ARUN DISTRICT COUNCIL

FIFTH REPORT OF THE INDEPENDENT PANEL ON MEMBERS’ ALLOWANCES
JULY 2007

1.0 INTRODUCTION

1.1 The Local Government Act 2000 and the Local Authority (Members’ Allowances [England]) Regulations 2003 require Local Authorities to establish and maintain an Independent Panel to review Members’ Allowances. The Regulations require Local Authorities to have regard to the recommendations of an Independent Panel when paying Allowances.


1.3 The Panel has now concluded its fifth review of the Members Allowances Scheme and this report makes recommendations covering the Basic Allowance, Special Responsibility Allowances (SRAs), Co-Opted and Independent Member Allowances, Carers Allowances, Parish Council Allowances, Travel and Subsistence Allowances, Pensions and IT Allowances.

2.0 COMPOSITION OF THE PANEL

2.1 Mr Michael Bevis and Mrs Hilary Spencer retired from the panel on completion of their periods of appointment. With the agreement of Group Leaders, members of the Council’s Local Strategic Partnership and Wavelength Panel were invited to apply to serve on the Panel. Following interviews in December 2006, Mrs Yvonne Brown and Mrs Sandy Pascoe accepted invitations to join the Panel. Mr John Thompson’s appointment was extended by one year to provide continuity.

2.2 The Panel Members are:
   • Mrs Yvonne Brown (Tenant Inspection Advisor and Arun Wavelength Panel Member)
   • Mrs. Sandy Pascoe (CAB Volunteer and Arun Wavelength Panel Member)
   • Mr. John Thompson (Bursar, Dorset House School, Bury)

2.2 The Panel first met to start its fifth review in January 2007. It has met on 9 occasions since including twice with the Governance Committee. In addition the Panel has been provided with a wide range of information from, inter alia, South East Employers and Arun’s CIPFA family group.

3.0 TERMS OF REFERENCE

3.1 The new Panel reaffirmed the Terms of Reference, namely:
To review Arun District Council’s current Members’ Allowances Scheme and make recommendations for a new scheme taking into account:

- The nature and type of role and responsibility of elected Members and the level of commitment involved
- The difference in responsibility and time commitment of Leading Members, Executive Members and Back Bench Members
- Schemes operating elsewhere in authorities similar to Arun District Council
- The level of remuneration paid for other types of public duties
- Whether allowances should be payable for telephone, fax machine or information technology equipment
- The need to attract and retain elected Members of appropriate calibre and representative of the demographic make-up of the District
- The need to ensure the scheme is straightforward and economic to operate
- The need to ensure the scheme may be justified in terms of affordability and in the public’s perception
- The scheme aims to compensate for the time put into the roles and responsibilities undertaken, but that there should be an element of public service
- The scheme encourages Councillors to work flexibly and to develop community roles.

3.2 The Panel was aware of the decision taken by the Authority, in agreeing the Arun Priorities for 2005-2009 to restrict budget increases to 1% a year until 2008. In undertaking this year’s review, the Panel took the view that they should not be constrained by a 1% restriction.

3.3 As the Panel had two new members and had not undertaken a full review of allowances for two years, they decided to carry a full consultation with Councillors and other interested parties.

3.4 The report from the Independent Panel, including any changes being proposed, was considered at a special meeting of the Council’s Governance Committee on 11th June 2007, followed by a Seminar so as to allow consultation with all Members of the Council before final consideration by the Governance Committee on 21st June 2007 which will submit its recommendations to Full Council on 18th July 2007.

4.0 DOCUMENTATION

4.1 The following documents were made available to the Panel:
5.0 MEETINGS AND RESEARCH

5.1 When the Panel started their initial review in January 2007, they were also made aware of the comments made by Members on specific issues they wished to see addressed as part of the forthcoming review. These included:

- consideration of a Special Responsibility Allowance being introduced to the Chairman and Members of the Development Control Site Inspection Panel in view of the workload involved in being a member of this Panel
- how the Council would attract Members who were younger and possibly financially less well off if the level of current allowances was increased by a level less than inflation
- the impact of the reduction in the level of Travel Allowance introduced in the 2003 review of 8p per mile for those travelling long distances in view of the increasing cost of petrol and car insurance
- whether the arrangements for the IT Allowance should be re-considered, utilising the funding available to purchase laptops for all Members that could be made available on loan/purchase basis over their term of office

5.2 An issue the Panel particularly wanted to review were the levels of Special Responsibility Allowance.

5.3 In previous years, the Panel had undertaken surveys of Members on a wide variety of topics. This year the Panel decided that, as they would provide at least one opportunity for all Members to meet them, a survey would add little to the evidence they would gather.

5.4 The Panel met with Members on 7 occasions. All Members were offered the opportunity to meet with the Panel.

5.5 The Panel met with the Governance Committee on 12th February 2007 to discuss these issues further.

5.6 Prior to finalising their report, the Panel shared their conclusions with the Group Leaders prior to the report being presented to the Governance Committee and then Full Council.
6.0 GENERAL PRINCIPLES

6.1 In their deliberations the Panel were mindful of the following general principles:

- Membership of the Council should be as inclusive as possible so all types of people could become a Councillor
- The need to encourage people to stand as Councillors - not to see a lack of remuneration/loss of earnings as a deterrent
- There should be an unpaid public service element to Council membership
- Account should be taken of the hidden costs of Council membership
- The commitment and responsibility of Members and the differences in responsibility of Leading Members, Cabinet Members and those who chair committees, including the Chairman and Vice Chairman of the Council should be reflected in Special Responsibilities Allowances
- Some recompense should be made to Councillors with care responsibilities
- The desirability of clearer public accountability for the work of Members
- Allowances should be broadly in line with those paid by adjacent Authorities and those of a similar size
- The scheme of allowances should be equitable, transparent and simple to understand and administer while being affordable and justifiable in the perception of the public.

7.0 BASIC ALLOWANCE

7.1 In considering the current level of Basic Allowance of £4,620, the Panel agreed that the public service element should remain at 30%, most members thought this fair. The Panel also agreed it was desirable that the Basic Allowance should be based on recognised weekly or daily wage rate data published by the South East Employers. These calculations have resulted in an increase to the Basic Allowance to a level of £4,685. This takes account that the Basic Allowance has not been increased since 2004. This increase is also be in line with the proposed local government pay settlement for 2007/08.

7.2 The Panel believed that the current level remained fair based on the comparative data they had reviewed from the allowances payable in West Sussex, the South East Region and the CIPFA ‘family’ group. Although it was noted that some Local Authorities had not recently reviewed their Members’ Allowance Schemes.

7.3 The Panel was also mindful of the current roles, responsibilities and workloads of Members not in receipt of specific responsibility allowances. Several Members raised the matter of substitutions, and the Panel will monitor attendance at meetings by substitutes during the new Municipal Year so that substitute attendance can be considered as part of next year’s review.
7.4 Some Members were keen that the Basic Allowance be increased in line with the cost of living or some other index. The Panel while not against the concept of index linking in principle, believe that it is fairer to Members that this and other allowances should be reviewed regularly taking into account the factors referred to above and not just national cost of living trends. The Panel will reconsider and look into the concept of the scheme being inflated by an agreed and understood index as part of its next review.

7.5 The Panel therefore recommends that the Basic Allowance should be increased to £4,685.

8.0 SPECIAL RESPONSIBILITY ALLOWANCES

8.1 The Panel looked closely at all the Special Responsibility Allowances (SRAs) paid to Members. The Panel paid particular attention to additional workload, the level of delegated authority and the quality and frequency of decision making. The Panel were particularly conscious of the actual time needed to prepare for meetings and the level of interaction with the public and the outside agencies.

8.2 Chairman and Vice Chairman of the Council
The Panel are of the view that workload and level of authority exercised by the holders of these posts have not changed since the last review. The Panel recommends that these allowances remain unchanged at £7,500 and £2,000 respectively.

8.3 Leader of the Council
The workload of the Leader of the Council is nearly full time, taking into account preparation for meetings, the large number of meetings the Leader is expected to attend and the level and frequency of authority exercised. The Leader has made a conscious decision to raise the profile of the District by playing a greater role on the national scene. There are benefits to the District from this work. In recognition of the current workload required and the commitment need in undertaking the role, the Panel recommends that the SRA paid to the Leader of the Council be increased to £13,650.

8.4 Deputy Leader and Cabinet Members
The Deputy Leader (who is also a Cabinet Member) provides a great deal of support to the Leader of the Council as part of the role is to ensure continuity on important strategic meetings and outside bodies when the Leader is unavailable. The Panel met with most Cabinet Members and were impressed by their determination to master their briefs, make well informed decisions and exercise the considerable authority that has been delegated to them. Following further delegation from central government the work load of the Cabinet Members has increased. The Panel recommend that the SRA for the Deputy Leader be increased to £10,000 and that the SRA for Cabinet Members be increased to £8,000.

8.5 Development Control
The Panel noted the increase in frequency of Development Control Committee meetings to reduce their length: the need for preparation that is
more thorough and the more adversarial nature of some of the meetings. The total number of applications has changed little although complex applications are becoming more frequent. The Panel was told of the work and time involved in site inspections. The value of site inspections is recognised as is the need for site inspections to be made during the day, with the potential for loss of earnings, especially for those who are self-employed. While the Site Inspection Panel is a Sub-Committee of the Development Control Committee, the number of Members able to commit to the Panel’s demands is limited. Based on their meetings with Members, the Panel’s initial recommendation had been to introduce an SRA for Members of the Site Inspection Panel. However, following discussion with the Governance Committee about how other Members of the Development Control Committee may also attend the Site Inspection Panel or indeed make a site visit at their own inconvenience to help in their understanding of the application, the Panel have revised this recommendation. The Panel therefore recommend that the SRA payable to all Members of the Development Control Committee should be increased from £750 to £1000 to reflect the heavy workload of the Committee in terms of preparation, meeting attendance and site visits, including those on the Site Inspection Panel.

The Panel recommends that the SRA paid to the Chairman and Vice-Chairman of the Development Control Committee remains unchanged at £6,250 and £2,750 respectively. The Panel will review the attendance by Members at Site Inspection Panels during the next year so that this can be looked at further as part of the Panel’s next review.

8.6 Licensing and Enforcement/Licensing Committee
The Panel notes that the role and workload of this Committee is now fully established and, unlike other Committees, Licensing and Enforcement/Licensing Committee has an enforcement role involving consultation with other agencies. The Committee will see an increase in workload when responsibility for gaming licensing falls within the Committee’s remit. The Panel recommends that the SRA for the Chairman be increased to £5,800, to bring it closer to the allowance paid to the Chairman of Development Control. The Panel also recommends that the SRA payable to Members of the Committee should be increased to £300.

8.7 Scrutiny Committees
The Panel received somewhat mixed messages about the workload, responsibilities and effectiveness of the two Scrutiny Committees. The Panel is also mindful of the comparative workloads of other Committees. The Panel recommends that the SRAs paid to the Chairmen and Vice-Chairman remain unchanged at £5,000 and £2,000. With a new administration, there may be some change to the role of Scrutiny which the Panel could consider as part of its next review.

8.8 Appeals Panels
The Panel recommends no change to the previously agreed arrangements of £50 per half day meeting and that the SRA should still be paid if the hearing is cancelled once the papers have been circulated.
8.9 **Audit Committee**
The Panel received representations from the Audit Committee about the possibility of an SRA for the Chairman in view of the level of responsibility of this position. The Panel noted that the Committee had undertaken a major review of the Leisure Contract and so the Panel recommend that the normal workload of this Committee justified an SRA. The Panel had initially recommended that an SRA in the sum of £1,500 be awarded to the Chairman of this Committee. Based on further discussions on the work programme of the Committee for 2007/08, the Panel have reconsidered their view and their revised recommendation is that an SRA of £250 should be paid to the Chairman of the Audit Committee. In view of the major work undertaken by the Committee in reviewing the Leisure Trust Contract, the Panel will also be looking as part of its next review at the desirability of introducing some form of payment or SRA for Members when undertaking particularly large reviews.

8.10 **Standards Committee**
This Committee had a difficult task and a fluctuating workload. The Panel believe that the current arrangements are appropriate as there is flexibility in the level of SRA payable to the Chairman. Co-opted members allowances are dealt with in Para 10.1 As a new Code of Conduct is shortly to be adopted by the Council, and the impact of this new Code and how it will affect the Committee are not yet known, the Panel suggests that the current allowances paid should remain unchanged and be reviewed during the next year.

8.11 **Leaders of Opposition Groups**
The Panel recognise the need for effective opposition and that the size of opposition groups mean a considerable burden is carried by their Leaders. The Panel recommends that the SRA be increased to £10,650 and continues to be shared on the basis of the number of Members in each Group.

9.0 **DUAL RESPONSIBILITIES**

9.1 In their last review, the Panel recommended that the restriction on Members being able to receive more than one Special Responsibility Allowance should be removed in view of the level of workload of all the roles involved. The Panel recommend that this arrangement should continue.

10.0 **CO-OPTED AND INDEPENDENT MEMBERS AND WITNESSES**

10.1 The Panel concluded that the allowance payable to members co-opted to committees and panels or those appointed to Committees as independent members should be increased after remaining at £25 per meeting for some years. The Panel recommends that this allowance be increased to £30 per meeting attended.

10.2 These members can also claim travelling expenses on the same basis of the Members Allowances Scheme. This allowance and travelling expenses to also be payable to witnesses called to attend Scrutiny Committees.
11.0 CARERS ALLOWANCES

11.1 There continued to be general agreement that Councillors with child and dependent carer responsibilities should not be discouraged from playing as full a part as possible in the work of the Council.

11.2 The maximum payable should be restricted broadly to the time devoted by back-benchers to their Council work. The rate should also properly reflect the cost of care. Members would be expected to produce either signed time sheets or invoices in support of their claims and not engage either members of their family (unless there were special circumstances) or a person under 16 years to carry out carer responsibilities. Although no claims have been made to date, the Panel recommends that the allowance be increased to £10 per hour.

12.0 PARISH COUNCIL ALLOWANCES

12.1 The Panel met with representatives of the Parish Councils. They were aware that individual Parish Councils could decide to introduce a scheme for councillors to claim an allowance based on the recommendations of the Independent Panel. No strong arguments were made for change, but the Panel recognised the increased workload facing Parish Councils. The Panel recommends that the Allowance available to Parish Councillors should remain at 10% of the Arun District Council Members' Basic Allowance. Due to the Panel's recommendation to increase the District Councillor's Basic Allowance, this will therefore increase to £468.

12.2 The Panel recommends that Parish Councils continue to pay travelling allowances on the basis of the District Council Members Allowances Scheme.

12.3 The Panel also recommends that Parish Councils may pay Carers Allowances on the basis of the District Council Members Allowances Scheme.

12.4 It remains for individual Parish Councils to decide whether to adopt a Members Allowances Scheme.

13.0 TRAVEL AND SUBSISTENCE ALLOWANCES

13.1 The previous Panel agreed to review the level of travel and subsistence allowances as part of the next review. The Revenue and Customs tax-free limit had not changed for several years and is unlikely to change in the near future. The Panel is equally aware of the higher rates paid by other authorities and agencies and the need to avoid the complex administrative arrangements needed to account for rates paid above the HMRC limits. For this review, the Panel recommends no change in the arrangements, but draws attention to the availability of travel allowances for all travel on Council business and that the cost of using public transport be claimed in full.

13.2 The Panel also makes no recommendation to change existing arrangements for the payment of subsistence allowances on the basis of actual costs.
14.0 PENSIONS FOR MEMBERS

14.1 The Panel noted that there had been some take up of the scheme, but make no recommendations for change at this time. This allows all Members to choose if they wish to take up the scheme.

15.0 IT ALLOWANCES

15.1 The Panel was made aware at most meetings with the considerable dissatisfaction of Members about this allowance. With other authorities making marked different arrangements and Members themselves having widely differing views on the use of IT; varying levels of expertise and, for the most part, a continuing preference for using hard copy, there is no straightforward solution. On one matter Members were clear: they were not keen on the Authority’s offer of free use of second hand PCs. Whatever solution is adopted the Authority will need to ensure that anti-virus, etc software is installed to protect both Members and the Authority.

15.2 Research by the Panel has revealed that some Authorities have adopted an IT Allowance based on a number of component parts which are paid according to individual Members use of IT and take into account Members’ individual circumstances, IT competence and personal preferences.

15.3 The Panel recommend that the IT Allowance be made up as follows and that Members apply for the parts of the allowance that reflect their use of IT:

- Broadband - £240
- Consumables - £100

15.4 This allows for an increase in the IT Allowance from £300 to £340 per annum.

15.5 In the event that the Council provides broadband access for all Members, the line rental will need to be reviewed, as there is no additional cost for broadband connectivity.

15.6 The Panel is aware of the Council’s plans to issue Members with an Arun Council e-mail address to be used for all e-mail correspondence and supports the Council’s proposals that in order to support the use of Information Technology by Members, that a grant of up to a maximum of £500 will be payable to those Members who currently do not have access to IT equipment or wish to update existing equipment.

16.0 JOB DESCRIPTION AND TRAINING

16.1 The Panel was advised that the only SRA position with a Job Description was the Chairman of the Council. However, the Panel was advised of the training arrangements for Members of Regulatory Committees, particularly the Development Control and Licensing and Enforcement/Licensing Committees, where appropriate training was compulsory for Members sitting on these Committees. A target of 100% of attendance at appropriate training by
Members was included within the Council’s Corporate Performance Plan which was monitored on a quarterly basis by the Cabinet. The Panel hope that further progress will be made on developing job descriptions for all posts, especially those in receipt of an SRA. This will provide a starting point for Group Leaders and the Panel to measure performance and set realistic SRAs in the future.

16.2 The Panel remain committed to the view that all Members should be positively encouraged by their Group Leaders to make a formal commitment to undertake appropriate training to assist them in carrying out their roles and discharge their responsibilities. The Authority will run a number of workshops and seminars in 2007, especially for new Members, to help them understand and develop their role as Councillors and the Panel was advised that this approach to Members’ development would continue. The Panel continued to support the need for Members to be encouraged to take advantage of the training offered. The Authority might develop a structured training programme covering all Members’ training needs and options.

17.0 PUBLIC ACCOUNTABILITY

17.1 The Panel attached great importance to public accountability and note that the Council continues to receive a monitoring report of attendance by Members at key Council meetings on a twice-yearly basis.

18.0 RENUNCIATION

18.1 The Panel concluded that Councillors may renounce their entitlement to all or part of their allowances.

19.0 COSTS

19.1 The Panel estimates that the cost of their recommendations is £13,130 in a full year, plus the cost of allowances payable to Members of the Appeals Panel, which will depend on the number of hearings held. These recommendations do mean that the proposals being made cannot be accommodated within or very close to the 1% allowed for in the Authority’s budget for 2007/08. The Authority will need to make additional budgetary provision if the Panel’s recommendations are accepted.

20.0 ISSUES FOR NEXT REVIEW

20.1 As explained in the report, the issues that the Panel wish to explore in their next review are:

- Attendance at meetings by Substitutes
- Indexing the Basic Allowance
- Reviewing the attendance by Members at Site Inspection Panels
- Reviewing the role of Scrutiny within a new Administration
Reviewing the introduction of a SRA for Members undertaking particularly large reviews

Changes to the Standards Committee following introduction of a new Code of Conduct

21.0 RECOMMENDATIONS

21.1 The Panel makes the following recommendations for change to the Members Allowances Scheme to be effective from 8 May 2007:

(1) The Basic Allowance be increased to £4,685.

(2) The Special Responsibility Allowances payable to the Chairman and Vice-Chairman of the Council remain unchanged at £7,500 and £2,000 respectively.

(3) The Special Responsibility Allowance payable to the Leader of the Council be increased to £13,650.

(4) The Special Responsibility Allowance payable to the Deputy Leader be increased to £10,000.

(5) The Special Responsibility Allowance payable to Cabinet Members be increased to £8,000.

(6) The Special Responsibility Allowances payable to the Chairman and Vice-Chairman of the Development Control Committee remain unchanged at £6,250 and £2,750.

(7) The Special Responsibility Allowance payable to Members of the Development Control Committee be increased to £1,000 and the workload of the Site Inspection Panel be reviewed further as part of the Panel’s next review.

(8) The Special Responsibility Allowance payable to the Chairman of the Licensing and Enforcement/Licensing Committee be increased to £5,800, with the Special Responsibility Allowance payable to the Vice-Chairman remaining unchanged at £2,000.

(9) The Special Responsibility Allowance payable to Members of the Licensing and Enforcement/Licensing Committee be increased to £300.

(10) The Special Responsibility Allowance payable to the Chairmen and Vice-Chairman of the Scrutiny Committees remain unchanged at £5,000 and £2,000 and that the Panel will assess their role and workload as part of its next review.

(11) The Special Responsibility Allowance payable to Appeals Panel Members should remain at £50 per half day a meeting and that the
allowance be paid if the hearing is cancelled once the papers have been circulated.

(12) A Special Responsibility Allowance of £250 be introduced for the Chairman of the Audit Committee and as part of its next review, the desirability of introducing some form of payment or SRA be explored for Members when undertaking particularly large reviews.

(13) The Special Responsibility Allowance payable to Leaders of Opposition Groups be increased to £10,650 and continues to be shared on the basis of the number of Members in each Group.

(14) The Special Responsibility Allowance payable to co-opted and independent members of Committees and to Independent Panel members be increased to £30 per meeting attended.

(15) The Carers allowance be increased to £10 per hour.

(16) In relation to Parish Council Allowances:

a. The Allowance available to Parish Councillors to remain at 10% of the Arun District Council Members’ Basic Allowance making it £468 for 2007/08;

b. Parish Councils may pay travelling expenses and Carers Allowances on the basis of the Arun District Council Members’ Allowances Scheme.

(1) The IT Allowance be increased to £340 per annum to cover Broadband connection and consumables and that Members are able to apply for the parts of the allowance that reflect their use of IT. In the event that the Council provides broadband access for all Members, the line rental to be reviewed.

(2) The Panel supports the Council’s proposal that a grant of up to a maximum of £500 will be payable to those Members who currently do not have access to IT equipment or wish to update existing equipment.

22.0 THANKS

22.1 Members of the Panel wish to record their thanks to Members for their input in the Panel’s deliberations and to Officers for their work in supporting the Panel.

Yvonne Brown
Sandy Pascoe
John Thompson
Dated: July 2007
### RECOMMENDED MEMBERS’ ALLOWANCES FROM 8 MAY 2007

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<th>2007/08 £</th>
<th>2006/7 Total</th>
<th>2007/08 Total</th>
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**Total Cost**

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<th>2006/7 £</th>
<th>2007/08 £</th>
<th>2006/7 Total</th>
<th>2007/08 Total</th>
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<td>403,020^</td>
<td>416,150^</td>
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^ This figure shows total costs but will reduce dependent on the number of Members receiving the IT Allowance.

**NB:** Please note these figures make no allowance for any additional employer’s pensions costs.