

to Weymouth and Portland Borough Council

May, 2017

Executive Summary of Recommendations

The Independent Remuneration Panel has met to consider a fundamental review of the Council's Scheme of Members' Allowances. The full report follows this summary of the recommendations, where the justification for our proposals is to be found.

RECOMMENDATION 1 – That the Basic Allowance for 2017/18 be set at the present level of £5097 for each councillor and that the indexation of the Basic Allowance for future years continue to be linked to the % variation negotiated for local government officers and specifically in respect of the variation applied to spinal column point 34 on the officers' pay scales.

RECOMMENDATION 2 - That no change be made to the arrangements to supplement to the Basic Allowance by £100 per member per year to cover the costs of IT consumables.

RECOMMENDATION 3 - That for the purposes of calculating special responsibility allowances and the indexation of allowances, only the core Basic Allowance (currently £5097) i.e. without this supplement, continue to be used.

RECOMMENDATION 4 - That the Special Responsibility Allowance for the Chair of the Management Committee be increased to £8,920 (1.75 of Basic Allowance - 1 to reflect the Brief-holder role and 0.75 to reflect the leadership role within the Management Committee)

RECOMMENDATION 5 - That the Special Responsibility Allowance for the Brief Holders (members of the Management Committee) be increased to £5,097 (1 x Basic Allowance)

RECOMMENDATION 6 - That the Special Responsibility Allowance for the Chair of the Harbour Management Board continue to be set at £3,823 (0.75 of Basic Allowance)

RECOMMENDATION 7 - That the Special Responsibility Allowance for the Chair of the Scrutiny and Performance Committee and the Policy Development Committee continue to be set at £3,823 (0.75 of Basic Allowance)

RECOMMENDATION 8 - That the Special Responsibility Allowance for the Chair of the Planning Committee continue to be set at £3,823 (0.75 of Basic Allowance)

RECOMMENDATION 9 - That the Special Responsibility Allowance for the Chair of the Licensing and Audit Committees continue be set at £1,274 (0.25 of Basic Allowance)

RECOMMENDATION 10 - That the Special Responsibility Allowance for the Chair of the Council (the Borough Mayor) continue to be set at £1,274 (0.25 of Basic Allowance).

RECOMMENDATION 11 - That currently there was little evidence to justify any additional SRA for the Joint Advisory Committees and that in the view of the Panel the chair of the relevant sovereign committee should chair the Joint Committee and this responsibility should be considered to be part of their SRA.

RECOMMENDATION 12 - That the Special Responsibility Allowance for Independent Members of the Harbour Management Board continue to be set at £510 (0.1 of Basic Allowance)

RECOMMENDATION 13 – That the Scheme of Allowances continue to specify that only one special responsibility allowance is permitted to be claimed by a member to whom the Scheme applies.

RECOMMENDATION 14 – That travelling expenses for approved duties within this Scheme of Allowances (including walking and cycling) continue to be set at the maximum rates per mile published by HM Revenue and Customs before incurring a tax liability.

RECOMMENDATION 15 – That the Scheme of Allowances reflects the HMRC published rates of subsistence as the maximum before tax liability, as shown below, and that the Scheme be updated to reflect such rates in the future.

Breakfast	£5.00 (leaving home before 7am)
Lunch	£10.00
Evening Meal	£15.00 (arriving home after 8pm)
Evening meal (London)	£15.00
Bed and breakfast	£60.50
Bed and Breakfast (London)	£105.00

RECOMMENDATION16 - That the Scheme of Allowances be amended to include within the Approved Duties section, the entitlement of the Mayor to claim mileage for the use of his/her car for attendance at any civic event.

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Context Statement and Recommendations

1. The Panel was asked to undertake a fundamental review of the Scheme of Members' Allowances and to report to the Council in June 2017.
2. The Panel was aware of the impending decision of the Secretary of State regarding Dorset's bid for unitary status and accordingly that the shelf life of any allowances scheme that it recommended, could be fairly short. Should the Secretary of State's decision be to not proceed with Dorset's bid then it might be appropriate for the Panel to reconsider the allowances.
3. In the short time available to the Panel and in view of Paragraph 2 above, there are a certain aspects that have been taken as read so that the Panel could concentrate on the key issues of the review.

Introduction

4. The Independent Remuneration Panel has been established under the Local Government (Members Allowances) (England) Regulations, 2003, to make recommendations on councillors' allowances.
5. A new Panel was appointed in March, 2017 to undertake a joint review of the allowances schemes of the three Councils within the Dorset Council's Partnership and comprises
 - John Quinton, Local Government Adviser – Previous Head of Democratic Services at Wiltshire Council
 - Keith Broughton, a resident of North Dorset and Council tax payer, and retired HR professional
 - Daniel Cadisch, Bureau Manager, Dorchester and District Citizens Advice Bureau
 - Revd Pip Salmon, a resident of Weymouth and representing the faith sector
6. Our report with recommendations is made on the basis of evidence received and our best judgement of the needs of the Council as reflected by that evidence.

Much of the evidence has come from meetings held with Group Leaders. Alongside this, various Officers of the Council have furnished us with information and advice. We are extremely grateful for all of this Member and Officer support.

7. As explained at Paragraph 2 and 3, although this is a fundamental review, which is required to be carried out at least every 4 years, the Panel has focussed on key aspects of the Scheme of Allowances. It has however had regard to all aspects of the Scheme of Members' Allowances including:

- the level and purpose of the Basic Allowance that all councillors receive and which must be awarded at the same level for each councillor;
- the leadership and other roles within the Council that currently attract a Special Responsibility Allowance (SRA) on top of the Basic Allowance – the differentials between such allowances and whether all such roles and levels of allowance remain relevant to the Council for the future;
- the broader allowances scheme and the general support available to councillors;

8. Finally, whilst it is not within the remit of the Panel to consider the overall financial constraints under which Weymouth and Portland Borough Council is operating, the Panel is aware of the need to balance issues relating to members' allowances with other demands on Council budgets.

Primary Purpose of Review

9. The primary purpose of our review of the Scheme of Members' Allowances is to ensure that the Scheme remains relevant. Our review complements the work of the previous Panels which has set a clear and robust framework for allowances to date. The review also encompasses the proposed new joint working arrangements with the three councils comprising the Dorset Councils Partnership.

Process and Methodology of the Review

10. In undertaking the Review the Panel met on 21 and 27 March for initial briefing sessions and on 28 March and 4 April for interviews and deliberations.

11. The Panel met with the following Group Leaders:-

Councillor Cant

Councillor Taylor

Councillor Huckle

12. In addition the following Councillors submitted representations to the Panel for consideration and these were discussed with the relevant Group Leader:-

Councillor Brookes

Councillor Bruce

Councillor Farquharson

Councillor Taylor

Councillor Wheller

13. The Panel were provided with additional information from officers including comparative data across Dorset District Councils, copies of the Allowances Schemes for all three councils within the Dorset Council's partnership, details of the Members Allowances Budget and the multipliers used to calculate the SRAs from the Basic Allowance.

Basic Allowance (BA)

14. The Basic Allowance is currently £5,097 per member which is the same as West Dorset District Council's and slightly more than North Dorset District Council's, the other members of the Dorset Council's Partnership.

15. The formula used originally to calculate the Basic Allowance in Weymouth and Portland is based on the Local Government Association (LGA) published daily rate x 32 days (33% voluntary discount on 48 days per year for Council business). The 48 days was calculated on the basis of evidence provided by councillors at the previous fundamental review (2009) as to their average time commitment. The voluntary element reduction reflects central government guidance that a number of hours committed by councillors on Council business should be unremunerated.

16. The consensus amongst Group Leaders was that the workload of ward councillors varied enormously and would depend on which ward and how many councillors served within it. Whilst the formula used to calculate the Basic Allowance was out of date in terms of the number of days used, the level at which it was set in numeric terms, was about right as it was comparable across the Partnership.

RECOMMENDATION 1 – That the Basic Allowance for 2017/18 be set at the present level of £5097 for each councillor and that the indexation of the Basic Allowance for future years continue to be linked to the % variation negotiated for local government officers and specifically in respect of the variation applied to spinal column point 34 on the officers’ pay scales.

Basic Allowance and IT Provision for Councillors

17. The Panel has given attention to the present practices of the Council with regard to the provision of IT equipment for councillors.

18. Officers have provided the Panel with a statement of current practice as follows:-

“The Partnership has committed to introducing paperless committee meetings as part of the overall digital by default programme and the introduction of a committee management system which provides an app for easy access to committee papers. Paperless meetings will help the Dorset Councils Partnership (DCP) to achieve significant savings from reducing our print budget, approx. £50,000 per year across the partnership and the DCP received Transitional Challenge Award funding to help us provide mobile devices for councillors.

Councillors have been offered the choice of a laptop or a tablet, both of which will be compatible with the Modern.gov app. The roll out of the laptops starts on 30th March. The roll out of the tablets was due to take place over the first 3 weeks of April, however this has had to be postponed as the tablets have been recalled by the manufacturer for a fault with the life of the battery. New timescales for the roll out of tablets have not been confirmed but I would hope that they would be back from the manufacturer and rebuilt by IT by the end of April, this would enable us to roll out the tablets in May and look to start paperless meetings June/July.”

19. The issues we have discussed with Group Leaders include:

- the Council’s policy on member IT communications generally and the gradual roll out of equipment;
- the Council’s wish to move to a paperless policy and once this principle had been established, how dependent councillors would then be on the IT equipment working effectively;

- the recognition that ultimately this was the way forward for the Council but emphasising the requirement for detailed training for Councillors;

20. Currently we understand that a supplement to the Basic Allowance of £100 per annum per member is funded from existing IT and member services budgets. The intention would be that the Council would continue to provide and maintain hardware for members' IT. The £100 supplement would be a contribution to broadband and consumables. The total cost of this would be £3,600 per annum.

RECOMMENDATION 2 - That no change be made to the arrangements to supplement to the Basic Allowance by £100 per member per year to cover the costs of IT consumables.

RECOMMENDATION 3 - That for the purposes of calculating special responsibility allowances and the indexation of allowances, only the core Basic Allowance (currently £5097) i.e. without this supplement, continue to be used.

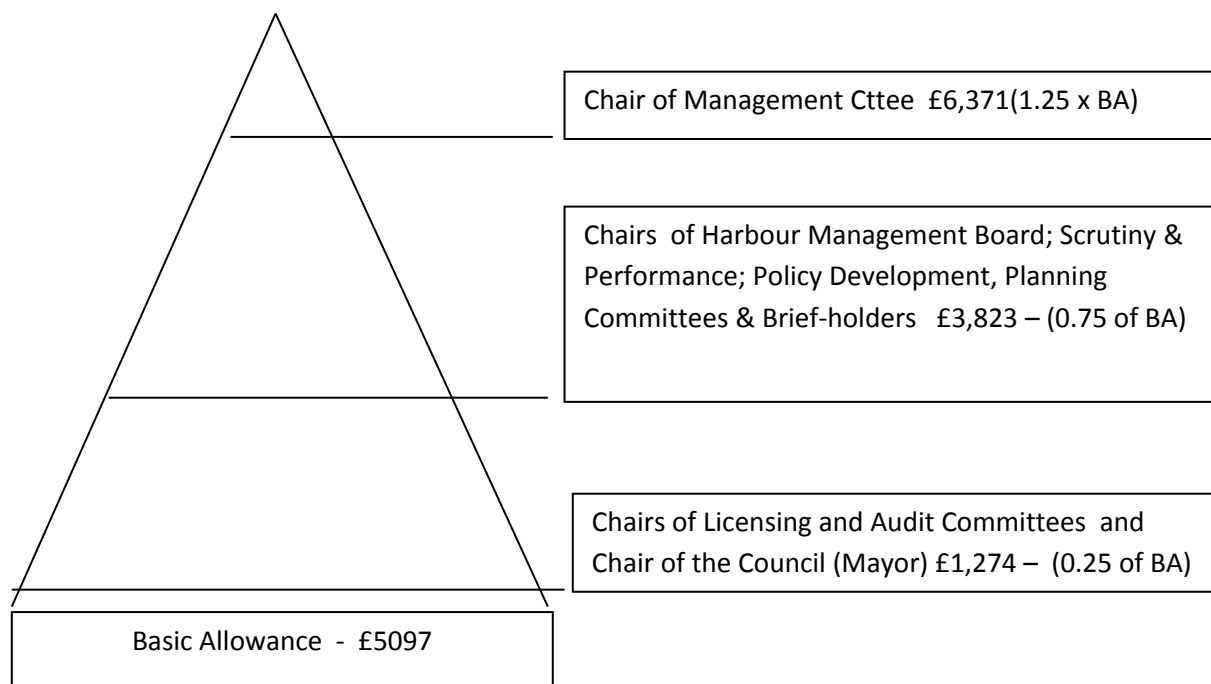
Banding of Special Responsibility Allowances

21. The Members Allowances Regulations state that “a special responsibility allowance (SRA) may be paid to those members of the council who have significant additional responsibilities over and above the generally accepted duties of a councillor”. The regulations list the categories of responsibilities which might call for an SRA. Guidance from Government released in association with the Regulations do not limit the number of SRAs payable nor do they prohibit the payment of more than one SRA. However, within the guidance the Government sets an expectation that the proportion of SRAs should not exceed 50% of the total number of councillors. The panel understands that currently the level within the Council is at approximately 47% (36 councillors, 17 of whom have SRAs).

22. The Panel has spoken to Group Leaders about the present structure of special responsibilities and whether the differentials between SRAs are about right. It is perhaps fair to point out that not all special responsibility work is immediately visible to others e.g. meetings with officers, reading up on key policies of the council and other bodies, planning presentations, dealing with the Press etc.

23. SRAs are currently calculated as a value of the core Basic Allowance (BA) – see our recommendation 3 above and we see no reason to move away from that practice as it is open and transparent and shows a clear linkage and distinction from the duties undertaken by all Councillors.

24. In the “pyramid of responsibility” shown below, we illustrate the existing banding of Special Responsibility Allowances (SRAs). This reflects elected member roles and not those carried out by non-councillors.



25. The Panel supports the principle as established by the previous Panel, that there should be a minimum number of bands differentiating SRAs and the specific member roles.

26. There was a clear feeling amongst Group Leaders and indeed from a submission from an individual councillor that the current SRAs were out of kilter with other councils in the Partnership. This was simply down to the multiple used to calculate the SRA from the BA. Currently within North Dorset and West Dorset they operate an executive model with the Leader of the respective councils receiving 2.25 and 3 x the BA. The nearest equivalent post within the Borough Council was the Chair of the Management Committee (who is referred to as the Leader of the Council) who currently receives 1.25 x the BA. This variance to one degree or another is reflected across all the SRAs.

27. Group Leaders felt that this disparity was wrong and that the allowances should be comparable. However, in the current financial climate and with LGR on the immediate horizon it was not appropriate to rectify this completely in the short term.

28. Panel Members however wished to highlight this disparity and would attempt to reflect some transitional move towards rectifying this within their recommendations.

29. We have noted the role descriptions set by the Council in the Constitution Those role descriptions contain similar knowledge and skill sets across the roles. The variants are in the frequency of meetings and the degree of engagement required outside of the meetings. However, when discussing this with Group Leaders it is also clear that some SRA holders have distinct accountabilities and responsibilities.

30. We have used these documents and discussions to guide our considerations of the following roles and their allowances:

Chair of and Brief Holders on the Management Committee

31. Currently the Chair of the Management Committee receives 1.25 x the BA. This reflects the current SRA for a Brief Holder (0.75 x BA) and 0.5 x BA for presiding over the Management Committee.

32. In our view the element for chairing the Management Committee is too low. Chairing a cross party committee which is responsible for the strategic direction of the Council is a very demanding task and to equate it to 0.5 of the BA, when some committee chairs receive 0.75 x BA, in the view of the Panel is wrong. The co-ordinating role, the spokesperson role and the total accountability of making the Management Committee work effectively is down to the Chair and the way he/she manages the portfolios and engages with Brief Holders.

33. The current Chair has clear plans to increase the effectiveness of the Management Committee by devising and agreeing action plans with Brief Holders and by holding them to account for outcomes.

34. There is a significant role within the Management Committee for Brief Holders. Whilst there is no individual decision making there is a collective rather than an individual accountability for those decisions. This collective working is very much emphasised in the role description of brief holders.

35. We have heard from Group Leaders that there are discrepancies in the portfolios of the different Brief Holders. In the Panel's view these are not sufficient to differentiate between Brief Holders and in view of the collective accountability for decision making and the personal responsibility and accountability for their portfolio this is sufficient reasoning for maintaining them all at the same level.

36. It is quite clear from our discussions with Group Leaders that the workloads and responsibilities of Brief Holders has increased to a greater extent than the workload of councillors overall. It was also made clear to us that the differential with the chairs of the main committees was too little. On that basis and considering our wish to move the SRAs closer to those of the other councils in the Partnership, we are of the view that the SRA for the Brief Holder should increase to 1 x the BA.

RECOMMENDATION 4 - That the Special Responsibility Allowance for the Chair of the Management Committee be increased to £8,920 (1.75 of Basic Allowance - 1 to reflect the Brief-holder role and 0.75 to reflect the leadership role within the Management Committee)

RECOMMENDATION 5 - That the Special Responsibility Allowance for the Brief Holders (members of the Management Committee) be increased to £5,097 (1 x Basic Allowance)

Chair of Harbour Management Committee

37. We accept the important role the harbour plays in the economy of the area and the need for effective management and accountability to the Council – a role clearly demonstrated in the role description now offered to the Panel. We also note that in terms of accountabilities and skill sets, there is a similarity with other chairing roles.

38. We have however not received any evidence to suggest that the SRA should be increased and we believe therefore that the value of this SRA should be retained at the current level and set at the same level as for other Chairs

RECOMMENDATION 6 - That the Special Responsibility Allowance for the Chair of the Harbour Management Board continue to be set at £3,823 (0.75 of Basic Allowance)

Chair of Scrutiny and Performance Committee and of the Policy Development Committee

39. We have considered the evidence submitted to previous Panels about the roles of these two Committees and their role in fulfilling the Council's statutory overview and scrutiny function.

40. The Panel believes that it is appropriate for the Scheme of Allowances to reflect that this "non-executive members" role is a robust part of the Council structure. We understand that it exists to challenge the Management Committee decisions where appropriate and to enable councillors to use their community leadership skills in developing new policies and reviewing services, often through detailed working groups.

41. We have however not received any evidence to suggest that the SRA should be increased and we believe therefore that the value of this SRA should be retained at the current level and set at the same level as for other Chairs. In the past the chairing role for these Committees has been recognised at the same level as a Brief Holder but in our view and based on the evidence provided by Group Leaders we now feel that the Brief Holder has increased responsibility and accountability.

42. Indeed in respect of the Scrutiny Committee it is possible that the joint arrangements referred to in paragraphs 51 below may reduce its workload. This will have to be kept under review.

RECOMMENDATION 7 - That the Special Responsibility Allowance for the Chair of the Scrutiny and Performance Committee and the Policy Development Committee continue to be set at £3,823 (0.75 of Basic Allowance)

Chair of Planning Committee

42. Previous Panels have recognised that the work of this Committee needs sensitive and effective risk management in a high profile service area. The high level of Officer support for the planning process in particular was also recognised. Nevertheless, in our view the Chair of this Committee needs to have good qualities of leadership in a function that is quasi-judicial and for which there is no other accountability within the Council.

43. We have however not received any evidence to suggest that the SRA should be increased and we believe therefore that the value of this SRA should be retained at the current level and set at the same level as for other Chairs

RECOMMENDATION 8 - That the Special Responsibility Allowance for the Chair of the Planning Committee continue to be set at £3,823 (0.75 of Basic Allowance)

Chairs of Licensing and Audit Committees

44. Previous Panels have accepted that in reality, the time and effort commitment involved in chairing these Committees is significantly less than for the committees in the higher banding of allowances. That is not to detract from the leadership qualities required of these Chairs in managing sensitive and important issues.

45. We have not received any evidence to suggest that the SRA should be increased and we believe therefore that the value of this SRA should be retained at the current level of 0.25. Indeed, in respect of the Audit Committee it is possible that the joint arrangements referred to in paragraphs 51 below may reduce its workload. This will have to be kept under review.

RECOMMENDATION 9 - That the Special Responsibility Allowance for the Chair of the Licensing and Audit Committees continue be set at £1,274 (0.25 of Basic Allowance)

Chair of the Council

46. The previous Panel established the principle of recognising within the Scheme of Allowances the role of the (Mayor) Chairman of the Council as a special responsibility. The civic and ceremonial aspects of the role are supported from other budgets and are therefore not part of this review.

47. It was recognised that the Chairman of the Council, presides over more meetings than the Licensing or Audit Committees. The Council is the primary policy making body and is the largest of all meetings in the authority. We believe that the Chairman of the Council meeting requires exactly the same skills set as the Council recognises for other chairing roles but arguably greater levels of responsibility for the effective management of the agenda and the business in such a large and high profile public forum. However from evidence received it does not appear that the

workload between meetings is significant and given the other aspects of support for this role, we have decided that the allowance should continue to be equivalent to that of the Licensing and Audit Chairs.

48. However one issue that was highlighted by a Councillor as an anomaly was that there was no provision within the approved duties section of the Allowances Scheme which provided for the Mayor to claim a mileage allowance when on civic/ceremonial duties and where he/she used their own car. The Panel agreed to rectify this when they considered that section of the Scheme.

RECOMMENDATION 10 - That the Special Responsibility Allowance for the Chair of the Council (the Borough Mayor) continue to be set at £1,274 (0.25 of Basic Allowance).

Joint Arrangements

49. In 2016 the Council agreed to Joint Arrangements including the appointment of a Joint Advisory Overview and Scrutiny Committee (JAOSC) and Joint Advisory Accounts and Audit Committee (JAAAC). The former was to act as an advisor on matters in relation to the discharge of functions of: (i) the Council; and/or (ii) any of the partner councils forming the Dorset Councils Partnership. The JAOSC will consist of fifteen members. Each Council making up the Dorset Councils Partnership shall appoint five Members to JAOSC. The JAAAC was (a) To act as an advisor on matters referred to in relation to: (i) internal and external audit issues, and/or (ii) financial risk management; and/or (iii) internal financial controls; and/or (iv) corporate governance; and /or (v) financial accounts, in all cases to the extent that such matters have relevance to all of the partner councils that make up the Dorset Councils Partnership. The JAAAC will consist of twenty-one Members. Each Council making up the Dorset Councils Partnership shall appoint seven members to JAAAC.

50. It was understood that the chair of each Committee would rotate between councils each year.

51. Evidence has been presented to the Panel that the joint arrangements may evolve in such a way as to reduce the workloads of the relevant sovereign committees of the individual councils. The thinking is that as services are being provided across all three councils as one service rather than three different services, any scrutiny or audit function would look at them collectively rather than individually. This in the view of the Panel is a distinct possibility with the increasing joint service provision across the three councils.

52. This was discussed with Group Leaders and there was no clear consensus. In one respect the differences between the councils were such that services may need to be looked at differently and there would anyway still be a need for each council to maintain a sovereign committee. Ideally officers needed to identify common areas

where joint work would be beneficial to all three councils and this could then be used as the basis for some action/work plans.

53. In addition, we have spoken to Group Leaders across the other two councils for their views on how these joint arrangements might work as well as the Chief Executive and a Service Manager engaged in the delivery of front line service across all three councils.

54. Across the other Councils the views of Group Leaders were mixed. In one respect the differences between the councils were such that services may need to be looked at differently and there would anyway still be a need for each council to maintain a sovereign committee. Also, the evolution of these joint committees was at an early stage and it was difficult to estimate their future workload.

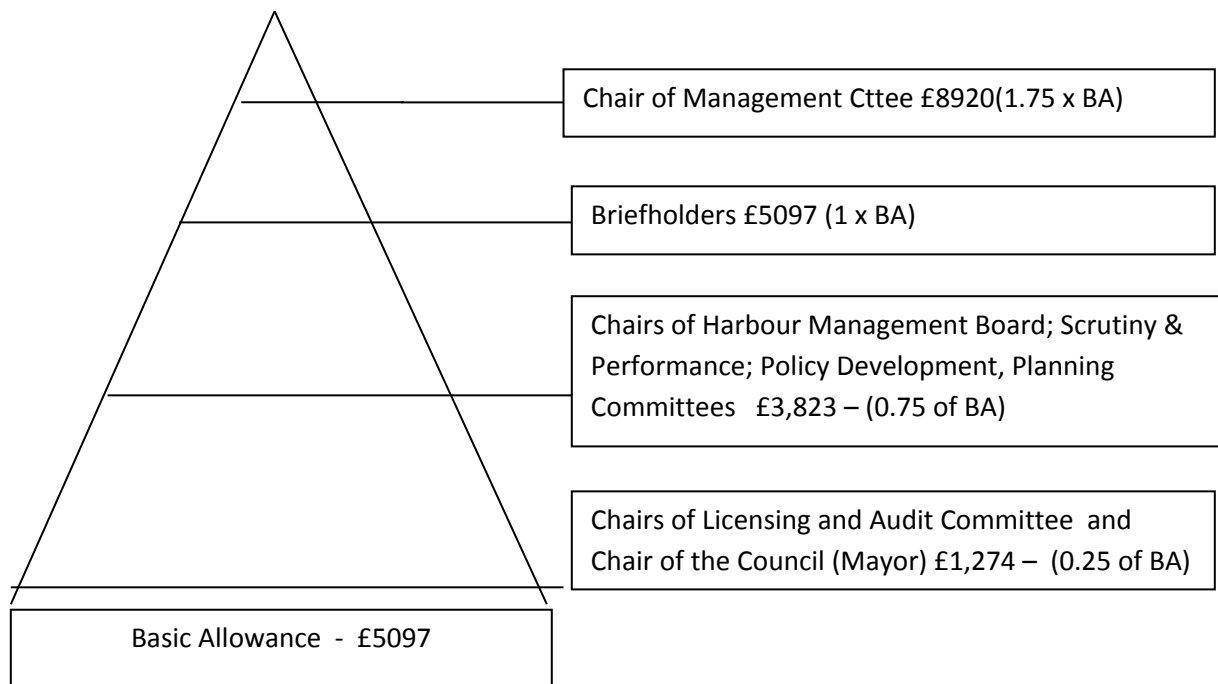
55. Having interviewed the Head of Housing it was clear what the benefits of the joint arrangements were from an officer's perspective. He was already holding joint briefings for all portfolio holders/brief holders across all three councils. This was a much more effective use of his time and provided for a dynamic, whereby comparable issues could be dealt with.

56. There is currently little evidence to justify any additional SRA for the Joint Advisory Committees. What evidence existed was purely anecdotal and across the three councils the views varied as to the likely workload and responsibilities of these committees. If as forecast, the workloads of the Joint Committees increased at the same time as the workloads of the sovereign committees decreased, then in the view of the Panel arrangements should be put in place to ensure that the chair of the relevant sovereign committee should chair the Joint Committee and this responsibility should be considered to be included as part of their SRA when it was the turn of that council to chair the joint committee. Over a period of three years (the interval between councils chairing the joint committees) the balance of workloads and responsibilities for the chairs of the sovereign committees would balance out.

57. The Panel recognised however that the workload of the Joint Committees may evolve over time, particularly with the potential for more local government reorganisation on the horizon, and in this case, this was an area to keep under review.

RECOMMENDATION 11 - That currently there was little evidence to justify any additional SRA for the Joint Advisory Committees and that in the view of the Panel the chair of the relevant sovereign committee should chair the Joint Committee and this responsibility should be considered to be part of their SRA.

58. Based on these recommendations the “pyramid of responsibility” shown below, illustrates the proposed banding of Special Responsibility Allowances (SRAs). This reflects elected member roles and not those carried out by non-councillors.



Independent Non Councillors

59. Previous Panels have noted and approved that a sum of £489 is payable to the independent members of the Harbour Management Board. We have received no evidence to suggest that this allowance should be discontinued and believe that there remains a justification for an allowance to be paid. This is to acknowledge the special expertise of these independent persons whose role is integral to the Board and remains wholly relevant to the effective running of the Board.

RECOMMENDATION 12 - That the Special Responsibility Allowance for Independent Members of the Harbour Management Board continue to be set at £510 (0.1 of Basic Allowance)

Number of Special Responsibility Allowances

60. The present Scheme of Allowances permits members to claim only one special responsibility payment, even if the member performs more than one role that attracts such an allowance.

61. We have considered whether there is merit in permitting a member who holds more than one position that attracts an SRA access to all or part of the second allowance. On balance we believe that the present arrangement remains appropriate.

RECOMMENDATION 13 – That the Scheme of Allowances continues to specify that only one special responsibility allowance is permitted to be claimed by a member to whom the Scheme applies.

Expenses for Councillors

62. The Panel has considered the present travel and subsistence allowances for councillors. We have received no evidence to suggest that there is a need to change any of these allowances as they are updated in accordance with HMRC rates.

RECOMMENDATION 14 – That travelling expenses for approved duties within this Scheme of Allowances (including walking and cycling) continue to be set at the maximum rates per mile published by HM Revenue and Customs before incurring a tax liability.

RECOMMENDATION 15 – That the Scheme of Allowances reflects the HMRC published rates of subsistence as the maximum before tax liability, as shown below, and that the Scheme be updated to reflect such rates in the future.

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Evening meal (London)	£15.00
Bed and breakfast	£60.50
Bed and Breakfast (London)	£105.00

Approved Duties

63. The Scheme of Allowances provides detailed information about those councillor duties in respect of which expenses claims (i.e. travelling, subsistence and

dependent carer) are eligible and the panel have been given no evidence to suggest that they require amendment.

64. However one issue that was highlighted by a Councillor as an anomaly was that there was no provision within the approved duties section of the Allowances Scheme which provided for the Mayor to claim a mileage allowance when on civic/ceremonial duties and where he/she used their own car. The Panel agreed to rectify this when they considered that section of the Scheme.

RECOMMENDATION 16 - That the Scheme of Allowances be amended to include within the Approved Duties section to enable the Mayor to claim mileage for the use of his/her car for attendance at any civic event.