

**An Independent Review  
Of  
Members' Allowances  
For  
The West Yorkshire  
Integrated Transport  
Authority**

---

**The Third Report**

**By**

**Dr Declan Hall**

May 2010

## **Foreword**

This report arises out of the third independent review of Members Allowances for what is now the West Yorkshire Integrated Transport Authority (WYITA – since February 2009). The first review for the then West Yorkshire Passenger Transport Authority (WYPTA) was carried out by an independent remuneration panel (IRP) established in 2003 to make recommendations to the WYPTA on the range and levels of remuneration for elected Members. The West Yorkshire Integrated Transport Authority (WYITA), unlike all district authorities, has never been required to establish its own IRP and pay regard to its recommendations before it makes a new scheme of allowances, or amends its scheme. The then WYPTA entered into the spirit of the requirements of the 2003 Members' Allowances regulations by seeking independent advice. The 2003 review set the broad framework of the current allowances scheme. The second review, in 2004, was concerned solely with the post of Shadow Chair and therefore only minor in scope.

This, the third independent review has been conducted by myself as the former Chair of the previous IRP – primarily because of the need to meet a tight timetable for the implementation of the new scheme. The scope of the review is extensive: to review all allowances in light of the change in political management structures arising out of the new WYITA. As, such this review is not revisiting the fundamental approach underlying the current framework but is concerned with reassigning the total spend on Special Responsibility Allowances (SRAs), which if the Authority accepts the recommendations will result in a minor decrease in total spend on SRAs and the number of SRAs payable.

Dr Declan Hall  
Independent Consultant

19 May 2010

## Executive Summary: Recommendations

### 1. Where all Spokesperson/Chairs of District Liaison Committees are on Executive Board

| Post   | Payable per Post | Numbers Payable | Totals Payable  | Calculation                                | Payable per Member |
|--|------------------|-----------------|-----------------|--|--------------------|
| Basic Allowance SRAs                             | £6,000           | X 22<br>X 11    | £132,000        | 40 days p/yr @ £150 p/day                  | £6,000             |
| Chair  | £31,000          | X 1             | £31,000         | 100% of West Yorkshire Leaders' Median SRA | £37,000            |
| Deputy Chair                                     | £12,400          | X 1             | £12,400         | 40%  | £18,400            |
| Shadow Chair                                     | £10,350          | X 1             | £10,350         | 33.33%                                     | £16,350            |
| <b>Executive Board</b>                           |                  |                 |                 |  |                    |
| Member/Spokesperson/Chair of District Liaison    | £7,750           | X 5             | £38,750         | 25%  | £13,750            |
| Scrutiny Chairs                                  | £3,100           | X 2             | £6,200          | 10%  | £9,100             |
| Audit & Governance Chair                         | £3,100           | X 1             | £3,100          | 10%  | £9,100             |
| <b>Total Recommended Spend</b>                   |                  |                 | <b>£233,800</b> |  |                    |
| <i>Current Total Spend (2010/11)</i>             |                  |                 | <i>£238,934</i> |  |                    |
| <b>Leader of 2<sup>nd</sup> Opposition Group</b> |                  |                 |                 |  |                    |
| <i>(Currently not payable)</i>                   | £7,750           | X 1             | £7,750          | 25%  | £13,750            |

### 1a. If a Spokesperson/Chair of District Liaison Committees is not on Executive Board

| Post   | Payable per Post | Numbers Payable | Totals Payable  | Calculation                                | Payable per Member |
|--|------------------|-----------------|-----------------|--|--------------------|
| Basic Allowance SRAs                             | £6,000           | X 22<br>X 11    | £132,000        | 40 days p/yr at £150 p/day                 | £6,000             |
| Chair  | £31,000          | X 1             | £31,000         | 100% of West Yorkshire Leaders' Median SRA | £37,000            |
| Deputy Chair                                     | £12,400          | X 1             | £12,400         | 40%  | £18,400            |
| Shadow Chair                                     | £10,350          | X 1             | £10,350         | 33.33%                                     | £16,350            |
| <b>Executive Board</b>                           |                  |                 |                 |  |                    |
| Member/Spokesperson/Chair of District Liaison    | £7,750           | X 4             | £31,000         | 25%  | £13,750            |
| Executive Member only                            | £6,200           | X 1             | £6,200          | 20%  | £12,200            |
| Spokesperson/Chair District Liaison only         | £6,200           | X 1             | £6,200          | 20%  | £12,200            |
| Scrutiny Chairs                                  | £3,100           | X 2             | £6,200          | 10%  | £9,100             |
| Audit & Governance Chair                         | £3,100           | X 1             | £3,100          | 10%  | £9,100             |
| <b>Total Recommended Spend</b>                   |                  |                 | <b>£238,450</b> |  |                    |
| <i>Current Total Spend (2010/11)</i>             |                  |                 | <i>£238,934</i> |  |                    |
| <b>Leader of 2<sup>nd</sup> Opposition Group</b> |                  |                 |                 |  |                    |
| <i>(Currently not payable)</i>                   | £7,750           | X 1             | £7,750          | 25%  | £13,750            |

**Other Recommendations:****Other SRAs Payable**

- I. That all other SRAs currently payable be discontinued from the date of the WYITA AGM 2010.

**Co-optees' Allowances**

- II. That there is no change to the current level of Co-optees Allowance and is maintained at £220.19 per meeting.

**Travelling and Subsistence Allowances****Car Mileage Rates**

- III. That the car mileage rates are maintained the rates applicable for 2010/11 are:

| Casual Users         | 451-999cc | 1000-1199cc | Over 1199cc |
|----------------------|-----------|-------------|-------------|
| per mile first 8,500 | 46.9p     | 52.2p       | 65.0p       |
| per mile after 8,500 | 13.7p     | 14.4p       | 16.4p       |

**Passenger Rates**

- IV. That where a Member carries a passenger they can claim the HMRC approved passenger mileage rate of 5p per passenger per mile, in addition to the applicable mileage rates for motor cars.

**Motor Cycle Mileage Rates**

- V. That a new motor cycle allowance be introduced, based on, and indexed to HM Revenue and Customs (HMRC) approved rates, of 24p per mile regardless of engine size.

**Bicycle Mileage Rate**

- VI. That the current Bicycle Mileage rate, the HMRC approved rate of 20p per mile, is maintained.

**Foreign Travel**

- VII. That the following clause is inserted in the WYITA Members' Allowances scheme under the heading of "Overseas Journeys":

*Members are entitled to claim reasonable expenses having regard to the country visited, reimbursable upon production of receipts. It is expected that the necessary travel and accommodation arrangements would be booked through the Authority's office.*

## Access to Airport Executive Lounges

VIII. That the following clause is also inserted into the WYITA Members' Allowances scheme:

*If Members are required to travel to approved duties via airplane, they are permitted to purchase access to the executive lounge to enable them to undertake work and meet in private. The cost of such access is only reimbursed upon the production of receipts.*

## Subsistence Rates

### Overnight Subsistence Rates – Absence in London

IX. It is noted that the current scheme specifies that in “normal circumstances all overnight accommodation should be booked through the Authority’s office who will seek out the most reasonably priced accommodation available to be paid directly by the Authority thus avoiding any claims for reimbursement.” Thus, the scheme provides for flexibility where necessary.

### Day Subsistence Rates - Aggregation

X. The current day subsistence rates continue to be based on the rates published by the Passenger Transport Forum for the Non-Manual Employees of Passenger Transport Executives. For 2009/10 (the latest date for which they are available) they were:

- Breakfast: £ 7.00
- Lunch: £ 9.53
- Tea: £ 3.84
- Dinner: £11.92
  
- Total: £32.29

XI. That the current total daily maximum claimable, £32.29, should not be disaggregated and applied to specific meals but a 24 hour maximum claimable to be spent upon subsistence as required.

## Indexation

XII. **That the following indexes are maintained and/or adopted:**

- **Basic Allowance and SRAs, and Co-optees' Allowances:** Percentage annual percentage increase that is applied to PTE staff nationally
- **Travel:**
  - **Car Mileage:** maximum rates applicable to Passenger Transport Forum for Non-Manual Employees of Passenger Transport Executives

- **Motor Cycle, Bicycle and Passenger Supplement rates:** the maximum rates as approved by HMRC
- **Day and Night Subsistence Rates:** maximum rates applicable to Passenger Transport Forum for Non-Manual Employees of Passenger Transport Executives

### **Implementation of Recommendations**

- XIII. That the amended allowances' scheme as approved by WYITA, arising from this review, should be implemented from the date of the AGM 2010 or at any date thereafter as agreed.

## Introduction

### The Regulatory Context and Paying Regard to Nominating Districts

1. The review has been conducted in the context of the *Local Authorities (Members' Allowances) (England) Regulations 2003* (SI 1021), which came into force on 1 May 2003. The main aspects of the regulations that apply to the WYITA require the Authority to determine most aspects of its own scheme of allowances. Moreover,

***All secondary authorities which set up allowances schemes for their members will be required to have regard to the recommendations of the reviews of those authorities which make nominations to the secondary authority.<sup>1</sup>***

2. There is currently no statutory requirement for secondary authorities such as the WYITA to seek independent advice on their allowances schemes, thus the provision to require them to refer to nominating authorities when setting their own allowances schemes. The requirement to pay regard to the recommendations of allowances' reviews in the nominating authorities is taken to mean the actual allowances schemes that are in place, which in turn arise out of the recommendations.
3. **This review has fulfilled the Authority's regulatory requirement to pay regard to the allowances schemes and recommendations of the reviews of appointing authorities through its deliberations.**
4. In the spirit of transparency and in line with good practice WYITA has commissioned this independent review to provide advice to the Authority on allowances that go beyond the regulatory minimum requirements and as such the reviewer has applied similar principles to the review that district authority reviews utilise. The review has also been conducted within the spirit of all the regulations that apply to district authorities except where there is ITA related reason not to.
5. The 2003 Regulations issued by the Office of Deputy Prime Minister (ODPM – since replaced by the Department of Communities and Local Government - DCLG) require joint authorities to establish their own scheme of allowances that:
  - Provide for the payment of a Basic Allowance, which shall be the same amount for each Member.
  - May provide for the payment of a Special Responsibility Allowance (SRA) to those Members who have such special responsibilities as defined in the regulations.

---

<sup>1</sup> Paul Rowsell, Head of Democracy and Local Governance Division, ODPM, The Local Authorities (Members Allowances) (England) Regulations 2003, Annex B, Written Statement, Covering Letter, 2 April 2003.

- May provide for the payment of travel and subsistence allowances and how and what rates payable
  - May provide for the payment of a Co-optees' Allowance
  - May provide for annual adjustments by reference to an index
  - May provide for backdating of amendments with effect from the beginning of the financial year
  - May provide for payment to be withheld for a period in which a Member is suspended
6. All Joint Authorities are also required to:
- Publish their Scheme of Allowances
  - Maintain a record of allowances paid to Members, with such record being available for inspection at all reasonable times.
  - Publish a list of allowances payments made at the end of each financial year.
7. There is no express power or requirement for Joint Authorities to:
- Make direct provision for the payment of a Dependants' Carers' Allowance (DCA)
  - To permit Members to join the Local Government Pension Scheme (LGPS).
  - Establish an independent remuneration panel
8. The 2003 Regulations terminate the ability of joint authorities to pay the following:
- Attendance Allowances
  - Conference Attendance Allowance

## **The Review**

9. The WYITA appointed Dr Declan Hall, an academic who specialises in Members' Allowances', support and roles, and is experienced in reviewing allowances for regional and sub-regional bodies. Dr Hall has also led in the two previous independent reviews.
10. The Review was supported and serviced throughout by the following Officer:
- Angela Shearon ITA Office Manager
11. The reviewer would like to record his gratitude to the Members and Officers of West Yorkshire Integrated Transport Authority for ensuring the work of the Review was adequately supported and conducted in an efficient and effective fashion.

## **Terms of Reference**

12. The terms of reference for this review are to make recommendations to the WYITA on the scope and levels of allowances payable to Members and Co-optees taking into account:
  - The practice in the constituent districts and the recommendations of their IRPs
  - The new roles and responsibilities within the new ITA structures
  - The current total spend on Members' Allowances

## **Methodology and Approach**

13. The reviewer visited the offices of the West Yorkshire Integrated Transport Authority in Leeds on 30<sup>th</sup> March and 27<sup>th</sup> April 2010 to consider all the relevant information and meet with Members and Officers of the Authority before arriving at the recommendations set out below – see Appendices for Members and Officers who met with the reviewer and other evidence considered.
14. The reviewer also paid regard to allowances schemes in the nominating districts in West Yorkshire and comparative practice in the constituent and other relevant authorities, such as other ITAs, insofar as the most recent information can be readily obtained.

## **Principles of the Review**

15. The review has been guided by principles enunciated in previous reviews; to make recommendations based on a logical construct that are transparent, simple and can be easily understood by both Members and the public. Furthermore, that the recommendations should seek to minimise barriers to public service while not making recommendations that lead to Members standing for and remaining on the WYITA primarily for financial reasons.
16. More specifically, the review has been tasked to ensure that the current level of spending on allowances should not be increased particularly in the current economic context. The projected spend on Members' Basic Allowance and SRAs (not including the SRA for Leader of the second Opposition Group – which is not payable at present – and Co-optees', and travel and subsistence) for 2010/11 is £238,934. As such, no evidence was received to indicate at this stage that the work and responsibility of the Authority as a whole has dramatically increased thus necessitating an increase in the total sums payable.
17. Thus, the review has been concerned with modifying the current scheme to reflect the new governance arrangements and changing roles of Members.

## The Basic Allowance

18. It is noted that the original method for arriving at the Basic Allowance in 2003 was to assign an equivalent of 34 days per year as the required input for the Basic Allowance. In turn, these notional number of days was multiplied by the Local Government Association (LGA) daily session rate, which in 2003 was £122.10 Thus the Basic Allowance in 2003 was arrived by the following formula:
- 30 days expected input per year X £122.10 per day
  - = £3,663
  - Application of an uplift of 13.1%, to take into account the fact that Members have to make their own pension provision and are denied access to the Local Government Pension Scheme (LGPS) for any remuneration received from the WYITA (thus the notional 34 days per year).
19. The major change arising out of the new structure of the WYITA is that Members will be more widely involved across all aspects of the authority's work rather than specialising. These can be categorised in the following fashion:
- Full Authority meetings: 2 per year + 3 Authority Seminars
  - District Liaison/Passenger Consultative Committees 4 per year + 1 ad hoc
  - Scrutiny or Regulatory Committees 4 per year
  - Other Ad hoc duties 6 per year
  - Training/Conferences 2 per year
20. This equates to a minimum of 22 meetings per year, which equates to 22 days per year once travel and pre-meetings are taken into account. When reading and preparation, both for meetings and keeping abreast of wider issues, dealing with queries from colleagues and citizens in the districts are taken into account it is reasonable to assume that Members should be at least putting in 40 days per year on their various roles on the WYITA. This equates to approximately 5 hours per week.
21. The 2009 LGA daily session rate (due to be updated in June 2010) was £149.34, which has been rounded up to £150 per day for the purposes of this review<sup>2</sup>.
22. Thus, by replicating the previous methodology with updated expected time inputs and daily session rate, the recommended Basic Allowance is:
- 40 days per year expected annual input X £150 per day  
= £6,000

<sup>2</sup> See LGA alert 90/09, *Members' Allowances – Daily Rate*, 6 May 2009

## Comparing the recommended Basic Allowance

23. A health check was carried out to see how the recommended Basic Allowance compares with those paid in other ITAs – see Table 1 below.
24. The comparative exercise shows that the recommended Basic Allowance would be the highest of all the ITAs, with the next closest being the Basic Allowance (£5,675 for 2010/11) paid in Merseyside. However, it is noted in Merseyside nearly all Members are able to receive a SRA. This is also the current situation in WYITA but the practice would no longer exist if the recommendations of this report are accepted. A similar situation also exists in Greater Manchester ITA, but to a lesser extent.
25. Moreover, WYITA is among the most advanced of the ITAs in developing broader Member roles alongside the Executive Board and the recommended Basic Allowance reflects the advanced development.

Table 1: BA paid in the ITAs 2009/10

| <b>Metropolitan ITA</b>   | <b>Basic Allowance</b> |
|---------------------------|------------------------|
| <b>Greater Manchester</b> | £4,152                 |
| <b>Merseyside</b>         | £5,675                 |
| <b>South Yorkshire</b>    | £3,520                 |
| <b>Tyne &amp; Wear</b>    | £3,107                 |
| <b>West Midlands</b>      | £3,900                 |
| <b>West Yorkshire</b>     | £4,865                 |
|                           |                        |
| <b>Mean</b>               | <b>£4,203</b>          |
| <b>Median</b>             | <b>£4,026</b>          |

26. Thus, the reviewer is content that a recommended Basic Allowance of £6,000 is equitable and appropriate for the new roles all Members will be required to fulfil in the new governance arrangements of the WYITA.

## The Chair's SRA

27. Historically, the role of Chair of the Authority has been assessed as a substantial one in that it has always been viewed as being close to a full time equivalent, accepting that the Chair will always have commitments back at their nominating district and also is expected to fulfil the time expectation associated with the WYITA Basic Allowance.
28. More specifically the Chair's SRA was originally set in 2003 by placing the post on a par with the SRAs paid to the Leader's of the West Yorkshire Metropolitan Districts. While the Chair does not have the same range of responsibilities as the nominating District Leaders, the Chair has a wider sub-

regional remit across the whole of West Yorkshire. The Chair now has to work with the Yorkshire and Humber Regional Leaders Board as well as continuing to work with the Leaders across the West Yorkshire Region. The Chair will also chair the new Executive Board, which will have responsibility for most decision making previously undertaken by Committee Chairs as well as being charged with taking a strategic view, which was not always easy to obtain in a traditional committee system.

29. If the same methodology was applied to arrive at the Chair's SRA as in 2004 (i.e., by taking the median SRA of the West Yorkshire District Leaders) as the appropriate measure) it would produce a tentative SRA of £31,000 (rounded down from £31,521) - see Table 2 below)

Table 2: SRAs paid to Leader in West Yorkshire Districts 2009/10

| <b>West Yorkshire Authority</b> | <b>SRA</b> |
|---------------------------------|------------|
| <b>Bradford</b>                 | £35,544    |
| <b>Calderdale</b>               | £31,362    |
| <b>Kirklees</b>                 | £25,155    |
| <b>Leeds</b>                    | £38,260    |
| <b>Wakefield</b>                | £31,521    |
| <b>Mean</b>                     | £32,368    |
| <b>Median</b>                   | £31,521    |

30. This SRA would represent a noticeable decrease in relation to the current SRA payable (£34,526) but on the other hand, the Chair would also be receiving the increased Basic Allowance, which mitigates the decreased SRA somewhat. Moreover, with the remit of the review being to stay within the current spend it is felt appropriate that the Chair (and other leading Members) shoulder some of the burden that would apply to the 14 Members who would no longer be getting the Committee SRA of £2,459 if the recommendations of this review are to be accepted.

31. **Thus, the recommended SRA for the Chair of the WYITA is £31,000.**

### **Comparing the Recommended Chair's SRA**

32. A health check was carried out to see how the recommended Chair's SRA compares with those paid in other ITAs – see Table 3 below.
33. The comparative exercise shows that the recommended Chairs' SRA (£31,000), while representing a decrease of over £3,500, would not affect the relative position of the remuneration within the family of ITAs. It would still be the second highest of all the ITAs, after Merseyside. However, it would place it closer to the SRA paid to the Chairs of Greater Manchester and West Midlands ITAs.

34. Moreover, WYITA is among the most advanced of the ITAs in developing broader Member roles alongside the Executive Board and the recommended Basic Allowance reflects the advanced development.
35. Taking into account the recommended increase in the Basic Allowance, and the fact that the recommended SRA for the Chair would not change the relative level of remuneration compared to other ITA Chairs the reviewer is content that a recommended SRA of £31,000 is equitable and appropriate for the new structures of the WYITA.

Table 3: Chair's SRAs Paid in ITAs 2009/10

| <b>Integrated Transport Authority</b> | <b>Chair's SRA 2009/10</b> |
|---------------------------------------|----------------------------|
| <b>Greater Manchester</b>             | £26,556                    |
| <b>Merseyside</b>                     | £37,291                    |
| <b>South Yorkshire</b>                | £13,233                    |
| <b>Tyne &amp; Wear</b>                | £12,198                    |
| <b>West Midlands</b>                  | £27,200                    |
| <b>West Yorkshire</b>                 | £34,526                    |
| <b>Mean</b>                           | £25,167                    |
| <b>Median</b>                         | £26,878                    |

### **Deputy Chair of WYITA and Chair of Local Transport Plan Steering Group**

36. Historically the SRA for the Deputy Chair of WYITA, as all other SRAs, was calculated on a pro rata basis in relation to the Chair's SRA. Thus the Deputy Chair's current SRA of £13,811 is paid at 40% of the Chair's SRA.
37. There is no reason to change this ratio. In the 2003 review it was assumed that the Deputy Chair would always chair at least one other major committee and now that has been specified with the Deputy Chair being the named Chair for the Local Transport Plan Steering Group. In addition, the Deputy Chair will also be the Deputy Chair of the Executive Board.
38. **Thus, the recommended SRA for the Deputy Chair is £12,400 (the Chair's recommended SRA of £31,000 multiplied by 40%).**

### **The Shadow Chair**

39. The current SRA (£11,423) for the Shadow Chair is set at one third of the Chair's SRA. It is noted that the Shadow Chair will be a Member of the Executive Board and the current ratio is still appropriate.

40. **Thus, the recommended SRA for the Shadow Chair is £10,350 (the Chair's recommended SRA of £31,000 multiplied by one third; which equals £10,333 and rounded up to £10,350).**

#### **District Spokespersons/Chairs of the District Liaison Committees/Executive Board Members (5)**

41. The current SRA (£6,905) paid to the District Spokespersons is set at 20% of the Chair's current SRA. This level also recognises that District Spokespersons chair their respective district Passenger Consultative Committee (PCC). This arrangement will continue but in addition, the District Spokespersons will also chair the new District Liaison Committees, which will meet consecutively on the same day as the PCCs. Moreover, it is expected that the Chairs of the District Liaison Committees/District Spokespersons will be members of the Executive Board. They are also expected as Chairs of the District Liaison Committees to work more closely with their respective district portfolio holder. To recognise this extra workload and responsibility it is recommended that the current SRA ratio is increased from 20% to 25% of the Chair's recommended SRA.
42. It is recognised that this may be an underestimation of the role of combined District Spokespersons/Chairs of District Liaison Committees/Executive Members but until there is greater experience of the role it is better to err on the side of caution, making it easier to rectify upwards at a later date if necessary.
43. **Thus, the recommended SRA for the District Spokespersons/Chairs of the Liaison Committees/Executive Board Members is £7,750 (the Chair's recommended SRA of £31,000 multiplied by 25%).**

#### **If a District Spokesperson is not on the Executive Board**

44. While it is not an intention, a Chair of a District Liaison Committee/District Spokesperson may not be on the Executive Board due to the need to ensure political balance on the Executive Board. If this occurs then the recommended SRA for a District Spokesperson/Chair of DLC should be set at 20% of the Chair's recommended SRA. Likewise, the recommended SRA for a stand alone Executive Board Member should also be set at the same ratio.
45. This is not an optimum recommendation as the posts separated may add up to a greater total time commitment and responsibility than by being joined due to the economies of scale achieved by fusing the posts. However, until experience shows otherwise, it is difficult to make such a judgement. Moreover, due to the requirement not to exceed the 2010/11 total spend on allowances it is the most practical solution for the short term. If the experience of the two separated roles (District Spokesperson/Chair of DLC and Executive Board Member) proves to be more than the sum of the two halves then they will be looked at again.

46. **Thus, the recommended SRA for a District Spokesperson/Chair of a Liaison Committees who is not an Executive Board Member is £6,200, (the Chair's recommended SRA of £31,000 multiplied by 20%, which equals £6,200)**
47. **Similarly, when an Executive Board Member is not a District Spokesperson/Chair of a District Liaison Committee, then their recommended SRA is £6,200.**

### **Chair of Audit and Governance Committee**

48. The Audit and Governance Committee has been set up since the previous review and as a minor addition to the Authority's structures it was decided to simply pay a SRA set at the lowest banding - £2,459, which was paid to all other Chairs of Committees/Working Groups – originally set at 7% of the Chair's SRA.
49. However, it is recognised now that this role is under recognised through the current allowances scheme. Not only does the Chair of Audit and Governance undertake the role of critical challenge through audit but is also charged with ensuring the good governance of the Authority – and who also took a lead in the recent governance review leading to the new political management arrangements.
50. As such it is recommended that the SRA ratio for the Chair of the Audit and Governance Committee is increased from 7% to 10% of the Chair's recommended SRA.
51. **Thus, the recommended SRA for the Chair of the Audit and Governance Committee is £3,100 (the Chair's recommended SRA of £31,000 multiplied by 10%, which equals £3,100).**

### **The Chairs of the Scrutiny Committees (2)**

52. These are new committees and the role of the Chairs is yet to be tested by experience. However, it is envisaged these committees will play an important part in not only providing challenge to the Executive Board but also in policy development and review. While they will formally meet on a quarterly basis, it is expected they will meet more often either as a full committee or as informal task groups depending on the issue under review. It will be at the discretion of the Chairs to determine the work schedule and it is expected they will take a lead in the more informal aspects of their committees' work.
53. Whilst it always difficult to gauge the size of post without prior experience it can be reasonably assumed the Chairs of the Scrutiny Committees will bear no lesser workload and responsibility than the Chair of the Audit and Governance Committee, indeed if the experience of local government was to be a guide it would in all likelihood be greater.

54. **Thus at this early stage a relatively cautious approach is being proposed and it is recommended that the Chairs of the Scrutiny Committee be paid a SRA on a par with that recommended for the Chair of the Audit and Governance Committee, which is 10% of the WYITA Chairs' recommended SRA, i.e., £3,100.**

#### **Leader of Second Opposition Group**

55. At present, due to the political configuration of the Authority and the joint Chair and Vice Chair arrangements, there is no Second Opposition Group, although the current scheme provides a SRA (£6,905, or £7,009 when up rating for 2010/11 is included) for such a post. For the sake of completeness, a recommendation is being provided for this post if it was to be resurrected so as not to necessitate the Authority seeking further independent advice.
56. The current scheme remunerates the Leader of the Second Opposition Group on a par with the District Spokespersons/Chairs of District Liaison Committees. There seems to be a strong case to pay Leader of Second Opposition Group/Executive Board Member on a par with the District Spokespersons/Executive Board Members and set it at 25% of recommended SRA (£31,000) for the Chair.
57. **Thus, the Leader of the Second Opposition Group/Executive Board Members' recommended SRA is £7,750 (the Chair's recommended SRA of £31,000 multiplied by 25%).**

#### **Other SRAs Payable**

58. **It is recommended that all other SRAs currently payable be discontinued from the date of the WYITA AGM 2010.**

#### **Co-optees' Allowances**

59. Presently the statutory Co-optees receive a Co-optees' Allowance of £220.19 per meeting, including any associated reading and preparation. This allowance applies to the Chair and two other co-opted Members. No evidence was received to revise this sum.
60. **Thus, it is recommended that there is no change to the current level of Co-optees Allowance and is maintained at £220.19 per meeting.**

#### **Travelling and Subsistence Allowances**

##### **Car Mileage Rates**

61. Presently, the mileage rates claimable by Members are based on the Passenger Transport Forum for the Non-Manual Employees of Passenger Transport Executives, which is the same rate applicable to Officers.

62. **It is recommended that these rates and indexing to these mileage rates be maintained.**

63. **The rates applicable for 2010/11 are:**

| <b>Casual Users</b>         | <b>451-999cc</b> | <b>1000-1199cc</b> | <b>Over 11199cc</b> |
|-----------------------------|------------------|--------------------|---------------------|
| <b>per mile first 8,500</b> | 46.9p            | 52.2p              | 65.0p               |
| <b>per mile after 8,500</b> | 13.7p            | 14.4p              | 16.4p               |

### **Passenger Rates**

64. **Furthermore, it is recommended that where a Member carries a passenger that they can claim the HMRC approved passenger mileage rate of 5p per passenger per mile, in addition to the applicable mileage rates for motor cars.** This recommendation would create a new allowance – but if taken up should decrease any payments under the motorcar mileage allowances scheme.

### **Motor Cycle Mileage Rates**

65. **In the interests of completeness, it is also recommended that a new motor cycle allowance be introduced, based on, and indexed to HM Revenue and Customs (HMRC) approved rates, of 24p per mile regardless of engine size.**

### **Bicycle Mileage Rate**

66. **It is recommended that the current Bicycle Mileage rate, the HMRC approved rate of 20p per mile, is maintained.**

### **Foreign Travel**

67. The current Members' Allowances scheme says nothing regarding foreign travel. It is a difficult area to be prescriptive upon as much depends on the nature of the travel and where. However, a view was expressed that a general guiding principle should be in place for when Members are required to undertake foreign travel, which is only on the rare occasion.

68. **It is recommended that the following clause is inserted in the WYITA Members' Allowances scheme under the heading of "Overseas Journeys":**

*Members are entitled to claim reasonable expenses having regard to the country visited, reimbursable upon production of receipts. It is expected that the necessary travel and*

*accommodation arrangements would be booked through the Authority's office.*

### **Access to Airport Executive Lounges**

69. Similarly, in the interests of clarity, the WYITA Members' Allowances scheme it is **recommended that the following clause is inserted:**

*If Members are required to travel to approved duties via airplane, they are permitted to purchase access to the executive lounge to enable them to undertake work and meet in private. The cost of such access is only reimbursed upon the production of receipts.*

### **Subsistence Rates**

#### **Overnight Subsistence Rates – Absence in London**

70. The present overnight subsistence rates for absence in London is £113.55, which when compared to other schemes is not particularly realistic. A view was expressed that these rates needed up rating. However, these rates are only applicable when a Member is seeking reimbursement of actual expenses paid out of their own pocket. Provision exists within the current allowances scheme for variation in the current rates to be varied in agreement with the Clerk. Moreover, the scheme specifies that in "normal circumstances all overnight accommodation should be booked through the Authority's office who will seek out the most appropriately priced accommodation available to be paid directly by the Authority thus avoiding any claims for reimbursement." Thus, the scheme provides for flexibility where necessary.

#### **Day Subsistence Rates - Aggregation**

71. Similarly, the current day subsistence rates are based on the rates published by the Passenger Transport Forum for the Non-Manual Employees of Passenger Transport Executives. For 2009/10 (the latest date for which they are available) they were:

- Breakfast: £ 7.00
- Lunch: £ 9.53
- Tea: £ 3.84
- Dinner: £11.92
  
- Total: £32.29

72. Some issues were raised regarding the rates reimbursable for specific meals, in particular the ability to purchase a decent dinner for £11.92.

73. This is an issue often addressed, for instance, in Leeds Council, by aggregating the total daily allowance claimable for any 24 hour period, which in this instance would be £32.29 for any combination of meals.
74. **It is recommended that the current total daily maximum claimable, £32.29, should not be disaggregated and applied to specific meals but a 24 hour maximum claimable to be spent upon subsistence as required.**

### **Indexation**

75. **It is recommended that the following indexes are maintained and/or adopted:**
- **Basic Allowance and SRAs and Co-optees' Allowance:** Percentage annual percentage increase that is applied to PTE staff nationally
  - **Travel**
    - **Car Mileage:** maximum rates applicable to Passenger Transport Forum for Non-Manual Employees of Passenger Transport Executives
    - **Motor Cycle, Bicycle and Passenger Supplement rates:** the maximum rates as approved by HMRC
  - **Day and Night Subsistence Rates:** maximum rates applicable to Passenger Transport Forum for Non-Manual Employees of Passenger Transport Executives

### **Implementation of Recommendations**

76. **As permitted by the 2003 Members' Allowances Regulations (paragraph 10. (6)) it is recommended that the amended scheme of allowances as approved by WYITA arising from this review should be implemented from the date of the AGM 2010 or at any date thereafter agreed by the Authority.**

## **APPENDIX ONE: Members and Officers who met with the Reviewer**

### **Members:**

|                     |                             |
|---------------------|-----------------------------|
| Cllr Colin Campbell | (Liberal Democrat)          |
| Cllr Ryk Downes     | Chairman (Liberal Democrat) |
| Cllr Chris Greaves  | Deputy Chair (Conservative) |
| Cllr Josie Jarosz   | (Labour)                    |
| Cllr Mick Lyons     | Shadow Chair (Labour)       |

### **Officers:**

|                |                    |
|----------------|--------------------|
| Kieran Preston | Clerk to WYITA     |
| David Burrell  | Deputy Clerk       |
| Angie Shearon  | ITA Office Manager |

## **APPENDIX TWO: WRITTEN INFORMATION RECEIVED AND CONSIDERED BY IRP**

1. Current Members Allowances Scheme – WYITA 2009/10
2. Previous Allowances Review Reports for WYITA
3. The District Council Reviews and Current Schemes of Allowances in West Yorkshire 2009/10
4. Allowances schemes (2009/10) in the other metropolitan Integrated Transport authorities (Merseyside, South Yorkshire, Tyne & Wear, West Midlands, and Greater Manchester)
5. Office of Deputy Prime Minister (ODPM): SI 2003 No. 1021, *The Local Authorities (Members' Allowances) (England) Regulations 2003*, 7 April 2003
6. Department of Communities and Local Government and HMRC, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, 5 May 2006.
7. Briefing on Committee Structure and Key Strategic Issues for WYITA 2009/10
8. WYITA, Report of the Clerk to the Authority and Director General, *Interim Governance Arrangements*, 20 November 2009
9. WYITA, Report of the Clerk to the Authority and Director General, *ITA Committee Structure Proposals*, 29 January 2010