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| REPORT REFERENCE NO. | DSFRA/21/27 |
| MEETING | DEVON & SOMERSET FIRE & RESCUE AUTHORITY |
| DATE OF MEETING | 10 NOVEMBER 2021 |
| SUBJECT OF REPORT | CONFIRMATION OF MEMBERS' ALLOWANCES SCHEME 2022 - 23 |
| LEAD OFFICER | Director of Governance & Digital Services |
| RECOMMENDATIONS | <p><i>(a) that the Authority confirms its Scheme of Allowances (including the rates of basic and special responsibility allowances as set out in Table 1 of Section 2 of this report) to operate for the 2022-23 financial year;</i></p> <p><i>(b) that it be noted that the Scheme provides for annual uprating of allowances in accordance with any pay award agreed by the National Joint Council for Local Government Services (the "Green Book"); and</i></p> <p><i>(c) that the Clerk to the Authority be authorised to publicise details of the Scheme so confirmed in one or more local newspapers circulating in the area served by the Authority.</i></p> |
| EXECUTIVE SUMMARY | <p>Regulations require the Authority to have in place its own Scheme for the payment of a basic allowance to each of its Members. The Authority may also provide for the payment of Special Responsibility Allowances and reimbursement of travel and subsistence expenditure.</p> <p>The Regulations also require the details of any such Schemes to be confirmed and published by the Authority for each financial year in question.</p> <p>This report details allowances currently payable and invites the Authority to confirm the Scheme to operate for the 2022-23 financial year.</p> |
| RESOURCE IMPLICATIONS | <p>Provision will be made within the Revenue Budget 2022-23 for the payment of allowances at the rates together with any anticipated increase (based on the pay award for staff conditioned to the National Joint Council for Local Government Services ("the Green Book")).</p> |
| EQUALITY RISKS AND BENEFITS ANALYSIS | <p>The content this report is considered compatible with equalities and human rights legislation.</p> |
| APPENDICES | <p>Nil.</p> |

BACKGROUND PAPERS

[The Local Authority \(Members' Allowances\)\(England\) Regulations 2003.](#)

[The Local Authorities \(Companies\) Order 1985.](#)

Report DSFRA/20/8 ("[Devon & Somerset Fire & Rescue Authority Approved Scheme of Members' Allowances 2020-21](#)"), together with report of Independent Consultant, to the Authority budget meeting on 18 February 2020, together with the [Minutes of that meeting.](#)

Report DSFRA/20/21 ("[Confirmation of Members' Allowances Scheme 2021-22](#)") to the Authority meeting on 16 December 2020, together with the [Minutes of that meeting.](#)

1. **BACKGROUND**

1.1 The Local Authority (Members' Allowances)(England) Regulations 2003 require the Authority to make a Scheme of Members Allowances that:

- **must** provide for payment of a basic allowance to every Member of the Authority (to recognise the time commitment of all Members and cover incidental costs such as postage, telephone calls etc. in connection with Authority duties); and
- **may** provide:
 - for payment of a Special Responsibility Allowance (SRA) for those Members undertaking additional roles (e.g. Authority and Committee Chairs); **and**
 - payment of travel and subsistence expenses in relation to Authority duties.

1.2 The Regulations also require the Authority to confirm its Scheme of Allowances for each financial year in question and for this information to be published in one or more local newspapers circulating in the area served by the Authority.

2. **BASIC, SPECIAL RESPONSIBILITY AND CO-OPTES ALLOWANCES**

2.1 At its budget meeting on 18 February 2020 the Authority considered a review of its Allowances Scheme ("the Scheme") as conducted by an independent consultant and determined – in accordance with the review recommendations - rates payable for basic and special responsibility allowances (SRAs) in the 2020-21 financial year (Minute DSFRA/40 refers).

2.2 Subsequently, at its meeting on 16 December 2020, the Authority (in considering the Scheme to apply for the 2021-22 financial year) resolved, amongst other things:

- that the Special Responsibility Allowance payable to Authority-appointed non-executive directors to the Board of Red One Ltd. should be £6,305 per annum, for the reasons as set out in paragraph 3.1 of [report DSFRA/20/21](#); and
- that the Scheme of Allowances be amended for 2021-22 and future years to provide for the annual uprating of co-optees allowances in accordance with any proposal agreed by the National Joint Council for Local Government Services ("the Green Book").

[\(Minute DSFRA/64 refers\)](#)

2.3 The rates of allowances payable during the 2021-22 financial year are shown in Table 1 overleaf.

Table 1 – 2020-21 Rates for Basic and Special Responsibility Allowances

| Type of Allowance | Amount per annum £ |
|---|--|
| Basic | 2,786 |
| Special Responsibility (payable in addition to basic allowance) | |
| <ul style="list-style-type: none"> • Authority Chair (5 x basic) | 13, 930 |
| <ul style="list-style-type: none"> • Authority Vice-Chair | 6, 915 |
| <ul style="list-style-type: none"> • Committee Chairs | 4,100 |
| <ul style="list-style-type: none"> • Authority-appointed non-executive directors to the Board of Red One Ltd. | 6,305 |
| <ul style="list-style-type: none"> • Member of Local Pensions Board (Firefighters' Pensions Schemes) (0.15 x basic) | 418 |
| Co-optees | |
| <ul style="list-style-type: none"> • Independent Persons as required by Section 28(7), Localism Act 2011 | 100 per each standards issues with which they are involved |
| <ul style="list-style-type: none"> • Independent Employer Representative appointed to the Local Pensions Board in accordance with the provisions of Section 102(3), Local Government Act 1972 and Section 13(1), Local Government & Housing Act 1989 | 500 |

- 2.4 It should also be noted that, under the Scheme, only one SRA is payable (at the highest rate), irrespective of how many qualifying posts an individual Member may hold.
- 2.5 As previously referenced, the Scheme also provides that the rates as set out in Table 1 above should be uprated automatically in accordance with any pay award agreed by the National Joint Council for Local Government Services (“the green book”). At the time of drafting this report, no pay award had been agreed for 2021-22 although provision has been made in the approved Revenue Budget for this financial year. A similar provision will also be made in the Revenue Budget for 2022-23.
- 2.6 On this basis, the Authority is asked to confirm the rates of basic and special responsibility allowances to be payable in 2022-23 as set out in Table 1 (subject to any automatic, annual, uprating).

3. REIMBURSEMENT OF TRAVEL AND SUBSISTENCE EXPENSES

- 3.1. The Allowances Scheme also provides for the reimbursement of travel and subsistence expenses as shown in Tables 2 and 3 overleaf.

Table 2 - Rates Payable for Reimbursement of Travel Expenses

| | Rate per mile | |
|-------------|---------------------------|---------------------------|
| | First 10,000 miles | Above 10,000 miles |
| Cars | 45p | 25p |
| Motorcycles | 24p | 24p |

- 5p per passenger per mile (up to 4 passengers);
- 20p per mile bicycle allowance

- 3.2. The annual uprating mechanism for reimbursement of travel expenses is by reference to rates published by Her Majesty's Revenue and Customs (HMRC). It should be noted that "home-to-Service Headquarters" journeys are classified by HMRC as taxable, with any tax element being deducted at source.

Table 3 - Rates Payable for Reimbursement of Subsistence Expenses

| | |
|---|--------|
| Breakfast | £7.00 |
| Lunch | £10.00 |
| Tea | £4.00 |
| Evening meal if returning home after 8.00pm | £12.00 |
| Evening meal if staying overnight | £22.00 |

- 3.3. The rates payable for subsistence expenses are referenced to the rates and conditions on reimbursement of expenses as per Devon & Somerset Fire & Rescue Service employees in force at the time.

4. CONCLUSION

- 4.1. The Authority Scheme was last subject to a major review in 2019 to inform the Scheme to operate for the 2020-21 financial year and the associated annual uprating mechanism to apply for subsequent years up to and including 2023-24. The next major review should take place in 2023 to allow sufficient time to inform the 2024-25 budget setting process.

- 4.2. The Authority is now asked to consider this report and in accordance with the relevant Regulations to:

- (a). confirm the Scheme to operate for the 2022-23 financial year;
- (b). authorise the Clerk to the Authority to publish the rates so confirmed in one or more local newspapers circulating in the area served by the Authority.

MIKE PEARSON
Director of Governance & Digital Services