea) – Regular rail user.

(d) Cllr A Jones – Minute 60 (Notice of Motion – Stand in opposition to potential closure of Rail Station Ticket Offices in Southend-on-Sea) – son is employed by C2C.

(e) Cllr Line – Minute 65 (Notice of Motion: Securing a Future for Southend United Football Club) – Co-founder of Fans Supporting Southend Foodbanks.

(e) Cllr McMullan – Minute 60 (Notice of Motion: To stand in opposition to potential closure of Rail Station Ticket Offices in Southend-on-Sea) – Employer is a major shareholder in Greater Anglia.

(f) Cllr Terry – Minute 65 (Notice of Motion: Securing a Future for Southend United Football Club (SUFC) – Council appointed member to South Essex Homes Board and season ticket holder at SUFC).

(g) Cllr Wakefield – Minute 63 (Notice of Motion: Sheltered Accommodation Heating and Energy Efficiency Improvements) – sub-contractor for South Essex Homes.

(h) Cllr Woodley – Minute 65 (Notice of Motion: Securing a Future for Southend United Football Club (SUFC) – Wife is a season ticket holder at SUFC.

## **51 Communications**

### **(a) Introductions**

The Mayor welcomed to the meeting, Kim Sawyer, Interim Director of Legal Services) and also congratulated Alan Richards on his recent appointment to the position of Executive Director (Environment and Place).

### **(b) Mayors Chaplain**

The Mayor informed Councillors that this was the last meeting for the Mayor's Chaplain, Father Clive Hillman. The Mayor placed on record his thanks and appreciation for his services and extended his best wishes for the future.

## **52 Questions from Members of the Public**

The relevant Cabinet Members responded to written questions received from the public.

## **53 Questions from Members of the Council**

The relevant Cabinet Members responded to written and supplementary questions received from Councillors.

## **54 Minutes of the meeting of Extraordinary Council held Thursday, 29 June 2023**

Resolved:

That the minutes of the meeting of Extraordinary Council held Thursday, 29 June 2023, be confirmed and signed as a correct record.

## **55 Minutes of the meeting of Council held Thursday, 13 July 2023**

Resolved:

That the minutes of the meeting of the Council held Thursday, 13 July 2023, be confirmed and signed as a correct record.

## **56 Minutes of the meeting of Special Council held Thursday, 20 July 2023**

Resolved:

That the minutes of the meeting of Special Council held Thursday, 20<sup>th</sup> July 2023, be confirmed and signed as a correct record.

**57 Minutes of the meeting of Special Council held Monday, 24 July 2023**

Resolved:

That the minutes of the meeting of Special Council held Monday, 24 July 2023, be confirmed and signed as a correct record.

**58 Leader of the Council - Update**

The Leader of the Council addressed the Council and provided a brief overview of the work of the Cabinet. The Group Leaders and Councillors Aylen and Longstaff responded.

**59 Petition - Residents Parking in Osborne Road and Windsor Road**

Councillor O'Connor presented a petition signed by 101 residents calling on the Council to introduce Residents Only Parking Permit system in Osborne Road and Windsor Road.

Resolved:

That in accordance with Council Procedure Rule 19.7 the petition be referred to the Cabinet Committee for consideration.

**60 Notice of Motion - To stand in opposition to potential closure of Rail Station Ticket Offices in Southend-on-Sea**

During consideration of this matter an amendment was proposed by Councillor Nelson and seconded by Councillor Cox. The amendment was carried.

Resolved:

That the Notice of Motion concerning the potential closure of Rail Station Ticket Offices in Southend-on-Sea, as amended to add the following bullet point, be referred to Cabinet for consideration:

- *To request from C2C and Greater Anglia their action plan to ensure the elderly and disabled are not disadvantaged.*

**61 Notice of Motion - Enhancing Council Practices on Animal Welfare**

Resolved:

That the Notice of Motion concerning enhancing Council practices on animal welfare, be referred to Cabinet for consideration.

**62 Notice of Motion - Belfairs Park**

During consideration of this matter an amendment was proposed by Councillor Buck and seconded by Councillor Courtenay. The amendment was carried.

Resolved:

That the Notice of Motion concerning Belfairs Park, as amended below, be referred to the Cabinet for consideration:

*'To save unnecessary costs being incurred on conducting a full investigation into a long term and well known legacy issue, that the Council resolves to fund through the Council's golf course starter hut management service provider, a trial of a full time park ranger dedicated primarily to the golf course to collect unpaid green fees, but also to provide a sense of formal security to all park users.'*

**63 Notice of Motion - Sheltered Accommodation Heating and Energy Efficiency Improvements**

Resolved:

That the Notice of Motion concerning sheltered accommodation hearing cost reduction and energy efficiency improvements, be referred to Cabinet for consideration.

**64 Notice of Motion - Southend Urban Trees**

Resolved:

That the amended Notice of Motion set out below, concerning Southend Urban Trees, be referred to Cabinet for consideration:

*'They say an oak tree spends 300 years growing, 300 years living and 300 years dying. There are huge environmental and social implications to how a council values tree maintenance. This motion aims to improve our tree management, especially the management of declining trees, to maximise the benefits and lifespan of trees on council-owned or council-managed land.'*

*Southend's urban trees are assets of immense community value, providing tree canopy cover (TCC) which is proven to reduce 'urban heat island effect' that is the cause of an increasing number of fatalities across Europe due to climate heating.*

*Despite significant tree planting in recent years our TCC currently stands at 13% on average, and just 10% in Leigh-on-Sea. The value of mature trees cannot adequately be replaced by saplings so we must do more to retain our mature trees and to improve our current TCC to the Forestry Commission's recommendation of 15% at the very least.*

*More trees will bring many benefits to our city such as an improvement in air quality, greater local sequestering of carbon to aid our Net Zero ambitions, and a positive effect on the mental health of local people.*

*To maintain and increase our TCC we must seek to prolong the lifespans of our mature trees alongside planting thousands of new ones through a variety of methods including tree planting focused grant applications. This will require a progressive and pragmatic approach to tree management and a refinement of practices with a preservation-first approach.*

**Therefore, Southend-on-Sea City Council resolves to:**

- 1. Establish a biodiversity and tree retention working party with observers from external organisations with knowledge and expertise in arboriculture and biodiversity. The remit of the working party will be to consider tree management and preservation, including assessing trees marked for removal, unless there is a perceived immediate risk, and to informally advise the administration on matters of tree preservation, maintenance, and biodiversity.*
- 2. Invoke an immediate moratorium on tree felling where there is not an immediate risk to the public until there has been a review of existing practices around maintenance and retention of highways trees to develop an alternative methodology toolbox to align with best practice under the Tree Design Action Group, the Forestry Commission and the Tree Council of Great Britain.*
- 3. Embed quality assurances procedures within a tree retention policy as part of best practice so that common scenarios can be actioned quickly and without ambiguity.*
- 4. Continuously seek funding opportunities to bid for to plant new trees.*
- 5. Review potential planting locations across the city and keep an up to date map for the use of tree officers and highways surveyors.*
- 6. Where practicable, seek to plant replacement trees as far in advance as possible of a removal.*
- 7. Where practicable, plant larger, more mature trees in build-outs at the end of double yellow line demarcations to alleviate pressure on our drainage system from stormwater attenuation and to preserve the integrity and longevity of our highways trees and nearby footpaths.'*

**65 Notice of Motion - Securing a Future for Southend United Football Club**

During consideration of this matter an amendment was proposed by Councillor Woodley and seconded by Councillor Terry. The amendment was carried.

Resolved:

That the Notice of Motion concerning securing the future of Southend United Football Club, as amended to add the following recommendation, be referred to Cabinet for consideration:

*'To call a Special Council if Council investment would make the difference in saving the club, to consider an offer.'*

**66 Delivery of Southend Outcomes and Priorities - Annual Report and Provisional Outturn 2022/23**

The Council had before it Minute 21 (Recommendations 2 to 11) of the Cabinet held on 18<sup>th</sup> July 2023 concerning the delivery of Southend Outcomes and Priorities.

Resolved:

That Minute 21 (Recommendations 2 to 11), be approved.

**67 Official Feed and Food Control Service Plan 2023-24**

The Council had before it Minute 23 of the Cabinet held on 18<sup>th</sup> July 2023 concerning the Feed and Food Control Service Plan.

Resolved:

That Minute 23 of Cabinet held 18<sup>th</sup> July 2023, be approved.

**68 Removal of 6pm - 9pm Parking Charges and Enforcement in Zone 1A**

The matter concerning Minute 9 (Recommendation 1) of Cabinet held on 28<sup>th</sup> June 2023, called-in to Special Place Scrutiny Committee on 24<sup>th</sup> July 2023 concerning the removal of 6-9pm parking charges was deferred.

**69 Designation of Statutory Officer Roles**

The Council considered the report of the Executive Director (Finance and Resources) seeking approval to the designation of statutory officer roles.

Resolved:

1. That the Monitoring Officer be designated to the post of Director of Legal Services with immediate effect.

2. That the Chief Executive, Rob Tinlin MBE, be appointed as the Council's Electoral Registration Officer and Returning Officer with immediate effect, in accordance with Sections 8 and 35 of the Representation of the People Act 1983 respectively.



**70 Appointments to Committees, etc**

Resolved:

That it be noted that Councillor Anne Jones will replace Councillor Nevin on the Appointments and Disciplinary Committee.

**Chair:** \_\_\_\_\_

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**Meeting:** Full Council  
**Date:** 19 October 2023  
**Classification:** Part 1  
**Key Decision:** Yes / No  
**Title of Report:** Election Cycle change consultation

**Executive Director:** Claire Shuter, Executive Director of Strategy & Change  
**Report Author:** Kim Sawyer, Director of Legal Services  
**Executive Councillor:** Cllr Cox, Leader

## 1. Executive Summary

- 1.1. The purpose of this report is to seek approval to launch a consultation to gauge public and stakeholder opinion on whether to move to an “all out” electoral cycle or continue with election by thirds.
- 1.2. The Council made a commitment to explore a change in electoral cycle when it accepted the findings and recommendations of the Local Government Association Corporate Peer Challenge. An upcoming ward boundary review makes this an opportune time to undertake the consultation.

## 2. Recommendations

### It is recommended that Council:

- 2.1. Agrees to commence an 8-week consultation with relevant stakeholders on a proposal to change the Council’s scheme for elections by thirds to a scheme for whole council “all-out” elections.
- 2.2. Delegate authority for agreeing the consultation approach and plan to the Executive Director of Strategy and Change in consultation with the group leaders.

## 3. Background

- 3.1. At present the Council is elected by thirds, with one third of the councillors elected at a time. Under the four-yearly election option, all the seats on the Council would be elected at the same time and the City Council elections would be held once every four years. This is often referred to as ‘all-out’ or whole council elections.

- 3.2. In October 2022, the Local Government Association (LGA) and peers conducted a Corporate Peer Challenge (CPC). Peer challenges are not inspections but are improvement focussed and tailored to meet individual Councils' needs.
- 3.3. Peers found that the Council is self-aware and has huge potential with many positive attributes and assets both within the Council and city, including the strong community ethos and sound financial management. However, they also found that approaches to leadership, governance and decision making were impacting the council's capacity to progress. The LGA's findings were published, and nine recommendations were made.
- 3.4. One of nine recommendations asked the Council to consider moving to a four yearly "all out" electoral cycle as an alternative to the current system of election by thirds (with the exception of the fourth year). Peers determined this view having heard from a number of officers and councillors who described how the current system can impact on strategic decision making and direction.
- 3.5. Peers further recognised the opportunity to consider the election cycle alongside Southend's upcoming ward boundary review, which will require an 'all out' or whole council election in the first year after implementation. The timetable for the ward boundary review is to be confirmed but is expected to begin in the new year.

#### **4. National context**

- 4.1. In 2004, the Electoral Commission published a paper entitled "The Cycle of Local Government Elections in England: Report and Recommendations". Although the report is now some years old, the research and recommendations are still pertinent to the decision faced by the Council. The main arguments for partial/whole-council elections were identified in the Commission's consultation document (2003) as follows:
  - 4.2. For elections by thirds:
    - i. More frequent opportunities for electors to exercise their right to vote.
    - ii. May facilitate more immediate political accountability
    - iii. May tend to produce less drastic changes in political direction and provide greater political continuity.
    - iv. Can ensure that the political composition of authorities more accurately reflects the correct political complexion of local areas.
  - 4.3. For whole Council elections:
    - i. Greater possibility of wholesale change in control may encourage participation
    - ii. Too frequent elections might dilute public interest
    - iii. Opportunities for all electors in an area to influence the composition of the authority at the same time.
    - iv. Encourages greater long-term planning by authorities and discourage continuous election campaigning.

- 4.4. The Commission also acknowledged that the costs to local authorities of running whole-Council elections would be less than those incurred by holding elections by thirds (see section 8 for financial implications).
- 4.5. The Commission concluded that a pattern of whole-council elections for all authorities in England would provide a clear, equitable and easy to understand electoral process which would best serve the interests of local government electors. The Commission recommended that each local authority in England should hold whole-council elections, with all councillors elected simultaneously, once every four years.
- 4.6. Over the past 20 years, the sector has seen a shift from election in thirds (where 58% of unitary councils elected a third of their members at one time) towards whole council elections (where 76% of unitary councils are now electing all their members once every four years).
- 4.7. Most recently, the Government's July 2023, draft Best Value Guidance and consultation describes characteristics of a well-functioning council as one that moves to whole council elections, citing reasons of "enhanced stability and reduced ongoing campaigning that can hinder improvement".

## **5. Local Government Boundary Commission for England: Southend electoral review**

- 5.1. The Council has been notified by the Boundary Commission for England of its intention to undertake an electoral review in Southend. This is in line with its duties in law to carry out such a review 'from time to time'. The last review of this type in Southend was in 1999.
- 5.2. The purpose of an electoral review is to consider the number of councillors elected to the council, the names, number and boundaries of the wards and the number of councillors to be elected to each ward.
- 5.3. After the review, the Council will be required to have an 'all out' election, where every seat is contested. The date of that election is to be confirmed, but the current working assumption is that it is likely to be 2026.
- 5.4. In councils that elect by thirds, the Commission will seek to return a uniform pattern of three member wards rather than retain the option of two member wards.
- 5.5. Based on the assumption that the Council opts for an electoral review that is implemented by an 'all out' election in May 2026, it must inform the Boundary Commission prior to August 2024 of any decision to change the electoral cycle.
- 5.6. In order to gauge public opinion on the matter and decide whether or not to put a potential change to the Council for consideration informed by consultation, an eight-week consultation would ideally take place from early November 2023. This would mean that the Council has time in the new year to consider the results of the consultation before deciding whether to move to whole Council elections.

## **6. Reasons for Decisions**

- 6.1. The purpose of this report is to provide the information required to consider whether to launch a consultation with stakeholders on a move to “all out” whole-council electoral cycle or to continue with an election by thirds. Consulting with local residents and business will provide councillors with a variety of views to support their deliberation of the matter.
- 6.2. The decision to consult would support the Council’s prior decision to consider this matter alongside the upcoming ward boundary review as set out in the LGA’s Corporate Peer Review.
- 6.3. Consulting further allows Council to consider the final question of whether to move to an ‘all-out’ whole election system, which if taken, would bring the Council in line with the approach taken by the majority of other councils as well as providing important financial savings.

## **7. Other Options**

- 7.1. The Council is not obliged to move to whole-council elections and therefore it is not obliged to consult. The provisions in the governing legislation are not prescribed and ultimately the Council may choose to retain the system of holding elections by thirds should it wish to do so. The decision to consult is not binding on a decision to move to all-out elections.
- 7.2. Deciding not to go to consultation will stop the process. This would mean that the views of residents and businesses are not heard in the debate. In addition, it should be noted the Council would need to include this position within its progress update to the LGA as part of the review of our progress against the Corporate Peer Review in the new year.

## **8. Financial Implications**

- 8.1. If the Council decided that elections should be held every four years, then a saving of around £55,000 per annum would be made (this takes account of possible by-elections).
- 8.2. It should be noted that by-elections are more likely to occur under a system of whole-Council elections. Under the Council’s current arrangements, if a councillor resigns or dies within 6 months of their seat coming up for election, the election can be held at the same time as the annual cycle of elections in May, rather than separately as a by-election. Therefore, elections held 3 out of 4 years minimises the number of by-elections whereas elections every 4 years could increase the number of by-elections. Funding (£10,000) would need to be set aside each year to fund a possible by-election.
- 8.3. The savings achieved by the proposed changes to the electoral arrangements would contribute towards meeting the Council’s budgetary challenges.

## **9. Legal Implications**

- 9.1. The Local Government and Public involvement in Health Act 2007 (“The Act”), as amended by the Localism Act 2011, sets out a number of provisions in relation to elections including one enabling a council to vary the cycle of elections. The Act allows councils that elect by thirds to move to whole-Council elections. However, the law does not permit councils to move from elections by thirds to elections by halves.
- 9.2. For Council to consider the question of moving towards holding four-yearly elections, a public consultation exercise would need to be undertaken before any final decision was made.
- 9.3. Following the conclusion of the consultation period, this matter must come back to Council for a decision on whether to change the electoral pattern of the Council. As this report relates only to the decision to consult and the legal implications regarding a decision to change the electoral pattern will be dealt with when the consultation outcome is reported to Council.

## **10. Carbon Impact**

- 10.1. The consultation will take place largely on-line, promoting this option at virtual as well as in-person events and via communication channels, therefore reducing reliance on printed media, although paper copies will be available where necessary.
- 10.2. Reducing the election cycle from three into one, and if aligned to the Police Fire and Crime Commissioner elections, would allow opportunities to minimise the carbon impact of producing materials, running, and taking part in elections.

## **11. Equalities**

- 11.1. An equalities impact assessment will be undertaken to ensure that the consultation will be carried out with due regard to facilitating participation by those with protected characteristics under the Equality Act 2010.
- 11.2. The Electoral Commission’s 2003 research, as mentioned above, found that *“the apparent disparities and contradictions of the current pattern of electoral cycles are not, in themselves, of particular concern to us. However, our research has found significant evidence of confusion and misunderstanding which suggests that many electors simply do not know when or why local elections are held in their area.”*
- 11.3. The Commission concluded that a pattern of whole-council elections for all authorities in England would provide a clear, equitable and easy to understand electoral process which would best serve the interests of local government electors.

## **12. Consultation**

- 12.1. Section 116 of the Local Government Act 2003 provides a specific power for local authorities to hold local “advisory polls”.
- 12.2. The result of a Section 116 poll is not binding on the Council or any other entity. It is purely advisory. It does however provide clear evidence of the public views on the matter being put before them.
- 12.3. Proceeding with a public engagement/consultation does not in any way bind the authority to seeking a resolution to amend the election cycle.
- 12.4. Under Section 116 it is a Council function to determine who to engage/consult and how the engagement/consultation is to be conducted.
- 12.5. The Council will need to agree:
  - Whether a public engagement/consultation is required?And if it is:
  - the participant/s
  - the question; and
  - how the public engagement/consultation is to be conducted.
- 12.6. Subject to the Council agreeing to consult, it is recommended that authority is delegated to the Executive Director of Strategy and Change to decide how to approach to consultation. The Executive Director will consult with the Leader and leaders of the Council’s other groups on the content and extent of the consultation before its public launch.



<b>Meeting:</b>	Council
<b>Date:</b>	19 October 2023
<b>Classification:</b>	Part 1
<b>Key Decision:</b>	No
<b>Title of Report:</b>	<b>Review of Members' Allowances</b>
<b>Report Author:</b>	Colin Gamble (Head of Democratic & Electoral Services)
<b>Executive Director</b>	Claire Shuter (Executive Director – Strategy & Change)

## **1. Purpose of Report**

- 1.1 For the Council to consider the report and recommendations of the Independent Remuneration Panel (“IRP”) on Members’ Allowances for the Council.
- 1.2 The current Members’ Allowances Scheme is set out in Part 6 of the Constitution.

## **2. Recommendations**

- 2.1 **The Council is requested to consider the following recommendations of the IRP as set out in its report at Appendix 1 and summarised in the new Members’ Allowances Scheme 2023-2027 at Appendix 2:**
  - 2.1.1 **That the Basic Allowance be set at £10,400.**
  - 2.1.2 **That the Special Responsibility Allowances (SRAs) summarised in paragraph 37 of the IPR report and the revised SRAs set out in paragraphs 48,53 and 55 of the report, be approved.**
  - 2.1.3 **That the allowances payable the Independent Persons and the Co-opted Members (paragraphs 71 and 73 of the IRP report), be approved.**
  - 2.1.4 **That, subject to the introduction of a 5p per mile passenger supplement rate (paragraph 81 of the IRP Report), the existing provisions in the Members’ Allowances Scheme, regarding travelling and subsistence allowances, be reaffirmed.**
  - 2.1.5 **That subject to Booking Fee for claiming the Dependants’ Carer’s Allowance being increased to £15 and the maximum rate claimable for a special care allowance being set at the hourly rate charged by the Council for a Home Care Assistant, the existing provisions in the Members’ Allowances Scheme regarding the Carers’ Allowance, be reaffirmed.**

**2.1.6 That the following indices be applied to the remuneration and allowances paid to Members of the Council:**

- (a) Basic Allowance, Special Responsibility Co-optees and Independent Persons allowances to be indexed to the annual percentage salary increase for local government staff (at spinal point 43) to be implemented from the start of the municipal year, rather than the financial year, for which year it is applicable.**
- (b) Mileage allowances to be updated by reference to the rates which apply to Council officers (HMRC rates).**
- (c) Subsistence allowances to be updated by reference to the schemes which apply to Council officers.**
- (d) Basic “sitters” allowance be linked to the National Living Wage. Specialist Care Allowance to be indexed to the hourly rate charged by the Council for a Home Care Assistant.**

**2.1.7 That the existing Members’ Allowances Scheme be revoked and that the new Members’ Allowances Scheme 2023-2027, as set out in Appendix 2 to this report, be approved with the implementation date being 1st August 2023.**

**2.1.8 That the part year costs in 2023/24 of £33,000 resulting from the implementation of the recommendations of the IRP be funded from the Council’s contingency budget and that the full year cost of £50,000 be dealt with as part of setting of the base budget for 2024/25.**

### **3. Background**

- 3.1 The power under which schemes of Members’ Allowances are made is contained in Section 18 of the Local Government and Housing Act 1989, section 99 of the Local Government Act 2000 and in the Local Authorities (Members’ Allowances) (England) Regulations 2003 (“the Regulations).
- 3.2 The Regulations impose a duty on Local Authorities to establish an Independent Panel to provide advice on its Members’ Allowances Scheme and the amounts to be paid.
- 3.3 On 20th and 21st June 2023, the IRP met to undertake a review of the Members’ Allowances Scheme in accordance with the law which requires a new Scheme to be put in place. The Terms of Reference of the review were as follows:
  - (a) The amount of Basic Allowance that should be payable to elected Members and the expenses it should include.

- (b) The responsibilities or duties which should lead to the payment of a Special Responsibility Allowance and as to the amount of such an allowance.
- (c) Those Co-optees who should receive a Co-optees' Allowance and as to the amount of such an allowance.
- (d) The duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance.
- (e) As to whether the Dependants' Carers' Allowance should be payable to Members, and as to the amount of such an allowance.
- (f) As to whether adjustments to the level of allowances may be determined according to an index and, if so, which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed.
- (g) The implementation date for the new Scheme of Members' Allowances.
- (h) The Civic Allowances and amounts payable.
- (i) Any other issues that are brought to the IRP's attention.

3.4 In reviewing the Members' Allowances Scheme, the IRP had regard to various sources of information including statutory guidance in relation to allowances, the previous report of the panel and the results of a benchmarking exercise. The IRP also heard evidence from Councillors and took into account the written representations received. The report of the IRP is attached at **Appendix 1**.

3.5 The revised Members' Allowances Scheme 2023-2027 at **Appendix 2** has been drafted on the assumption that the recommendations of the IRP are adopted. The Council may accept the recommendations of the IRP in full or in part or introduce different arrangements. However, the Council must have regard to the recommendations of the IRP before setting a new or amended Members' Allowances Scheme.

3.6 All Members will have an interest in this matter which needs to be declared. However, on 11th July 2012 the Standards Committee granted a dispensation to all Members to participate in debate and vote on Members' Allowances and this was endorsed at Council on 19th July 2012.

#### **4. Other Options**

- 4.1 It is for the Council to determine to what extent it wishes to follow the recommendations made by the IRP, but it must have regard to the report and its recommendations.

#### **5. Reasons for Recommendations**

To comply with the relevant statutory requirements.

#### **6. Corporate Implications**

##### **6.1 Financial Implications**

The implementation of the recommendations of the Independent Remuneration Panel would result in an increase in the total cost of Members allowances in a full year of around £50,000, approximately a 6.6% increase overall.

There would be a part year increase in 2023/24 of £33,000 with the proposed implementation date of 1st August 2023.

If Members were to approve the increase in Members allowances, then the part year cost of £33,000 would add to existing in year budget pressures and would need to be funded from the Council's contingency budget. For a full year this would add £50,000 to the Council's Medium-Term budget gap and would need to be dealt with as part of setting the base budget for 2024/25.

##### **6.2 Legal Implications**

The Council is required to "have regard to the recommendations" of the IRP in making or amending a Members' Allowances Scheme pursuant to Regulation 29 of the Local Authority (Members' Allowances) (England) Regulations 2003.

##### **6.3 People Implications**

None

##### **6.4 Equalities and Diversity Implications**

None

##### **6.5 Consultation**

All Members of the Council were given the opportunity to submit their observations to the IRP.

#### **7. Background Papers**

The papers considered by the IRP are referred to in the Report at **Appendix 1**.

**8. Appendices**

**Appendix 1** The Report of the IRP

**Appendix 2** The revised Members' Allowances Scheme 2023-2027

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**A Review of  
Members' Allowances for  
Southend-on-Sea City Council**

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**A Report by the  
Independent Remuneration Panel**

Mr N. Gayner BEM JP  
Dr D. Hall (Chair)  
Mr W. Robb

August 2023

## **A REVIEW OF MEMBERS' ALLOWANCES**

**For**

### **Southend-on-Sea City Council**

## **A Report by the Independent Remuneration Panel**

**August 2023**

### **Introduction: The Regulatory Context**

1. This report is a synopsis of the proceedings and recommendations made by the statutory Independent Remuneration Panel (IRP) appointed by Southend-on-Sea City Council to provide advice to the Council on its current Members' Allowances scheme.
2. The IRP was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations). These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an independent remuneration panel (also known as an IRP or Panel) to review and provide advice to Councils on Members' allowances. This is in the context whereby elected Members are able to determine their own levels of remuneration, and much of the scope and levels of other allowances/reimbursements payable under the 2003 Regulations.
3. All Councils are required to convene their IRP and seek its advice before they make any changes or amendments to their members' allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended members' allowances scheme.
4. In particular, the Panel has been reconvened under the *2003 Regulations [10. (50)]*, which states:

Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.
5. This mechanism is utilised to oblige all Councils to reconvene their IRP, usually at least once every four years, as a means of ensuring a degree of public accountability vis-à-vis their members' allowances schemes. It is under this



requirement that the IRP has undertaken this review of members' allowances for Southend-on-Sea City Council.

## The IRP

6. Southend-on-Sea City Council reconvened its IRP consisting of the following members:

- Mr N. Gayner BEM JP                      A retired Magistrate and Bank Manager, accountant, trustee and treasurer of three local charities
- Dr Declan Hall (Chair)                      A former lecturer at the Institute of Local Government, The University of Birmingham and currently an independent consultant specialising in Members' Allowances reviews
- Mr W. Robb                                      A retired senior civil servant with responsibility for the local VAT Offices in the County

7. The Review was supported and serviced throughout by the following Officer:

- Colin Gamble                                      Head of Democratic and Electoral Services Southend-on-Sea City Council

## Terms of Reference

8. In accordance with the 2003 Local Authorities (Members' Allowances) (England) Regulations (21.1) and the 2006 Statutory Guidance on Regulation for Local Authority Allowances (61) the IRP was asked to produce a report to make recommendations on the following:

- (a) The amount of Basic Allowance that should be payable to elected Members and the expenses it should include
- (b) The responsibilities or duties which should lead to the payment of a Special Responsibility Allowance and as to the amount of such an allowance
- (c) Those Co-optees who should receive a Co-optees' Allowance and as to the amount of such an allowance
- (d) The duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance
- (e) As to whether Dependents' Carers' Allowance should be payable to Members, and as to the amount of such an allowance
- (f) As to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;
- (g) The implementation date for the new Scheme of Members' allowances.

9. In addition, the IRP was asked to make recommendations on:
- (h) The Civic Allowances and amounts payable
  - (i) Any other issues that are brought to the IRPs attention

### **The IRPs Approach and Evidence Reviewed**

10. The IRP met at the Southend-on-Sea City Council Civic Centre on the 20<sup>th</sup> and 21<sup>st</sup> June 2023 to hear and consider oral and written evidence from Members. To ensure that no Member was denied a voice in the review process the IRP invited all the Group Leaders (or their nominees) to meet with the IRP plus other Members who requested to meet with the IRP. In addition, all Members of the Council were also invited to make written submissions, of which 11 were received. Relevant Officers were also invited to meet with the IRP to provide factual briefings on any constitutional and governance changes since the last review in 2019.
11. The IRP also reviewed further written information pertinent to the review, such as the current allowances scheme from the Council, previous IRP report, committee terms of reference, meetings schedules, benchmarking data, statutory guidance, etc.
12. For details of whom the IRP met and full range of information reviewed see:
- [Appendix 1](#) for a list of the full range of evidence considered by the IRP
  - [Appendix 2](#) for Members and Officers who met with the IRP
  - [Appendix 3](#) Summary of benchmarking data considered by IRP

### **Principles and Observations**

#### **Reducing Barriers and Providing Recompense**

13. The IRP continues to be guided by the overarching principle that underpinned its previous (joint) reviews; namely, that it should seek to minimise barriers to public service to enable a wide a range of people to become a Councillor without incurring undue personal financial cost. Consequently, the allowances should provide a degree of recompense for time spent and responsibility carried by Members.
14. On the other hand, the IRP recognises that an element of Members' input should be voluntary, given freely as a public service so that Members do not stand for and remain on the council primarily for financial reasons.

#### **Transparency**

15. The IRP has always tried to ensure that the allowances scheme should be transparent so to understand how and why the allowances are being paid and for

the scheme to be simple to operate. This transparency principle has led the IRP to take a consistent approach in how it has arrived at its recommendations so as both elected Members and the public understand the logic of the allowances payable.

### **Scheme Still Fit for Purpose and Recognising Current Economic Context**

16. While there was some evidence indicating that some of the allowances might merit a meaningful revision such evidence was by no means substantial. Overall, the evidence received by the IRP confirmed that the current scheme was still broadly fit for purpose. Moreover, the weight of the representations received by the IRP indicated that substantial increases in allowances could not be justified. Likewise, as the means by which the Councils are publically held to account vis-à-vis their allowances the IRP has to be cognisant of the broader economic context. This has had a bearing on the IRPs recommendations.
17. Consequently, the role of the IRP during this review has been to address any anomalies arising due to legislative and structural changes over the last four years. The IRP has sought to correct any incongruities that are apparent rather than undertake a comprehensive resetting of the whole allowances scheme. Where the IRP has made revisions it is in response to representations received and where such a revision can be backed up by the wider evidence.

### **The IRPs Recommendations - The Basic Allowance**

#### **Recalibrating the Basic Allowance**

18. The IRP, in line with the 2003 Statutory Guidance (paragraphs 67-69) revisited the original variables utilised in arriving at the Basic Allowance but updated those variables for the most recent values available.
19. The 3 variables and their respective values utilised by the IRP in recalibrating the Basic Allowance are as follows:
  - **Input:** 130 days per year
  - **Public Service Discount:** 33%
  - **Rate of Remuneration:** £120 per day
20. The expected minimum annual input of 130 days is an historical assessment, based on 20 hours per week. The IRP noted that the 2022 LGC Census of Councillors shows that Members of English unitary councils with no position of responsibility put in on average 22.8 hours per week, which equates to 148.2 days per year on an eight hour day. The IRP was not guided by the LGA reported average for two reasons:
  - I. The average figure includes those Members who put in more than is necessary to be an effective Member as they have a greater capacity than what is required
  - II. In interviews the most commonly reported time requirement to be an effective backbench Member was in the 16-20 hour per week range

21. Thus for the purposes of recalibrating the Basic Allowance the IRP has maintained the figure of 20 hours per week or 130 days per year as a reasonable estimation for the time required to fulfil the roles associated with the Basic Allowance.
22. The 2006 Statutory Guidance also requires that the Basic Allowance recognises the public service principle. The Public Service Discount (PSD) is the element of a Members' time that is not remunerated and is given freely as public service or *pro bono publico*. The size of the PSD historically utilised by this IRP and most commonly used by other IRPs is one third, often conceptualised as the element of a Councillors time that is spent dealing with constituent, ward and community issues. Thus, out of the 130 days per year expected input for Members 43.3 days have been assumed to be unremunerated, leaving 86.7 remunerated days.
23. The updated rate of remuneration is based on the 2022 median daily pay (gross) for all full time employee jobs in the Southend City Council area, as set out in the Annual Survey of Hours and Earnings (ASHE), Table 7.1a. This table gives a median figure of £600.80 per week which the IRP divided by five working days to give a daily figure of £120.16. Such a locally based rate of remuneration is typically utilised by IRPs in recommending a Basic Allowance as it links the Basic Allowance to the median earnings of local residents and therefore has a logic that is reasonable and robust.
24. The recalibrated Basic Allowance has been arrived at by applying the following formula as laid out in the 2006 Statutory Guidance:
  - 130 days minimum annual expected average input – 43.3 days per year as the Public Service Discount  
= 86.7 remunerated days per year
  - 86.7 days per year x £120.16 per day  
= **£10,418**
25. By going through this process of recalibrating the Basic Allowance with an updated rate of remuneration (£10,418) it does show that indexation has not kept the current Southend Basic Allowance (£9,963) in line with the approach as set out in the 2006 Statutory Guidance.

### **Benchmarking the current Basic Allowance**

26. As a further test, the IRP benchmarked the current Southend Basic Allowance (£9,963) against that paid in the comparator councils utilised for the Southend benchmarking group. The benchmarking, or comparator, group consisted of 13 authorities based on a mixture of Southend-on-Sea City Council's Chartered Institute of Public Finance and Accountancy (CIPFA) Near Neighbour Councils and other primarily Southern coastal unitary councils plus Southend (see appendix 3 for further details) This exercise was carried out as a further checking mechanism to ascertain whether or not the Basic Allowance in Southend was in line with that paid to peers.

27. Benchmarking against this group of councils shows the following
- Average Basic Allowance: £11,651
  - Median Basic Allowance: £11,462
28. Benchmarking provides an even stronger indication that the current Southend Basic Allowance (£9,963) is low as it is noticeably below that paid peer councils.

### **The Representation received from Members**

29. In the representation received from Members the strongest view expressed was that the current Basic Allowance was now on the low side. While by no means overwhelming the majority view was the Basic Allowance did not fulfil the function that it was intended to do, namely enable most people to be an elected Member without suffering undue financial penalties, particularly for anyone who is in employment who would have to take time off work to fulfil their Councillor duties. The current Basic Allowance it was argued would not fully compensate persons in such a position. Moreover, in recent years there have been increased demands placed on Members, particularly with the advent of social media which means they are contactable at all hours by constituents and other relevant interested parties.
30. At the same time this view was also somewhat tempered by the view that any increase in the Basic Allowance needed to be reasonable. As such the IRP has concluded that there is a case to increase the Basic Allowance but bearing in mind the representation received the IRP has opted to be guided by the recalibrated Basic Allowance (£10,418) which the IRP has further rounded down to the nearest £100, which equates to £10,400. The IRP recognises that this uplift does not put it on a par with the benchmarked mean and median Basic Allowance but as previously mentioned the IRP was cognisant of the economic context and this recommended level of Basic Allowance narrows the gap with peers.
31. **Consequently, the IRP recommends that Basic Allowance payable by Southend-on-Sea City Council is reset at £10,400 for 2023/24, subject to any indexation that may be applicable.**

### **Expenses deemed to be included in the recommended Basic Allowance**

32. Currently the Basic Allowance is deemed to cover the following costs
- In-City travel and subsistence
  - Reasonable use of a Member's household broadband
  - Postage, stationery and minor items of office equipment (but not printing cartridges and paper)
33. The IRP was informed that all Members get a laptop/Surface Pro and the Council has now gone paperless. As such, it is only consistent that if a Member wishes to print out any Council papers then it is their own personal choice and the Council should no longer be covering the cost of paper and ink cartridges.

34. Consequently, **the IRP recommends that the recommended Basic Allowance (£10,400) continues to cover the following costs:**
- **In-City travel and subsistence**
  - **Reasonable use of a Member’s household broadband**
  - **Postage, stationery and minor items of office equipment**
35. In addition, **in the future the recommended Basic Allowance (£10,400) should also be deemed to cover the following costs:**
- **Printer ink cartridges**
  - **Printing Paper**

### **Recommended Special Responsibility Allowances – Maintaining current ratios**

36. The IRP is recommending some SRAs are revised, some are added to the schedule and in one case discontinued (see below) the IRP received no evidence that the majority of SRAs merited revision. The following SRAs set out in Table 1 below are those that the IRP has recommended to be maintained. Moreover, the IRP has historically arrived at SRAs by a methodology set out in the 2006 Statutory Guidance (paragraph 76) which states:

One way of calculating special responsibility allowances may be to take the agreed level of basic allowance and recommend a multiple of this allowance as an appropriate special responsibility allowance .....

37. For the SRAs set out in Table 1 below the IRP has maintained their current ratios, as a multiple of the recommended Basic Allowance (£10,400) as follows

**Table 1 – Recommended SRAs with no change in methodology**

<b>Recommended SRAs – No Change in multiple X BA</b>		
<b>Basic Allowance</b>	£10,400	
<b>SRAs</b>	<b>BA X %age</b>	<b>Recommended SRA</b>
Leader	350%	£36,400
Deputy Leader	180%	£18,720
Leader of Largest Opposition Group	100%	£10,400
Deputy Leader of Largest Opposition Group – where Group has at least 13 Members	25%	£2,600
Leader Other Opposition Groups – where Group has at least four Members	25%	£2,600
Chairs of Scrutiny (3)	75%	£7,800
Vice Chairs of Scrutiny (3)	5%	£520

Chair of Licensing (and a Licensing Sub-Committee A or B)	60%	£6,240
Vice Chair of Licensing (and a Licensing Sub-Committee A or B)	55%	£5,720
Chair of Development Control	100%	£10,400
Vice Chair of Development Control	25%	£2,600
Chair of Audit	25%	£2,600
Chairs of Appeals (A and B)	25%	£2,600

### Notes on SRAs in Table 1 – Deputy Leader of the Largest Opposition Group

38. Currently the Deputy Leader of the largest Opposition Group only receives an SRA when the largest Opposition Group has reached a qualifying threshold of 17 Members, or one third of the Council membership. This type of qualifying threshold is not uncommon. However, the IRP noted that compared to elsewhere this threshold was relatively high. Consequently the IRP concluded it would be more equitable to lower the qualifying threshold for the SRA for the Deputy Leader of the largest Opposition Group to be payable. In resetting the threshold the IRP concluded that having 25 per cent of the Council membership was more in line with typical practice, which it has equated to 13 Members.
39. **The IRP recommends that the qualifying threshold for the recommended SRA (£2,600) for the Leader of the largest Opposition Group to be payable is reset at 13 Group Members.**

### Vice Chairs of Scrutiny

40. The IRP did receive some representation that the Vice Chairs of the Scrutiny Committees did not merit an SRA on the grounds that there was limited evidence that they met the test of having “significant responsibility” as set out in the 2006 Statutory Guidance (paragraph 73). In contrast, the Vice Chair of Licensing has a significant role in chairing the Licensing Sub-Committees and the Vice Chair of Development Control will have to step in when for instance the Chair has a conflict of interest and is required to have specialist knowledge. The Development Control Vice Chair will also attend briefings as routine and take part in site visits. The Vice Chairs of Scrutiny do not have any assigned discrete responsibilities.
41. However, the IRP was informed that the Vice Chairs of Scrutiny do attend committee pre-meetings with the Chair and relevant Officer. In addition, the Scrutiny Forum has been re-established, which meets quarterly and consists of all Scrutiny Chairs and Vice Chairs to co-ordinate and plan work programmes. As such **the IRP was not convinced that the SRAs for the Vice Chair of Scrutiny should be discontinued and is recommending that it remains, paid at five per cent of the recommended Basic Allowance.**

## Setting a fixed sum for other Cabinet Members SRAs

42. Another suggestion put to the IRP was that a fixed sum of money should be established to pay SRAs to the other Cabinet Members. The result of this approach it was argued was that if the number of other Cabinet Members was increased then they would each receive a lesser SRA, for example if the fixed pot was divided across seven other Cabinet Members and then an additional Cabinet Member was appointed then they would each get a lower SRA as the fixed pot would be divided by eight rather than seven.
43. Again the IRP was not convinced by this argument. There is a legal maximum of 10 Cabinet Members (including Leader and Deputy Leader) so there is a cap on the number of other Cabinet Members that can be paid an SRA. The IRP also noted that this approach is rarely adopted elsewhere. Moreover, there is potential for manipulation; the number of other Cabinet Members could be decreased simply to boost their SRA. In addition, it could in theory if the number of other Cabinet was significantly decreased lead to a situation whereby they would be unjustifiably high. The IRP takes the view that there is a rate for the job for being an other Cabinet Member and it is the prerogative of the Leader of the Council to settle on how many other Cabinet Members there should be.
44. **The IRP is not recommending that a fixed pot should be set to be paid for SRAs to other Cabinet Members that decreases and increases depending on the number of other Cabinet Members appointed.**

## Recommended Special Responsibility Allowances – Revising SRAs for other Cabinet Members

45. Although in the main the IRP is not recommending a change in the current methodology utilised to arrive at SRAs it has done so for one category, namely the other Cabinet Members, of which there are currently eight in number.
46. Currently, the other Cabinet Members are paid an SRA set at 125 per cent of the Basic Allowance. This has always been somewhat less than that paid to Cabinet Members in benchmarked councils. However, historically the IRP has been content with this situation because unlike in most other Councils Cabinet Members in Southend have no individual decision making powers.
47. However, during the course of the review, since the Council meeting of 13<sup>th</sup> July 2023, the Council altered this situation. In order to achieve more efficient and democratic practices the Constitution has been changed to remove the restriction on Cabinet Members being able to exercise individual decision making powers (to reflect the statutory position enabling Cabinet Members to take individual decisions). The IRP concluded that this is a material increase in the responsibility of other Cabinet Members that should be reflected in their recommended SRA. In arriving at an appropriate SRA the IRP has been guided by median SRA (£14,453) rather than the mean SRA (£15,464) paid to other Cabinet Members in the benchmarking group. As such, the IRP has reset the SRA for other Cabinet Members at 140 per cent of the recommended Basic Allowance (£10,400), which equates to £14,560.



48. **The IRP recommends that the SRA paid to other Cabinet Members is reset at 140 per cent of the recommended Basic Allowance (£10,400) and is paid at £14,560.**

#### **SRAs to be discontinued - Vice Chairs of Appeals Committees A and B**

49. Currently, the Vice Chairs of the Appeals Committees A and B are paid an SRA set at five per cent of the Basic Allowance. There was some representation received querying the merit of this SRA. In this case, the IRP agreed that there was not a strong case to remunerate the Vice Chairs of the Southend Council Appeals Committees A and B. Unlike Scrutiny Vice Chairs they do not attend pre-meetings nor engage in planning their programme of work.
50. **Consequently, the IRP recommends that the SRA paid to the Vice Chairs of the Appeals Committees A and B be discontinued.**

#### **Additional SRA recommended – Chair of General Purposes**

51. In response to the representation received the IRP considered the case to recommend an SRA for the Chair of the General Purposes Committee. Historically this committee has met on an irregular basis and in some years only having two scheduled meetings per year. However, recently as a result of a peer review it has met more frequently. Moreover, going forward, the IRP was informed that the General Purposes Committee will be considering a constitutional review that will require more scheduled meetings plus there is a boundary review on the horizon over the next two-three years which will result in a greater workload for this committee.
52. The IRP was satisfied that over the next few years the workload of the General Purposes Committee will be sufficient so that the Chair merits an SRA. In arriving at the appropriate SRA the IRP considered that the role of Chair for the next few years at least will be greater than that of the Chair of Audit (set at 25 per cent of the Basic Allowance) but not as great as the Vice Chair of the Licensing Committee (and Licensing Sub-Committee A or B – which has been set at 55 per cent of the Basic Allowance). As such, the IRP concluded that an appropriate ratio was 35 per cent of the recommended Basic Allowance, which equates to £3,640. The IRP will revisit this recommendation at the time of the next review to assess whether the workload of the Chair of the General Purposes Committee remains at the current and projected level.
53. **The IRP recommends that the Chair of the General Purposes Committee is paid an SRA set at 35 per cent of the recommended Basic Allowance (£10,400), which equates to £3,640.**

#### **Additional SRAs recommended - Members of the Adoption (x1) and Fostering Panels (x2)**

54. Again representation was received asking the IRP to consider recommending an SRA paid to the Members appointed to Adoption Panel (x1) and Fostering Panel (x2). The IRP noted that these posts are on occasion remunerated elsewhere, although it is by no means typical. Nonetheless the IRP considered that the Members appointed to the Adoption and Fostering Panels did have duties to undertake above and beyond that expected of most ordinary backbench Members and as such an SRA was merited. The IRP has set the recommended SRA for the members of the Adoption and Fostering Panels at five per cent of the recommended Basic Allowance (£10,400) which equates to £520.
55. **The IRP recommends that the Members appointed to the Adoption Panel and the Fostering Panel are each paid an SRA set at five per cent of the recommended Basic Allowance (£10,400), which equates to £520.**

### **SRAs considered but not recommended – Chair of the Standards Committee**

56. The IRP received some representation, albeit limited, that the Chair of the Standards Committee merited an SRA on the grounds that there was a lot of complaints against Members. Indeed there are a lot of complaints against Members at Southend-on-Sea City Council. However, the Standards Committee is no longer a statutory committee and since the implementation of the relevant provisions of the Localism Act 2011 its remit and powers have been much reduced. The majority of complaints are addressed before they reach the Standards Committee by the Monitoring Officer, typically in consultation with the statutory post of an Independent Person, as was the intent of the Localism Act.
57. Therefore, **the IRP is It is not recommending that the Chair of the Standards Committee is paid an SRA.**

### **The Vice Chair of the General Purposes Committee**

58. As the IRP has recommended that the Chair of the General Purposes Committee receives an SRA, it considered the case to pay an SRA to the Vice Chair of the General Purposes Committee. The IRP received no evidence or representation that the Vice Chair of the General Purposes Committee merited an SRA.
59. Therefore, **the IRP is It is not recommending that the Vice Chair of the General Purposes Committee is paid an SRA**

### **Members appointed to South Essex Homes**

60. The IRP received a representation that Council appointees to South Essex Homes merited an SRA as it is a role beyond and above that of the ordinary backbench Member and is the equivalent of a non-executive director role. South Essex Homes is an Arm's Length Management Company that delivers and maintains what was previously the City's council housing. The Board is made up mostly of Council Members and South Essex Homes tenant appointees with an independent Chair.

61. The IRP accepts that the role may well be beyond and above that of the ordinary backbench Member. However, as a limited company the South Essex Homes organisation has the ability to decide whether or not to remunerate its Board Members. The IRP considered this issue to be outside its remit.
62. **The IRP is not making any recommendation regarding the payment of SRAs to Council Members appointed to South Essex Homes.**

### **Confirming the “1-SRA only” Rule**

63. In line with good practice **the IRP recommends that the allowances scheme continues to prohibit the receipt of more than 1 SRA regardless of the number of remunerated posts a Member may hold.**

### **The Civic Allowances – Mayor and Deputy Mayor**

64. The IRP was asked to consider the civic allowance paid to the Mayor and Deputy Mayor. This allowance is outwith the remit of the 2003 Regulations and therefore the IRP. However, IRPs are frequently asked to make recommendations on their Council’s civic allowances in the absence of any other form of external validation as they are set by the Council itself.
65. The IRP notes that the 2006 Statutory Guidance (paragraph 90) states:
- A principal council may pay the chair and vice chair an allowance which it thinks reasonable for the purpose of meeting the expenses of those offices (s3(5), and s5(4), of the Local Government Act 1972). This is often known as 'civic dignitaries' allowance'
66. In other words this allowance is not intended to be remuneration per se but to meet the costs of holding the office of Mayor and Deputy Mayor of Southend-on-Sea City Council. Currently the Mayor receives a civic allowance set at 150 per cent of the Basic Allowance while the Deputy Mayor receives a civic allowance set at 35 per cent of the Basic Allowance. It is noted that the Mayor is also provided with a car and driver to travel to official functions which alleviates the cost of holding office and is unusual in this day and age.
67. Noting the purpose of the civic allowance the question for the IRP was do the current civic allowances payable leave the Mayor and Deputy Mayor out of pocket by holding their offices? The IRP received no evidence that is the case, particularly considering the Mayor is still provided with a car and driver to attend official functions. As such, the IRP is recommending that the current methodology to arrive at the Civic Allowance for the Mayor (150 per cent times the recommended Basic Allowance) and Deputy Mayor (35 per cent times the recommended Basic Allowance) is maintained, which equates to £15,615 and £3,644 respectively.
68. **The IRP recommends that the Civic Allowances for the Mayor and Deputy Mayor are maintained at 150 and 35 per cent of the recommended Basic**

**Allowance and paid at £15,600 and £3,640 respectively.**

### The Independent Person (IP)

69. All English councils are required to appoint at least one Independent Person (IP) whose role is to act as a source of advice to the Monitoring Officer when a complaint is made against a Member and to provide further advice in any subsequent hearings and appeals. The Independent Person has to have some legal expertise and to be able to exercise objective judgement. They are not a formal co-opted Member of the Council and their remuneration does not fall within the 2003 Regulations but the IRP has been asked to provide a view in the absence of any other external validation.
70. Currently, the Southend IP is paid an annual fee set at 12.5 per cent of the Basic Allowance. The IRP received no evidence that this level was still not appropriate, which equates to £1,300 (12.5 per cent times £10,400).
71. **The IRP recommends that the annual remuneration of the Independent Persons should be maintained at 12.5 per cent of the recommended Basic Allowance (£10,400), which equates to £1,300.**

### Other Allowances – The Co-optees’ Allowances

72. Currently the Council pay a Co-optees’ Allowance to their Co-optees on their Scrutiny and Audit Committees set at 3 per cent and 12.5 per cent of the Basic Allowance respectively. No evidence was received to indicate that these rates required revising.
73. **The IRP recommends that the following Co-optees Allowances are paid as set out below:**
- **Co-optees on Audit** **£1,300 (set at 12.5% X BA - £10,400)**
  - **Statutory Co-optees on Scrutiny** **£312 (set at 3% X BA - £10,400)**

### The Dependants' Carers' Allowance (DCA)

74. No representation was received to suggest that the scope and level of reimbursements claimable under the Dependants’ Carers’ Allowances needed revising except in one respect – any applicable booking fee should be increased to £15.
75. **The IRP recommends that the booking fee for claiming the DCA should be increased to £15 and the hourly rates that may be claimed are maintained as follows:**
- **Basic Sitters allowance:** **maximum rate claimable set at National Living Wage**

- **Specialist care allowance:** maximum rate claimable set at hourly rate charged by Southend-on-Sea City Council Social Services Department for a Home Care Assistant

### **Travel and Subsistence Allowances – within the Council area**

76. Currently the allowances scheme does not enable Members to claim Travel and Subsistence Allowances for attending approved duties within the Council area. The IRP received no evidence to alter this situation.
77. **The IRP recommends that the current provision in the Members' Allowances scheme that prohibits Members claiming Travel and Subsistence Allowances for attending approved duties within the Council area is maintained.**

### **Subsistence Allowances – outwith the Council area**

78. While no particular issues were raised regarding the Subsistence Allowances claimable for attending approved duties outwith the Council area the IRP noted that they were slightly on the low side. As such, they should be rebased on the same rates that are applicable to Officers.
79. **The IRP recommends that the Subsistence Allowances should be revised and based on the same Subsistence rates that apply to Officers. The IRP is not recommending any change to the current overnight rates.**

### **Travel Allowances – outwith the Council area**

80. Currently the mileage rates claimable for attending approved duties outwith the Council area reflect HMRC approved mileage rates, except in one respect – they do not include provision for when a Member carries passengers to the same approved duties. HMRC approved mileage rates provide for a Passenger Supplement Rate at 5p per mile per passenger up to a maximum of four passengers. The IRP regarded this as an omission that if included in the allowances scheme could potentially result in some minor savings to the Council.
81. The IRP recommends that the current range of HMRC mileage rates are maintained for when a Member attends an approved duty outwith the Council area with the addition of the following provision:
- **Passenger Supplement Rate:** payable at 5p per mile per passenger up to a maximum of four passengers

### **Travel – Issues arising – the Council parking pass**

82. Currently, the allowances scheme (page 5) Other Terms and Conditions paragraph 2 – Other Facilities states that Members are offered a free car park pass for use in

any Council “Pay and Display” controlled parking zone, provided it is used solely in connection with undertaking official duties on behalf of the Council. The IRP noted that there has been a change in Council policy in this regard, in that the free Council car park pass can now only be used at the Civic Centre Underground and three other car parks (Civic Centre East, Beecroft Lower and University Square) by a Member when undertaking official duties on behalf of the Council. The scheme should be amended to reflect this reality.

83. **The IRP recommends that the allowances scheme (page 5) Other Terms and Conditions paragraph 2 – Other Facilities is amended to read that:**

**Members may receive a free car park pass only to be used at four car parks (Civic Centre Underground, Civic Centre East, Beecroft Lower and University Square) when undertaking official duties on behalf of the Council.**

## Indexation

84. Historically the IRP has always recommended that the allowances are updated in accordance with a relevant index. The IRP received no evidence to alter this position.
85. **Therefore, the IRP recommends that the following indices are applied to the remuneration and allowances paid to Members of the Council:**
- a. **Basic Allowance, SRAs, Co-optees & IP Allowances:**
    - Indexed to the annual percentage salary increase for local government staff (*at spinal column 43*) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable.
  - b. **Mileage Allowance:**
    - Adjusted in line with applicable HMRC rates
  - c. **Subsistence Allowances:**
    - The day subsistence allowances and overnight subsistence allowances should be indexed to the same percentage increase that may be applied by the Council to Officer day and overnight subsistence rates.
  - d. **DCA:**
    - **Basic Sitters Allowance:**
      - Indexed to the national living wage
    - **Specialist care allowance:**
      - Indexed to the hourly rate charged by Southend-on-Sea City Council Social Services Department for a Home Care Assistant

## Implementation of Recommendations

86. **The IRP further recommends that Southend-on-Sea City Council implements the recommendations contained in this report from 1 August 2023.**

**Appendix One: Information received by the IRP**

1. Terms of Reference for IRP
2. Southend-on-Sea City Council 2023/24 Councillors Allowances Scheme
3. Southend-on-Sea & Thurrock Council IRP – Joint Report by the IRP (July 2019)
4. Southend-on-Sea City Council Minutes extract (18<sup>th</sup> July 2019) recording Council decision on July 2019 Report
5. Southend-on-Sea City Council Members' Allowances & Expenses statutory publication 2021/22
6. Southend-on-Sea City Council meetings schedule of Council, committees, etc., including political make up of Council
  - Including number of licensing hearings past 3-4 years and who chaired them
7. Remit of Council, Cabinet, Committees, etc. Part 3 Schedule 2 of Constitution
8. National Joint Council for Local Government Services, showing Local Government Staff Pay increase for 2022/23 – SCP 43 4.04%
9. Statutory Guidance on Consolidated Regulations for Local Authority Allowances May 2006. (Extract)
10. Relevant benchmarking data/material namely spread sheets summarizing & comparing allowances paid in benchmarking group for the review (based on Other Coastal and CIPFA Near Neighbour Unitary Councils
  - Blackpool
  - Brighton & Hove
  - Bournemouth, Poole & Christchurch
  - Cheshire West & Chester
  - Derby
  - Medway
  - North Somerset
  - Peterborough
  - Plymouth
  - Portsmouth
  - Southampton
  - Thurrock
  - Torbay
11. Hard copies of Members' Allowances Schemes (2023/24) from benchmarking councils
12. National Census of Local Authority Councillors 2022 (LGA), breakdown of weekly hours by councillors by number of positions held and type of council, in email from S. Richards, LGA 17 May 2023



13. Annual Survey of Hours and Earnings (ASHE), Average weekly earnings (gross) all full time employees, Southend-on-Sea City Council, (work geography), Table 7.1a November 2022
14. Copies of Members written submissions/replies to short questionnaire sent to all Members
15. Power point presentation to IRP by Dr Hall (IRP Chair)– reviewing allowances, the Southend-on-Sea model, including benchmarking, issues of concern and options
16. Power point presentation by IRP by Colin Gamble, Head of Democratic and Electoral Services, Southend-on-Sea City Council decision making process
17. Statutory Instruments: 2003 No. 1021 – The Local Authorities (Members' Allowances) (England) Regulations 2003
18. Colin Gamble (Head of Democratic & Electoral Services), Review of Constitution and Associated Matters, Report to Council 13<sup>th</sup> July 2023

## **Appendix Two: Members and Officers who met with the IRP**

### **Members:<sup>1</sup>**

Cllr T. Cox	Leader of the Council and Conservative Group and Cabinet Member for Special Educational Needs & Disability
Cllr D. Cowan	Leader of Labour Group
Cllr J. Moyies	Cabinet Member for Public Health, Adult Social Care & Constitutional Affairs, Chair of Standards Committee (Conservative)
Cllr C. Mulronev	Vice Chair of Licensing Sub-Committee (C) and Place Scrutiny Committee
Cllr R. Woodley	Leader of Residents First Group, Deputy Mayor and Chair of Scrutiny Place Committee

### **Officers (Briefings):**

Colin Gamble:	Head of Democratic and Electoral Services
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<sup>1</sup> In addition there were 11 written submissions from Members

### Appendix Three: Summary of Benchmarking Data

<b>BM1 Southend-on-Sea BM Group - Other Coastal/Near Neighbour Unitaries: BA + Exec + Scrutiny SRAs (23/24)</b>									
Comparator Unitary Council	Basic Allowance	Leader	Leader Total	Deputy Leader	Executive Cabinet Members	Assistant or Deputy Cabinet Members	Chairs Main or Single O&S	Chairs or Lead Scrutiny	V/Chairs Scrutiny
<b>Blackpool*</b>	£10,664	£34,925	£45,589	£19,195	£14,396	£5,332	£14,396	£10,664	£5,332
<b>Brighton &amp; Hove</b>	£13,002	£32,505	£45,507	£19,503	Committee Governance Model			£4,876	
<b>BCP*</b>	£13,543	£22,810	£36,353	£19,559	£19,559	£10,834		£8,125	
<b>Cheshire West &amp; Chester</b>	£14,453	£33,194	£47,647	£24,895	£14,453	£3,000	£9,318	£8,748	
<b>Derby</b>	£12,145	£36,436	£48,581	£27,327	£18,218			£9,109	£2,228
<b>Medway</b>	£10,952	£32,856	£43,808	£21,904	£16,428			£10,952	£3,834
<b>N. Somerset</b>	£10,338	£30,500	£40,838	£21,350	£18,300			£7,625	
<b>Peterborough</b>	£10,663	£31,989	£42,652	£19,193	£15,995	£7,997		£7,997	
<b>Plymouth</b>	£11,969	£35,906	£47,875	£25,264	£23,932	£2,992		£11,969	
<b>Portsmouth</b>	£12,368	£22,262	£34,630	£8,658	£8,658			£3,092	
<b>Southampton</b>	£13,900	£27,800	£41,700	£13,900	£13,900		£6,950	£3,475	
<b>Thurrock</b>	£9,565	£33,583	£43,148	£17,271	£11,994			£7,196	£1,440
<b>Torbay</b>	£9,584	£22,119	£31,703	£12,275	£11,674		£7,913	£3,955	
<b>Southend-on-Sea</b>	<b>£9,963</b>	<b>£34,870</b>	<b>£44,833</b>	<b>£17,868</b>	<b>£12,453</b>			<b>£7,472</b>	<b>£498</b>
<b>Mean</b>	<b>£11,651</b>	<b>£30,840</b>	<b>£42,490</b>	<b>£19,154</b>	<b>£15,464</b>	<b>£6,031</b>	<b>£9,644</b>	<b>£7,518</b>	<b>£2,666</b>
<b>Median</b>	<b>£11,461</b>	<b>£32,681</b>	<b>£43,478</b>	<b>£19,349</b>	<b>£14,453</b>	<b>£5,332</b>	<b>£8,616</b>	<b>£7,811</b>	<b>£2,228</b>
<b>Highest</b>	<b>£14,453</b>	<b>£36,436</b>	<b>£48,581</b>	<b>£27,327</b>	<b>£23,932</b>	<b>£10,834</b>	<b>£14,396</b>	<b>£11,969</b>	<b>£5,332</b>
<b>Lowest</b>	<b>£9,565</b>	<b>£22,119</b>	<b>£31,703</b>	<b>£8,658</b>	<b>£8,658</b>	<b>£2,992</b>	<b>£6,950</b>	<b>£3,092</b>	<b>£498</b>
<b>Mean Ratios X BA</b>		<b>2.65</b>	<b>3.65</b>	<b>1.64</b>	<b>1.33</b>	<b>0.52</b>	<b>0.83</b>	<b>0.65</b>	<b>0.23</b>
<b>Southend Ratios X BA</b>		<b>3.50</b>	<b>4.50</b>	<b>1.79</b>	<b>1.25</b>			<b>0.75</b>	<b>0.05</b>
<i>* Leaders' SRA listed includes where in receipt of other SRAs</i>									

<b>BM2 Southend-on-Sea BM Group Other Coastal/Near Neighbour Unitaries: Regulatory SRAs (23/24)</b>							
Comparator Unitary Council	Chair of Planning	V/Chair of Planning	Chair of Licensing	V/Chair[s] Licensing	Chairs Licensing Panels/Subs	Chair of Audit inc. Corp Governance	Chair Standards
<b>Blackpool</b>	£8,531	£4,266	£8,531	£4,266		£8,531	
<b>Brighton &amp; Hove</b>	£11,377	£975	£11,377	£975		£4,876	
<b>BCP</b>	£10,834		£10,834	£2,709		£10,834	£3,251
<b>Cheshire West &amp; Chester</b>	£9,508		£8,367			£8,177	
<b>Derby*</b>	£9,109	£4,554	£9,109	£18,216		£6,376	
<b>Medway</b>	£13,143	£5,476			£42 p/mtng	£7,667	
<b>N. Somerset</b>	£7,625		£7,625			£4,575	
<b>Peterborough</b>	£9,597		£7,997			£7,997	£3,199
<b>Plymouth</b>	£11,969	£5,984	£11,969	£2,992	£11,969	£11,969	
<b>Portsmouth</b>	£4,329		£4,329			£4,329	
<b>Southampton</b>	£6,950		£6,950		£6,950	£6,950	
<b>Thurrock</b>	£9,595	£2,399	£5,757	£5,757		£2,399	
<b>Torbay</b>	£7,913		£3,955		£1,278	£3,955	
<b>Southend-on-Sea</b>	<b>£9,963</b>	<b>£2,491</b>	<b>£5,978</b>	<b>£5,480</b>		<b>£2,491</b>	
<b>Mean</b>	<b>£9,317</b>	<b>£3,735</b>	<b>£7,906</b>	<b>£5,771</b>		<b>£6,509</b>	
<b>Median</b>	<b>£9,552</b>	<b>£4,266</b>	<b>£7,997</b>	<b>£4,266</b>		<b>£6,663</b>	
<b>Highest</b>	<b>£13,143</b>	<b>£5,984</b>	<b>£11,969</b>	<b>£18,216</b>		<b>£11,969</b>	
<b>Lowest</b>	<b>£4,329</b>	<b>£975</b>	<b>£3,955</b>	<b>£975</b>		<b>£2,399</b>	
<b>Mean Ratios X BA</b>	<b>0.80</b>	<b>0.32</b>	<b>0.68</b>	<b>0.50</b>		<b>0.56</b>	
<b>Southend Ratios X BA</b>	<b>1.00</b>	<b>0.25</b>	<b>0.60</b>	<b>0.55</b>		<b>0.25</b>	

\* Derby pays SRA of £4,554 to 4 Vice Chairs of Licensing

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<b>BM3 Southend-on-Sea BM Group - Other Coastal/Near Neighbour Unitaries: Opposition, Group &amp; Other SRAs (23/24)</b>						
Comparator Council	Main Opposition Leader	Main Opposition Dep Leader	Other Opposition Group Leaders	Council Mayor or Chair	Deputy Mayor or Chair	Other SRAs
<b>Blackpool</b>	£14,396	£7,198	£7,198	£12,974	£3,244	Chair + V/Chair Appeals £8,531/£4,266, Chair Transport Board £5,228, Chair Audit Transport Board £3,358, Non Execs Transport Board £2,608, Chair + Members Shareholder Committee £4,000/£2,608, Members Fostering Panel £90 p/mtnng
<b>Brighton &amp; Hove</b>	£11,377	£6,501	£6,501			Chairs Policy Committees £9,752, Deputy Chairs £4,876/£975, Chair HWB £9,752, Lead Member Adult Care & Health £4,876
<b>BCP</b>	£3,251		£3,251	£10,834	£5,418	Chair Appeals £3,251
<b>Cheshire West &amp; Chester</b>	£9,508	£7,054	£4,356	£6,182		Chairs Staffing + Community Governance + Appeals Committees + Adoption/Fostering Panel representative £6,366, Chair HWB £3,653, Member Champion £1,020, Majority Group Whip + Deputy Whip £6,600/£3,300, Main Opposition Whip + Deputy Whip £4,300/£2,150
<b>Derby</b>	£9,109	£4,554	£9,109	£9,109		Chair Personnel Committee £6,376, Members of Licensing £2,278
45 <b>Medway</b>	£13,143		£6,572	£13,690	£6,572	Chair HWB £13,143, O&S Spokespersons £6,572, Opposition Spokespersons Planning £5,476, Chair Employment £3,834, Majority Group Whip £1,643, Opposition Group Whip £1,096, Licensing Members £42 p/hearing
<b>N. Somerset</b>	£5,185		£4,575	£9,150		Leaders 3rd & 4th & 5th Opposition Groups £3,660 + £2,745 + £2,135
<b>Peterborough</b>	£4,478		£2,559			Leader 3rd Opposition Group £960, Chairs Employment + Corporate Parenting Committees £3,199
<b>Plymouth</b>	£1,969	£5,984	£5,984	£16,627	£5,487	V/Chair Taxi Licensing £2,992, Chair H&WB Board £5,984
<b>Portsmouth</b>	£7,421		£3,710			Chair Employment £4,329, Minor Opposition Group Leaders £2,474, Shadow Cabinet £1,237
<b>Southampton</b>	£9,122		£3,042			
<b>Thurrock</b>	£9,565	£2,399	£2,399	£14,393	£3,358	Chair Corporate Parenting £2,399
<b>Torbay</b>	£5,760		£768	£3,955		Chair Harbour Committee £3,955
<b>Southend-on-Sea</b>	<b>£9,963</b>	<b>£2,491</b>	<b>£2,491</b>	<b>£14,944</b>	<b>£3,487</b>	<b>Chairs + V/Chairs of Appeals Committees £2,491 + £498</b>
<b>Mean</b>	<b>£8,161</b>	<b>£5,169</b>	<b>£4,465</b>	<b>£11,186</b>	<b>£4,594</b>	
<b>Median</b>	<b>£9,116</b>	<b>£5,984</b>	<b>£4,033</b>	<b>£11,904</b>	<b>£4,453</b>	
<b>Highest</b>	<b>£14,396</b>	<b>£7,198</b>	<b>£9,109</b>	<b>£16,627</b>	<b>£6,572</b>	
<b>Lowest</b>	<b>£1,969</b>	<b>£2,399</b>	<b>£768</b>	<b>£3,955</b>	<b>£3,244</b>	
<b>Mean Ratios X BA</b>	<b>0.7</b>	<b>0.4</b>	<b>0.4</b>	<b>1.0</b>	<b>0.4</b>	
<b>Southend Ratios X BA</b>	<b>1.0</b>	<b>0.3</b>	<b>0.3</b>	<b>1.5</b>	<b>0.3</b>	



### Part 6 – Members’ Allowances Scheme – 2023 / 2027

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## Part 6 – Members’ Allowance Scheme – 2023 / 2027

Type	Allowance Per Annum
<b>Basic Allowance (“BA”)</b> (for all elected Councillors x 51)	£ 10,400
<b>Special Responsibility Allowances (“SRA”)</b>	
<b>Note:</b> SRAs are paid in addition to BA, but no Councillor shall be entitled to payment of more than one SRA regardless of the number of remunerable posts they hold. If a Councillor holds more than one post which attracts an SRA, it will be assumed they will be paid the higher SRA.	
Leader	£36,400
Deputy Leader	£18,720
Cabinet Member (other than Leader and Deputy)	£14,560
Mayor <sup>1</sup>	£15,600
Deputy Mayor <sup>1</sup>	£ 3,640
Leader of the largest opposition group	£ 10,400 (If two main opposition groups are equal in size, each group leader will be paid 100% of BA.)
Leader of other opposition groups	£ 2,600 (But if opposition group has less than 4 members then this SRA is not payable.)
Deputy Leader of largest opposition group	£2,600 (But if opposition group has less than 13 members, then this SRA is not payable.)
Chairs of Scrutiny Committees (x 3)	£ 7,800
Vice-Chairs of Scrutiny Committees (x3)	£ 520
Chair of Development Control Committee	£10,400
Vice-Chair of Development Control Committee	£ 2,600
Chair of Audit Committee	£ 2,600
Chair of Licensing Committee (and Chair of Licensing Sub-Committee (A or B))	£ 6,240
Vice-Chair of Licensing Committee (and Chair of Licensing Sub-Committee (A or B))	£ 5,720
Chairs of Appeals Committee A and Appeals Committee B (x 2)	£ 2,600
Chair of General Purposes Committee	£ 3,640
Councillor representatives on Adoption and Fostering Panels	£ 520
Chair of Standards Committee	£ 0
Chair of Health & Wellbeing Board	£ 0

<sup>1</sup> The Mayor and Deputy Mayor Allowances are payable under sections 3 (5) and 5 (4) of the Local Government Act 1972

<b>Co-opted Members Allowance</b>	
Audit Committee	£ 1,300
Statutory Co-opted Members on Scrutiny Committees	£ 312
<b>Independent Persons</b>	
Independent Persons (re Standards Regime)	£ 1,300

<b>Dependants' Carers' Allowance</b>	
Basic "sitters" allowance	To be linked to the National Living Wage
Specialist carers	Maximum rate claimable set at hourly rate charged by Southend-on-Sea City Council Social Services Department for a Home Care Assistant
Booking fees	Actual up to £15
<b>1.</b>	Councillors and Co-opted Members shall be entitled to claim for the care of dependents in accordance with the rates set out in this scheme, subject to the provisions in 1.1 below.
<b>1.1</b>	The following provisions apply to Dependants' Carers' Allowances:
<b>(a)</b>	Payments shall be claimable in respect of children up until their fifteenth birthday or in respect of dependants where there is medical or social worker evidence that care is required.
<b>(b)</b>	The Council reserves the right to require evidence that there is a reasonable need for the level of care in respect of which a claim is made. Councillors / Co-opted Members seeking to claim an allowance to cover the cost of professional or specialist carers should first seek the approval of the Director (Legal & Democratic Services).
<b>(c)</b>	A claim will be reimbursed where it is a reasonable requirement of the market that a booking fee is payable and that a rate is payable for each person cared for.
<b>(d)</b>	The allowance shall be paid as a reimbursement of actual incurred expenditure against receipts. If receipts are unavailable the payment will be made through the Council's payroll and be subject to tax and national insurance contributions.
<b>(e)</b>	When there is more than one Councillor / Co-opted Member in a household, only one claim can be made in respect of each person cared for.
<b>(f)</b>	The paid carer cannot be a member of the immediate family or household.

<b>Travelling &amp; Subsistence Allowances (Out of City Approved Duties Only)</b>	
<b>1.</b>	Councillors (including Co-opted Members) are entitled to claim travelling and subsistence allowances at the same rates as apply to Council officers (see details in 3 below) in connection with, or relating to, one or more of the following <b>Approved Duties</b> which are undertaken or take place <u>outside</u> the City of Southend-on-Sea:
<b>1.1</b>	Attendance as the Council's appointee or nominee (or substitute) at the meeting of any body to which the Council makes appointments or nominations (or any committee or sub-committee of such a body) <u>provided that</u> no such allowances are payable by the body concerned.

1.2	<p>Attendance at a meeting, the holding of which is authorised by the Council (or a committee, sub-committee or joint committee), <u>provided that</u>:</p> <p>(a) it is a meeting to which members of at least two political groups have been invited; and</p> <p>(b) no such allowances are otherwise payable in respect of that meeting.</p>
1.3	<p>Attendance as the Council's nominee (or substitute) at a meeting of any association of authorities of which the Council is a member e.g. the Local Government Association <u>provided that</u> no such allowances are payable by the association concerned.</p>
1.4	<p>Attendance at such other meetings, conferences, presentations, training events, etc where it is in the interests of the Council that the Councillor / Co-opted Member attends and such attendance is approved in advance by:</p> <p>(a) Council, Cabinet or a Committee; or</p> <p>(b) The Chief Executive or the Director (Legal &amp; Democratic Services) under paragraph 4.2 of the Delegations Scheme in Part 3, Schedule 3 of the Constitution.</p>
2.	<p>No travelling or subsistence allowances are payable to Councillors (or Co-opted Members) in connection with, or relating to, any duties which are undertaken or take place within the City of Southend-on-Sea: The Basic Allowance already reflects in-City travel and subsistence costs.</p>
3.	<p><b>Claiming and Payment of Travelling &amp; Subsistence Allowances re Out of City Approved Duties only</b></p> <ul style="list-style-type: none"> <li>▪ Councillors (including Co-opted Members) are entitled to receive payment of travelling and subsistence allowances in accordance with the respective rates prescribed under the Officer Allowances Scheme (as detailed in 3.1 and 3.2 below). <b>Councillors (incl. Co-opted Members) can only claim allowances for travel undertaken and for subsistence costs actually incurred.</b></li> <li>▪ Councillors (including Co-opted Members) are responsible for completing their own travel and subsistence claims on the official form which Internal Audit shall prescribe which should be sent to the Head of Democratic &amp; Electoral Services.</li> <li>▪ Claim forms must be submitted by the 15<sup>th</sup> day of the following month for which a claim relates <b>otherwise it will not be paid.</b></li> <li>▪ Claims are liable for checking as they are processed by the Payroll team and Councillors / Co-opted Members may be contacted if Payroll has any queries.</li> </ul>
3.1	<p><b>Travelling Allowances (Out of City – Approved Duties only)</b></p> <p>(a) <b>Car Allowances</b></p> <p>A car allowance is payable at 45p per mile (up to 10,000 miles), 25p per mile thereafter (such allowance to also apply to electric/hybrid vehicles) and subject to the following conditions:</p> <ul style="list-style-type: none"> <li>▪ Return car mileage is calculated by reference to the shortest practicable route from the Councillor's / Co-opted Member's normal place of residence to the point at which the approved duty is performed.</li> <li>▪ Mileage can be claimed for a car in which a Councillor / Co-opted Member is being driven by a family member or friend - provided that person is not also submitting a mileage claim for the same trip.</li> <li>▪ A passenger supplement rate shall apply, payable at 5p per mile per passenger (up to a maximum of four passengers)</li> <li>▪ Any travel claim should reflect actual trips undertaken. The claim form should record the date, start and finish times, start and finish points of the journey,</li> </ul>

	<p>purpose of the journey, and actual mileage or other travel expense for each journey. Journey distances can be checked via the AA web site – and if there are special reasons why a longer route was taken then these should be stated on the form.</p> <ul style="list-style-type: none"> <li>▪ A Councillor / Co-opted Member using their own car and claiming mileage must ensure that they hold a current driving license and have current motor insurance that permits the use of the vehicle for Council business and indemnifies the Council against 3<sup>rd</sup> Party claims.</li> </ul> <p><b>(b) Motor Cycle Allowances</b></p> <p>This is payable at 24p per mile.</p> <p><b>(c) Bicycle Allowances</b></p> <p>This is payable at 20p per mile.</p> <p><b>(d) Public Transport</b></p> <p>Councillors and Co-opted Members who travel by public transport can claim the relevant bus fare or second class rail fare. First class travel or taxis should only be used in exceptional circumstances. Whenever first class rail or taxi fare is claimed, the reason for such should be stated on the claim form.</p> <p>Wherever possible receipts or the ticket should be accompanied the claim. Where no receipt is provided, claims will be subject to tax and National Insurance deductions.</p> <p><b>(e) Air Travel</b></p> <p>Councillors and Co-opted Members who travel by air should only claim economy or budget fare.</p>																											
<p><b>3.2</b></p>	<p><b>Subsistence Allowances</b></p> <p>The following subsistence allowances apply subject to the conditions set out in <b>(e)</b> below:</p> <table border="0"> <tr> <td data-bbox="284 1272 319 1299"><b>(a)</b></td> <td data-bbox="383 1272 646 1299"><b>Breakfast Allowance</b></td> <td data-bbox="1369 1272 1439 1299"><b>£7.02</b></td> </tr> <tr> <td></td> <td data-bbox="383 1303 826 1330">Need to be at venue before 11:00 am</td> <td></td> </tr> <tr> <td data-bbox="284 1361 319 1388"><b>(b)</b></td> <td data-bbox="383 1361 606 1388"><b>Lunch Allowance</b></td> <td data-bbox="1369 1361 1439 1388"><b>£9.70</b></td> </tr> <tr> <td></td> <td data-bbox="383 1393 997 1420">Need to be at venue between 12 noon and 2:00 pm</td> <td></td> </tr> <tr> <td data-bbox="284 1451 319 1478"><b>(c)</b></td> <td data-bbox="383 1451 694 1478"><b>Evening Meal Allowance</b></td> <td data-bbox="1356 1451 1439 1478"><b>£12.02</b></td> </tr> <tr> <td></td> <td data-bbox="383 1482 762 1509">Need to be venue after 7:00 pm</td> <td></td> </tr> <tr> <td data-bbox="284 1541 319 1568"><b>(d)</b></td> <td data-bbox="383 1541 678 1568"><b>Overnight Subsistence</b></td> <td></td> </tr> <tr> <td></td> <td data-bbox="383 1572 1181 1599">Need to be at venue overnight – London / LGC Conferences – B&amp;B</td> <td data-bbox="1337 1572 1439 1599"><b>£124.97</b></td> </tr> <tr> <td></td> <td data-bbox="750 1635 1069 1662">– any other location – B&amp;B</td> <td data-bbox="1324 1635 1439 1662"><b>£109.56</b></td> </tr> </table> <p><b>(e)</b> Conditions applicable to all subsistence allowances in (a) – (d):</p> <ul style="list-style-type: none"> <li>▪ To qualify for reimbursement, the Councillor / Co-opted Member must be away from their normal place of residence for a minimum of four hours. (This time period applying to the time spent in travel, to and from, and attendance at the Approved Duty.)</li> <li>▪ There must be no meal provided at the location where the Approved Duty is performed, either by the Council or the organisers of the event.</li> </ul>	<b>(a)</b>	<b>Breakfast Allowance</b>	<b>£7.02</b>		Need to be at venue before 11:00 am		<b>(b)</b>	<b>Lunch Allowance</b>	<b>£9.70</b>		Need to be at venue between 12 noon and 2:00 pm		<b>(c)</b>	<b>Evening Meal Allowance</b>	<b>£12.02</b>		Need to be venue after 7:00 pm		<b>(d)</b>	<b>Overnight Subsistence</b>			Need to be at venue overnight – London / LGC Conferences – B&B	<b>£124.97</b>		– any other location – B&B	<b>£109.56</b>
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- |  |  |
|--|--|
|  | <ul style="list-style-type: none"><li>▪ The Councillor / Co-opted Member should attach a receipt to his / expenses claim form to show that a meal or other subsistence was purchased. Where no receipt is provided, claims will be subject to tax and National Insurance deductions.</li></ul> |
|--|--|

### **Schools Appeals Panel Members**

Schools Appeals Panel (Admissions and Exclusions) members shall be entitled to receive travelling and subsistence allowances payable at the same rates that are applicable to elected Councillors and Officers.

## **Members' Allowances – Other Terms and Conditions**

### **1. The Basic Allowance includes:**

- A sum for in-City travel and subsistence;
- The reasonable use of the internet – see paragraphs 10.2 and 20.2 of the Internet and Electronic Mail Code of Practice; and
- The cost of postage, stationery and minor items of office equipment, printing cartridges and paper.

### **2. Other Facilities**

In addition to Councillors' Allowances, the Council provides various facilities to Councillors in order that they may carry out their duties effectively. These include computer equipment and telephone facilities.

The Council also offers all elected Councillors a free car park pass for use in four City Council Car Parks (Civic Centre Underground, Civic Centre East, Beecroft Lower and University Square) when undertaking official duties on behalf of the Council. Elected Councillors must sign a declaration confirming that they will abide by the conditions of use. Any breach of such conditions will result in the pass being withdrawn.

### **3. Pensions**

Elected Councillors are not entitled to join the Local Government Pension Scheme by virtue of the LGPS (Transitional Provisions Savings & Amendment) Regulations 2014.

### **4. Implementation of the Scheme**

The Independent Review Panel (IRP) recommended that this revised scheme be applied from 1<sup>st</sup> August 2023.

### **5. Forgoing Allowances**

Regulation 13 of the Local Authorities (Members' Allowances) (England) Regulations 2003 provides that a Councillor may, by notice in writing given to the Proper Officer of the Authority (Chief Executive), elect to forgo his entitlement or any part of his entitlement to allowances.

### **6. Indexation**

This scheme comes into effect on 1<sup>st</sup> August 2023 and is subject to Indexation as follows:

#### **(a) Basic Allowance, SRAs, Co-optee's Allowances and IP Allowances**

Indexed to the annual percentage salary increase for local government staff (at spinal column 43) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable. The first date for indexation is therefore May 2024.

**(b) Mileage Allowance**

To be updated by reference to the rates which apply to officers (HMRC rates).

**(c) Subsistence Allowances**

The day subsistence allowance and overnight subsistence allowances should be indexed to the same percentage increase that may be applied by the Council to Officer day and overnight subsistence rates.

**(d) Dependants' Carers' Allowance**

- Child Care rates – indexed to National Living Wage.
- Specialist Care Allowance – indexed to the hourly rate charged by the Southend-on-Sea City Council Social Services Department for a Home Care Assistant.

**7. Questions and Interpretation**

All questions about the interpretation and application of the Councillors' Allowance Scheme should be referred to the Head of Democratic and Electoral Services.

**Minute 36: Finance and Corporate Performance Report 2023/24 to end of July 2023 (Period 4)**

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The Cabinet considered a report of the Executive Director (Finance & Resources) summarising the current forecast position at this early stage of the financial year and which highlighted where corrective action would be necessary and reasonable mitigation is required to try to deliver a balanced financial position by the end of the year.

Resolved:-

1. That the unprecedented levels of reported financial pressure and challenges right across the local government sector as set out at Appendix 1 of the submitted report, be noted.

2. That, in respect of the 2023/24 Revenue Budget Performance as set out in Appendix 2 to the submitted report:

(i) The forecast outturn for 2023/24 for the General Fund and the Housing Revenue Account as at 31 July 2023, be noted.

(ii) The plans and intentions to try to reduce the forecast overspend of the Council's revenue budget for 2023/24 be noted and that the Chief Executive and Executive Director (Finance & Resources) be requested to explore all opportunities within their delegated powers and authority to improve the financial position by the year-end as set out in section 5 of the submitted report.

(iii) The planned budget transfers (virements) of £308,600 from earmarked reserves, as set out in section 5.50 of the submitted report, be approved.

3. That, in respect of the 2023/24 Capital Budget Performance as set out in Appendix 3 of the submitted report:

(i) The expenditure to date and the forecast outturn as at 31 July 2023 and its financing, be noted.

(ii) the Corporate Performance Report as at 31 July 2023 set out in Appendix 4 of the submitted report, be noted.

Recommended:

4. That the requested changes to the capital investment programme for 2023/24 and future years, as set out in section 4 of Appendix 3 of the submitted report, be approved.

## Reasons for Decisions

To provide detailed financial information on the financial performance of the Council. The report sets out the key variances by budget holders and associated management action being implemented to address the identified issues.

## Other Options

The Council could choose to monitor its budgetary performance against an alternative timeframe, but it is considered that the current reporting schedule provides the appropriate balance to allow strategic oversight of the budget by Councillors and to also formally manage the Council's exposure to financial risk.

Note: The decisions in resolutions 1 to 3 above constitute an Executive function and the recommendation in 4 above constitutes a Council function.

Cabinet Member: Cllr Cox

**\*Called-in to Policy & Resources Scrutiny Committee**

### **Policy and Resources Scrutiny Committee – 5<sup>th</sup> October 2023**

#### **Minute 37: Finance and Corporate Performance Report 2023/24 to end of July 2023 (Period 4)**

The Committee considered Agenda Item 7 of the meeting of the Cabinet held on 18 September 2023, 'Finance and Corporate Performance Report 2023/24 to end of July 2023 (Period 4), Cabinet Minute No.36 refers. The report of the Executive Director (Finance & Resources) had been called-in and referred to the Policy and Resources Overview and Scrutiny Committee.

The Finance and Corporate Performance report set out the current operating environment and the significant increases experienced in both service demand and the ongoing unavoidable inflationary cost pressures, summarised the current forecast position and highlighted the need to make some difficult choices and take decisive action.

A brief discussion took place on tree net gain in the City, following which the Leader explained that in future he would request that any figures be reported in terms of tree canopy change rather than tree net gain.

The Leader confirmed that he would ensure a written response was provided to the Committee in relation to point 8.8, the average length of pre-proceedings for the Public Law Outline (PLO) in order to provide clarification on the above target of 14 by 4.7 due to late expert assessments.

It was highlighted that the Legal Services team had significant problems with permanent recruitment and as a result expenditure on agency staff to cover vacant roles was forecast to cause a pressure of £120,000.

The Leader reported that it would be clarified outside of the meeting how long the transition of Mental Health services was expected to take.



In relation to the quarterly snapshot of families with children in Bed and Breakfast for over 6 weeks, the Leader confirmed a written answer would be provided to the Committee to advise how many were out of area placements.

Resolved:

That the following recommendations of the Cabinet (1-3) be noted:

1. That the unprecedented levels of reported financial pressure and challenges right across the local government sector as set out at Appendix 1 of the submitted report, be noted.
2. That, in respect of the 2023/24 Revenue Budget Performance as set out in Appendix 2 to the submitted report:
  - (i) The forecast outturn for 2023/24 for the General Fund and the Housing Revenue Account as at 31 July 2023, be noted.
  - (ii) The plans and intentions to try to reduce the forecast overspend of the Council's revenue budget for 2023/24 be noted and that the Chief Executive and Executive Director (Finance & Resources) be requested to explore all opportunities within their delegated powers and authority to improve the financial position by the year-end as set out in section 5 of the submitted report.
  - (iii) The planned budget transfers (virements) of £308,600 from earmarked reserves, as set out in section 5.50 of the submitted report, be approved.
3. That, in respect of the 2023/24 Capital Budget Performance as set out in Appendix 3 of the submitted report:
  - (i) The expenditure to date and the forecast outturn as at 31 July 2023 and its financing, be noted.
  - (ii) The Corporate Performance Report as at 31 July 2023 set out in Appendix 4 of the submitted report, be noted.

That the following recommendation to Council be noted:

4. That the requested changes to the capital investment programme for 2023/24 and future years, as set out in section 4 of Appendix 3 of the submitted report, be approved.

Note: Recommendations 1-3 are an Executive Function. Recommendation 4 is a Council function.

Cabinet Member: Councillor T Cox

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## Notice of Motion

### Southend Council Financial Situation

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**19<sup>th</sup> October 2023**

Under the last Labour-led Administration, their April 2022 – April 2023 budget was £6.9 Million overspent and a recent Cabinet paper revealed that the budget that they set and voted for in February 2023 and came into effect from April 2023 is currently running at a projected overspend of £14 Million.

It is currently the worst financial position that this Council has ever faced since it became a Unitary Authority in 1998.

#### **This Council therefore:**

1. Notes the last Labour-led Administration's April 2022 - April 2023 budget was £6.9 Million overspent.
2. Notes that the last Labour-led Administration set and voted for the current budget in February 2023, that the budget period commenced in April 2023 was from the outset, financially unrealistic and unachievable, and is running at a current year-end projected overspend of £14 Million.
3. Resolves that the Council takes appropriate measures to reduce the current deficit and get the Council back onto a sound financial footing for the financial year 2024-2025.

**Proposed By:** Darryl Jones

**Seconded By:** Owen Carty

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### Motion for improving Cuckoo Corner

Traffic congestion is a major issue in our city, exacerbated by many bottlenecks and areas of high traffic pressure. The Cuckoo Corner roundabout is one such area with regular traffic jams tailing back in multiple directions having a knock-on effect to traffic congestion across the city.

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This junction is a vital gateway to the East of the city for buses and motorists. When clogged, tailbacks can reach the city centre, Kent Elms corner, Sutton Road roundabout, and beyond Warner's Bridge into Rochford.

Natural traffic flow is impeded by an unsuitable layout that includes partial traffic signalling at the roundabout, traffic-controlled pedestrian crossings too close to the junction, and merges in-turn that are too short. Planned large-scale developments in the city will add significant volumes of traffic including large vehicles for delivery, causing further congestion.

This junction falls between the two Air Quality Management Areas (AQMAs) of Southend, and the air quality here is not currently sufficiently monitored. On recent walkabouts with ward councillors, members of the senior leadership team found it difficult to breathe after a few short minutes at the junction.

Therefore, this Council resolves to:

- 1) Publish existing data around current traffic congestion and any monitoring undertaken at this junction. Where this data does not exist, Council will monitor the following for a period of at least 3 months:
  - a) Volume of traffic, given on an hourly basis to identify peak periods of pressure;
  - b) Distribution of these vehicle movements at each entry/ exit;
  - c) Use of pedestrian crossings, to be cross-referenced with peak traffic periods.
- 2) Model alternative layouts and arrangements for Cuckoo Corner junction, including:
  - a) Box junctions;
  - b) Relocation of the pedestrian crossings;
  - c) Relining options;
  - d) Improved provisions for cyclists;
  - e) Improved provision for buses;
  - f) Phasing of traffic lights;
  - g) Full traffic signalling on all exits/ entrances, or;
  - h) Removal of traffic signals to aid traffic flow.
- 3) Conduct a focused assessment of air quality at the Cuckoo Corner junction, to include:
  - a) Live monitoring of air quality over a minimum 6-month period;
  - b) Particulate monitoring (PM2.5 and PM5).
- 4) Liaise with local bus companies to understand the pressures caused by congestion at this junction on achieving a punctual service.

Proposer: Cllr Lydia Hyde

Seconder: Cllr Daniel Cowan

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