

REPORT REFERENCE NO.	DSFRA/22/24
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	12 DECEMBER 2022
SUBJECT OF REPORT	CONFIRMATION OF MEMBERS' ALLOWANCES SCHEME 2023-24
LEAD OFFICER	Director of Governance & Digital Services
RECOMMENDATIONS	<p>(a). that the Authority confirms its Scheme of Allowances to operate for the 2023-24 financial year, including the rates of basic and special responsibility allowances as set out in Table 1 of Section 2 of this report (amended as necessary to reflect any decisions on increases to basic, special and co-optees allowances payable in 2022-23) and the rates for reimbursement of travel and subsistence expenditure as indicated in Tables 2 and 3;</p> <p>(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</p> <p>(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.</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>Elsewhere on the agenda for this meeting is a report addressing increases to the rates of allowances approved for 2022-23.</p> <p>This report details allowances currently payable (subject to any increases as may be agreed) and invites the Authority to confirm the Scheme to operate for the 2023-24 financial year.</p>
RESOURCE IMPLICATIONS	<p>Provision will be made within the Revenue Budget 2023-24 for the payment of allowances at the rates approved, together with any percentage increase based on the anticipated pay award for staff conditioned to the National Joint Council for Local Government Services ("the Green Book").</p>

EQUALITY RISKS AND BENEFITS ANALYSIS	N/A
APPENDICES	Nil.
BACKGROUND PAPERS	<u>The Local Authorities (Members' Allowances) Regulations 2003</u>

1. BACKGROUND AND INTRODUCTION

- 1.1. The Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) provide, among other things, that the Authority must, for each financial year, approve a Scheme of Allowances specifying:
 - (a). the rate of basic allowance payable to all Members;
 - (b). the rate of any special responsibility allowance (SRA) as may have been approved by the Authority in accordance with the provisions of the Regulations; and
 - (c). the rates of travel and subsistence reimbursements as may have been approved by the Authority.
- 1.2. The Regulations also provide that the rates of basic and special responsibility allowance may be adjusted annually by reference to an index as approved by the Authority, subject to this indexing applying for a maximum of four years before seeking a further recommendation for an independent remuneration panel.
- 1.3. Unlike principal authorities (e.g. county and district councils), this Authority is not required to have its own independent remuneration panel but instead is required, when approving its Scheme, to have regard to any recommendations as may be made by the independent remuneration panels of its constituent authorities in relation to allowances payable by those authorities.
- 1.4. In practice, this Authority has commissioned, every four years, an independent review of its Scheme of Allowances. This review takes account of any recommendations made by the independent remuneration panels of the constituent authorities together with allowances paid by other combined fire and rescue authorities.
- 1.5. The last review was undertaken in late 2019 to inform allowances payable up to and including the 2023-24 financial year. The Authority approved the recommendation of that review that both basic and special responsibility allowances be uprated annually in line with pay increases agreed by the National Joint Council (NJC) for Local Government Services, but that this uprating should only be applied from 1 April 2021 (Minute DSFRA/40(h), budget meeting held on 18 February 2020 refers). The Authority subsequently resolved that this annual uprating should also apply to any co-optee allowances payable under the Scheme (Minute DSFRA/64(d), Authority meeting 16 December 2020 refers).

2. CURRENT ALLOWANCE RATES

- 2.1. The rates of allowance currently payable are shown in Table 1 overleaf:

Annual Allowance	£
Basic Allowance	2,835
Special Responsibility Allowances	
- Authority Chair (5 x basic)	14,175
- Authority Vice-Chair	7,036
- Committee Chair	4,172
- Authority-appointed non-executive director to the Board of Red One Ltd.	6,415
- Member of Local Pensions Board (0.15 x basic)	425
Co-optees Allowances	
- Independent Person as per Localism Act 2011 (note: allowance payable for each standards issue dealt with)	101.75
- Independent Employer Representative appointed to Local Pensions Board	508.75
- Independent co-opted member appointed to Audit & Governance Committee (0.5 x basic)	1,417.50

- 2.2. 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.
- 2.3. 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”). Elsewhere on the agenda for this meeting is a report addressing proposed increases to the approved 2022-23 scheme stemming from the approved Green Book pay award for that financial year.
- 2.4. The Authority is asked to confirm the rates of basic and special responsibility allowances to be payable in 2023-24 as set out in Table 1 and amended as necessary to reflect any previous decision relating to increases stemming from the approved 2022-23 Green Book pay award.

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

	<i>Rate per mile</i>	
	<i>First 10,000 miles</i>	<i>Above 10,000 miles</i>
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 financial 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 asked to consider this report and in accordance with the relevant Regulations to:
- (a). confirm the Scheme to operate for the 2023-24 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