

ASHFIELD DISTRICT COUNCIL



Council Offices,
Urban Road,
Kirkby in Ashfield
Nottingham
NG17 8DA

Agenda

Annual Council

Date: **Thursday, 30th May, 2024**

Time: **7.00 pm**

Venue: **Council Chamber, Council Offices, Urban Road,
Kirkby-in-Ashfield**

For any further information please contact:

Lynn Cain

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01623 457317

If you require an adjustment to enable you to participate or access the meeting, please contact the Democratic Services team at least 48 hours before the meeting.

Council

Membership

Chairman: Councillor Dale Grounds

Vice-Chairman: Councillor Arnie Hankin

Councillors:

Kier Barsby

Will Bostock

Jodine Cronshaw

Anna Ellis

Paul Grafton

Oliver Hay

Tom Hollis

Dawn Justice

Trevor Locke

Sarah Madigan

Cathy Mason

Warren Nuttall

Matthew Relf

Dave Shaw

Helen-Ann Smith

Lee Waters

Jason Zadrozny

Jamie Bell

Ian Briggs

Samantha Deakin

Andy Gascoyne

Julie Gregory

Vicki Heslop

Christopher Huskinson

Sarah Lewsey

Rachel Madden

Gordon Mann

Andy Meakin

Nicholas Parvin

Phil Rostance

John Smallridge

David Walters

John Wilmott

FILMING/AUDIO RECORDING NOTICE

This meeting may be subject to filming or audio recording. If you have any queries regarding this, please contact Members' Services on 01623 457317.

SUMMONS

You are hereby requested to attend a meeting of the Council to be held at the time/place and on the date mentioned above for the purpose of transacting the business set out below.



Theresa Hodgkinson
Chief Executive

AGENDA

Page

1. To receive apologies for absence, if any.
2. Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests.
3. To elect the Chairman for the ensuing year.
4. The newly elected Chairman to make the Declaration of Acceptance of Office.
5. Vote of thanks to the retiring Chairman and his response.
6. To elect the Vice Chairman for the ensuing year.
7. The newly elected Vice Chairman to make the Declaration of Acceptance of Office.
8. To receive and approve as a correct record the minutes of the meeting of the Council held on 15 April 2024. 5 - 10
9. To receive any announcements from the Chairman or Head of Paid Service.
10. In accordance with Council Procedure Rule 1.1(viii) and (ix), to be told by the Leader of the composition of the Executive for the coming year and the names of Members appointed to the Cabinet and the Scheme of Delegation for the Discharge of Executive Functions.
(Scheme of Delegation to be circulated at the meeting – yellow papers)
11. In accordance with Council Procedure Rule 1.3(i) to (iv), to determine the appointment of Committees for the ensuing year with Terms of Reference as set out in Part 3, 1.8 of the Constitution. 11 - 16

Accordingly, the Council is requested to appoint the following Committees (including appointment of Chairmen, Vice Chairmen and membership seats):-

Principal Select Committee
Place and Innovation Select Committee
Environment and Communities Select Committee
Planning Committee
Licensing Committee
Audit Committee
Local Joint Consultative Committee
Chief Officers' Employment Committee
Standards and Personnel Appeals Committee
Charities Committee
Local Plan Development Committee
*(Schedule of committee memberships to be circulated at the meeting
 – peach papers)*

- | | | |
|------------|---|---------|
| 12. | In accordance with Council Procedure Rule 1.1(x), to approve a programme of ordinary meetings of the Council for the ensuing year. | 17 - 22 |
| 13. | Findings of the Independent Remuneration Panel Review. | 23 - 66 |
| 14. | Annual Constitution Review. | 67 - 72 |
| 15. | In accordance with Council Procedure Rule 1.3(v), to approve appointments to outside bodies for the ensuing year.
<i>(Schedule of appointments to outside bodies to be circulated at the meeting – blue papers)</i> | 73 - 80 |

COUNCIL

Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Monday, 15th April, 2024 at 7.00 pm

Present: Councillor Dale Grounds in the Chair;

Councillors Kier Barsby, Jamie Bell, Will Bostock, Ian Briggs, Jodine Cronshaw, Samantha Deakin, Andy Gascoyne, Paul Grafton, Julie Gregory, Arnie Hankin, Oliver Hay, Vicki Heslop, Dawn Justice, Trevor Locke, Rachel Madden, Sarah Madigan, Gordon Mann, Cathy Mason, Andy Meakin, Warren Nuttall, Matthew Relf, Phil Rostance, Dave Shaw, John Smallridge, Helen-Ann Smith, David Walters, Lee Waters, John Wilmott and Jason Zadrozny.

Apologies for Absence: Councillors Anna Ellis, Tom Hollis, Christopher Huskinson, Sarah Lewsey and Nicholas Parvin.

Officers Present: John Bennett, Lynn Cain, Ruth Dennis, Theresa Hodgkinson, Peter Hudson, Mike Joy, David Needham and Shane Wright.

In Attendance: Martin Rigley

C.86 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

C.87 Minutes

RESOLVED

that the minutes of the meetings of the Council held on 12 February and 4 March 2024, as now submitted, be received and approved.

C.88 Announcements from the Chairman, Leader, Members of the Cabinet and the Head of Paid Service

Chairman of the Council

The Chairman took the opportunity to give an update in respect of the events he had hosted and attended since March 2024 including some details in respect of the 'Black Tie' event that was due to be held at Coxmoor Golf Club

the following week.

Executive Lead Member for Community Safety and Crime Reduction

Councillor Wilmott advised the Chamber of a letter he had recently received from three children who had set up a project called Eco Kiddies, which produced organic cotton socks for sale to raise funds for poorly children in local hospitals. He asked Members to support the initiative and donate if they possibly could.

Leader of the Council

Councillor Jason Zadrozny firstly drew Members' attention to an organisation called 'BorrowMyDoggy' which offered support with pet duties to people who were struggling. Services included walks, weekends and overnight stays. The organisation offered a great support service and Members could signpost residents if needed.

Secondly, it had recently come to light that the County Council were undertaking a review of recycling centres (Kirkby and Hucknall centres were included) with the possibility of future closures. At a previous County Council meeting Ashfield Independent Members had vehemently disagreed with the proposals and Members could voice their concerns via petitions on Change.Org etc.

Lastly, the Leader wished to bring to the Chamber's attention that he had requested the Chief Executive to investigate a recent leak of a classified document by a Member, to the local MP. The information was shared online and the document had included contact details of a member of staff who had suffered some distress as a result of the incident. It was hoped a conclusion to the incident would be reached in a timely manner.

Councillor Will Bostock

Councillor Bostock advised with sadness that John Hill had recently passed away. John had been an active member of the Sutton community for numerous years and had been a great mentor to many through Sutton Community Academy and Sutton in Ashfield Harriers & Athletics Club.

(During the announcements, Councillor Sarah Madigan entered the meeting at 7.16pm.)

C.89 Presentation of Awards

Firstly the Chairman confirmed that since the last meeting of Council, Ashfield District Council had been a finalist in the Employee Development category at the Building Communities Awards.

Secondly, the Chairman took the opportunity to welcome Martin Rigley to the meeting and present him with a token of the Council's appreciation in recognition of his work and commitment towards promoting and developing the District of Ashfield.

As both a resident and former owner of a business in Ashfield, Martin continued to be passionate about promoting Ashfield as a great place to run a business, live, visit, raise a family and be educated.

C.90 Questions from the Public

No questions were received for consideration.

C.91 Petitions

No petitions were received for consideration.

C.92 Updated Policy for the granting of Non-Domestic Rates Discretionary Relief

Council was requested to receive and approve the updated Discretionary Non-Domestic Rate Relief Policy, as presented.

RESOLVED

that the updated Discretionary Non-Domestic Rate Relief Policy, as presented and as shown at Appendix A, be approved to take effect from 1 April 2024.

C.93 Ashfield District Council Golden Anniversary

Council was asked to note the arrangements in place to celebrate the Council's Golden Anniversary, since being formed in 1974, and to reflect on the achievements and service delivery of the Council over the past half century.

RESOLVED

that the Ashfield District Council's Golden Anniversary, marking 50 years of serving Ashfield residents and businesses, be noted and duly celebrated.

C.94 Recommendations from the Cabinet and the Council's Committees

Council was requested to consider and approve two recommendations from Cabinet.

Minute No. CA.67

Cabinet – 8 April 2024

2023/24 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at December 2023

RESOLVED

that the amendments and the addition of new schemes to the Capital Programme 2023/24 to 2027/28, and the funding of the Capital Programme as set out in Section 6 and Appendix 3 of the Cabinet report, be approved.

RESOLVED

that following receipt of funds, it be agreed that Section 106 monies be included on the Capital Programme, as outlined in the Cabinet report.

C.95 Updates from Members of the Cabinet on their Portfolio Activity

The following Cabinet Members gave updates in relation to their portfolio activity:

Councillor Vicki Heslop – Executive Lead Member for Governance

Councillor Matthew Relf – Executive Lead Member for Growth, Regeneration and Local Planning

Councillor John Wilmott – Executive Lead Member for Community Safety and Crime Reduction

Councillor Helen-Ann Smith – Deputy Leader and Executive Lead Member for Parks and Environmental Services.

(During the Cabinet Member updates, Councillor Cathy Mason left the meeting at 8.16pm.)

C.96 Notices of Motion

No motions were received for consideration.

C.97 Questions received in accordance with Council Procedure Rule 13

Question 1

Councillor Kier Barsby to the Deputy Leader and Executive Lead Member for Strategic Housing and Climate Change:

“According to the Department for Levelling Up, Housing and Communities, current figures for homeless children in England and Wales: 142,490.

Between 2019-2023 there were 55 deaths in temporary accommodation. 42 of those deaths were children under the age of one.

Can you confirm how many children, as of April 2024, are on Ashfield District Council’s waiting list, and how many are under 1? Also, how many are in temporary accommodation including hostels, temporary housing, rough sleeping, sofa surfing etc?”

Due to the fact that the Deputy Leader, Councillor Tom Hollis, was not in

attendance at the meeting, the Leader of the Council, Councillor Jason Zadrozny, responded and firstly thanked Councillor Barsby for his question.

He advised that currently 4,350 applicants were on the Council's housing register with 1,584 of them being families with children and 231 being families with children under one years of age. He did not have access to data in relation to children in temporary accommodation at the present time but advised that a full response would be given by an officer after the meeting.

Regarding rough sleeping, Councillor Barsby was advised that no children were sleeping out on the streets, and it was reiterated that no one should need to be rough sleeping in Ashfield with all the services and support that the Council currently provided.

Many projects were running to help support homeless people and families with temporary or emergency accommodation notwithstanding the fact that the Council did not have enough housing stock and were trying to manage unprecedented applications for housing through the register. However, priority building programmes had been underway for some time to provide as many new homes as possible to add to the Council's housing stock.

In accordance with Council Procedure Rule 13.5, Councillor Barsby was invited to ask a supplementary question as follows:

“Could the Leader or the Portfolio Holder report either every full Council or quarterly, on the actual figures because I understand that we don't keep backdated figures to see where we were and where we are now. If it can be brought to this full Council, maybe every other meeting, to make sure we are not going beyond the expectations of Ashfield Council.”

The Leader responded again by agreeing that this was a good idea and the data should be regular and reportable to enable Members to check and monitor the situation.

He suggested that the Principal Select Committee could receive the updates and officers could work around some benchmarking/performance indicators for tracking purposes. The Council had long since been passionate about social housing and the information would be both useful and informative to all Members.

Question 2

Councillor Kier Barsby to the Deputy Leader and Executive Lead Member for Strategic Housing and Climate Change:

“Would you agree with me that the newly passed Damp and Mould Policy does not go far enough with beating this dreaded menace in both Council homes and privately rented homes? Would you agree that all private landlords are encouraged to sign up to the charter of good landlords that the Council has going in the New Cross area of Sutton in Ashfield, and to give the Policy more sanctions that this Council can use against dreadful appalling bad private landlords who constantly misuse this Policy?”

The Leader of the Council, Councillor Jason Zadrozny, responded and advised

that the Council took the blight of damp and mould in homes very seriously with the Council producing a new Damp and Mould Policy to sit alongside recent legislative changes. A new technical officer had also been recruited to deal with damp and mould cases within Council properties.

In relation to private sector properties, a new enforcement policy was in place which outlined how the Environmental Health Team would deal with damp and mould issues and £130,000 of external funding had been secured for a new Healthy Homes Programme. An additional officer was also being recruited and the Council would be working collaboratively with private landlords. In addition, the small minority of landlords who failed to address damp and mould issues within their properties in a timely manner, would be dealt with swiftly and comprehensively in accordance with the law.

The Leader concluded that it would probably be prudent to let the new Damp and Mould Policy settle in for six months and then refer it for Member review at one of the Council's select committees.

In accordance with Council Procedure Rule 13.5, Councillor Barsby was again invited to ask a supplementary question as follows:

"Thank you for your comments Leader. I would like to make a recommendation that the Damp and Mould Policy is referred to the Principal Select Committee for review following six months of initial operation."

C.98 Questions received in accordance with Council Procedure Rule 13.2 - In relation to Cabinet and Committee Meeting Minutes published since the last ordinary meeting of the Council

No questions were received from Members.

The meeting closed at 8.40 pm

Chairman.



Report To:	COUNCIL
Date:	30 MAY 2024
Heading:	APPOINTMENT OF COMMITTEES AND COMMITTEE MEMBERSHIP
Executive Lead Member:	NOT APPLICABLE
Ward/s:	NOT APPLICABLE
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

This report sets out the proposed Committees for Council to appoint for the forthcoming year. This report further sets out proposed changes to several Committees should they be appointed.

Recommendation(s):

Council is recommended to:

- a. Approve the appointment of Committees listed within this report, including the Polling Places and Polling Districts Review Working Group, for the forthcoming year.
- b. Approve membership, including Chairs and Vice Chairs, for each of the appointed Committees, including the Polling Places and Polling Districts Review Working Group, for the forthcoming year.

Reasons for Recommendation(s)

The Council must appoint Committees for the forthcoming year. Furthermore, in accordance with the provisions of the Local Government and Housing Act 1989, Council is required to allocate seats on appointed Committees in a politically proportionate way.

Alternative Options Considered

No alternative options have been considered.

Detailed Information

COMMITTEES TO APPOINT

Council is recommended to appoint the following Committees for the forthcoming year:

Principal Select Committee
Place and Innovation Select Committee (*formerly Inward Focus Select Committee*)
Environment and Communities Select Committee (*formerly Outward Focus Select Committee*)
Planning Committee
Licensing Committee
Audit Committee
Local Joint Consultative Committee
Chief Officers' Employment Committee
Standards and Personnel Appeals Committee
Charities Committee
Local Plan Development Committee

If appointed, each Committee will meet in accordance with the approved Schedule of Meetings and the work programme for each Committee.

Council is also recommended to approve the continuation of the following working group:

Polling Places and Polling Districts Review Working Group

CHANGES TO COMMITTEES

Inward and Outward Focus Select Committees

Council is recommended to approve changes to the Inward and Outward Focus Select Committees. Over the past year, the Select Committees were aligned to the previous Cabinet structure. This structure has since changed, so it is proposed to change the name of the Select Committees and to realign the remit of both to be in line with the Council's Corporate Plan 2023 – 2027.

The Corporate Plan 2023 – 2027 sets out six key priorities that the Council is working towards for the established term of the Plan.

These priorities are as follows:

- Economic Growth & Place
- Safer & Stronger
- Innovate & Improve
- Cleaner & Greener
- Homes & Housing
- Health & Happiness

It is proposed that the above priorities are split into two groups and included within the remit for two newly named Select Committees, see below.

Place and Innovation Select Committee

It is proposed to rename the Inward Focus Select Committee to the Place and Innovation Select Committee.

This Committee would focus on the following Corporate Plan 2023 – 2027 priorities:

- Economic Growth & Place
- Safer & Stronger
- Innovate & Improve

Environment and Communities Select Committee

It is proposed to rename the Outward Focus Select Committee to the Environment and Communities Select Committee.

This Committee would focus on the following Corporate Plan 2023 – 2027 priorities:

- Cleaner & Greener
- Homes & Housing
- Health & Happiness

This realignment would mean both Committees can be more focused and enable appointed Members to build up increased knowledge and expertise in these areas. It would also enable the Select Committees to monitor progress more closely against the Corporate Plan as Cabinet do.

The Principal Select Committee will remain responsible for oversight and management of the two other Select Committees, including setting and monitoring the work programme, ensuring the function meets statutory requirements, carrying out reviews when required, and receiving Executive Lead Member updates where appropriate.

POLLING PLACES AND POLLING DISTRICTS REVIEW WORKING GROUP

In accordance with the Electoral Registration and Administration Act 2013 the Council is required to complete a review of its polling districts and polling places at least once every 5 years. This commenced in October 2023 with the recommendations reported to Council on the 27 November 2023 following a public consultation on the findings.

Following the combined PCC/Mayoral elections in May 2024, feedback was received on a number of the polling places. To ensure that these are duly reviewed, it is prudent to ensure that the Working Group considers this feedback and reports any conclusions or changes back to a future meeting of Council.

Therefore, Council is asked to approve the continuation of the Polling Places and Polling Districts Review Working Group. The Working Group will consist of 7 Members in accordance with political proportionality with the Leader of the Council as Chairman.

Implications

Corporate Plan:

There are no direct Corporate Plan implications resulting from the recommendations within this report.

Legal:

In accordance with the provisions of the Local Government and Housing Act 1989, the Council is required to allocate seats on its Committees in a politically proportionate way.

Finance:

There are no direct financial implications resulting from the recommendations within this report.

Budget Area	Implication
General Fund – Revenue Budget	Not applicable.
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

Risk:

Risk	Mitigation
Failure to comply with the requirements set out within the Local Government and Housing Act 1989 in relating to allocating places to committees in a politically proportionate manner.	Committee membership to be allocated in accordance with the calculated political balance for the Council.

Human Resources:

There are no direct HR implications resulting from the recommendations within this report.

Environmental/Sustainability:

There are no direct environmental/sustainability implications resulting from the recommendations within this report.

Equalities:

There are no direct equalities implications resulting from the recommendations within this report.

Other Implications:

There are no other implications resulting from the recommendations within this report.

Reason(s) for Urgency

None.

Reason(s) for Exemption

None.

Background Papers

None.

Report Author and Contact Officer

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SCHEDULE OF MEETINGS 2024/2025

(all meetings commence at 10.00am or 7.00pm unless otherwise stated)

MAY 2024		JUNE 2024		JULY 2024	
1	PCC AND MAYORAL ELECTIONS	3	Principal Select Committee (7pm)	1	
2		4		2	
3		5		3	
6		6		4	
7		7		5	
6	BANK HOLIDAY	10		8	Local Plan Development Committee (10am)
7		11		9	Outward Focus Select Committee (7pm)
8		12	Planning Committee (10am)	10	
9		13		11	Inward Focus Select Committee (7pm)
10		14		12	
13		17	Cabinet (10am)	15	Council (7pm)
14		18		16	
15		19	Licensing Committee (2pm)	17	
16		20		18	Audit Committee (7pm)
17		21		19	
20		24	Local Joint Consultative Committee (10am)	22	
21		25		23	Standards and Personnel Appeals Committee (7pm)
22		26		24	
23		27		25	
24		28		26	
27	BANK HOLIDAY			29	Cabinet (10am)
28				30	
29				31	Planning Committee (10am)
30	Annual Council (7pm)				
31					

AUGUST 2024	SEPTEMBER 2024	OCTOBER 2024
1 2	2 Local Plan Development Committee (10am) 3 4 5 6	1 2 3 4
5 6 7 8 9	9 10 11 12 Principal Select Committee (7pm) 13	7 8 Standards and Personnel Appeals Committee (7pm) 9 10 11
12 13 14 15 16	16 Cabinet (10am) 17 18 19 Audit Committee (7pm) 20	14 15 Outward Focus Select Committee (7pm) 16 17 Inward Focus Select Committee (7pm) 18
19 20 21 22 23	23 24 25 Planning Committee (10am) 26 27	21 22 23 Planning Committee (10am) 24 25
26 BANK HOLIDAY 27 28 29 30	30 Council (7pm)	28 29 30 31

NOVEMBER 2024		DECEMBER 2024		JANUARY 2025	
1		2		1	NEW YEAR'S DAY
4		3		2	
5		4	Planning Committee (10am)	3	
6		5		6	
7	Principal Select Committee (7pm)	6		7	
8		9		8	
11	Cabinet (10am)	10	Standards and Personnel Appeals Committee (7pm)	9	
12		11		10	
13		12	Inward Focus Select Committee (7pm)	13	
14		13		14	
15		16		15	
18	Local Plan Development Committee (10am)	17	Outward Focus Select Committee (7pm)	16	
19		18		17	
20		19		20	Local Plan Development Committee (10am)
21		20		21	
22		23		22	Planning Committee (10am)
25	Council (7pm)	24		23	
26		25	CHRISTMAS DAY	24	
27		26	BOXING DAY	27	Cabinet (10am)
28	Audit Committee (7pm)	27		28	
29		30		29	
		31		30	Audit Committee (7pm)
				31	

FEBRUARY 2025		MARCH 2025		APRIL 2025	
3	Council (7pm)	3	Extraordinary Council (Tax) (7pm)	1	
4		4		2	
5		5		3	Principal Select Committee (7pm)
6		6		4	
7		7		7	Cabinet (10am)
10		10	Local Plan Development Committee (10am)	8	
11		11		9	
12		12		10	
13	Principal Select Committee (Budget) (7pm)	13	Inward Focus Select Committee (7pm)	11	
14		14		14	Council (7pm)
17	Local Joint Consultative Committee (10am)	17		15	
18		18	Standards and Personnel Appeals Committee (7pm)	16	Planning Committee (10am)
19		19	Planning Committee (10am)	17	
20		20		18	GOOD FRIDAY
21		21		21	EASTER MONDAY
24	Cabinet (Budget) (10am)	24		22	
25		25	Outward Focus Select Committee (7pm)	23	
26		26		24	
27	Audit Committee (7pm)	27	Audit Committee (7pm)	25	
28		28		28	
		31		29	
				30	

MAY 2025

1 **COUNTY COUNCIL ELECTIONS**

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5 **BANK HOLIDAY**

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19 Annual Council Meeting (7pm)

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23

26 **BANK HOLIDAY**

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To Note:

Ad Hoc Committees (scheduled as and when required)

Charities Committee
Chief Officers' Employment Committee
Licensing Committee
Licensing Sub Committee
State of Ashfield Debate

August Recess

August is usually a recess month and the only meetings that may be held are Planning Committee and Local Plan Development Committee.

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Report To:	COUNCIL
Date:	30 MAY 2024
Heading:	FINDINGS OF THE INDEPENDENT REMUNERATION PANEL REVIEW
Executive Lead Member:	LEADER OF THE COUNCIL
Ward/s:	NOT APPLICABLE
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

The purpose of this report is to present to Council the final report of the Independent Remuneration Panel following a review of Ashfield District Council's Members' Allowances Scheme carried out in February 2024. Council is asked to consider the findings of the Independent Remuneration Panel and determine whether to accept the recommendations within the final report.

The full report of the Independent Remuneration Panel is appended to this report as Appendix A.

Recommendation(s):

The Independent Remuneration Panel recommends to Council:

1. that the Basic Allowance is maintained at £7,884, subject to any indexation that may be applicable.
2. that the Basic Allowance continues to cover the cost of 'incidental' expenses Members may incur while carrying out their duties, such as telephone calls from their home landlines, calls on personal mobile phones, using broadband from home and printer and IT consumables, etc.
3. that the Basic Allowance continues to be deemed to cover in-authority travel and subsistence costs that Members may incur in carrying out their Council duties.

Recommendation(s):

The Independent Remuneration Panel recommends to Council:

Special Responsibility Allowances

4. that the SRA for the Leader is maintained at £23,301, subject to any applicable indexation.
5. that there is no change to the following SRAs:

Role	Number	Recommended SRA	Methodology
Chairmen of:			
Principal Select Committee	1	£9,321	40% X Leader's SRA
Inward and Outward Select Committees	2	£6,990	30% X Leader's SRA
Planning Committee	1	£9,321	40% X Leader's SRA
Audit Committee	1	£4,660	20% X Leader's SRA
Vice Chairmen of:			
Principal Select Committee	1	£3,495	15% X Leader's SRA
Inward and Outward Select Committees	2	£1,981	8.5% X Leader's SRA
Planning Committee	1	£3,495	15% X Leader's SRA
Local Plan Development Committee	1	£1,981	9% X Leader's SRA
Opposition SRAs:			
Leader of the Main Opposition Group (where Group has 7 or more Members)	0	£9,321	40% X Leader's SRA
Deputy Leader of the Main Opposition Group (where Group has 7 or more Members)	0	£1,398	15% X Group Leader's SRA (at top tier)
Leaders of Other Opposition Group[s] (where Group has at least 4 Members)	0	£365 per Member	NA

Recommendation(s):

The Independent Remuneration Panel recommends to Council:

6. that the SRA for the two Deputy Leaders is maintained at 75 per cent of the Leader's SRA (£23,301) and paid at £17,476, subject to any applicable indexation.
7. that the SRA for the 7 Executive Lead Members is maintained at 60 per cent of the Leader's SRA (£23,301) and paid at £13,981, subject to any applicable indexation.
8. that the SRA for the Chairman of the Licensing Committee is maintained at 20 per cent of the Leader's SRA (£23,301) and paid at £4,660, subject to any applicable indexation.
9. that the SRA for the Chairman of the Local Plan Development Committee is maintained at 30 per cent of the Leader's SRA (£23,301) and paid at £6,990, subject to any applicable indexation.
10. that the SRA for the Vice Chairman of the Local Plan Development Committee is maintained at 8.5 per cent of the Leader's SRA (£23,301) and paid at £1,981, subject to any applicable indexation.
11. that the SRA for the Chairman of the Standards and Personnel Appeals Committee is maintained at 20 per cent of the Leader's SRA (£23,301) and paid at £4,660, subject to any applicable indexation.
12. that the SRA for the Leader of the Main Opposition Group, where the Group has less than 7 Members is maintained at 25 per cent of the Leader's SRA (£23,301) and paid at £5,825, subject to any applicable indexation.

Co-optees' Allowance

13. that provision for Co-optees' Allowances is maintained and reset as follows:
 - Co-optees appointed to the Standards & Personnel Appeals Committee to be reset at £540, subject to any applicable indexation.
 - If there are Co-optees appointed to the Audit Committee these will be paid at £1,080, subject to any applicable indexation.

Travel and Subsistence Allowances – Outwith the Authority

14. that the allowances scheme is amended to clarify that where a Member is using an electric or hybrid vehicle on an approved duty outwith the Authority that they are able to claim mileage at HMRC AMAP rates, which is currently 45p per mile.
15. that the current rates and terms and conditions for claiming Travel and Subsistence Allowances outwith the Authority are maintained.

Recommendation(s):

The Independent Remuneration Panel recommends to Council:

The Dependants' Carers Allowance (DCA)

16. The IRP recommends that the DCA is maintained but that there are two claimable rates depending on the type of care as follows:
- Childcare element: maximum hourly rate claimable is maintained at the NLW.
 - Other Dependents element maximum hourly rate claimable capped at £19.80 per hour. This rate may be claimed for dependants who require any type of specialised care including children.

Civic Allowances

17. that the current Civic Allowances paid to the Chair (£9,251) and Vice Chair (£5,309) is maintained, subject to any applicable indexation.

Indexation of Allowances

18. that the following indices are applied for the legal maximum of four years to the remuneration and allowances paid to Members of Ashfield District Council as follows:
- a. **Basic Allowance, SRAs, Civic Allowances and Co-optees' Allowance:**
 - Indexed to the annual percentage salary increase for local government staff (*at spinal column point 43*) as agreed each year by the National Joint Council (NJC) for Local Government Services; to be implemented from the start of the municipal year. Also known as the NJC index.
 - b. **Mileage Allowance (Outwith only):**
 - Members' mileage allowances rates to continue to be indexed to HMRC AMAP rates.
 - c. **Subsistence Allowances (Outwith only):**
 - The subsistence allowances should continue to be indexed to the same rates that are applicable to Officers.
 - d. **The Dependants' Carers Allowance:**
 - Childcare: maximum rates to be indexed to the National Living Wage.
 - Social/Medical care: maximum rates to be indexed to the annual percentage salary increase for local government staff (*at spinal column point 43*) as agreed each year by the National Joint Council (NJC) for Local Government Services.

Reasons for Recommendation(s)

To comply with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003, a revised Members' Allowances Scheme is required every four years. The recommendations within this report were formulated and put forward by the Independent Remuneration Panel, appointed by Council in July 2023.

Alternative Options Considered

In carrying out a review of Ashfield District Council's Members' Allowances Scheme, the Independent Remuneration Panel considered a wide range of information and evidence. Full details are included in the full report from the Independent Remuneration Panel, appended to this report as Appendix A.

Detailed Information

PANEL ESTABLISHMENT

Each local authority is required by the Local Government and Housing Act 1989 to have in place a scheme for Members' Allowances. The Local Authorities (Members' Allowances) (England) Regulations 2003 set out the requirements for the setting of a Members' Allowances Scheme.

English councils retain the power to determine their allowances. However, they are required to convene their respective Independent Remuneration Panels and seek its advice before they make any changes or amendments to their Members' Allowances scheme. Councils must 'pay regard' to their Panel's recommendations before setting a new or amended Members' Allowances scheme.

Council appointed the IRP in July 2023. The Panel is made up of three members independent from the Council. Dr Declan Hall, an independent consultant specialising in member allowances and support was appointed Chair of the Panel. Paula Watkinson and Andrew Frogson were appointed as Lay Members. Council also approved role descriptors for the Panel Chair and Lay Members along with terms of reference for the review.

TERMS OF REFERENCE

As agreed by Council on 24th July 2023 the IRP was to make recommendations to the Council, following a review of Leader, Elected and Co-opted Member remuneration as to the appropriate level of remuneration. In its deliberations the Panel was required to make recommendations regarding:

- a. The Basic Allowance payable to all Councillors and if applicable any expenses it should include
- b. The scope and levels of Special Responsibility Allowances
- c. The Scope and level of Co-optees' Allowances
- d. Travel and Subsistence Allowances, including applicable rates and terms and conditions by which they may be claimed
- e. Dependants' Carers' Allowance, including applicable rates and terms and conditions by which they may be claimed
- f. Equipment allowances if applicable
- g. Applicable indices for allowances and how long they are to run for
- h. Council Chairman's SRA, if applicable and Civic Allowance
- i. Any other issues that are brought to the IRP's attention

Full details of the Panel's remit can be found in the full report appended as Appendix A.

METHODOLOGY

The IRP conducted a review on the 27 and 28 February at the Council Offices, Urban Road, Kirkby-in-Ashfield. A representative range of Members were invited to meet with the IRP and all other Members were given the opportunity to meet with the IRP if they so wished. In addition, all Members were sent a questionnaire that addressed the IRP's terms of reference, thus ensuring all Members had the opportunity to have an input into the review. The short questionnaire was also used as an aide memoire for the Member interviews thus ensuring all Members were asked the same set of questions. The IRP interviewed 12 Members and received 16 written submissions.

In compliance with the terms of reference the IRP met with a number of Officers for factual briefings on political structures and constitutional changes since the last review and to obtain an overview on the challenges facing the Council. The IRP also took cognisance of the range and levels of allowances paid in comparable local authorities, namely all other District Councils in Nottinghamshire and the two geographically adjacent District Councils.

The full range of information received and considered by the IRP is detailed in the final report appended as Appendix A.

REVIEW FINDINGS

The primary function of the Council's Members' Allowances Scheme is to provide support to Members, enabling them to carry out their roles and responsibilities. The evidence received during the review indicates that the allowances that Ashfield District Council pays to Members strikes a balance between enabling Members to effectively carry out their roles and responsibilities and attracting prospective Councillors.

The principal role of the Independent Remuneration Panel was to assess what the roles and posts under review are worth, based on the evaluation of evidence collected. The review carried out by the Independent Remuneration Panel was not driven by a need to identify savings. However, the Panel were mindful of reduced local authority funding.

In assessing the Members' Allowances Scheme, the Panel noted the following about Ashfield District Council:

The Nature of Ashfield District Council and Councillors

- Ashfield is one of the larger and more multifarious district councils in the benchmarking group, with a number of towns, mixed economy and diverse population. What is striking at this review is the changing nature of the Council body is the number of new elected Members being elected in May 2023. What also came through in the representations made to the IRP was that they are a more diverse group than in the past and represent an active Council that puts emphasis on community focus and engaging with the residents.
- It is an active body of elected Members, with a Member driven Council. This can be seen by the recent awards of major funding for the Council such as
 - Towns Deal 2021 = £62.2 million
 - Future High Streets Fund 2021 = £6.27 million
 - UK Shared Prosperity Fund 2022 = £3.1 million

- Levelling Up Fund 2022 = £3.1 million

Please note: These figures and funding sources were indicative at the time of the IRP review. The Council has since secured further funding from multiple streams.

- As such, the elected Members can be seen to deliver and as such it could be argued that the current level of allowances now reflect the active model of Councillors that brings in outside monies.

The full report also details:

Allowances Scheme Broadly Fit for Purpose

- As a result of these observations the IRP concluded that the allowances scheme has stood the test of time and is not in need of a major revision. The purpose of this review is largely to address any anomalies arising.
- It is through this approach that the Panel's recommendations have sought to demonstrate that Members' Allowances represent value for money for both the Council and the residents of Ashfield while providing a demonstration that Members 'are doing their bit' while also ensuring Members have the support to do their job and are not out of pocket as a consequence.

In line with the above, the IRP have recommended that the current rates for all Special Responsibility Allowances, including Civic Allowances, are maintained. Where the Panel considered recommending changes to specific SRAs, it has been detailed on page 3 of the final report appended as Appendix A.

The Panel have recommended that the provision for Co-Optees' Allowances is maintained, with an increase in the allowances payable as follows:

- Standards & Personnel Appeals Committee Co-Optee:
 - Currently: £364.56 (subject to indexation)
 - Recommended: £540 (subject to indexation)
- Audit Committee Co-Optee:
 - Currently: £364.56 (subject to indexation)
 - Recommended: £1,080 (subject to indexation)

It is the decision of each Committee whether to undertake recruitment for a Co-Opted Member. Both the Standards & Personnel Appeals Committee and Audit Committee have recently taken decisions not to undertake recruitment for Co-opted Members. The IRP have recommended the above increase to improve the likelihood of successful recruitment should either Committee change that decision in future.

The Panel have also recommended that the Members' Allowances Scheme be amended to include provision for where a Member is using an electric or hybrid vehicle on an approved duty outside of the District.

Complete details of the findings of the review can be found in the final report appended as Appendix A.

Implications

Corporate Plan:

The review of the Independent Remuneration Panel was carried out in accordance with the Council's honest value established in the Corporate Plan.

Facilitating a review of the Members' Allowances Scheme ensures value for money and enables Members to effectively carry out their duties as elected representatives.

Legal:

Ashfield District Council has to comply with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003 and arrange to adopt a revised Members' Allowances Scheme following recommendations from an independent Remuneration Panel no later than May 2024.

Finance:

No direct financial implications arising from this report. The budgets for Member Allowances for 2024/25 and beyond are aligned to the recommendations in this report. [PH 21/05/2024].

Budget Area	Implication
General Fund – Revenue Budget	See above
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

Risk:

Risk	Mitigation
Ashfield District Council must comply with the requirements set out within the Local Authorities (Members' Allowances) (England) Regulations 2003.	In July 2023, Council approved membership of an Independent Remuneration Panel for a further 4 year period. The Panel was appointed for a review to be completed in late 2023/early 2024. The review took place in February 2024 and the findings and recommendations are presented to Council for consideration.

Human Resources:

There are no direct HR implications resulting from the recommendations within this report.

Environmental/Sustainability:

The Independent Remuneration Panel considered environmental and sustainability implications as part of the review process. Recommendations have been made relating to Travel and Subsistence Allowances with clarification on Member use of electric/hybrid vehicles.

Equalities:

The Independent Remuneration Panel considered equalities implications as part of the review process, particularly with regard to allowances relating to Dependant Care and Childcare.

Other Implications:

There are no other implications resulting from the recommendations within this report.

Reason(s) for Urgency

None.

Reason(s) for Exemption

None.

Background Papers

None.

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**A Review
Of
Members' Allowances
For
Ashfield District Council**

**A Report by the
Independent
Remuneration Panel**

**Andrew Frogson
Dr Declan Hall (Chair)
Paula Wilkinson**

April 2024

EXECUTIVE SUMMARY

The IRP recommends that

The Basic Allowances and expenses included

Recommendation 1 - that the Basic Allowance is maintained at £7,884, subject to any indexation that may be applicable

Recommendation 2 – that the Basic Allowance continues to cover the cost of 'incidental' expenses Members may incur while carrying out their duties, such as telephone calls from their home landlines, calls on personal mobile phones, using broadband from home and printer and IT consumables, etc.

Recommendation 3 - that Basic Allowance continues to be deemed to cover in-authority travel and subsistence costs that Members may incur in carrying out their Council duties.

Special Responsibility Allowances

Recommendation 4 - that the SRA for the Leader is maintained at £23,301, subject to any applicable indexation.

Recommendation 5 – that there is no change to the following SRAs:

Table One: SRAs where the IRP is recommending no change

Role	Number	Recommended SRA	Methodology
Chairmen of:			
Principal Select Committee	1	£9,321	40% X Leader's SRA
Inward and Outward Select Committees	2	£6,990	30% X Leader's SRA
Planning Committee	1	£9,321	40% X Leader's SRA
Audit Committee	1	£4,660	20% X Leader's SRA
Vice Chairmen of:			
Principal Select Committee	1	£3,495	15% X Leader's SRA
Inward and Outward Select Committees	2	£1,981	8.5% X Leader's SRA
Planning Committee	1	£3,495	15% X Leader's SRA
Local Plan Development Committee	1	£1,981	9% X Leader's SRA
Opposition SRAs:			

Leader of the Main Opposition Group (where Group has 7 or more Members)	0	£9,321	40% X Leader's SRA
Deputy Leader of the Main Opposition Group (where Group has 7 or more Members)	0	£1,398	15% X Group Leader's SRA (at top tier)
Leaders of Other Opposition Group[s] (where Group has at least 4 Members)	0	£365 per Member	NA

SRAs where the IRP considered but did not recommend revision

Recommendation 6 - that the SRA for the two Deputy Leaders is maintained at 75 per cent of the Leader's SRA (£23,301) and paid at £17,476, subject to any applicable indexation.

Recommendation 7 - that the SRA for the 7 Executive Lead Members is maintained at 60 per cent of the Leader's SRA (£23,301) and paid at £13,981, subject to any applicable indexation.

Recommendation 8 - that the SRA for the Chairman of the Licensing Committee is maintained at 20 per cent of the Leader's SRA (£23,301) and paid at £4,660, subject to any applicable indexation.

Recommendation 9 - that the SRA for the Chairman of the Local Plan Development Committee is maintained at 30 per cent of the Leader's SRA (£23,301) and paid at £6,990, subject to any applicable indexation.

Recommendation 10 - that the SRA for the Vice Chairman of the Local Plan Development Committee is maintained at 8.5 per cent of the Leader's SRA (£23,301) and paid at £1,981, subject to any applicable indexation.

Recommendation 11 - that the SRA for the Chairman of the Standards and Personnel Appeals Committee is maintained at 20 per cent of the Leader's SRA (£23,301) and paid at £4,660, subject to any applicable indexation.

Recommendation 12 - that the SRA for the Leader of the Main Opposition Group, where the Group has less than 7 Members is maintained at 25 per cent of the Leader's SRA (£23,301) and paid at £5,825, subject to any applicable indexation.

Co-optees' Allowance

Recommendation 13 – that provision for Co-optees' Allowances is maintained and reset as follows:

- Co-optees appointed to the Standards & Personnel Appeals Committee to be reset at £540, subject to any applicable indexation
- If there are Co-optees appointed to the Audit Committee paid at £1,080, subject to any applicable indexation.

Travel and Subsistence Allowances - Outwith the Authority

Recommendation 14 - that the allowances scheme is amended to clarify that where a Member is using an electric or hybrid vehicle on an approved duty outwith the Authority that they are able to claim mileage at AMAP rates, which is currently 45p per mile.

Recommendation 15 - that the current rates and terms and conditions for claiming Travel and Subsistence Allowances outwith the Authority are maintained.

The Dependants' Carers' Allowance (DCA)

Recommendation 16 - The IRP recommends that the DCA is maintained but that there are two claimable rates depending on the type of care as follows:

- Childcare element: maximum hourly rate claimable is maintained at the NLW
- Other Dependents element maximum hourly rate claimable capped at £19.80 per hour. This rate may be claimed for dependants who require any type of specialised care including children.

The Civic Allowances

Recommendation 17 - that the current Civic Allowances paid to the Chair (£9,251) and Vice Chair (£5,309) is maintained, subject to any applicable indexation.

Indexation of allowances

Recommendation 18 – that the following indices are applied for the legal maximum of four years to the remuneration and allowances paid to Members of Ashfield District Council as follows:

- A. Basic Allowance, SRAs, Civic Allowances and Co-optees' Allowance:**
 - Indexed to the annual percentage salary increase for local government staff (*at spinal column 43*) as agreed each year by the National Joint Council (NJC) for Local Government Services; to be implemented from the start of the municipal year. Also known as the NJC index
- B. Mileage Allowance (Outwith only):**
 - Members' mileage allowances rates to continue to be indexed to HMRC AMAP rates.
- C. Subsistence Allowances (Outwith only):**
 - The subsistence allowances should continue to be indexed to the same rates that are applicable to Officers.

D. The DCA:

- Childcare: maximum rates to be indexed to the National Living Wage
- Social/Medical care: maximum rates to be indexed to the annual percentage salary increase for local government staff (at *spinal column 43*) as agreed each year by the National Joint Council (NJC) for Local Government Services.

Implementation

Recommendation 19 - that the new scheme of allowances based on the recommendations contained in this report is adopted from date of the Council meeting on 30th May 2024.

Review of Members' Allowances for Ashfield District Council

A Report

By the

Independent Remuneration Panel

April 2024

The Regulatory Context

1. This report is a synopsis of the deliberations and recommendations made by the statutory Independent Remuneration Panel (the Panel or IRP) appointed to provide advice on the Members' Allowances scheme for the Ashfield District Council.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations). These regulations, arising out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an independent remuneration panel (IRP) to review and provide advice to their respective councils on Members' allowances.
3. English councils retain the power to determine their allowances. However, they are required to convene their respective IRPs and seek its advice before they make any changes or amendments to their Members' Allowances scheme. Councils must 'pay regard' to their Panel's recommendations before setting a new or amended Members' Allowances scheme.
4. In particular, the IRP has been reconvened under the 2003 Regulations [10. (5)], 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 (known as the four year rule) means that all Councils are required to reconvene their IRP at least once every four years thus 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 the Ashfield District Council.

Terms of Reference

6. As agreed by Council on 24th July 2023 the IRP is to make recommendations to the Council, following a review of Leader, Elected and Co-opted Member remuneration as to the appropriate level of remuneration. In its deliberations the Panel is required to make recommendations regarding:
 - a. The Basic Allowance payable to all Councillors and if applicable any expenses it should include
 - b. The scope and levels of Special Responsibility Allowances
 - c. The Scope and level of Co-optees' Allowances
 - d. Travel and Subsistence Allowances, including applicable rates and terms and conditions by which they may be claimed
 - e. Dependants' Carers' Allowance, including applicable rates and terms and conditions by which they may be claimed
 - f. Equipment allowances if applicable
 - g. Applicable indices for allowances and how long they are to run for
 - h. Council Chairman's SRA, if applicable and Civic Allowance
 - i. The effectiveness of the Performance SRA and how it may be improved
 - j. Any other issues that are brought to the IRP's attention

7. In reaching its recommendations, the IRP is required to seek, where appropriate, submissions and evidence from:
 - i. All Elected Members of the Council in written form via an aide memoire.
 - ii. A cross section of Members via personal interview, such as Executive Member(s), non-executive Members, Committee Chair(s) and Vice(s), Group Leaders etc.
 - iii. The Council's Chief Executive.
 - iv. Other relevant Officers
 - v. Other Local Authorities and public bodies within the region or nationally which the IRP believes to be comparative.

8. The recommendations are to take account of the Constitution of the Council and the Elected Members' Code of Conduct.

9. The recommendations are to take account of the current financial constraints facing the Council.

10. The recommendations of the Panel are to be formulated into a report to the Chief Executive for reporting to Council for consideration by May 2024.

The IRP

11. Ashfield District Council reconvened its Independent Remuneration Panel and the following IRP Members were appointed to carry out its independent review;

namely:

- Andrew Frogson: A local business owner (textiles and fashion) and local resident
 - Dr Declan Hall: Independent consultant specialising in Members' allowances and support, former academic at the Institute of Local Government, The University of Birmingham
 - Paula Watkinson: Director of local business (Ashfield Effluent Services) and a local resident
12. The IRP was supported by Shane Wright, Governance Manager at Ashfield District Council, who also took the organisational lead in facilitating the work of the Panel.

Process and Methodology

13. The IRP met at the Council Offices Kirby-in-Ashfield on 27th-28th February 2024. The IRP meetings were in closed session to enable the IRP to meet with Members, receive factual briefings from Officers, and conduct its deliberations in confidence.
15. A representative range of Members were invited to meet with the IRP and all other Members were given the opportunity to meet with the IRP if they so wished. In addition, all Members were sent a questionnaire that addressed the IRP's terms of reference, thus ensuring all Members had the opportunity to have an input into the review. The short questionnaire was also used as an aide memoire for the Member interviews thus ensuring all Members were asked the same set of questions. The IRP interviewed 12 Members and received 16 written submissions.
16. In compliance with the terms of reference the IRP met with a number of Officers for factual briefings on political structures and constitutional changes since the last review and to obtain an overview on the challenges facing the Council. The IRP also took cognizance of the range and levels of allowances paid in comparable local authorities, namely all other District Councils in Nottinghamshire and the two geographically adjacent District Councils.
17. The full range of written information received and considered by the IRP is listed in the appendices as follows:
- **Appendix 1:** List of information and evidence that was included in the Information Pack for IRP Members
 - **Appendix 2:** Members who met with the IRP
 - **Appendix 3:** Officers who provided a factual briefing to the IRP

- **Appendix 4:** Summary of benchmarking against other District Councils in Nottinghamshire and 2 geographically adjacent District Councils

Key Messages and Observations: The Ashfield Remuneration Model

18. Comparatively, the Basic Allowance and SRAs payable in Ashfield are on the high side as indicated by benchmarking against the other district councils in Nottinghamshire and the two geographically adjacent district councils of Amber Valley and Bolsover. This context in itself has not been a driver for the IRP but it does show that there is not a strong case to increase allowances.

The Nature of Ashfield Council and Councillors

19. Ashfield is one of the larger and more multifarious district councils in the benchmarking group, with a number of towns, mixed economy and diverse population. What is striking at this review is the changing nature of the Council body is the number of new elected Members being elected in May 2023. What also came through in the representations made to the IRP was that they are a more diverse group than in the past and represent an active Council that puts emphasis on community focus and engaging with the residents.
20. It is an active body of elected Members, with a Member driven Council. This can be seen by the recent awards of major funding for the Council such as
- Towns Deal 2021 = £62.2 million
 - Future High Streets Fund 2021 = £6.27 million
 - UK Shared Prosperity Fund 2022 = £3.1 million
 - Levelling Up Fund 2022 = £3.1 million

Please note: These figures and funding sources were indicative at the time of the IRP review. The Council has since secured further funding from multiple streams.

21. As such, the elected Members can be seen to deliver and as such it could be argued that the current level of allowances now reflect the active model of Councillors that brings in outside monies.

Role of elected Member – not a job

22. In the written and oral feedback to the IRP from Members what was striking was the expressed level of commitment required to undertake the backbench roles. The IRP has partially recognised this view (and it is clear that Ashfield District Council Members are active) in the recalibrated Basic Allowance (see below) it has not accepted the expressed figures given to the IRP on the time required to be a backbench Member which came down heavily in the 20-35 plus hours per week range.

23. Apart from the leading Members, being a Councillor is not a full time job and the level of allowances should reflect that fact. Allowances are not designed to attract candidates to stand for and remain on Council. They are to enable most people to be an elected Member without suffering undue personal financial penalties whether that cost is through lost earnings, additional expenses arising out of being an elected Member or opportunity costs. They are to reduce financial barriers to being a Member.
24. As such, the comparatively high level of allowances can be seen as having fulfilled the function of a Members' Allowances Scheme, namely, to reduce financial barriers to being a Member and provide sufficient support to Members (current and prospective) so they are able to carry out their roles and responsibilities.

The lack of Pension provision for Members

25. One issue raised with the IRP was the fact that English Councillors are no longer permitted (since 1st April 2014) to join the Local Government Pension Scheme (LGPS). This is a different issue to the IRP not viewing the role of the backbench Member as a job. For senior Members in particular (although it could also apply to all Members) who may have to commit a substantial part of the working week to their Council duties there is often the need to take unpaid time off their employment (where applicable). While their Basic Allowance and SRA is designed to partially compensate for when a Member is required to take unpaid leave from their employment it does not recognise that there is a corresponding cost that results from a lower work based pension benefit in the future. This context it was felt was inequitable, particularly as Councillors in Northern Ireland, Scotland and Wales all get access to the LGPS.
26. While the IRP has some sympathy with the view expressed regarding Members not being able to join the LGPS it is unable to address the situation. One suggestion was to pay a further remuneration to recognise that Members cannot join the LGPS and have no other employment benefits. It is noted that Councillors are not legally classed as employees although their Allowances are subject to tax and national insurance (where applicable), thus they do not have normal employment benefits. Moreover, to increase allowances to recognise that Members cannot join the LGPS raises two problems
 - It would provide additional remuneration to those Members already retired and thus be simply an additional payment
 - The IRP could be accused of trying to circumvent the legislation
27. As such, there is nothing the IRP regarding the fact that Members are unable to join the LGPS. It has to accept the fact as it is in the legislation.

Recognising the current economic climate

28. The IRP cannot but be aware of the current era of public sector austerity, where Ashfield District Council is required to continue make savings going forward,

especially with uncertainty regarding the Local Government Settlement that persists. This context of financial constraint also came out in the representations received with the logical follow on that the IRP should be cognisant of that fact in its recommendations. Indeed, the terms of reference for the IRP require it to “take account of the current financial constraints facing the Council.”

29. At the same time, the IRP has not been driven by the need to find savings, that role is properly reserved to the Council. The IRP should not act as a finance sub-committee by proxy. If that were to be the case it would become a ‘race to the bottom’. Nonetheless, the Panel has to be cognisant of economic realities.
30. The simple approach would be to reduce all allowances across the board by a certain percentage but that would risk undermining the enabling function of allowances. To underline this point the IRP has actually recommended increasing the Co-optees’ Allowance. While it will not in all likelihood add to a significant spend on Members’ Allowances it highlights the point that the IRP has not been focused by cost factors alone.

Feedback from Members

31. The IRP further notes that the overwhelming view in the written and oral submissions from Members supported no major changes to the allowances scheme, with some minor dissenting views. The IRP has taken this message on board

Allowances scheme broadly fit for purpose

32. As a result of these observations the IRP concluded that the allowances scheme has stood the test of time and is not in need of a major revision. The purpose of this review is largely to address any anomalies arising.
33. It is through this approach that the Panel’s recommendations have sought to demonstrate that Members' Allowances represent value for money for both the Council and the residents of Ashfield while providing a demonstration that Members 'are doing their bit' while also ensuring Members have the support to do their job and are not out of pocket as a consequence.

The evidence considered: Arriving at recommendations

Recalibrating the Basic Allowance based on 2006 Statutory Guidance

34. As the current Basic Allowance (£7,884) is comparatively high when considering the benchmarking the IRP recalibrated the Basic Allowance by revisiting and updating the variables used to arrive at the original Basic Allowance, which have not been revisited since 2003 (where the IRP took cognisance of the 2001 Statutory Guidance). In effect the IRP is asking what the Basic Allowance should be if it was starting with a clean sheet. It has done

this to provide a further checking mechanism to discover whether the current Basic Allowance is indeed appropriate.

35. The 2006 Statutory Guidance (paragraph 67 advises IRPs that when setting the Basic Allowance it should do the following

Having established what local councillors do, and the hours which are devoted to these tasks the local authorities (i.e., IRPs) will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.

36. This guidance is broken down into three separate variables

- I. **Time** – what is the hours that Members need to put in to fulfil their (backbench) duties
- II. **The Public Service Discount** – as the above paragraph points out not all the hours put in should be remunerated. As paragraph 68 of the 2006 Statutory Guidance states: “It is important that some element of the work of members continues to be voluntary – that some hours are not remunerated.” Thus, the voluntary principle has to be built into the Basic Allowance. This is not a point understood by some Members who commented that when they add up the time they put into their backbench Council duties it works out to be less than minimum wage. In fact, a proportion of that workload is specifically not remunerated in recognition of the voluntary principle, often known as the Public Service Discount.
- III. **Rate of Remuneration** once the IRP has arrived at the hours required to do the backbench role and the amount of hours discounted for the voluntary element then it leaves a remunerated set of hours and the task for the IRP then is to arrive at an appropriate rate of remuneration

Time – 130 days per year

37. The Basic Allowance is primarily a time based remuneration to compensate for a proportion of a Members workload, as well as "cover incidental costs"¹. Historically the Basic Allowance is based on a time estimation of 15 hours per week to undertake the backbench role. The IRP had the latest data from the 2022 LGA Census of Councillors that shows that Members of District Councils with no positions of responsibility report that on average put in 15.2 hours per week on “council business”.
38. However, as noted previously, the IRP observed that the Council body is an active one. Indeed, the majority of replies to the time required to be an effective backbench Member was in the 20-30 hours per week range. The IRP has taken on this feedback and has assessed the time required to be an effective backbench Member at 20 hour per week, or 130 days per year on an 8-hour day. It has opted for the lower end of the expressed time commitment for to go higher would signal that being a backbench Member is so significant so as to preclude full time employment and is approaching the equivalent of being a job. In addition, there may have been an element in the reported time required that

¹ 2006 Statutory Guidance paragraph 10

reflects the time that particular Members have to supply rather than what is necessarily required.

The Public Service Discount – 50 per cent (65 days)

39. Originally the voluntary principle was recognised by discounting one third of the expected time. It is often conceptualised as that amount of time that Members work for their local constituents and dealing with ward issues and local community groups. In the feedback to the IRP, it was observed that this element of Members work was very significant. It is partly inherent in the nature of the Council membership. The vast majority of Members are independents which mean that without the benefit of a national party machine behind them they have to be active in engaging with their constituents and local communities to be elected and re-elected.
40. As such, the IRP has applied a Public Service Discount of 50 per cent to the expected time commitment associated with the Basic Allowance, which equates to 65 days. In turn, this reflects the high level of engagement that Members have with their local constituents and communities. Thus, out of an expected time commitment of 20 hours per week (130 days per year) half of that time (65 days) should be given voluntary and not remunerated, leaving 65 remunerated days per year.

The rate of remuneration - £121.16 per day

41. Historically, the rate of remuneration utilised by the IRP was based on a local average wage, which at the time would have related to Nottinghamshire average salaries as at the time the Office of National Statistics (ONS) did not publish average earnings below county level. However, this situation has now changed and ONS via its annual publication of Annual Survey of Hours and Earnings (ASHE) produces average earnings on a local authority basis. Most IRPs now utilise a rate of remuneration based on the average earnings residents of their respective authority. It is a defensible and robust approach as relates the Basic Allowance to the average earnings of those that Members represent. Utilising such a rate of remuneration in no way can be seen as excessive.
42. In 2023 ASHE (Table 8.1a) shows that the median gross weekly earnings of all full time employees resident in Ashfield District was £605.80, which the IRP has divided by five working days to give a daily rate of £121.16.²

The Formula to arrive at the recalibrated Basis Allowance

43. Thus the IRP has recalibrated the Basic Allowance by applying the updated values to the three variables that need to be considered when arriving at a recommended Basic Allowance as follows:

² Traditionally IRPs use a daily rate of remuneration as the LGA used to provide advice to IRPs on such a rate expressed as a 'daily session rate.' Since then IRPs have followed that practice.

- Time required 130 days per year minus 65 days public service discount
= 65 remunerated days multiplied by £121.16 per day
 - = £7,875
44. The difference between the recalibrated Basic Allowance (£7,875) and the current Basic Allowance (£7,884) is so marginal as not to make any difference. Moreover, it also shows that the current Basic Allowance is appropriate and not in need of revision.
45. **Recommendation 1 - As such, the IRP recommends that the Basic Allowance is maintained at £7,884, subject to any indexation that may be applicable.**

Information Technology and Telecommunications (ITT) and in-authority Travel and Subsistence expenses

46. Currently the Basic Allowance is deemed to cover all in-authority travel and subsistence expenses incurred by Members in carrying out their Council related duties. It is also deemed to cover costs incurred through the use of their personal ITT equipment and home systems by being a Councillor. Such costs include additional mobile/landline telephone calls and data usage that comes with being a Councillor; use of home broadband to access relevant information, including Council papers, and use of their own printer and printer consumables to print out relevant papers. The terms of reference for the IRP include consideration of 'equipment' allowances to help cover such costs.
47. The issue of having to pay for council related telephone and mobile phone costs and such items as laptops, printer paper and ink was raised with the IRP as an additional cost the IRP should take into account. However, the reality is that in most cases Members already have their own ITT equipment and related services, thus in the main the additional cost of broadband, telephone and mobile phone calls, etc., is marginal. Times have moved on and for home land line telephone calls, mobile phone calls and broadband there are any number of inclusive packages available that means the cost for Members in their additional usage on Council related business is negligible. The cost to Members arising out of Council related calls and internet connections on private landlines, mobiles and broadband is marginal as they are items and services that are now commonplace. It is difficult to justify the subsidisation for items and services that the vast majority of people have in the first place. It was further raised that if Members received an ITT allowance they could use it to purchase items to suit their own particular needs. However, the IRP has rejected this approach as it could lead to purchases that would be hard to justify to the public. Moreover, the comparatively generous Basic Allowance is such to allow Members to make any additional ITT purchases and meet the marginal extra costs that Members may incur. Also it is noted that Members are now provided with a tablet to access Council papers, reports, etc.
48. In addition, it was raised with the IRP that Members should be able to claim in-authority travel allowances. It is noted that the Basic Allowance was uplifted by a compensatory £350 a number of years ago when the IRP recommended the

discontinuation of in-authority travel and subsistence allowances. Moreover, to restore in-authority travel allowances would impose an administrative burden on Officers who would have to check and process such claims. Finally, while by no means universal, most district councils these days deem the Basic Allowance to cover all in-authority travel (and subsistence) costs.

49. **Recommendation 2** - The IRP recommends the Basic Allowance continues to cover the cost of 'incidental' expenses Members may incur while carrying out their duties, such as telephone calls from their home landlines, calls on personal mobile phones, using broadband from home and printer and IT consumables, etc.
50. **Recommendation 3** - The IRP further recommends that Basic Allowance continues to be deemed to cover in-authority travel and subsistence costs that Members may incur in carrying out their Council duties.

The Leader's SRA – No change

51. The Leader's SRA (currently £23,301) was originally set by reference to the remuneration of the Chairman of the Nottinghamshire Police Authority, which no longer exists. A second point of reference was the remuneration of Chairs of Primary Care Trusts (PCTs). PCTs have also been superseded, by Chairs of much larger NHS Trusts. It is noted that from 1 April 2022 the remuneration of a Chair of a small NHS Trust in England is a minimum of £43,000 for an expressed time commitment of at least three days per week.
52. The IRP has always been clear that being Leader of Ashfield District Council does not require a full time commitment, but it does preclude full time employment in the normal sense. Even then, the Leader, while not required attending the Council Offices every day all day, does so at least three days per week. Even when not at the Council Offices the Leader has to be available to talk on the phone with or email Officers and other Members.
53. The other aspect of the Leader's role has been the adoption of the strong Leader model by the Council. The prime impact of this change is that the Leader is now "personally responsible for the discharge of all Executive Functions."³ In particular the Leader now appoints the Deputy Leader(s) and Executive Lead Members, (previously a Council function) and determines their scheme of delegations. In effect Leaders now have the same level of responsibility as elected Mayors - it is their method of appointment and tenure that differs.
54. A particular development since the last review has been the advent of the East Midlands Combined Authority that will come into being in April 2024. This has involved the Leader in a lot more work and meetings at the sub-regional level which was not present at the time of the last review. This is not an argument to increase the Leader's SRA but rather to highlight that the role remains a very active one. Nonetheless, no representation or evidence was received to revise the Leader's SRA.

³ Ashfield District Council Constitution Part 3 - Responsibility for Functions 1.6 2

55. **Recommendation 4** - The IRP recommends that the Leader's SRA remains at £23,301, subject to any applicable indexation.

Arriving at other SRAs – Maintaining the Pro Rata Approach

56. In recommending the other SRAs the IRP has always followed the approach laid out in the 2006 Statutory Guidance (paragraph 78) which states:

A good starting point in determining special responsibility allowances may be to agree the allowance which should be attached to the most time consuming post on the Council (this maybe the elected mayor or the leader) and pro rata downwards for the other roles which it has agreed ought to receive an extra allowance.

57. This is known as the 'pro rata' approach. In effect the Leader's role is assessed at 100%. By definition the Leader has the greatest time commitment and responsibility and all other SRAs have been assessed as a ratio of the Leader's role. The IRP has chosen to maintain this approach and adjust the ratio for SRAs where there is a demonstrable case to do so.

Maintaining the current ratios for SRAs

58. **Recommendation 5** - The IRP received no evidence or representation to adjust the ratios utilised in arriving at the following SRAs for the posts set out in table one below. Therefore, **the IRP recommends no change to the following SRAs:**

Table One: SRAs where Panel is recommending no change

Role	Number	Recommended SRA	Methodology
Chairmen of:			
Principal Select Committee	1	£9,321	40% X Leader's SRA
Inward and Outward Select Committees	2	£6,990	30% X Leader's SRA
Planning Committee	1	£9,321	40% X Leader's SRA
Audit Committee	1	£4,660	20% X Leader's SRA
Vice Chairmen of:			
Principal Select Committee	1	£3,495	15% X Leader's SRA
Inward and Outward Select Committees	2	£1,981	8.5% X Leader's SRA
Planning Committee	1	£3,495	15% X Leader's SRA
Local Plan Development Committee	1	£1,981	9% X Leader's SRA

Opposition SRAs:			
Leader of the Main Opposition Group (where Group has 7 or more Members)	0	£9,321	40% X Leader's SRA
Deputy Leader of the Main Opposition Group (where Group has 7 or more Members)	0	£1,398	15% X Group Leader's SRA (at top tier)
Leaders of Other Opposition Group[s] (where Group has at least 4 Members)	0	£365 per Member	NA

SRAs where the IRP considered but did not recommend revision – The Deputy Leaders (2)

59. In 2016 the IRP set the recommended SRA for the Deputy Leader at 75% of the Leader's SRA and is currently £17,476. In April 2018 the Leader decided to appoint two Deputy Leaders - one with an internal focus and one with an external focus although for legal purposes one Deputy Leader has to be the named deputy for the Leader in the latter's absence. Each Deputy Leader receives the full Deputy Leader's SRA of £17,476.
60. One issue raised with the IRP was the necessity to have two Deputy Leaders each receiving the same SRA at the current level. While it not unknown for two Deputy Leaders to be appointed (it is more common in joint authorities) it is not a widespread practice. Likewise, it is noted that in the benchmarking group no other Council remunerates two Deputy Leaders.
61. However, the additional remuneration for a single Deputy Leader above that of the Executive Lead Members typically is to recognise the legal position of the role, deputizing for the Leader when required and generally supporting the Leader through attending relevant meetings together and acting as a sounding board, etc. Indeed, each of the Deputy Leaders often deputise in the absence of the Leader at external meetings and events and at times internally if the Leader is not available due to other Council business. In the Councils constitution, the Leader can "nominate Deputy Leader(s) to act in his/her absence.
62. Moreover, in the Ashfield context the appointment of two Deputy Leaders reflects the Council's main concerns and strategic priorities at the time. Accordingly, their remits change over time depending on the strategic priorities.
63. In the context of having two Deputy Leaders, one may conclude that there should be some synergies; where there are two Deputy Leaders these roles are by definition shared. Yet, the SRA for the two Deputy Leaders at 75% of the Leader's SRA is not for a traditional deputising role alone.
64. The two Deputy Leaders are not simply sharing the deputising function they also have executive responsibility for two of the larger and currently high priority policy areas. Currently, these are

- Strategic Housing and Climate Change
 - Parks and Environmental Services
65. As such, after careful consideration the IRP has decided that the SRA for the two Deputy Leaders is maintained at 75 per cent of the Leader's SRA (£23,301), which equates to £17,476.
66. **Recommendation 6 - The IRP recommends that the SRA for the two Deputy Leaders is maintained at 75 per cent of the Leader's SRA (£23,301) and paid at £17,476, subject to any applicable indexation.**

The Executive Lead Members (7)

67. An issue raised with the IRP was the need to have 7 Executive Lead Members. In effect, the view expressed was that there were too many and a fixed pot should be set for the SRAs for the Executive Lead Members (based on having 5-6 such Members) and if there should be 7 Executive Lead Members their SRA would be decreased, as the total pot set at say 5-6 Lead Members would be divided by more Lead Members. Currently their SRA is £13,981 set at 60 per cent of the Leader's SRA.
68. The IRP takes the view that it is not its role to comment on the numbers of Executive Lead Members – the legislation places a maximum cap 10 on the number of Executive Members (including Leader and Deputy Leaders) and that cap has not been exceeded. It was also pointed out that other Councils get by with less than 7 Executive Lead Members. This may be the case but the IRP notes that Ashfield is a large and multifaceted Council and the Executive Lead Members in Ashfield do have a record of delivery as noted previously.
69. Finally, the IRP further notes that if the IRP was to set a total pot to pay Executive Lead Members SRAs (based on for example 6 Executive Lead Members) that if there was a cynical Leader in place, they could decrease the number of Executive Lead Members to increase their SRA. There is a rate for the role and as such the IRP has decided not to set a fixed pot for the Executive Lead Members SRAs that would not be exceeded regardless of the number of Executive Lead Members appointed. It is simply cleaner to take the approach that there is a rate for the role.
70. **Recommendation 7 - The IRP recommends that the SRA for the 7 Executive Lead Members is maintained at 60 per cent of the Leader's SRA (£23,301) and paid at £13,981, subject to any applicable indexation.**

The Chairman of the Licensing Committee

71. Currently the Chairman of the Licensing Committee is paid an SRA of £4,660, set at 20 per cent of the Leader's SRA. It was raised with the IRP that the

Licensing Committee only meets twice a year and as such the current SRA was excessive. Indeed, the full Licensing Committee does typically meet no more than twice a year.

72. However, that does not recognise the full extent of the role. The Licensing Committee will appoint Licensing Sub-Committees of three Members drawn from the parent Committee. The function of the Licensing Sub-Committees is to hold hearings where a licensing application has had objection, normally where a licensed premise has applied to extend their hours of operation and there have been objections. The decisions of the Licensing Sub-Committees are quasi-judicial in nature. More importantly the Licensing Chairman will as default chair any meetings of a Licensing Sub-Committee – which does not occur in every local authority. On average since 2020 the Licensing Sub-Committees will meet about twice a year although potentially, they could meet more often and that has happened prior to 2020.
73. As such the IRP concluded there is no case to revise the SRA for the Chairman of the Licensing Committee.
74. **Recommendation 8 - The IRP recommends that the SRA for the Chairman of the Licensing Committee is maintained at 20 per cent of the Leader's SRA (£23,301) and paid at £4,660, subject to any applicable indexation.**

The Chairman of the Local Plan Development Plan (LPD) Committee

75. Currently, the Chairman of the Local Plan Development (LPD) Committee is paid an SRA of £6,990, set at 30 per cent of the Leader's SRA. This SRA was brought in in 2022 after consultation with the IRP. Previously the Council had a Covid Committee whose Chairman was paid the equivalent SRA and when Covid subsided this Committee was discontinued. At this juncture the Council established a Local Plan Development Committee whose Chairman was paid the previous SRA paid to the Chairman of the Covid Committee. At the time the IRP said it would look at this SRA in more depth when it next formally convened, i.e., for this review.
76. The Council is required to develop and adopt a Local Plan that guides decisions on future development proposals and addresses the needs and opportunities of the area. Topics that Local Plans usually cover include housing, employment and shops and they also identify where development should take place and areas where development should be restricted. They have to be reviewed and updated at least every five years.
77. It is noted that in the benchmarking group Ashfield is the only Council to separately remunerate a Chairman of a LPD Committee – normally as it is often the responsibility of the relevant Executive Lead Member. However, as there is a great deal of development taking place in Ashfield the Council has decided a full committee was required. It is noted that the workload is cyclical. When the Local Plan needs reviewing and adopting it will meet frequently, up to 6-8 times per year for a couple of years then the workload will tail off to 3-4 meetings per year while the Local Plan is out to the Secretary of State for approval and then

the cycle will start over. As such, the IRP is content with the current SRA paid to the Chairman of the LPD Committee.

78. **Recommendation 9 - The IRP recommends that the SRA for the Chairman of the Local Plan Development Committee is maintained at 30 per cent of the Leader's SRA (£23,301) and paid at £6,990, subject to any applicable indexation.**

The Vice Chairman of the Local Plan Development Plan (LPD) Committee

79. Currently, the Vice Chairman of the Local Plan Development Committee is paid an SRA of £1,981, set at 8.5 per cent of the Leader's SRA (£23,301). As the IRP is content with the current SRA for the Chairman of the LPD Committee by extension is it also content with the current SRA for the Vice Chairman of the LPD Committee.
80. **Recommendation 10 - The IRP recommends that the SRA for the Vice Chairman of the Local Plan Development Committee is maintained at 8.5 per cent of the Leader's SRA (£23,301) and paid at £1,981, subject to any applicable indexation.**

The Chairman of the Standards and Personnel Appeals Committee

81. The IRP did receive some representation that the Chairman of the Standards and Personnel Appeal Committee merited an increase in their SRA. In particular, be set on a par with the SRA £6,990 paid to the Chairmen of the Inward and Outward Select Committees. Currently, the Chair receives an SRA of £4,660, which has been set at 20 per cent of the Leader's SRA.
82. The principal argument behind this representation was that the Standards and Personnel Appeals Committee meets as often as the Inward and Outward Select Committees and the Chairman can also chair further Standards hearings and personnel (mainly staff grievances) hearings. However, the IRP notes that the Inward and Outward Select Committees have four scheduled meetings per year that are supplemented by a couple of informal meetings each year.
83. The Standards and Personnel Appeals Committee typically has three scheduled meetings each year. Since the last review in 2019 there have been no Standards hearings to consider complaints against Members. This is a function of the Localism Act 2011 which changed the standards regime so that the expectation is that complaints against Members are resolved informally by the Monitoring Officer in conjunction with the statutory post of Independent Person. Another outcome of the Localism Act 2011 is that Standards Committees (unlike Scrutiny Committees – or Select Committees as they are styled in Ashfield) are no longer statutory committees.
84. Furthermore, there have only been two disciplinary hearings (where the Chairman would chair) since the beginning of 2020, although it is noted that a couple of more have been scheduled but subsequently cancelled as the issue

was resolved before the hearing occurred. It is also noted that even where a disciplinary hearing is cancelled the Chairman has a lot of preparatory work to undertake regardless.

85. Benchmarking shows that only five out of the 9 Councils in the benchmarking group pay an SRA to their Chair of Standards Committee – either the role is not deemed significant enough or they no longer have a Standards Committee. Benchmarking also shows that the SRA for the Chairman of the Standards and Personnel Appeal Committee is comparatively high, with a mean SRA of £2,123 and median SRA of £1,599. Indeed, the SRA for the Chairman of the Standards and Personnel Appeal Committee in Ashfield is noticeably higher than any other of the councils in the benchmarking group. In fact, the IRP considered whether there was still a case to maintain this SRA.
86. Yet, on the other hand, it is noted that Ashfield has added the personnel appeals function to the Standards Committee which is not always the case in other councils in the benchmarking group. Also, while there have been a very limited number of disciplinary hearings and no hearings to consider complaints against Members in the recent past potentially that may not be the case going forward. Their SRA is partly paid for the potential to have a larger workload and responsibility than is currently the case.
87. Consequently, the IRP concluded that on balance the current SRA paid to the Chairman of the Standards and Personnel Appeal Committee is appropriate and does not require revision.
88. **Recommendation 11 - The IRP recommends that the SRA for the Chairman of the Standards and Personnel Appeals Committee is maintained at 20 per cent of the Leader's SRA (£23,301) and paid at £4,660, subject to any applicable indexation.**

Leader of the Main Opposition Group – 2nd Tier

89. There are two tiers for paying an SRA to the Leader of the Main Opposition Group which are currently has follows:
 - Where Group has 7 or more Members: £9,321 (40% of Leader's SRA)
 - Where Group has less than 7 Members: £5,825 (25% of Leader's SRA)
90. Currently, as the Main (and only) Opposition Group has two Members the Group Leader receives the lower tier SRA of £5,825.
91. There was some representation that questioned the level of SRA when leading an Opposition of only two Members; it was felt to be excessive. Indeed, on the face of it this SRA does appear to be somewhat high for leading an Opposition of just two Members. Yet it is noted that the 1989 Local Government Act requires that where SRAs are paid and political groups are registered with the Council then at least one SRA must be paid to an Opposition Member. The logic behind this requirement is that for a functioning local democracy to be

effective then it is important that there is an effective Opposition that is resourced.⁴

92. It is further noted that in the 2019 review the IRP reduced the SRA for the Leader of the Main Opposition Group (when the Opposition Group consisted of three Members where it was previously 40 per cent of the Leader's SRA regardless of group size by introducing a lower second tier SRA set at 25% of Leader's SRA where the Main Opposition Group had less than 7 Members. Moreover, the 1989 Local Government Act specifies that it only takes two Members to register as a political group on the Council. The current Main Opposition Group meets that requirement and is currently the only Opposition Group on the Council.
93. As such, the IRP concluded that there was no case to further reduce the SRA to the Leader of the Main Opposition and it should be maintained at the current level.
94. **Recommendation 12 - The IRP recommends that the SRA for the Leader of the Main Opposition Group, where the Group has less than 7 Members is maintained at 25 per cent of the Leader's SRA (£23,301) and paid at £5,825, subject to any applicable indexation.**

The Co-optees' Allowance

95. The allowances scheme contains provision for a Co-optees' Allowance (£365) for two Co-optees that the Council Constitution specifies that should be appointed to the Standards & Personnel Appeals Committee. Co-optees are non-voting and non-elected Members appointed to provide an independent perspective when dealing with complaints against elected Members. At the present time there are no standing Co-optees appointed to the Standards and Personnel Appeals Committee primarily as the Council is finding it difficult to recruit suitable Co-optees. While no specific evidence was received to indicate this situation was a result of a low level of Co-optees' Allowance the IRP concluded that an increase in this allowance might help with the recruitment issues for Co-opted Members to the Standards & Personnel Appeals Committee.
96. The IRP has simply decided to uplift the Co-optees' Allowance for co-opted Members to the Standards & Personnel Appeals Committee by 50 per cent to £540 per year. The IRP recognises that this increased level of Co-optees' Allowance for co-opted Members to the Standards & Personnel Appeals Committee may not be sufficient to attract potential Co-optees. On the other hand, there should also be an element of public service involved and the number of meetings they would be required to attend would be no more than three per year.

⁴ The internal rule that Leaders of other Opposition Group(s) only receive an SRA if that Group[s] has four or more Members does not apply to the Leader of the Main Opposition Group where it is the only Opposition Group with less than four Members due the legislative requirement to pay at least one SRA to an Opposition Member.

97. While the Council does not appoint Co-opted Members to its Audit Committee it is common practice to do so across English Local Government. The IRP was informed that it may well be a requirement in the future to appoint Co-optees to Audit Committees. Moreover, if these Co-optees were appointed they would be required to have financial knowledge and experience so the barrier to their appointment would be higher. They would also be attending four meetings per year. Consequently, to future proof the allowances scheme the IRP has decided that if it is requirement to appoint Co-optees to the Audit Committee with specialist financial knowledge and expertise then their Co-optees' Allowance should be higher. The IRP has simply set this potential Co-optees' Allowance at double the SRA recommended for the Co-optees appointed to the Standards & Personnel Appeals Committee, and set it at £1,080.
98. **Recommendation 13 – The IRP recommends that provision for a Co-optees' Allowance is maintained and reset as follows:**
- **Co-optees appointed to the Standards & Personnel Appeals Committee to be reset at £540, subject to any applicable indexation**
 - **If there are Co-optees appointed to the Audit Committee paid at £1,080, subject to any applicable indexation.**

Travel and Subsistence Allowances - Outwith the Authority

99. Members can claim travel and subsistence allowances for attending approved duties outwith the Authority. This within and outwith distinction is now fairly common in many districts. Administratively it is more efficient to raise the Basic Allowance and discontinue the process of submitting claims for travel and subsistence for attending duties within the Authority. It is a different issue when a Member has to travel outwith the Authority to represent the Council at sub-regional, regional or national meetings or conferences. Members are incurring expenses that are neither incidental nor typically required through their daily routine.
100. The subsistence rates claimable are those that apply to Officers. The mileage rates are based on HMRC AMAP rates (thus are non-taxable) and other travel rates (e.g., trains, planes and taxis) are expected to be "reasonable" and should not exceed the standard allowances claimable by Officers.
101. The only issue raised with regards to these allowances were the claimable mileage rates. There was a view that the applicable mileage rates – with the main rate being 45p per mile for travel via motor vehicles – no longer reflect the true cost of fuel. Indeed, this may be the case. However, HMRC rates are the standard applicable rates in the public sector and utilised by the vast majority of Councils. Moreover, HMRC mileage rates are tax efficient, if the applicable mileage rates go 1p over the specified rates then the whole sum is subject to tax and where applicable national insurance. If the IRP was to attempt to adjust mileage rates to negate tax and national insurance implications it would in effect lead to different members receiving different mileage rates depending on their own particular financial circumstances. For instance if the IRP was to set the standard mileage rate at say 70p per mile to offset tax implication it would lead

to some Members who are in the 40 per cent tax bracket worse off and those who do not pay national insurance better off. It is simply cleaner to stay with HMRC mileage rates. The IRP is not recommending any change to the current applicable mileage rates that Members can claim when travelling outwith the Authority.

102. Otherwise, the IRP received no evidence to change the current rates and conditions by which the Travel and Subsistence Allowances may be claimed for travel outwith the Authority. There is however a case to add a minor amendment to include appropriate mileage rates where a Member is using an electric or hybrid vehicle, an issue that is likely to become more relevant as electric/hybrid vehicles are more commonplace.
103. The Panel notes the advice of the Office for Low Emission Vehicles, in "Tax Benefits for Low Emission Vehicles (14 May 2018) which states (paragraph 12.1) that "electric and hybrid cars are treated in the same way as petrol and diesel cars for the purposes of AMAPs." AMAPs (Authorised Mileage Allowance Payments) are the rates applicable to Members when claiming mileage allowances.
104. **Recommendation 14 - The IRP recommends that the allowances scheme is amended to clarify that where a Member is using an electric or hybrid vehicle on an approved duty outwith the Authority that they are able to claim mileage at AMAP rates, which is currently 45p per mile.**
105. **Recommendation 15 - The IRP recommends that the current rates and terms and conditions for claiming Travel and Subsistence Allowances outwith the Authority are maintained.**

The Dependants' Carers' Allowance (DCA)

106. The Dependants' Carers' Allowance (DCA) is given express legal authority in the 2003 Members Allowances Regulations. It enables Members to claim towards the cost of care of any dependants they may have while on statutorily defined approved duties. The DCA is typically provided for in most English local authorities and it is made available to Ashfield Members. The maximum rate claimable is linked to the National Living Wage (NLW), currently £11.44 per hour (from 1st April 2024), regardless of the type of dependant.
107. While the DCA is rarely claimed in general the principle of maintaining provision for a DCA was supported. It is there to enable Members with dependants to be an elected Member. Moreover, no issues were regarding the DCA.
108. However, the IRP picked up on one issue. It noted that most allowances schemes distinguish between child care and other types of dependent care, usually elderly and disable dependents. The maximum rate capped at the NLW may well be suitable for child care it does not reflect the costs of caring for dependants with special, medical or other type of needs. The IRP further notes that the Nottinghamshire County Council Members' Allowances scheme makes a distinction between child and other types of care for dependants, with the

latter capped at £19.80 per hour, which is in line with the average hourly cost of a home help. The IRP has been cognisant of the Nottinghamshire rate in recommending a two tier carer's allowance.

109. **Recommendation 16** - The IRP recommends that the DCA is maintained but that there are two claimable rates depending on the type of care as follows:

- **Childcare element:** maximum hourly rate claimable is maintained at the NLW
- **Other Dependents element** maximum hourly rate claimable capped at £19.80 per hour. This rate may be claimed for dependants who require any type of specialised care including children.

The Civic Allowances

110. The Civic Allowances are paid to the Chair and Vice Chair of the Council and are currently £9,251 and £5,309 respectively. These allowances are paid under s3(5) and s5(4) of the Local Government Act 1972 and are for the purpose of meeting the expenses of holding the civic office of Chair and Vice Chair of a principal council. As such these allowances are not remuneration *per se* but to pay for such expenses like suitable clothing for the Chair and Vice Chair of the Council and cost of tickets to events they are invited to and subsequent donations, etc. Moreover, the Civic Allowances are outwith the formal remit of the IRP as they do not come within the 2003 Members' Allowances Regulations. However, IRPs are often asked to review the Civic Allowances in the absence of any other means of external appraisal. The IRP has been asked to consider the Civic Allowance for this review.

111. No evidence was received that the current Civic Allowances left the civic post holders out of pocket and therefore does not require revision. Therefore:

112. **Recommendation 17** - The IRP recommends that the current Civic Allowances paid to the Chair (£9,251) and Vice Chair (£5,309) is maintained, subject to any applicable indexation.

Indexation of allowances

113. Historically the IRP has consistently recommended that all allowances and expenses are indexed for the maximum of four years as allowed by the 2003 Members' Allowances Regulations. This is the process by which allowances are uplifted annually for four years in accordance with an appropriate index. This ensures that allowances are increased each year or when a particular index is applied to the expenses to reflect increases in the cost of living and thus avoiding sizeable increases every four years.

114. The main index recommended by the IRP has always been what is known as the 'NJC' index. This is the annual increase in Officer Salaries as agreed each year by the National Joint Council, (NJC) for Local Government Staff. It has the advantage of treating Officers and Members equally. It is also the most common index utilised by English local authorities.
115. In the representation received there was overwhelming support to continue with indexation in general and the NJC index in particular. As such the IRP is still of the same mind.
116. **Recommendation 18** – the IRP recommends that the following indices are applied for the legal maximum of four years to the remuneration and allowances paid to Members of Ashfield District Council as follows:
- E. **Basic Allowance, SRAs, Civic Allowances and Co-optees' Allowance:**
- Indexed to the annual percentage salary increase for local government staff (*at spinal column 43*) as agreed each year by the National Joint Council (NJC) for Local Government Services; to be implemented from the start of the municipal year. Also known as the NJC index
- F. **Mileage Allowance (Outwith only):**
- Members' mileage allowances rates to continue to be indexed to HMRC AMAP rates.
- G. **Subsistence Allowances (Outwith only):**
- The subsistence allowances should continue to be indexed to the same rates that are applicable to Officers.
- H. **The DCA:**
- Childcare: maximum rates to be indexed to the National Living Wage
 - Social/Medical care: maximum rates to be indexed to the annual percentage salary increase for local government staff (*at spinal column 43*) as agreed each year by the National Joint Council (NJC) for Local Government Services.

Implementation

117. **Recommendation 19** - The IRP recommends that the new scheme of allowances based on the recommendations contained in this report is adopted from date of the Council meeting on 20th May 2024.

APPENDIX ONE

LIST OF INFORMATION REVIEWED BY THE PANEL

1. Terms of Reference and Role Descriptions
2. Council Minutes relating to appointment of the IRP and terms of reference, 24th July 2023
3. Ashfield District Council Members' Members Allowances Scheme 2023/24
4. Ashfield District Council Statutory Publication of Members' Allowances & Expenses received 2021/22
5. Independent Remuneration Panel, Review of Allowances, April 2020 Report
6. Council Minutes relating to the April 2020 IRP Report, 23rd April 2020
7. Ashfield District Council Committee Structure Diagram including political makeup of Council
8. Schedule of Council and Committee Meetings 2023/24
9. Number of Standards & Personnel Appeals Committee meetings, 2020 to present
10. Number of Local Plan Development Committee meetings, 2020 to present
11. Number of Licensing Committee meetings including Licensing Sub Committee meetings (and who chaired them), 2020 to present
12. Committee Membership and terms of reference
13. Copy of Questionnaire sent to all Councillors for IRP Review 2024, including responses
14. New Council Constitution: Guidance on Regulation for Local Authority Allowances, Department of Communities and Local Government, May 2006
15. Local Government Association, summary of hours worked (Mean Per Week/Type of Council) by Councillors, Census of Councillors 2022
16. NJC for Local Government Services Pay Increase 2023/24 – showing 3.88% uplift at SCP 43
17. Ashfield District Council Constitution Part 3 – Responsibility for Functions
18. Statutory Instrument 2003 No. 1021, *The Local Authorities (Members' Allowances) (England) Regulations* 1st May 2003

19. Benchmarking data - for illustrative purposes only, Allowance Schemes from comparator authorities in Nottinghamshire and selected schemes from adjacent counties (BM1-3)
20. Copy of presentation/IRP briefing by Dr Declan Hall (IPR Chair): Reviewing Allowances: The Ashfield District Council remuneration model, regulatory requirements, issues and approaches
21. Annual Survey of Hours and Earnings (ASHE), average gross weekly earnings of all full time employees resident in Ashfield District (ASHE Table 8.1a – home geography), 2023
22. Ministry of Housing, Communities & Local Government, “Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities” May 2019
23. [Remuneration alignment Chairs & NEDs NHS Trusts Nov 2019](#)

APPENDIX TWO

MEMBERS WHO MET WITH THE PANEL

Cllr K. Barsby*	Chairman of Principal Select Committee (Ashfield Independents)
Cllr J. Bell	Vice Chairman of Planning Committee (Ashfield Independents)
Cllr S. Deakin	Executive Lead for Customer & Digital Experience (Ashfield Independents)
Cllr P. Grafton	Chairman of Local Plan Development Committee (Ashfield Independents)
Cllr J. Gregory	Vice Chairman of Principal Select Committee (Ashfield Independents)
Cllr T. Hollis	Deputy Leader of the Council and Executive Lead for Strategic Housing & Climate Change (Ashfield Independents)
Cllr S. Madigan*	Chairman of Planning Committee (Ashfield Independents)
Cllr W. Nuttall	Chair of the Licensing Committee (Ashfield Independents)
Cllr P. Rostance*	Leader of Main (Conservative) Opposition Group
Cllr J. Smallridge	Vice Chairman of Local Plan Development Committee (Ashfield Independents)
Cllr L. Waters	Chairman of Standards & Personnel Appeals Committee (Ashfield Independents)
Cllr J. Zadrozny	Leader of the Council and Majority (Ashfield Independent) Group, Chair of the Cabinet and Chief Officers' Employment Committee, with Lead for Corporate Strategy & Performance, Strategic Partnerships, Corporate Risk Management & Communications and Website Content & Social Media

In addition, the IRP received written submissions from 16 Members

* These Members were interviewed via TEAMS

APPENDIX THREE

OFFICERS WHO PROVIDED A FACTUAL BRIEFING TO THE IRP

Ruth Dennis	Executive Director of Governance (Monitoring Officer)
Theresa Hodgkinson	Chief Executive
Mike Joy	Assistant Director (Democracy)
Shane Wright	Governance Manager

APPENDIX FOUR: BENCHMARKING

BM1 BA & Executive & Scrutiny SRAs for Ashfield District Council - the 7 Nottinghamshire DCs + 2 Adjacent Derbyshire DCs (2023/24
- unless indicated)

District Council	Basic Allowance	Leaders or Mayors SRA	Leader/Mayor Total (BA +SRA)	Deputy Leader	Cabinet Members	Assistant Cabinet Members	Chair Main O&S	V/Chair Main O&S	Chairs Scrutiny Panels, etc	V/Chairs Scrutiny Panels
Amber Valley (21/22)	£4,210	£12,632	£16,842	£6,316	£4,391	£1,566	£1,882			
Bassetlaw	£4,981	£14,111	£19,092	£9,472	£6,028		£3,131	£646		
Bolsover (21/22)	£9,902	£14,672	£24,574	£9,781	£4,891		£3,260	£1,630		
Broxtowe	£4,117	£20,143	£24,260	£11,936	£5,222		£5,222	£862		
Gedling	£4,655	£15,987	£20,642	£12,789	£7,993	£1,998	£3,997			
Mansfield (22/23)	£6,386	£49,377	£55,763	£16,692	£13,828				£6,921	
Newark & Sherwood	£5,450	£20,510	£25,960	£11,580	£8,820		£8,820	£4,410		
Rushcliffe	£6,315	£17,709	£24,024	£10,476	£6,903				£3,990	£1,329
<i>Ashfield</i>	£7,884	£23,301	£31,185	£17,476	£13,981		£9,321	£3,495	£6,990	£1,981
Mean	£5,989	£20,938	£26,927	£11,835	£8,006		£5,090	£2,209	£5,967	
Median	£5,450	£17,709	£24,260	£11,580	£6,903		£3,997	£1,630	£6,921	
Highest	£9,902	£49,377	£55,763	£17,476	£13,981		£9,321	£4,410	£6,990	
Lowest	£4,117	£12,632	£16,842	£6,316	£4,391		£1,882	£646	£3,990	
BM Group Mean Ratios		3.5 X BA		57%	38%		24%	11%	28%	
Ashfield Ratios		3 X BA		75%	60%		40%	15%	30%	9%

BM2 Main Regulatory SRAs: Ashfield District Council - the 7 Nottinghamshire DCs + 2 Adjacent Derbyshire DCs (2023/24 - unless indicated)									
District Council	Chair Planning	V/Chair Planning	Planning Members	Chair Local Plan Development	Chair Licensing	V/Chair Licensing	Chair Audit &/or Governance	V/Chair Audit	Chair Standards
Amber Valley (21/22)	£2,526		£632		£1,674		£1,674		£1,674
Bassetlaw	£3,337	£646	£754		£2,261	£431	£3,337	£646	
Bolsover (21/22)	£4,890	£2,445			£3,260	£1,630	£1,467		£1,222
Broxtowe	£5,222	£862			£5,222	£862	£3,414	£862	
Gedling	£5,595				£5,595		£3,997		£1,599
Mansfield (22/23)	£9,588				£7,505		£4,937		
Newark & Sherwood	£6,330	£1,580			£3,600	£900	£6,230	£1,550	
Rushcliffe	£5,871	£2,937			£1,461		NA		£1,461
Ashfield	£9,321	£3,495		£6,990	£4,660		£4,660		£4,660
Mean	£5,853	£1,994			£3,915	£956	£3,715	£1,019	£2,123
Median	£5,595	£2,013			£3,600	£881	£3,706	£862	£1,599
Highest	£9,588	£3,495			£7,505	£1,630	£6,230	£1,550	£4,660
Lowest	£2,526	£646			£1,461	£431	£1,467	£646	£1,222
BM Group Mean Ratios	28%	10%			19%	5%	18%	5%	10%
Ashfield Ratios	40%	15%		30%	20%		20%		20%

BM3 Opposition & Group & Miscellaneous SRAs: Ashfield District Council - the 7 Nottinghamshire DCs + 2 Adjacent Derbyshire DCs (2023/24 - unless indicated)					
District Council	Leader Main Opposition	Dep Leader Main Opposition	Majority Group Whip	Leader Minority Opposition	Comment or Other
Amber Valley (21/22)	£3,158				Broadband Allowance £250
Bassetlaw	£4,540		£1,937	£1,588	Planning Minority Spokesperson £1,057, >1 SRA paid
Bolsover (21/22)	£4,891				No index
Broxtowe	£3,414			£928	Policy Advisory Chair + V/Chair £3,141/£862, Chair Health Task Group + Health Lead Outside Bodies £1,214, >1 SRA paid
Gedling	£5,496		£4,665	£666	Chair JCSC £1,599, 2nd Group Whip £1,500
Mansfield (22/23)	£2,588			£320 p/Mbr	No index
Newark & Sherwood	£6,640			£880	> 1 SRA payable
Rushcliffe	£5,700			£2,871	> 1 SRA payable
Ashfield	£5,825	£1,398		£365 p/Mbr	Vice Chair Local Plan Development Committee £1,981, Opposition Deputy Leader only paid > 6 Group Members, Minority Opposition Group Leader only paid if have 4 or more Members
Mean	£4,695			£1,387	
Median	£4,891			£928	
Highest	£6,640			£2,871	
Lowest	£2,588			£666	
BM Group Mean Ratios	22%			7%	
Ashfield Ratios	25%				

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Report To:	COUNCIL
Date:	30 MAY 2024
Heading:	ANNUAL CONSTITUTION REVIEW
Executive Lead Member:	EXECUTIVE LEAD MEMBER FOR GOVERNANCE
Ward/s:	NOT APPLICABLE
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

The purpose of this report is to present proposed changes to the Constitution, as recommended by the Standards and Personnel Appeals Committee following the Annual Constitution Review, for consideration and approval by Council.

Recommendation(s)

Council is recommended to:

- a. Consider and approve proposed changes to the Constitution as detailed within this report.
- b. Delegate authority to the Monitoring Officer to make necessary amendments to the Constitution following any changing delegations as a result of the Decision Making Accountability process.

Reasons for Recommendation(s)

To ensure that the Council's Constitution remains up to date and fit for purpose, it is reviewed annually. The remit of the Standards and Personnel Appeals Committee includes making recommendations to Council regarding amendments to the Constitution relating to matters of an ethical governance nature.

Alternative Options Considered

Alternatively, the Council could choose not to update the Constitution. However, this would be contrary to best practice and reduce the value of the document: both to the Council and the wider community as an authoritative guide to how the Council operates.

Detailed Information

CONSTITUTION REVIEW 2024

It is good practice to review the Constitution regularly, and it is the Council's practice to carry out a set review annually.

As part of this process, each section of the Constitution is circulated to Officers, who are asked to review the contents of the Constitution and ensure it remains up-to-date and fit for purpose. For the 2024 review, the Constitution was circulated to the following Officers:

- Executive Director, Governance and Monitoring Officer
- Corporate Resources Director
- Assistant Director, Legal
- Assistant Director, Democracy
- Assistant Director, Planning
- Service Manager, Commercial Development
- Licensing Manager
- Procurement and Projects Officer

The below table sets out proposed amendments made by Officers in line with changes to policy and legislation. Formatting changes are made throughout the document where necessary.

Changes to role titles are made throughout the document where necessary.

Changes have been made throughout the Constitution to reflect an change to the Key Decision criteria relating to revenue expenditure/savings from £50,000 to £100,000.

Part of the Constitution	Proposed Amendments
Part 1 – Summary	No changes proposed.
Part 2 – Articles	Clarification to the exclusions section of the Council's Petition Scheme.
Part 3 – Functions and Delegations	No changes proposed.

<p>Part 4 – Rules of Procedure</p>	<p>Clarification to the exclusions section of the Council's Petition Scheme.</p> <p><u>Council Procedure Rules –</u></p> <p>Clarification on the processes relating to Member Questions and Motions On Notice to Council.</p> <p><u>Contract Procedure Rules –</u></p> <p>Changes are expected as a result of new procurement legislation. Full details of the changes, and how they will impact the Council's Contract Procedure Rules, are not expected to be known until late 2024. The Contract Procedure Rules will be updated accordingly when this information becomes available.</p> <p><u>Employment Procedure Rules</u></p> <p>Amended to reflect the roles which fall within the remit of the Chief Officers Employment Committee to appoint.</p>
<p>Part 5 – Members' Code of Conduct</p>	<p>No changes are proposed as part of the Annual Constitution Review. The Standards and Personnel Appeals Committee will consider the Members' Code of Conduct as part of the Committee's 2024/25 work plan.</p>
<p>Part 6 – Member/Officer Protocol</p>	<p>No changes proposed.</p>
<p>Part 7 – Allowances</p>	<p>Figures have been updated in line with the latest pay award.</p> <p>5: Inflation - Corrected outdated reference to spinal column 49.</p> <p>Clarification added from the previous Independent Remuneration Panel regarding the Special Responsibility Allowance payable to the Leader of the Main Opposition Group and Deputy Leader of the Main Opposition Group.</p> <p>Amendment to clarify that where a Member is using an electric or hybrid vehicle on an approved duty outside of the District, they are able to claim mileage at Approved Mileage Allowance Payments rates.</p> <p><i>Note: The Independent Remuneration Panel conducted a review of Members' Allowances in February 2024. The Panel have produced a final report including recommendations on the Council's Scheme, to be presented to the Annual Council Meeting 2024. The outcome of this may result in further changes to the Members' Allowances Scheme.</i></p>

Part 8 – Management Structure	The Senior Management Structure chart has been updated to the most current version.
Part 9 – Employees Code	No changes proposed.
Part 10 – Planning Code	Clarification on the wording for Policy 19 within the Planning Code of Conduct to make it clear that an additional speaking slot will be available for a representative from a Parish Council or Neighbourhood Forum to speak on any application within those designated areas.

Implications

Corporate Plan:

In alignment with the Corporate Plan 2023 – 2027, the Council strives to ensure effective community leadership through good governance, transparency, accountability, and appropriate behaviours.

Legal:

In accordance with Article 13 of the Constitution, the Monitoring Officer is responsible for keeping the Constitution under review. The Monitoring Officer is delegated the authority to make minor alterations to the Constitution or make amendments to reflect in year changes. Substantive changes to the Constitution must be approved by the Council.

Finance:

There are no direct finance implications resulting from the recommendations within this report. The Constitution has been circulated to the Chief Finance Officer as part of the annual review process.

Budget Area	Implication
General Fund – Revenue Budget	None.
General Fund – Capital Programme	
Housing Revenue Account – Revenue Budget	
Housing Revenue Account – Capital Programme	

Risk:

Risk	Mitigation
Not updating the Constitution on a regular basis would increase the risk of failing to reflect current legislation and practices which would negatively impact decision-making.	The Council's Constitution is reviewed annually to ensure it remains up to date and fit for purpose.

Human Resources:

There are no direct HR implications resulting from the recommendations within this report. The Constitution has been circulated to HR Officers as part of the annual review process.

Environmental/Sustainability:

There are no direct environmental/sustainability implications resulting from the recommendations within this report.

Equalities:

There are no direct equalities implications resulting from the recommendations within this report.

Other Implications:

There are no other implications resulting from the recommendations within this report.

Reason(s) for Urgency

None.

Reason(s) for Exemption

None.

Background Papers

None.

Report Author and Contact Officer

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Sponsoring Executive Director

Ruth Dennis
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APPOINTMENTS TO OUTSIDE BODIES
ANNUAL COUNCIL
30 MAY 2024

<u>No.</u>	<u>Body</u>	<u>Representatives</u>	<u>New Term Ending</u>
1.	<p>Ashfield Community Safety Partnership Joint Strategic Group</p> <p><i>Term Ending For:</i> Cllr. John Wilmott Cllr. Helen-Ann Smith (substitute)</p> <p><i>(The representatives must be the Leader and the Portfolio Holder responsible for Community Safety)</i></p>	<p>one appointment and one substitute</p>	<p>31 May 2025</p>
2.	<p>Byron Charity</p> <p><i>Term Ending For:</i> Cllr. Ian Briggs Cllr. Trevor Locke Cllr. Gordon Mann Cllr. Phil Rostance Cllr. Dave Shaw Cllr. Lee Waters Cllrs. John Wilmott</p>	<p>seven appointments</p>	<p>31 May 2027</p>
3.	<p>Discover Ashfield Board</p> <p><i>Term Ending For:</i> Cllr. Matthew Relf Cllr. Helen-Ann Smith Cllr. Julie Gregory (Scrutiny Member)</p>	<p>three appointments (one to be a Scrutiny Member)</p>	<p>31 May 2025</p>
4.	<p>Greater Nottingham Joint Planning Advisory Board</p> <p><i>Term Ending For:</i> Cllr. Matthew Relf</p> <p><i>(Representative to be the Portfolio Holder responsible for Economic Growth)</i></p>	<p>one appointment</p>	<p>31 May 2025</p>

No.	Body	Representatives	New Term Ending
5.	<p>Greenwood Community Forest Steering Group</p> <p><u>Term Ending For:</u> Cllr. Matthew Relf</p> <p><i>(It is desirable for the representative to be either the current Chairman of the Planning Committee or the Portfolio Holder responsible for the planning function)</i></p>	one appointment	31 May 2025
6.	<p>Health and Wellbeing Board (County Council)</p> <p><u>Term Ending For:</u> Helen Hollis Cllr. Keir Barsby (substitute) Cllr. David Walters (substitute)</p> <p><i>(Representative must be the Portfolio Holder responsible for the Health and Wellbeing Agenda)</i></p>	one appointment and two substitutes	31 May 2025
7.	<p>Hucknall & District Voluntary Partnership (Under One Roof Project)</p> <p><u>Term Ending For:</u> Cllr. Ian Briggs</p>	one appointment	31 May 2025
8.	<p>Kirkby Town Board <i>(NEW, Terms of Reference attached)</i></p>	three appointments	31 May 2025
9.	<p>Mansfield & District Crematorium Joint Committee</p> <p><u>Term Ending For:</u> Cllr. Tom Hollis Cllr. Chris Huskinson Cllr. Helen-Ann Smith</p> <p><i>(Representatives must be Cabinet Members)</i></p>	three appointments	31 May 2025
10.	<p>Nottinghamshire Building Preservation Trust</p> <p><u>Term Ending For:</u> Cllr. Nicholas Parvin</p> <p><i>(Desirable for the representative to have a keen interest in heritage)</i></p>	one appointment	31 May 2025

No.	Body	Representatives	New Term Ending
11.	<p>Nottinghamshire Joint Waste Management Committee</p> <p><i>Term Ending For:</i> <i>Cllr. Helen-Ann Smith</i></p> <p><i>(Representative must be the Portfolio Holder responsible for Waste Management)</i></p>	one appointment	31 May 2024
12.	<p>Nottinghamshire Wildlife Trust</p> <p><i>Term Ending For:</i> <i>Cllr. Dale Grounds</i></p> <p><i>(Representative must be the Chairman of the Council)</i></p>	one appointment	31 May 2025
13.	<p>PATROL Adjudication Joint Committee</p> <p><i>Term Ending For:</i> <i>Cllr. Andy Meakin</i></p> <p><i>(Representative to be the Portfolio Holder responsible for Asset Management)</i></p>	one appointment	31 May 2025
14.	<p>Rural Community Action Nottinghamshire</p> <p><i>Term Ending For:</i> <i>Cllr. Arnie Hankin</i></p>	one appointment	31 May 2025
15.	<p>Sherwood Forest Hospitals NHS Foundation Trust</p> <p><i>Term Ending For:</i> <i>Cllr. David Walters</i></p>	one appointment	31 May 2025
16.	<p>Teversal Grange Advisory Committee</p> <p><i>Term Ending For:</i> <i>Cllr. Jodine Cronshaw</i> <i>Cllr. Tom Hollis</i> <i>Cllr. Helen-Ann Smith</i></p> <p><i>(Appointed Members are advised not to also sit on the Charities Committee due to potential ongoing conflicts of interest – Minute No. CC4.3 refers)</i></p>	three appointments	31 May 2025

FOR INFORMATION:

Bodies already appointed up to May 2027

Outside Body:	Representative(s):
Ashfield Citizens' Advice Bureau Management Committee <i>(term ends 31 May 2026)</i>	Cllr. Jodine Cronshaw
Association for Public Service Excellence	Cllr. Jason Zadrozny
Beauvale Charity - Hucknall	Cllr. Dave Shaw
D2N2 Local Enterprise Partnership Board	Cllr. Jason Zadrozny
East Midlands Councils	Cllr. Tom Hollis Cllr. Jason Zadrozny
Economic Prosperity Committee	Cllr. Jason Zadrozny Cllr. Matthew Relf (substitute)
Historic England	Cllr. Nicholas Parvin
Hucknall Relief in Need Charity <i>(term ends 30 November 2024)</i>	Cllr. Ian Briggs Cllr. Lee Waters
LGA District Council's Network	Cllr. Jason Zadrozny
Nottinghamshire Local Government Leaders' Group	Cllr. Jason Zadrozny
Our Centre	Cllr. Warren Nuttall
Police and Crime Commissioner Panel	Cllr. John Wilmott Cllr. Helen-Ann Smith (substitute)

Kirkby Town Board

Terms of Reference	
Project	Kirkby Town Board
Role	To oversee the Kirkby Long-term Plan for Towns programme
Chair	Interim Chair – Martin Rigley
Vice Chair	TBC
Membership	<p>Voluntary and Community Sector Roy Lewis/ Toby Metcalf – KARA (Kirkby Area Residents Association) Pauline Stojanovic – Our Centre Teresa Jackson – Ashfield Voluntary Action (AVA) Pete Edwards - Ashfield Health & Wellbeing Partnership Stewart Nubley - Ashfield Spartans Boxing Academy</p> <p>Local businesses Nicola Charles - Boyes Alan Cooke – Showstoppers Ltd. Mark Cawar – Feather Partnership</p> <p>Education & Health Dianne Holmes – ATTFE Louise Knott – West Notts. College Amy Fox - Portland Pathways Fiona Johnson - Nottingham Trent University Peter Cribb - Inspire - Culture, Learning, Libraries TBC – NHS/ Integrated Care Board</p> <p>Katie Roberts – Everyone Active (Leisure Operator)</p> <p>Elected members Cllr Zadrozny, Member for Nottinghamshire County Council (Leader of Ashfield District Council) Cllr Matthew Relf, Executive Lead Member for Growth, Regeneration and Local Planning, Ashfield District Council Chris Huskinson, Member for Kirkby, Ashfield District Council Lee Anderson, MP Caroline Henry, Dan Howitt - Police and Crime Commissioner</p> <p>Support Officers – Ashfield District Council Sarah Daniel, Assistant Director – Regeneration Christine Sarris, Assistant Director – Planning Andrea Stone, Wellbeing Manager Paul Crawford, Investment Manager Trevor Middleton, Town Centres Manager Tracey Bird, Wellbeing Officer John Bennett, Executive Director for Place, Ashfield District Council</p>

	Joelle Davies, Nottinghamshire County Council
Direction from	Department for Levelling Up, Housing and Communities (DLUHC), Ashfield District Council as Accountable Body
Direction to	Kirkby Town Board subgroups
Communication to	Discover Ashfield Board Ashfield District Council Kirkby Town Board subgroups
Meeting Frequency	Every 4-8 weeks
Quorate requirement	1/3 of members
Minuted by	Ashfield District Council

General Responsibilities

The Town Board is responsible for developing the Long-Term Plan, working closely with local people.

The Town Board is a community-led institution that builds civic capacity in the town.

The Town Board should drive the priorities for investment, identify where the powers set out in the policy toolkit can be maximised to deliver change and steer the long-term vision for their town, in conjunction with the local community.

The Town Board, supported by the local authority, will develop a 10-year vision, a single Long-Term Plan and a 3-year investment plan to be submitted to DLUHC (Department for Levelling Up, Housing and Communities) on or before 1 August 2024.

The Town Board should be transparent with local people throughout the programme as to how they are investing money and using their powers, working closely with the local authority.

The Town Board will oversee the delivery of projects within the Long-term Plan.

Governance requirements

[Link to guidance](#)

1. Transparency

In line with the principles of public life, the operations of the Town Board must be transparent.

The Town Board should publish membership and governance arrangements (including minutes of meetings and decision logs) on the lead council's website.

We expect Town Boards to meet quarterly and to publish:

- a documented decision-making process outlining the voting rights of the board
- profiles of board members
- all board papers in advance of the meeting within 5 working days
- draft minutes of meetings following the meeting within 10 working days

- final minutes, once approved by the board within 10 working days
- any conflicts of interest reported, within the published minutes

Town Boards should follow lead council governance and finance arrangements when considering private reports, with the default position being that all papers are open to the public.

2. Code of conduct

All Town Board members should sign up to a code of conduct based on the Seven Principles of Public Life (the Nolan Principles).

There should be clear processes for managing conflicts of interests (both commercial, actual, and potential) in decision making, which apply to all involved with the work of the Town Board.

3. Declaration of interests

The lead council should provide guidance on:

- the financial and non-financial interests individuals must declare
- the process Town Board members must follow for declaring interests
- the process for requesting an exemption

Town Board members must then complete a declaration of interests, which the lead council will then hold. This can be in a format the lead council already uses.

Town Board members are responsible for declaring their interests before the Town Board considers any decisions. The lead council must record:

- actions taken in response to any declared interest
- any gifts or hospitality given to the Town Board or individual members

Approved Date:

Signed by Chair:

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