

**An Independent Review
Of
Members' Allowances
For the
Peak District
National Park Authority**

A Report

By

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Executive Summary

Peak District NPA - Basic Allowance, SRAs, Co-optees' Allowance and Independent Persons - Recommendations 2023/24				
	No	Methodology	Level	Total
Basic Allowance	30	24 paid days X E. Midlands median earnings 2021 £107 p/day	£2,568	£77,040
Chair	1	2.6 X BA	£6,677	£6,677
Deputy Chair	1	50% X Chair	£3,338	£3,338
Planning Chair	1	50% X Chair	£3,338	£3,338
Planning Vice Chair	1	60% X own Chair	£2,003	£2,003
Programme & Resources Chair	1	40% X Chair	£2,671	£2,671
Programme & Resources Vice Chair	1	50% X own Chair	£1,335	£1,335
Co-optees	0	25% X BA	£642	£0
Independent Persons	2	50% X BA	£1,284	£2,568
Sub Total BA				£77,040
Sub Total SRAs				£21,930
Totals (BA + SRAs + IP Payments)				£98,970

It is also recommended that

SRAs considered but not recommended

Members of the Planning Committee and Member Champions are not paid an SRA

Travel and Subsistence Allowances - Car Mileage Allowances

The mileage allowances rates are clarified to include claims made by hybrid/electric vehicles are also payable at HMRC rates, currently 45p per mile.

Subsistence Allowances

The maximum rates for which a Member may claim meals allowances are maintained at that which applies to Officers.

Issues arising I – support for care of Members’ Dependants

Due to lack of legal powers of the Authority no recommendation is being made regarding an allowance for the care of Members’ Dependents while undertaking duties for the Authority.

Issues arising II – Linking remuneration to attendance

Due to the legal requirement to pay a Basic Allowance equally to all Members no recommendation is made in regards to varying Member remuneration based on attendance at meetings.

Indexing Allowances

The Peak District NPA Members Allowances are indexed as follows:

- **Basic Allowance, SRAs, Co-optees’ Allowance and Independent Persons annual remuneration:**
 - Indexed to the annual percentage salary increase for local government Officers (at spinal column 43 or the equivalent level if the spinal column points are revised), to be applied from the same year that applies to Officers
- **Travel Allowances including Mileage Rates, and Subsistence Allowances:**
 - Indexed to the same rate that is applicable to Officers, except the Passenger Supplement Mileage rate – it is not being recommended that this allowance is indexed

It is further recommended that the applicable indices should run the maximum length permitted by the 2003 Regulations, namely four years from date of the first application of the relevant indices to the Basic Allowances and SRAs on 1st April 2023 to the end of the financial year 2027.

Implementation of Recommendations

The recommendations contained in this report are implemented from 1st April 2023

Fulfilling the Regulatory Requirements

The reviewer has fulfilled the regulatory requirement to pay regard to the recommendations of the Independent Remuneration Panel’s (“IRPs”) in the nominating councils of the Peak District National Park Authority (“Peak District NPA”) in arriving at the recommendations contained in this report.

Introduction

1. This report contains the recommendations arising out of the independent review of Members' Allowances for the Peak District National Park Authority (Peak District NPA). The review was undertaken in accordance with the policy of the Authority to review the allowances scheme after four years, as agreed by the Authority at consideration of the 2018 Report at full Authority meeting on 6th July 2018. The Authority agreed at the time to apply the relevant indices to the main allowances for four years (1st April 2019 –to the end of the financial year 2023) with the allowances being reviewed again in 2022, with the recommendations applicable from 1st April 2023.
2. The review was carried out by an independent consultant (Dr Declan Hall) who was commissioned in May 2022 to make recommendations to the Peak District National Park Authority on the range and levels of allowances for the Members of the Authority. While the Peak District NPA is not required to commission an independent review of its allowances, it has done so to conform to the broad requirements for the nominating councils and in line with good practice followed by similar public bodies, including other NPAs, when determining their allowances.

The Regulatory Context and Paying Regard to Nominating Districts

3. The relevant enabling legislation enabling the Peak District NPA to establish a Members' Allowances scheme is Schedule 7, paragraphs 11 (1-2) of the Environment Act 1995. This has the effect of deeming national park authorities to be one of the types of local authority that can be required by Regulations to prepare a Members' Allowances scheme.
4. In particular, *the Local Authorities (Members' Allowance) (England) Regulations 2003*¹ and the 2006 Statutory Guidance², set the legislative framework for all local authorities, including NPAs, when determining and amending their Members' Allowances schemes. Most of the 2003 Regulations, notably Parts 1, 2, and 3, are applicable to all English NPAs. Likewise, all of the 2006 Statutory Guidance except where it specifically refers to independent remuneration panels applies to NPAs.
5. The main aspects of the regulations that apply to the Peak District NPA permit the Authority to determine most aspects of its own scheme of allowances. However, all national park authorities which make or amends an allowances scheme

¹ Statutory Instrument 2003 No. 1021, *The Local Authorities (Members' Allowances) (England) Regulations 2003*

² New Council Constitutions: Guidance on Regulations for Local Authority Allowances, May 2006, Department of Communities and Local Government

shall have regard to the recommendations made by any independent remuneration panels in relation to any authority of a description referred to in regulations 3(1)(a), (b) or (c) by which any of its members are nominated.³

6. In other words, there is no statutory requirement to for the Peak District NPA to have its own independent remuneration panel or independent review before setting or amending its' Members' Allowances scheme as it can be reviewed internally.
7. Regardless, it is required to pay regard to the recommendations of the independent remuneration panels (IRPs) for the nominating authorities. Consequently, as per the requirements of the 2003 Regulations, all nominating authorities were asked to forward their most recent IRP reports and they have been taken into account in arriving at the recommendations contained in this report. In particular the relevant nominating authorities and their most recent published IRP reports are as follows:
 - a. Barnsley MBC - Report of the Independent Remuneration Panel March 2019
 - b. Cheshire East Council – Report of the Independent Panel on Members' Allowances March 2021
 - c. Derbyshire County Council – Independent Remuneration Panel – Annual Report 23 March 2022
 - d. Derbyshire Dales District Council – Report and Recommendations on the Review of the Role of Member Representative, February 2017 by the Independent Remuneration Panel
 - e. High Peak Members' Allowances Scheme May 2022⁴
 - f. Kirklees Council – Members' Allowances Independent Review Panel Report December 2020
 - g. North East Derbyshire District Council – Report of North East Derbyshire District Council Independent Remuneration Panel: A Review of Councillors' Allowances April 2022
 - h. Oldham Council – Recommendations of the Independent Remuneration Panel, May 2022
 - i. Sheffield City Council – Members' Allowances: Report of the Independent Remuneration Panel, May 2021
 - j. Staffordshire County Council – Report of the Independent Remuneration Panel, March 2022
 - k. Staffordshire Moorlands District Council, Report of Independent Remuneration Panel 19 July 2018
8. **The reviewer has fulfilled the regulatory requirement to pay regard to the recommendations of the IRPs in the nominating authorities of the Peak District NPA in arriving at the recommendations contained in this report.**

³ *The Local Authorities (Members' Allowances) (England) Regulations 2003*, 19.(2)

⁴ As a copy of latest Report by the IRP for High Peak Borough Council was unavailable its current Members' Allowances Scheme has been substituted in its stead.

9. Thus, the Peak District NPA has commissioned an independent review to provide advice to the Authority on allowances that go beyond the regulatory minimum requirements. In providing such advice, the review has applied similar principles that nominating authority IRPs utilise. The review has also been conducted within the spirit of the 2003 Regulations that apply to nominating authorities and not just the sections applicable to NPAs.
10. The 2003 Regulations that are applicable to NPAs require them 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
 - *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
11. All national park 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 year.
12. There is no express power or requirement for national park authorities (NPAs) to:
 - Make direct provision for the payment of a Dependents' Carers' Allowance (DCA)
 - Establish an independent remuneration panel.
13. The 2003 Regulations terminate the ability of the national park authorities to pay the following:
 - Attendance Allowances
 - Conference Attendance Allowance
14. The presumption behind the requirement to establish a scheme of allowances is to support the different roles and responsibilities that are demanded from Members.

The Reviewer

15. The Peak District NPA appointed Dr Declan Hall to undertake the review of its allowances scheme. Dr Hall is a former academic⁵ who specialises in the field of Members' allowances and support.
16. The review was supported and serviced throughout by the following Officer:
 - Ruth Crowder, Democratic Services Manager
17. The reviewer would like to record his gratitude to the Members and Officers of Peak District National Park Authority for ensuring the work of the review was supported and conducted in an efficient and effective fashion.

Terms of Reference

18. The reviewer was given the following terms of reference:

Work Required:

To review the Authority's existing Members' Allowances Scheme and make a recommendation to the NPA on any need to change the type and level of allowances to be paid to Authority Members and Co-optees, making specific recommendations on:

- I. The amount of basic allowance that should be paid to Authority Members.
- II. The amount of any allowance paid to non-elected members such as a Co-optee or an Independent Person.
- III. The roles and responsibilities for which a special responsibility allowance is payable and how the amount of each such allowance is calculated.
- IV. The duties for which travel and subsistence can be paid to Members and non-members and the amount of each such allowance.
- V. Whether any proposals to increase allowances should be backdated.
- VI. Any proposed index to be used to update allowance levels annually and how long this index should be used for.
- VII. Any other issues associated with the Authority's Scheme identified during the review.

In making recommendations the consultant should have regard to:

- a. The existing Scheme and whether it is fit for purpose.
- b. The most recent IRP reports from all the Authority's appointing authorities.
- c. The current allowance schemes of other English NPA's and comparable bodies.
- d. Feedback obtained from Authority Officers and Members.

⁵ In particular was *inter alia* a lecturer at the Institute of Local Government, University of Birmingham

- e. The current economic climate and funding available for NPAs.
- f. Best practice on allowance schemes and determining the amount to be paid.

Key Outputs:

The key output of this brief will be a report which presents the findings, which as a minimum should contain:

- An executive summary.
- A description of the methodology used.
- A description of the evidence and benchmarking information relied upon to reach the conclusions set out in the report.
- Clear recommendations on the allowances to be paid and the level of those allowances.
- Recommendations on any index to be applied annually to determine any changes in the amounts paid and how long the index should be applied to the Scheme.

Approach and Methodology

- 19. The reviewer visited the Offices of the Peak District NPA at Aldern House, Bakewell, on 22nd July 2022 to meet with a representative range of Members to seek their views on the current allowances scheme and to raise any issues of concern. On the same visit, meetings were held with a number of senior Officers to receive factual briefings on the Authority. Due to time pressures Officer Briefings were also conducted virtually via WebEx on 7th July 2022. Likewise, one Member interview was conducted by telephone on 25th July 2022.
- 20. To ensure that all Members were able to exercise a voice they were all sent a short questionnaire that addressed the terms of reference for the review inviting them to submit any views they may have on the review to Dr Hall, if they so wished. The questionnaire also formed the basis of the Member interviews to ensure all Members were asked a common set of questions.
- 21. The review process fell into four distinct phases:
 - I. **Preparation and research:** Review of all the relevant background and contextual information on Peak District National Park Authority required in arriving at recommendations i.e., recent changes to governance structures and Member roles, role profiles, meetings schedules, committee terms of reference, relevant Authority reports, latest reports from IRPs of the constituent councils and allowances schemes from comparator authorities. See Appendix One for full list of information considered for this review.

- II. **Interviews with Members and Officers of the Authority:** Interviews with Members were discursive in nature, exploring remuneration models, seeking out issues of concern while interviews with Officers were get the facts, i.e., how the Authority operates, the main committees and roles, and challenges faced by the Authority. Just prior to the interviews the written submissions were reviewed to identify issues arising. See Appendix Two for list of interviewees.
 - III. **Benchmarking:** analysis of allowances schemes from other national park authorities in England and appointing authorities where relevant. See Appendix Three for full summary of English, Welsh and Scottish NPA benchmarking.
 - IV. **Arriving at recommendations:** reflections on phase's I-III and the drafting and redrafting of a Report to go to the Authority.
22. A tiered approach was adopted in considering the evidence. The review is required to operate within the broad statutory framework laid down by the statutory guidance and regulations. The 2003 Members' Allowances (England) Regulations establishes the boundaries for the review, i.e., attendance allowances cannot be paid, all Members must receive a Basic Allowance that is equal in value and express authority is granted to vary the terms and conditions for the payment of the Co-optees' Allowances, or indeed whether to pay the Co-optees' Allowance or even SRAs.
23. The next level of evidence considered were the representations made by the Members and the briefings from Officers of the Authority. The interviews and written submissions obtained the views of the Members and raised a number of specific concerns. The interviews were also utilised to challenge statements and to act as a 'sounding board' to suggestions and ideas from the reviewer. The briefings from Officers put the representations into a Peak District NPA context.
24. Finally, all the evidence and representations have been reviewed and evaluated within the comparative context.

Observations/Comments - Valuing Members versus recognising the current economic context

25. There were two contradictory but not necessarily irreconcilable themes emerging from the representation. There was a view (by no means overwhelming) that the current level of the Basic Allowance and SRAs did not 'value' Members in that it was at a level that did not recognise the work and effort that Members put into their various roles. It was remarked by more than one Member that the current level of allowances paid acted as a potential deterrent to serving on the Authority.

26. On the other hand, there was general acknowledgement that the Basic Allowance and SRAs could and should not be seen as paid employment. Furthermore, it was emphasised that the review should be cognisant of current economic context in that the Authority has to continue to find savings going forward. It was also noted that there had been a recent restructuring of the management of the Authority, primarily resulting in stripping out the tier of Directors, thus Officers are having to 'do more with less' and that any increases in Members Allowances would have to be justifiable and defensible.

Transparency and Reasonableness

27. Another theme emerging from the representations received was that the recommended allowances should be transparent, in that the basis of the recommendations could be understood by both the membership and public i.e., what the allowances were being received for and why. In other words, be seen to be robust and reasonable. Consequently, the recommendations should be based on a logical construct and not just a simple set of figures. It is clear that there is limited understanding of how the current allowances scheme was arrived at.

Recognising Public Service versus Providing Appropriate Recognition

28. Another theme emerging from the interviews and written submissions was that Members should not be and are not seen to be seeking financial gain by serving on the Peak District NPA. An element of their work on the Authority should be given as public service and the level of allowance paid should reflect this by not being deemed excessive. On the other hand, there was a strong message that the level of allowance should reflect the need to ensure Members were not being financially disadvantaged by serving on the Authority. Therefore, the scope and levels of remuneration recommended should seek to reduce barriers to recruitment and retention of Members by recognising the demands required of them.

The Size of the Authority

29. An important context for the review is the fact that the Peak District NPA is the one of the largest NPA in terms of population and geographical size. Because of its size and geographical characteristics all Members, and in particular, leading Members, will have many, often competing, demands placed upon them. It will include the Chair and Deputy Chair liaising with the leaders and relevant portfolio holders in the nominating districts. Just as importantly, there is a need for all Members to balance the demands of the multifarious constituent and interest groups that are contained within such as large and diverse area that is contained within the Peak District NPA. The Members allowances should reflect the size and complexity of the Authority.

The Evidence Considered and Recommendations

The Basic Allowance - recalibrated

30. The Basic Allowance must be paid equally to all Members. It is primarily a time-based allowance that remunerates a portion of the time required from Members. It is not designed to attract Members nor reflect market rates but rather enable most people to be a Member without suffering undue financial penalties. The Basic Allowance has been recalibrated by following the methodology as set out in the 2006 Statutory Guidance that also applies to NPAs to see how it measures up against the current Basic Allowance (£2,453).
31. In arriving at a recalibrated Basic Allowance, the review once again followed the common approach taken by Council IRPs as laid out in the 2006 Statutory Guidance, which is also issued to NPAs, (paragraphs 67-69⁶). It assessed three variables, namely:
- **Input:** the time required to undertake the various roles associated with the Basic Allowance
 - **Recognising the voluntary principle:** often expressed as the public service discount (PSD), which is usually calculated as a percentage of the time input required that should be seen as service to the public and therefore not remunerated
 - **A rate for remuneration:** the worth of remunerated time required for the roles associated with the Basic Allowance

Required Time Inputs

32. At the time of the 2018 Review the time deemed as required to fulfil all the duties associated with the Basic Allowance was 42 days per year. This was based on briefing pack for applicants for the appointment of Secretary of State Members to NPAs, issued by DEFRA in March 2018; it stated that for the Peak District NPA: "Members are asked to commit 3-4 days per month, plus reading and preparation time, to the Authority's work."⁷
33. This time assessment has been backed up by a more recent briefing pack for applicants for Secretary of State Appointments to NPAs (14th March 2022) which also stated that The time commitment is still 3-4 days per month. Although this expressed time commitment relates to applicants to Secretary of State Appointments there is no reason to differentiate between these appointees and

⁶ Department for Communities and Local Government, *New Council Constitutions: Guidance on Regulation for Local Authority Allowances*, London, 5th May 2006.

⁷ Department for Environment, Food & Rural Affairs, "Appointment of Secretary of State Members to National Park Authorities and Area of Outstanding Natural Beauty (AONB) Conservation Boards – Briefing pack for applicants" March 2018, page 9.

appointees from the nominating authorities, they are not expected to have differential workloads. Moreover, the Basic Allowance must be paid equally to Members. This equal commitment is given expression in the Second Report of the Governance Working Group (May 2020) which states (paragraph 4):

All Members should be assumed to be equally committed to the objectives of National Park Authority, and to have a contribution to make across the full range of the Authority's work.

34. This is not to say that all 'ordinary' Members of the Authority are required to put in an equal amount of time on the roles associated with the Basic Allowance. Indeed, the representations varied on time commitment but recognised it largely depends on whether a Member is on the Planning Committee (which meets 12 times per year plus expected site visits as opposed to being on the Programme and Resources Committee which meets six times per year), the number of Working and Steering Groups a Member sits on and where relevant their approach to the role as a Member Champion. This is in addition to six Authority meetings, followed by Members' Forum meetings immediately afterwards, per year and additional workshops and, training events and 'other' scheduled events up to 12 times per year that all Members are expected to attend. All these commitments are within normal working hours and do not include meetings with parish councils, the public and other stakeholder groups, which is often outside normal working hours. Inevitably there will be some variation in what Members put in but the Basic Allowance assumes a readily defined common time assessment for the ordinary Member role.
35. It is also noted that since 2020 the Authority now has responsibility for the audit, Standards and many performance functions, which may not necessarily add to the time commitment for most Members but it does add to their corporate responsibility.
36. Nonetheless, this expressed time commitment of 3-4 days per month still provides a firm lead on the time input required to fulfil all the duties associated with the Basic Allowance. In arriving at the time commitment as the first variable when considering the Basic Allowance the midpoint between 3-4 days has once again been utilised; this equates to 3.5 days per month or 42 days per year.

Recognising the Voluntary Principle

37. When arriving at a recommended Basic Allowance the 2006 Statutory Guidance (paragraph 68) states:

It is important that some element of the work of members continues to be voluntary – that some hours are not remunerated. This must be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained.

38. The most frequent way of recognising this voluntary principle, as indicated in the 2006 Statutory Guidance, is to discount an element of the time inputs expected from Members, i.e., “that some hours are not remunerated”. But the same Statutory Guidance also recognises that there is a balance to be struck in the size of the voluntary contribution lest it is so high that most of the time input is voluntary and leads to a Basic Allowance that is so low it effectively means any Member who is working would suffer a financial loss through being a Member.
39. Consequently, the size of voluntary contribution in principal councils typically ranges from between one third and a half of the expected time input from Members. In other words, between one third and half of expected time inputs is discounted as the public service element. In the 2018 Review, the mid-point of this range was chosen as the appropriate size of the Public Service Discount, which equated to 42% or 18 days⁸. In other words, 18 days was discounted from the annual expected input of 42 days to recognise the voluntary principle. Consequently, in arriving at the recommended Basic Allowance in 2018 the remunerated time was based on 24 days per year.
40. No evidence was received to alter the size of the public service discount. Consequently, for recalibration purposes a voluntary discount of 18 days has been maintained, leaving 24 remunerated days.

A Rate for Remuneration

41. As with most statutory IRPs the rate for remuneration for arriving at the Basic Allowance for the 2018 Review was chosen for having the closest link to the average earnings of those who live and work in the Peak District National Park. However, while ASHE publishes average earnings on a national, regional, county and local authority basis it does not publish average earnings on a National Park basis so another appropriate geographical area was chosen, which is the most relevant region for the Peak District NPA.
42. The Authority spreads into four English regions but as the greater part is within the East Midlands for regional representation purposes the Authority appoints to the East Midlands Councils.
43. Consequently, the chosen rate for remuneration in 2018 was based on the East Midlands median weekly pay (excluding overtime) for all full time employees within the East Midlands (2017), which is £479.10⁹. When divided by five working days per week it converted to a day rate of £95.82.

⁸ Figures rounded up/down to nearest whole number for simplicity

⁹ See Annual Survey of Annual Earnings (ASHE), Table 7.2a, Median Weekly pay – excluding overtime – for full-time employee jobs in the East Midlands – Provisional 26 October 2017, Office of National Statistics.

[ASHE Table 7.2a average weekly earnings exc. OT work geography Oct 2017](#). ONS advises that the median rather than mean earnings are a more accurate reflection of ‘average’ earnings the distribution of earnings is skewed, with more people earning lower salaries than higher salaries. When using the mean to calculate the average of a skewed distribution and thus may not be truly representative of the average earnings of a typical person.

44. For recalibration purposes there is no reason to alter the basis of the rate for remuneration beyond updating it to 2021 rates (the most recent data available). ASHE (2021) shows that the median weekly earnings (excluding overtime) of all employees within the East Midlands was £536.60 per week (ASHE Table 7.2a). When divided by five working days this equates to £107 per day rounded up/down to the nearest pound sterling for simplicity.

Recalibrating the Basic Allowance

45. Once IRPs settle upon figures for the three variables to consider in arriving at a Basic Allowance they then apply them to a simple formula expressed as
- Time input minus public service discount multiplied by rate of remuneration
46. By taking the figures settled upon for the three variables for this review and applying it to the standard formula to arrive at a recalibrated Basic Allowance results in the following calculation:
- 42 expected days input per years minus 18 days for the public service discount X £107 per day
 - = £2,568

Benchmarking the Basic Allowance – Against Other NPAs

47. The recalibrated Basic Allowance (£2,568) arrived at by replicating the application of the methodology set out in the 2006 Statutory Guidance has been benchmarked against the Basic Allowance paid across the 10 English NPAs
48. For completeness the situation in the Welsh and Scottish NPAs was also examined. A standard Basic Allowance (£4,738) is paid to members of the three Welsh NPAs. Members of the two Scottish NPAs are paid a standard rate of remuneration of £227 (Cairngorms) and £199 (Loch Lomond & the Trossachs) per day, with a minimum expectation of putting in 36 days per year. This gives a Basic Allowance of £8,172 (Cairngorms) and £7,166 (Loch Lomond & the Trossachs) but as it depends on days put in it is more typically often higher than these starting figures. Welsh and Scottish NPAs have not been included in the benchmarking as their remuneration is a devolved responsibility and is determined in accordance with their respective national frameworks.¹⁰
49. Appendix Three shows that in English NPAs the Basic Allowance (as of the time of the review in July 2022) payable is:

¹⁰ See Appendix 3 BM 3 for further details on remuneration for Members of the Welsh and Scottish NPAs.

- Mean Basic Allowance: £2,458
 - Median Basic Allowance: £2,453
 - Highest Basic Allowance: £3,749 (South Downs)
 - Lowest Basic Allowance: £1,046 (The Broads)
50. Benchmarking shows that the current Peak District NPA Basic Allowance (£2,453) is in line with the average paid across the English NPAs. However, as with all benchmarking some context is required to put the figures in perspective. In particular, the two Authorities that pay the lowest Basic Allowance (The Broads and Dartmoor respectively) pay more SRAs than in the Peak District NPA. For instance, in the Broads, all Members of the Planning Committee receive an SRA of £523, in addition to three Chairs plus two Vice Chairs receiving an SRA (as opposed to two plus two in the Peak District NPA). Consequently, in contrast to the Peak District NPA, the majority of Members in the Broads are paid an SRA. Likewise Dartmoor NPA has a comparatively low Basic Allowance (£1,788) pays more SRAs than in the Peak District NPA. It is often the case that where a 'low' Basic Allowance is paid it is compensated for by having more SRAs payable – although this is not the case in the Peak District NPA where a comparatively average Basic Allowance is paid in conjunction with comparatively few SRAs.
51. More importantly benchmarking the recalibrated Basic Allowance (£2,568) shows it to be slightly higher than the current mean and median Basic Allowance paid across all English NPAs but the difference is so marginal as not to be significant thus meeting the principle of comparability that was enunciated in the representations received which in turn is appropriate for one of the larger and more complex NPAs.

The Representation received

52. From the representation received there was a significant minority who argued for no change to the Basic Allowance, largely on the grounds that it was not appropriate to do so in the current economic context, including those who felt there was a case to change the Basic Allowance but not at the moment. On balance, the majority view was that there was a strong case to increase the Basic Allowance, most of them expressing a view that the increase should be more than that suggested by the recalibrated Basic Allowance.
53. The arguments presented centred on the current Basic Allowance does not recognise the time it takes to be an ordinary Member of the Authority and undervalues the work Members put into their various roles. However, the recalibrated Basic Allowance is based on average expressed time commitment as set out to prospective applicants for Secretary of State appointments and the rate of remuneration upon which the recalibrated Basic Allowance is based while not reflecting commercial market rates is based on the most robust and defensible rate that is available, namely the median earnings of those who are employed within the Authority area, which is the East Midlands figure.

54. Nonetheless, while the recalibrated Basic Allowance does not meet the level of Basic Allowance that the weight of representation received suggested it does acknowledge that representation in principle by resulting in a minor increase on the current Basic Allowance.

The Recommended Basic Allowance

55. The recalibrated Basic Allowance (£2,568) is being recommended for the following reasons:
- It is based on the methodology as set out in the 2006 Statutory Guidance
 - It still remains comparable to the average Basic Allowance paid in other English NPAs
 - It acknowledges in principle the weight of the representation received while also being cognisant of the financial context
56. **The recommended Basic Allowance for 2023/24 is £2,568, subject to any applicable indexation for 2022/23.**

Arriving at Special Responsibility Allowances – the Chair’s SRA

57. The 2006 Statutory Guidance does not specifically set out a single approach to arrive at an SRA for a council Leader or NPA Chair. Rather it suggests a number of approaches that IRPs may wish to consider, such as comparing the post of Leader or Authority Chair to another public position, or simply assessing it on a time basis or as a factor or multiple of the Basic Allowance.
58. It is this factor approach that has historically been utilised in the Peak District NPA to arrive at the Chair’s SRA and it is the most common methodology utilised by the IRPs for the nominating councils to arrive at a Leader’s SRA.
59. The factor utilised at Peak District NPA to arrive at the Chair’s current SRA (£6,133) is a multiple of 2.5 times the current Basic Allowance (£2,458). A factor of 2.5 times the Basic Allowance to set the Chairs SRA is a comparatively slightly high multiple compared to other NPAs. Out of the nine other English NPAs the following multiples are utilised:
- | | |
|--|-----------------------|
| • A factor of 1.8 X the Basic Allowance | utilised by one NPA |
| • A factor of 2 X the Basic Allowance | utilised by five NPAs |
| • A factor of 3 X the Basic Allowance | utilised by two NPAs |
| • A factor of 3.75 X the Basic Allowance | utilised by one NPA |
| • Mean factor X the mean Basic Allowance | = 2.25 |

60. Once again the other main area where there was significant representation related to the role and remuneration of the Chair. This representation argued the Chair's SRA merited an uplift on the basis that the Chair was very active and put a great deal of work into the role not just within the Authority but at a regional and national level as well. It is noted that the current Chair is extremely active and is also Chair of National Parks England. However, the SRA should recognise the role rather than the individual and being Chair of National Parks England is not intrinsic to the role. On the other hand sitting on the board of National Parks England is. Moreover, the size and historical nature (as the oldest NPA) of the Peak District NPA means that the Chair will have a national profile in the NPA world regardless of the post holder.
61. Furthermore, the complexity of the Peak District NPA is such that the Chair will have to be active regardless of who holds the post. It was argued that the current SRA does not recognise the demands placed on the role and could be at a level that it acts as a potential deterrent for future candidates for Chair of the Authority. It was also suggested that the Authority finds it difficult to fulfil leading posts and as such, the current SRA for the Chair could be acting as a deterrent.
62. To recognise these demands and complexity of the role while at the same time being cognisant of the wider economic context a minor increase has been applied to the current factor of 2.5 times the Basic Allowance and uplifted to 2.6 times the recommended Basic Allowance. This equates to £6,677.
63. Benchmarking shows that that a Chair's SRA at this level (£6,677) would be higher than that paid to peers
- English NPAs Chairs' SRA Mean: £5,514
 - English NPAs Chairs' SRA Median: £5,658
64. However, an SRA of £6,677 would place it on a par with that paid to the Chairs of the South Downs NPA (£6,779) and Yorkshire Dales (£6,650) so it cannot be seen as excessive.
65. As such, the Chair's SRA has been reset at a factor of 2.6 times the recommended Basic Allowance, which also acknowledges the representation received, that argued a small uplift was merited.
66. **It is recommended that the Chair's SRA is reset at a multiple of 2.6 times the recommended Basic Allowance (£2,568) which equates to £6,677 for 2023/24, subject to any applicable indexation for 2022/23.**

The Deputy Chair SRA

67. The 2006 Statutory Guidance states that "a good starting point" (paragraph 76) in arriving at other SRAs is to pro rata downwards from the Leader's (or Chair's)

SRA. Specifically, it proposes applying a commonly accepted percentage against a Leader's (or Chair's) SRA to arrive at other SRAs. In other words, by definition the Chair's SRA is 100% (having the greatest time commitment and responsibility). Other SRAs are arrived at by applying a percentage to that sum, of, for instance, 45%-60% for the Deputy Chair's SRA; 35%-45% for main committee chairs' SRAs and so on.

68. Currently the Deputy Chair is paid an SRA (£3,066) that has been set at 50 per cent of the Chair's SRA. Benchmarking shows that the current SRA (£3,066) for the Deputy Chair of the Authority is above the mean SRA (£2,808) and median SRA (£1,963) paid across the 10 English NPAs. However, that may well reflect the relatively low key model of Deputy Chairs in many NPAs, i.e., stand in role only. In the Peak District NPA the Deputy Chair works more in tandem with the Chair. The Deputy Chair attends most meetings that the Chair attends many outside the formal governance structures such as the weekly meetings with the Chief Executive and the quarterly meetings with all Chairs and Vice Chairs. Moreover, some of the same arguments for a marginal relative increase for the Authority Chair's SRA apply to some degree to the Deputy Chair, i.e., the size and complexity of the Authority. Moreover, no representation was received to suggest the current ratio is not appropriate.
69. As such, no evidence was received to revise the current ratio utilised in setting the SRA paid to Deputy Chair of the Peak District NPA; it should continue to be paid at 50% of the Chair's recommended SRA (£6,677), which equates to £3,338.
70. **Thus, the recommended SRA for the Deputy Chair for 2023/24 is £3,338, subject to any applicable indexation for 2022/23.**

The Chair of the Planning Committee

71. Similarly the SRA (currently £3,066) for the Chair of the Planning Committee has been set at 50 per cent of the Chair's SRA. Benchmarking shows the mean and median SRA for Planning Chairs across the ten English NPAs to be £2,507 and £2,014 respectively. The somewhat higher SRA for the Chair of Planning in the comparative context is not a major concern – the Peak District NPA as well as being one of the larger NPAs also has a more complex mix of rural, urban, agricultural and industrial interests to balance than is typical. For example not only is the Authority the local planning authority it is also the mineral planning authority in respect of all matters relating to development control.
72. The more pertinent matter arising was whether it was appropriate for the Chair of Planning to receive an SRA on par with the Deputy Chair of the Authority. Benchmarking shows that five out of the ten English NPAs pay an equal SRA to their Deputy Chair and Planning Chair¹¹. Moreover, planning is the principal

¹¹ Two NPAs pay a higher SRA to their Deputy Chair, two pay a higher SRA to their Chair of Planning and three NPAs pay a lower SRA than their Deputy Chair

function of any NPA and the forum in which all planning decisions that are not delegated to Officers are made. The post is a high profile one with a great deal of public and other pressure upon the Chair of Planning outside of formal meetings. It meets more frequently (12 times per year plus associate site visits, although it is noted that for 2023/24 as trial the number of Planning meetings will be reduced to 10 per year) than any other Authority committee. Moreover, no representation was received to suggest the current ratio is not appropriate. As such, the current SRA should continue to be paid at 50% of the Chair's recommended SRA (£6,677), which equates to £3,338.

73. **Thus, the recommended SRA for the Chair of the Planning Committee for 2023/24 is £3,338, subject to any applicable indexation for 2022/23.**

Vice Chair of the Planning Committee SRA

74. The current SRA (£2,024) for the Vice Chair of the Planning Committee has been set as typically happens in principal Councils with reference to their relevant Chair, in this case of the Chair of Planning, at 66 per cent. This is a relatively high ratio and is largely a historical figure. This is further highlighted by benchmarking; the mean and median SRAs for the seven English NPAs that remunerate a Vice Chair of Planning are £1,132 and £1,007 respectively, with a mean ratio of 46% when compared to the mean SRA paid to Planning Chairs. In fact the Vice Chair of Planning at the Peak District NPA is by far the highest paid amongst all English NPAs, it is the most significant outlier in the benchmarking.
75. It was further noted in the representation received that the relatively small differential between the SRA paid to the Vice Chair of Planning (£2,024) and the Chair of Programme and Resources (£2,453) did not reflect their respective responsibilities. In other words the differential was too small. This could be taken as an argument to increase the SRA for the Chair of the Programme and Resources Committee, but this has not been accepted – see below.
76. This leaves the question of whether 66 per cent of the Planning Chair's SRA is still an appropriate ratio for the setting the SRA for the Vice Chair of Planning, particularly when it is noted that the Vice Chair of the Programme and Resources Committee is paid an SRA set at 50 per cent of their respective Chair.
77. Regarding the comparative context once again the planning functions are wider and more complex than in most other NPAs which also impacts on workload and responsibility of the Planning Vice Chair. It is also noted that the role of the Vice Chair of Planning goes beyond the traditional function of standing in when required. The Planning Vice Chair attends agenda setting meetings and relevant briefings with Officers alongside the Chair and generally acts as a sounding board and support for the Planning Chair both at and outside Planning meetings. Under delegated powers to Officers, they will also consult with the Chair *and* the Vice Chair of Planning.

78. However, while the Vice Chair of Planning may have a similar workload to that of the Planning Chair, there was little evidence to suggest that the level of responsibility was so similar to suggest an SRA set at 66 per cent of the Planning Chair's SRA.
79. Furthermore, the current ratio of 66 per cent is so out of synch comparatively; both against English NPAs and against how other SRAs for Deputy/Vice Chairs are set in relation to their respective Chairs (50 per cent) that it further undermines the current ratio. This is further backed up by the comparative picture when the actual level payable is taken into account.
80. Consequently, it has been decided that the SRA for the Vice Chair of Planning should be reset at 60 per cent of the recommended SRA for the Chair of Planning, which equates to £2,003. This SRA would still leave the Peak District NPA Vice Chair of Planning being paid the highest SRA of any English NPA Vice Chairs by far.
81. **It is recommended that the SRA for the Vice Chair of the Planning Committee should be reset at 60 per cent of the recommended SRA for the Chair of Planning, which is £2,003 for 2023/24, subject to any applicable indexation for 2022/23.**

The Chair of Programme and Resources Committee

82. In 2019 arising out of the recommendations of the First Report of the Governance Review Working Group (May 2019) the Authority replaced the Audit, Resources and Performance Committee with the Programme and Resources Committee. The Audit and Standards functions and much of the Performance functions were sent up to the full Authority with the new Programme and Resources Committee gaining responsibility for programmes and projects,
83. In addition to monitoring and advising on the development and implementation of key policies, programmes and projects identified annually by the Authority and to approve any decisions in relation to these programmes and projects the Programme and Resources Committee retains responsibility for
- Financial Resources:
 - Human Resources
 - Property and Assets
 - Information Management
 - General:
 - Including appointment of temporary Task Teams relevant to the functions of the Committee and receipt of reports

84. The current SRA (£2,453) for Programme and Resources Committee has been set at 40 per cent of the Authority Chair's SRA. Benchmarking shows that an equivalent committee is in place in six out of the nine other English NPAs and the mean ratio of these Chairs mean SRA to the Authority Chairs mean SRA to be 27 per cent. It also shows that the Peak District pays the highest for this post, with a mean SRA of £1,476 and median SRA of £1,299. However, this is not necessarily comparing like with like as these figures include two NPAs (the Broads and Dartmoor) that have equivalent committees with a much narrower remit, just Audit and Governance in both cases. In nearly all cases the Peak District NPA Programme and Resources Committee has responsibility for a wider array of functions than equivalent committees in the other English NPAs. Consequently, the review has not been guided by the benchmarking data in this case.
85. In fact in light of the expanded remit of the Programme and Resources Committee the issue became whether the current SRA should be put on a par with the Chair of the Planning Committee. However, despite the enlarged remit and the fact that the Chair has to spend more time than the Chair of Planning outside of formal committee meetings to keep on top of a wide ranging brief the SRA should not be on a par with the Chair of Planning. The main reason it is not being recommended that the Chair of Audit, Resources and Performance be paid an SRA on a par with the Chair of Planning is the difference in the number of meetings they each are required to chair. Moreover, the vast majority of the representation received supported continuing the differential between the SRA for the Chairs of the Planning and Programme and Resources Committees. Consequently, the SRA for the Chair of the Programme and Resources Committee has been set by maintaining the 40 per cent ratio against the recommended SRA (£6,677) for the Authority Chair, which equates to £2,671.
86. **It is recommended that the SRA for the Chair of the Programme and Resources Committee should be £2,671 for 2023/24, subject to any applicable indexation for 2022/23.**

The Vice Chair of the Programme and Resources Committee

87. The current SRA (£1,227) for the Vice Chair of the Programme and Resources Committee has been set at 50% of the SRA for the Chair of the same Committee. Benchmarking shows that the mean and median SRA paid to Vice Chairs of equivalent committees in English NPAs is £867 and £894 respectively, with a mean ratio of 59 per cent in relation to their respective Chair's SRA. The Vice Chair of the Programme and Resources Committee is the highest paid in English NPAs. However, once again this benchmarking comes with a word of warning – only three other English NPAs pay the Vice Chair role and one of those is in Dartmoor which is an Audit and Governance Committee only. The arguments for not being guided by the benchmarking in considering the SRA for the Chair of the Programme and Resources Committee also apply to the Vice Chair of the Programme and Resources Committee.

88. Then the pertinent question became whether the SRA for the Vice Chair of the Programme and Resources Committee should be reset on the same ratio (60 per cent) utilised in resetting the SRA for the Vice Chair of the Planning Committee.
89. The role of Vice Chairs of the Planning and the Programme and Resources Committee are somewhat different. It is appropriate that the Vice Chair of Planning is paid at a higher ratio than the Vice Chair of Programme and Resources due to the nature of planning in the Authority. The Planning function is one of the primary responsibilities of the Authority and the Vice Chair of Planning will have more meetings to attend than the Vice Chair of the Programme and Resources Committee. Moreover, the representation received supported the current ratio utilised in arriving at the SRA for the Vice Chair of Programme and Resources, namely 50 per cent of their Chair's recommended SRA, which equates to £1,335.
90. **It is recommended that the SRA for the Vice Chair of the Programme and Resource Committee should be £1,335 for 2023/24, subject to any applicable indexation for 2022/23.**

Other SRAs Considered – Members of the Planning Committee

91. There was some representation received arguing that the ordinary Members on the Planning Committee should receive an SRA, with consideration to be given on the basis that the workload for such Members is greater than those Members on the Programme and Committee. All Members are appointed to one of these committees and Planning Members are expected to attend 12 (reduced to 10 for 2023 as a trial) meetings per year. It was also argued that once site visits are included the workload on the Planning Committee is much more onerous as Programme and Resources Committee Members have six scheduled meeting per year.
92. However, an SRA for Planning Members is not being recommended on the basis that
 - The majority of Planning Members do not attend the site visits, in the past year the attendance at site visits have averaged four Members
 - The prime purpose of an SRA is to recognise responsibility rather than workload and it would be contrary to the 2006 Statutory Guidance to pay an SRA to the Members of the Planning Committee
 - It is not common practice to do so elsewhere – the only other NPA that remunerates Planning Committee Members is the Broads and that is in the context of a low Basic Allowance
 - There is no shortage of Members seeking to go onto the Planning Committee

- There was very limited support for it amongst Members, in fact there was a view that paying ordinary Members of Planning would place undue emphasis on the Planning role, important though the role may be
 - It would lead to the potentially absurd situation where a majority of Members can (and in some authorities do) receive an SRA. Paying an SRA to Planning Committee Members would mean the majority of the Peak District NPA Members receiving an SRA which is also contrary to the 2006 Statutory Guidance which warns IRPs to be wary of recommending SRA for the majority of Members on any local authority¹².
93. **It is not recommended that the Members of Planning Committee are paid an SRA.**

Member Champions

94. Arising out of a governance review by the Governance Review Working Group (May 2020 Report) the Authority replaced Member Representatives with Member Champions. The intent is that Member Champions should have an internal focus where the Champion acts as a critical friend or advocate and sounding board for Officers in developing strategic work and discussing potentially contentious/high profile issues on an exceptional basis rather than a spokesperson, which was the prime role of Member Representatives. As such each Member Champion has a lead Officer.
95. Currently there are seven Members Champions appointed that cover the following topics:
- Natural Environment, Biodiversity & Farming (Member of the Farming in Protected Landscapes Local Assessment Panel)
 - Cultural Heritage & Landscapes
 - Engagement
 - Thriving & Sustainable Communities
 - Climate Change
 - Business Economy
 - Member Learning & Development
96. All but one Member Champion also sits on the Local Plan Working Group as do the Chair and Vice Chair of the Planning Committee.
97. There was representation that the Member Champion role merited an SRA, it was also suggested that it is not always easy to get Members to come forward to take up Member Champion roles. It is noted that the equivalent post is not remunerated in the comparator authorities. It is also a role that most Members could reasonably expect to undertake during their appointment to the Authority,

¹² See 2006 Statutory Guidance paragraph 72

for which the Basic Allowance is paid. Moreover, it appears that some Member Champions are more active than others and an SRA would not recognise that distinction. The model of Member Champion has yet to be fully developed. To counter this context it was suggested that a Member Champion could be paid an SRA only if they lead on a formal Working or Steering Group. However, this was rejected as it could be argued that formally chairing or leading at meetings does not capture the wider work of the Member Champions.

98. **It is not recommended that the Member Champions are paid an SRA.**

The Co-optees' Allowance

99. The Co-optees' Allowance is paid to non-elected Members appointed to committees of an Authority under the Local Government Act 2000. Co-optees are typically appointed for their expertise or as a representative of an important stakeholder group and while they may be full Members of a committee they do not (since the Localism Act 2013) have voting rights. The 2003 Regulations also permit the payment of a Co-optees Allowance to these appointees.
100. Although the Authority does not currently appoint any Co-optees the Authority's allowances schemes maintains provision for a Co-optees Allowance lest such a situation arose and the terms of reference for review require this allowance to be reconsidered so as to future proof the allowances scheme.
101. The current Co-optees Allowance is £613, which has been set at 25 per cent of the Basic Allowance. Benchmarking shows that where a Co-optee' Allowance is paid (in four other English NPAs) the mean Co-optees' Allowance is £750 and the median is £209. No evidence was received to indicate that the Co-optees' Allowance required revision; it should remain at 25 per cent of the recommended Basic Allowance (£2,568), which equates to £642.
102. **It is recommended that the Co-optees' Allowance should be £642 for 2023/24, subject to any applicable indexation for 2022/23.**

The Independent Persons (X 2)

103. The remuneration of the Independent Persons falls outside the 2003 Regulations but in the absence of any other means to externally review their remuneration the terms of reference require a review of the payment made to the statutory Independent Persons appointed under the Localism Act 2013. Similar requests are often made of the statutory IRPs for principal councils.
104. The Independent Persons (IPs) replace the previous requirement to maintain a Standards Committee and the IPs prime role is to assist the Authority in promoting and maintaining high standards of conduct amongst all its Members. In

- particular, an IP will be consulted by the Monitoring Officer before any decision is made on an investigated complaint. Where it has been determined that there has been a breach of the Code of Conduct a Hearing Panel will be convened (drawn from the full Authority) to impose any sanctions. In reaching such decision the Authority meeting (Hearing Panel) will consult and take into account the views of the IP who will attend such meetings. The IPs also replace the statutory role of Designated Independent Person (DIP) in disciplinary panels set up to make recommendations on any disciplinary actions in respect of Statutory and Chief Officers. Thus far the Authority has not had to call upon the IPs for this purpose.
105. The IPs are paid an annual remuneration of £1,227, set at 50% of the current Basic Allowance. Benchmarking shows that the mean and median remuneration of the IPs across the ten English NPAs to be £750 and £209 respectively, not including the one NPA (Northumberland) that pays on a £89 per day, £45 per half day basis. However, four NPAs do not include payments to their IPs as it is not a requirement to publish such payments in their allowances scheme so the true mean and median figures cannot be discerned from examination of all English NPAs allowances schemes.
106. Consideration was given whether the IPs payment in the Peak District NPA should be paid on the number of meetings attended or even a hybrid model that pays an annual fixed sum plus a per meetings payment. However, this approach has been rejected. It largely boiled down to what constituted a meeting and it was felt that any payment on a per meeting basis could lead to confusion over defining a meeting. Generally, the view expressed was that a flat payment approach was the more flexible and does not lead to definition issues. As such, it has been decided that there should be no change to the current flat rate approach to paying the IPs.
107. No evidence was received to suggest that this methodology and ratio should be altered; 50% of the recommended Basic Allowance (£2,568) now equates to £1,284.
108. **It is recommended that the remuneration for the Independent Persons is reset at £1,284 for 2023/24, subject to any applicable indexation for 2022/23.**

Travel and Subsistence Allowances

Car Mileage Allowances

109. The only issues raised in regards to the mileage allowance was the fact that current rates, which are based on HMRC AMAP (Approved Mileage Allowances Payments) rates, are no longer realistic with the recent steep rises in fuel prices and the fact that they are taxed. While it may well be the case that the current rates do not reflect actual costs these days it remains that these are the same rates that apply for Officers and HMRC AMAP rates are the most commonly

utilised mileage rates in the public sector. To deviate from the mileage rates that are applicable to Officers would be inequitable. Moreover, the issue of these rates being subject to income tax and national insurance is an issue outside the remit of this review.

110. Another issue that was picked up during the course of the review was that the mileage allowances did not clarify the applicable mileage rates for when a Member claims by travelling in a hybrid/electric vehicle.
111. It is noted that Office for Low Emission Vehicles (14th May 2018) in a document entitled “Tax benefits for ultra-low emission vehicles” states that for business users “electric and hybrid cars are treated in the same way as petrol and diesel cars.” Although it was not raised during the course of the review to provide clarification and to future proof the mileage allowances **it is recommended that the mileage allowances rates are clarified to include claims made by hybrid/electric vehicles are also payable at HMRC rates, currently 45p per mile.**

Subsistence Allowances

112. The main issue arising regarding the Subsistence Allowances is that the maximum rates that can be claimed are too low and do not reflect actual costs of meals and bed and breakfast. It is acknowledged that this is indeed the case particularly the £55 maximum limit for Bed and Breakfast and the maximum rates set out for an evening meal. This is to a large degree intentional so as to deter Members from making their own arrangements for subsistence and overnight accommodation without regard to cost and having the Authority foot the bill. The expectation is that wherever possible Members shall book bed and breakfast and meals when attending conferences, etc. through Democratic Services so that the Authority is authorising and monitoring Members subsistence costs. Where Members do ask for the Democratic Services to arrange their subsistence the maximum Subsistence rates set out in the Members’ Allowances scheme are not applicable. The maximum rates only apply where a Member has made their own arrangements and is seeking a reimbursement.
113. Moreover, the claimable subsistence rates that apply to Members are based on Officer Subsistence rates, so in that respect Members and Officers are treated equally. It is noted that the following claimable maximums apply:
 - Breakfast £5.00
 - Lunch £7.00
 - Evening meal £15.00
114. Thus, to maintain the maximum limits that are claimable by Officers it has been decided that there should be no change to the current Subsistence rates.

115. **It is recommended that the maximum rates for which a Member may claim meals allowances are maintained at that which applies to Officers.**

Issues arising I – support for care of Members’ Dependants

116. In the representations received a question was asked why there is no support for care of dependants’ while a Member was undertaking approved duties on behalf of the Authority. It was pointed out that the nominating councils have the right to make available a Dependants’ Carers’ Allowance (DCA) in such circumstances. Indeed almost all of the statutory IRPs of the nominating authorities have made recommendations to pay a DCA and their respective councils have a DCA in place. It was felt that it was only equitable for the Peak District NPA to have a similar allowance to assist with the care of Members’ dependants when they are carrying out approved duties. It was also noted that Members’ of Welsh NPAs could claim a DCA.
117. However, the relevant section of the 2003 Regulations that provides express powers for principal councils to pay a DCA has been specifically dis-applied for NPAs and other secondary authorities such as fire authorities and for some reason the Council of the Isles of Scilly, which is a unitary authority.
118. As such, however inequitable it may appear the Authority cannot pay a DCA so no recommendation is being made in this regard.

Issues arising II – Linking remuneration to attendance

119. An issue raised by more than one representation suggested that Members remuneration should be linked to achieving a certain attendance threshold. It was the argument went inequitable that all Members received the same Basic Allowance regardless of the number of meetings attended.
120. The issue may not be as pronounced as it is perceived. The Second Report of the Governance Working Group (May 2020 – paragraph 5) concluded “that as attendance at formal meetings was already well above 80 per cent attendance was not a significant issue ...” On the other hand, it is noted that during the Covid-19 pandemic that meetings were allowed to be conducted virtually. When meetings went back to face to face some Members felt vulnerable (and still do) and this has had an impact on attendances in 2021 and 2022, with an attendance rate of 64 per cent for 2021/22. However, as the threat of the Covid-19 pandemic recedes there is no reason to think that attendance levels will not return to 2019 levels.
121. Moreover, the 2003 Regulations (4 (1) (a)) specify the Basic Allowance shall be paid to all Members “and the amount of such an allowance shall be the same for

each such member". In other, words the Regulations do not permit the payment of a Basic Allowance linked to attending meetings.

122. As such, no recommendation can be made in regards to varying Member remuneration based on attendance at meetings.

Indexing Allowances

123. The 2003 Regulations permit authorities, including NPAs, to apply annual cost of living uplift to their allowances by reference to an appropriate index. In principal councils such up lifts to a Members' Allowances Scheme through indexation are not deemed to be a change or amendment and therefore can be applied automatically without reference to their statutory IRP. However, any applicable index can only run for four years, if a council wishes to continue indexation after four years it must first seek fresh authority from their statutory IRP, this is known as the 'four year rule.' It is the mechanism by which allowances at principal councils are periodically reviewed by their IRP.
124. In the case of NPAs a similar four year rule applies to the application of any indexation but rather than seek authority from a statutory IRP the Authority has to formally consider extending indexation after paying regard to the recommendations of the IRPs for their nominating councils. Currently the main allowances are indexed to the same percentage increase in Officers salary as agreed each year by the National Joint Council for Local Government Officers, often referred to as the 'NJC' index, which runs to the end of the financial year 2022/23. It is noted that the scheme indexes the main allowances to Spinal Column Point (SCP) 49 – which has been the universal SCP to link the indexation to. However, since 2018 SCP 49 has been discontinued and the top SCP is 43 which is now the main SCP reference point for indexation purposes.
125. There was general support in the representation received to continue to apply an index to Members' Allowances and that it should continue to be the NJC index for the main allowances. This is the most commonly recommended index by the statutory IRPs for the nominating authorities. Similarly relevant indices should be applicable to other allowances.
126. It is pointed out that if there is no provision in the allowances scheme to index allowances then the Authority is not able to apply an automatic annual cost of living increase without formally considering the issue; and then only after having paid regard to the latest recommendations of the statutory IRPs for the nominating councils. However, if the Authority does adopt indices it is under no obligation to apply them each year. The Authority retains the right not to apply an index to their allowances even though the provision is in place. But it cannot apply an automatic cost of living increase if there is no provision for indexation in place.

127. It is recommended that the Peak District NPA Members Allowances are indexed as follows:
- **Basic Allowance, SRAs, Co-optees' Allowance and Independent Persons annual remuneration:**
 - Indexed to the annual percentage salary increase for local government Officers (at spinal column 43 or the equivalent level if the spinal column points are revised), to be applied from the same year that applies to Officers
 - **Travel Allowances including Mileage Rates, and Subsistence Allowances:**
 - Indexed to the same rate that is applicable to Officers, except the Passenger Supplement Mileage rate – it is not being recommended that this allowance is indexed
128. It is further recommended that the applicable indices should run the maximum length permitted by the 2003 Regulations, namely four years from date of the first application of the relevant indices to the Basic Allowances and SRAs on 1st April 2023 to the end of the financial year 2027.

Implementation of Recommendations

129. It is recommended that the recommendations contained in this report are implemented from 1st April 2023.

APPENDIX 1: Information Considered

1. Terms of Reference for Review
2. List of Peak District NPA Membership including Committee Chairs and Vice Chairs, 2022
3. Peak District NPA Members' Allowances Scheme 2021/22
4. Peak District NPA Annual Statutory Publication of Members' Allowances & Expenses Received 2020/21
5. Peak District NPA Independent Remuneration Panel Report, Review of Members' Allowances, June 2018
6. Report to Peak District NPA, Independent Review of Members' Allowances Scheme, including minutes of the meeting, 6th July 2018
7. Diagram of Peak District NPA Committee Structure April 2022
8. Role + Job Description of Members of the Peak District NPA
9. Member Champion Generic Role Description
10. Role description and Selection Criteria – Skills & Competencies for Independent Person appointed by the Peak District NPA
11. Peak District NPA Programme of Meetings, 2022
12. Peak District NPA Standing Orders Part 4 – delegation to committees, sub-committees and advisory groups, including their terms of reference, March 2021
13. Peak District NPA – appointments to outside bodies
14. Annual Survey of Hours & Earnings (ASHE). Median earnings for all full time employees in the East Midlands (excluding overtime) Table 7.2a (work geography), ONS, 2021
15. Appointment of Secretary of State Members to National Park Authorities, Department for Environment, Food & Rural Affairs, "Appointment of Secretary of State Members to National Park Authorities"– Briefing pack for applicants" March 2022
16. Latest IRP Reports from the 11 constituent authorities of the Peak District NPA

17. Replies to questionnaire set out to all Members
18. SI 2003 No. 1021, *The Local Authorities (Members' Allowances) (England) Regulations 2003*, 7 April 2003
19. DCLG and HMRC: *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, May 2006
20. Response of Peak District NPA to government consultation on the Landscapes Review
21. First Report of the Governance Review Working Group, including attachment 4: Proposed Committee Structure, May 2019
22. Second Report of the Governance Review Working Group, including appendices 1-5, May 2020
23. Peak District National Park Foundation, Annual Report, 2020/21
24. Benchmarking against all other English, Welsh & Scottish NPAs – 2022 – see appendix three for further details
25. National Employers for Local Government Services, Local Government Pay 2022, 25th July 2022. Final Pay Offer to Local Government Officers
26. Office for Low Emission Vehicles, Tax benefits for low emission vehicles, 14th May 2018
27. Procedure for considering complaints that Members have breached the Code of Conduct, Peak District NPA Members Handbook, July 2020

APPENDIX 2:

Members and Officers who met with the Panel

Members:

J. Beresford: ¹³	Deputy Chair of Peak District NPA (Secretary of State National Appointment)
Cllr P. Brady:	Chair of Planning Committee (Parish Councillor - Secretary of State National Appointment)
Cllr C. Greaves:	Vice Chair Programme & Resources Committee (Kirklees Council appointment)
Prof J. Haddock-Fraser	Chair Programme & Resources Committee (Secretary of State National Appointment)
Cllr Andrew McCloy:	Chair of Peak District NPA (Parish Councillor - Secretary of State National Appointment)
K. Smith:	Vice Chair Planning Committee (Secretary of State National Appointment)
Y. Witter:	Member Champion for Engagement (Secretary of State National Appointment)
Cllr B. Woods:	Member Champion for Member Learning & Development (Derbyshire County Council appointment)

Members Written Submissions:

Nine written submissions were received

Independent Person

Philip Sunderland	Independent Person
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¹³ Interview conducted by telephone on 25th July 2022

Officers:

Andrea McCaskie: ¹⁴	Interim Chief Executive, Head of Law & Monitoring Officer
Justine Wells:	Chief Financial Officer and Head of Finance
Brian Taylor:	Head of Planning
Emily Fox:	Head of Information & Performance Management
Ruth Crowder: ¹⁵	Democratic Services Manager

¹⁴ Interviewed virtually via WebEx on 7th July 2022

¹⁵ Ditto

APPENDIX THREE: Summary of Allowances Payable in English NPA's/Broads Authority

PD NPA BM1 English NPAs Basic Allowances & Main SRAs June 2022											
Comparator NPA	No of Members	Basic Allowance	Chair's SRA	Chair's total (BA+SRA)	Deputy Chair	Chair Planning	V/Chair Planning	Members Planning	Chair Programme & Resources (inc other e.g. Audit)	V/Chair Programme & Resources	Costs inclusive of BA
The Broads	21	£1,046	£3,925	£4,971	£1,963	£1,963	£523	£523	£523		PC & private tel + paid 1/4ly
Dartmoor	19	£1,788	£5,332	£7,120	£1,788	£1,788	£894		£1,788	£894	Private tel + postage
Exmoor	22	£2,864	£5,728	£8,592	£4,296	£4,296					Use of home
Lake District	20	£3,000	£6,000	£9,000	£4,500	£2,000			£2,000		plus £20 p/m ICT Allowance
New Forest	22	£2,014	£4,028	£6,042	£2,014	£2,014	£1,007		£2,014	£1,007	Use of home
Northumberland	18	£1,886	£5,658	£7,544	£1,886	£943					Private tel + postage
N. Yorks Moors	20	£2,453	£4,907	£7,360	£1,840	£2,453			£744		Private tel + postage
South Downs	27	£3,749	£6,779	£10,528	£5,061	£4,049	£1,012		£810	£338	NA
Yorkshire Dales	25	£3,325	£6,650	£9,975	£1,663	£2,494	£1,330				IT consumables, private tel + post
Peak District (2021/22)	30	£2,453	£6,133	£8,586	£3,066	£3,066	£2,024		£2,453	£1,227	BA inc £30 4 printing
Mean	22.4	£2,458	£5,514	£7,972	£2,808	£2,507	£1,132		£1,476	£867	
Median	21.5	£2,453	£5,658	£7,544	£1,963	£2,014	£1,007		£1,299	£894	
High	30	£3,749	£6,779	£10,528	£5,061	£4,296	£2,024		£2,453	£1,227	
Low	18	£1,046	£3,925	£4,971	£1,663	£943	£523		£523	£338	
Mean BA + Chairs SRA Ratio		100%	2.25	3.25	51%	45%	45%		27%	59%	

PD NPA BM2 English NPAs - Other SRAs & Co-optees' Allowances June 2022										
Comparator NPA	Chair Navigation	V/Chair Navigation	Chair Governance	Chair Standards	Chair Standards Hearings	Chairs Working Panels	Chair Consultative Forum	Chair Authority Review/Park Strategy	Co-optees' Allowance	IP Payment
The Broads	£1,963	£523							£349	Not stated
Dartmoor					£351	£894			£209	£209
Exmoor				£716			£1,432		Not paid	Not stated
Lake District			£2,000					£2,000	Not paid	£150
New Forest				£504					£142	£142
Northumberland								£943	£333	£89 p/d/£45 half day
N. Yorks Moors									Not stated	Not stated
South Downs									£3,030	£2,020
Yorkshire Dales									Not stated	Not stated
Peak District (2021/22)									£613	£1,227
Mean									£779	£750
Median									£341	£209
High									£3,030	£2,020
Low									£142	£142

PD NPA BM3 Welsh & Scottish NPAs Basic Allowances & Main SRAs June 2022					
Comparator NPA	Basic Allowance	Chair's SRA	Chair's total (BA+SRA)	Deputy Chair	Chairs & other Senior posts (as determined by individual Welsh NPA)
All 3 Welsh NPAs*	£4,738	£8,793	£13,531	£3,740	£3,740
Cairngorms NPA	Members paid £227 per day according to days put in (with NPA Convenor putting in at least 104 days per year & other Members at least 36 days per year). Rates set by Scottish Government				
Loch Lomond & The Trossachs NPA	Members paid £199 per day (All Members including Chair(s) expected to put in at least 36 days per year). Rates set by Scottish Government				
* The 3 Welsh NPAs (Brecon Beacons, Pembrokeshire Coast & Snowdonia) are paid according to a nationally determined allowances scheme. All remunerated posts such as Chair etc. are paid an inclusive Senior Salary so figures listed against SRAs have had the BA deducted					