

## 6 Members Allowance Scheme

### 1 Introduction

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 requires councils to establish and maintain an Independent Remuneration Panel which will broadly have the function of providing the authority with advice on its scheme of allowances and the amounts to be paid. Local authorities must have regard to this advice.
- 1.2 Basic Allowance
- 1.3 Every Member is paid a basic allowance, monthly in arrears. The basic allowance is £4,360 per annum.
- 1.4 Special Responsibility Allowances
- 1.5 Special Responsibility Allowances are paid effective 1st of June following the annual May meeting, as detailed below:

Leader of the Majority Party/Council	£14,421	
Leader of the Opposition	£4,021	
Deputy Leader of the Majority Party	£4,021	
Deputy Leader of the Opposition	£1,549	
Cabinet Member (Portfolio Holders as below)	£6,184	
Economy and Assets		
Sustainable Homes and Communities		
Tourism, Leisure, Sport and Culture		
Democracy, Transparency and Communications		
Coast, Country and Environment		
Strategic Planning		
Council and Corporate Co-ordination		
Climate Action and Emergency Response		
Finance		
Chair of the Council	£7,813	
Vice Chair of the Council	£2,998	
	<b>Chair</b>	<b>Vice Chair</b>
Audit and Governance Committee	£2,010	Nil
Licensing and Enforcement Committee	£3,098	£836
Planning Committee	£6,184	£3,098
Housing Review Board	£3,098	Nil
Overview Committee	£2,010	Nil
Scrutiny Committee	£3,098	Nil

- 1.6 The Chair of the Strategic Planning Committee, with the agreement of the Independent Remuneration Panel on 2 October 2017, does not attract a special responsibility allowance because the position is undertaken by the Cabinet Member for Strategic

Development, which already is in receipt of a special responsibility allowance.

## 2. Co-optees

- 2.1 Housing Review Board - Two independent representatives and five tenant representatives who are entitled to expenses only.
- 2.2 Standards Committee - Four co-optees and two independent persons entitled to claim £50 per four hours session plus expenses.
- 2.3 Independent Remuneration Panel - Five co-optees entitled to claim £50 per four hours session plus expenses.
- 2.4 Arts and Culture Forum - Members of joint body are entitled to claim expenses only.

## 3. Travelling Allowances

- 3.1 Duties qualifying for the payment of travelling allowances for Members of the Council. At the Policy Committee meeting on 27 June 2001, the rules for Members claiming travelling expenses were summarised as being under three main headings. Below is a summary of the types of allowable claims under each heading:
  - 3.1.1 **Attending meetings which are called by the Council:**
    - 3.1.1.1 Attendance at Committees and Sub Committees – these are deemed to include Working Parties, Steering Groups, Consultative Committees, etc.
    - 3.1.1.2 Meetings between Member(s) and Officers – formally arranged by the appropriate Strategic or Service Lead.
    - 3.1.1.3 In connection with the purpose or discharge of the Council functions.
  - 3.1.2 **Carrying out duties on behalf of the Council:**
    - 3.1.2.1 Site visits and public meetings – attendance at site visits and formal meetings with the public or developers with other Members and Officers of the Council to which the Member has been invited by the appropriate Strategic or Service Lead.
    - 3.1.2.2 Opening ceremonies, presentation of certificates, awards or other similar ceremonies for the purposes of carrying out the presentations etc, presentation of certificates and awards.
    - 3.1.2.3 Attendance at Planning or Other Local Inquiry – where a Member has been specifically requested in writing by the Chief Executive or other Chief Officer to give evidence (or prepare) on behalf of the Council.
    - 3.1.2.4 Official tours, civic days, etc. – attendance at official tours, civic or similar occasions subject to prior approval of appropriate Committee or appropriate Strategic or Service Lead.
    - 3.1.2.5 Chairs and Vice Chairs – attendance by the Chairs or Vice Chairs of the Council (and the local Ward Member) at civic ceremonies or functions, etc.

- 3.1.2.6 Opening of tenders – attendance at the opening of tenders when specifically requested to attend by the appropriate Member of the Senior Management Team.
- 3.1.3 **Attending meetings of other bodies at which Members are representing the Council:**
- 3.1.3.1 Joint meetings between the Council, other local authorities and other bodies subject to such meetings being approved in advance by Committee or the appropriate Strategic or Service Lead.
- 3.1.3.2 Conferences, seminars, etc. – attendance at seminars, courses, “teach-ins”, or similar occasions subject to the approval of the appropriate Committee or appropriate Strategic or Service Lead in consultation with the Chair of the Committee.
- 3.1.3.3 Outside bodies – attendance at formal meetings of outside bodies as an elected representative of the Council, the subject of which has received Council Approval as being further to the interests on the functions of the Council or local government generally.
- 3.1.3.4 Other – in those circumstances where a is satisfied that had time permitted the Council would have authorised the attendance of a Member at a meeting or a function, the purpose of which is related to a function or duty of the Council, provided such approval is given in advance of duty being undertaken.
- 3.1.4 For all other meetings and duties, for example, meetings with constituents, attending Parish Council meetings as elected Members of wards, no travelling expenses may be claimed.
- 3.1.5 Councillors **can** claim for attending Parish Council meetings in their Ward if they are not members of that Parish Council.

#### **4. Travelling Rates**

- 4.1 The rates of travel by a Member’s motor vehicle are based on the current HMRC approved mileage rates as agreed by Council on 28 July 2010.
- 4.2 The rate of travel by taxi-cab shall not exceed: (i) in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid; and (ii) in any other case, the amount of the fare for travel by appropriate public transport.
- 4.3 The rate of travel by a hired motor vehicle other than a taxi-cab shall not exceed the rate which would have been applicable had the vehicle belonged to the Member, provided that the rate may be increased at the Strategic Lead (Finance)’s discretion to an amount not exceeding the actual cost of hiring.
- 4.4 Where travel by air is the only effective means of travel or produces sufficient savings in time and/or other allowances, the rate shall not exceed the cheapest fare available.

## **5. Subsistence Allowances and Rates**

- 5.1 Subsistence allowances may be claimed to meet the costs of meals, refreshments, accommodation etc., in connection with approved duties, and the rates shall not exceed:
- 5.1.1 In the case of an absence, not involving an absence overnight, from the usual place of residence:  
of more than 4 hours, £6.76 for breakfast (£8.29 in London)  
of more than 4 hours, £9.34 for lunch (£11.82 in London)  
of more than 4 hours, ending after 7pm, £11.56 for an evening meal (£15.36 in London);  
provided that, for meetings such as Council or Committee meetings, meals or refreshments may be provided by the Council, including on occasions where the absence from the residence may not exceed 4 hours.
- 5.1.2 Where such meals are provided or paid for separately by the Council, the appropriate subsistence allowance shall not be paid to a Member, unless the Member has unforeseen commitments that prohibit the taking of the meal.
- 5.1.3 In the case of an absence overnight from the usual place of residence, £95.00, or, for such an absence overnight in London or an annual conference of the Local Government Association or such other association of bodies as the Secretary of State may designate, £125.00. The cost for overnight accommodation above these limits will not be reimbursed but the Councillor is entitled to pay the difference.
- 5.1.4 The actual reasonable costs of meals taken on trains may be reimbursed.
- 5.1.5 All claims should be backed up with receipts.

## **6. Child Care and Dependent Carer's Allowance**

- 6.1 A child care and dependant carer's allowance scheme was introduced on 1 April 2003. The child care and dependant carer's allowance is set at the National Living Wage, with a maximum amount of 5 hours able to be claimed in any one day. It may only be claimed in the circumstances set out in the Local Authorities (Members Allowances) (England) Regulations 2003 which is essentially when a carer for a dependant has been engaged to enable a Member of the Council to carry out an approved duty. A carer will be any responsible person who does not normally live with the Member as part of that Member's family.

## **7. Payment of Allowances**

- 7.1 Basic and Special Responsibility allowances will be paid monthly. Payment is made on the 25th of the month or the last working day prior to this date, unless other arrangements have been notified.
- 7.2 Any Member not wishing to claim these allowances should inform Payroll Services, in writing.

7.3 Travelling and subsistence will be paid on receipt of duly completed claim forms with supporting receipts.

## **8. Statutory Sick Pay**

8.1 Any Member who claims Members' allowances will be treated as employed by the Council for the sole purposes of this Act (but not otherwise) and can claim sick pay from the Council. There are several conditions that allow for the payment of statutory sick pay. You must have earnings that exceed the lower earnings limit and have been off sick for more than 4 continuous days on Council business.

8.2 To comply with this scheme, a Member must notify illness on the first day, but in any event not later than the fourth day and on the eighth day produce a Doctor's note. Sick payments will be made by the Council for a period of 28 weeks, thereafter by the Department of Work and Pensions.

8.3 Further advice concerning the payment of statutory sick pay is available from Payroll Services.

## **9. Maternity Pay and Leave**

9.1 Members are entitled to be assessed for maternity pay entitlement if you are pregnant whilst holding office. Entitlement to Statutory Maternity Pay ("SMP") and leave will depend on your earnings level and Payroll Services will advise whether or not you are eligible on receipt of a copy of the relevant form (currently MATB1). If you are entitled to SMP, then this will be paid in the same way as your normal allowances on the basis set out below.

9.2 The Basic Allowance will be paid for the duration of the maternity leave irrespective of whether or not you are eligible for SMP.

9.3 If you are eligible for SMP then;

9.3.1 If it is lower than the Basic Allowance then it will be paid as part of the Basic Allowance, or

9.3.2 If it is higher than the Basic Allowance then the Basic Allowance will be increased to the SMP level.

9.4 It is the policy of this Council that any Special Responsibility Allowances will cease to be paid if you are unable to continue with those duties and they are transferred to another Councillor.

9.5 Payroll Services are responsible for administration of maternity pay and leave and you should contact them if you have any queries.

- 9.6 It should be noted it is a legal requirement that you do not go longer than 6 months without attending a meeting of the Council (or any of its committees or sub-committees) from the date of the last meeting you attended. If you are not going to be able to attend a meeting for over 6 months then you will need to obtain the approval of the Chief Executive prior to the 6 month period elapsing. A failure to do so will mean that you cease to be a Member of the Council.