

**SEBC**

**Proposed Revisions**

**PART 6  
MEMBERS' ALLOWANCES SCHEME**

**Key:**

**Red - Wording to be removed from the scheme.**

**Blue – New / Revised wording to be included**

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## **1. Background**

- 1.1 St Edmundsbury Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2001 and the Local Authorities (Members' Allowances) Regulations 1991 made a new Scheme on ~~23 July 2002~~ 20 December 2016 after consideration of the advice and recommendations from the West Suffolk Joint Independent Remuneration Panel.
- 1.2 The Scheme was based on the rates recommended by the Panel, which came into effect on ~~1 September 2002~~ 1 April 2017. ~~The Scheme was subsequently been reviewed by the Panel to take into account the implications of the new modernised decision making structure to enable a revised Scheme to come into effect on 1 April 2003.~~ The Scheme has been regularly reviewed by the Panel.
- 1.3 The Scheme may be cited as the St Edmundsbury Borough Council Members' Allowances Scheme and shall be reviewed ~~every four years or earlier, if resolved by Council annually~~ by the West Suffolk Joint Independent Remuneration Panel.

## **2. Basic Allowance**

- 2.1 Subject to Section ~~7 8 or 9~~, for each year, a basic allowance is to be paid to each Councillor as set out in Schedule 1 to the Scheme. ~~This is intended to cover a notional £350 a year (2011/2012) for telephone calls related to Council activity on the part of elected Members, and other incidental expenses, such as stationery and computer peripherals, such as print cartridges.~~
- 2.2 In accordance with the Council's resolution on 28 June 2005 (Minute 30 (1) refers) and subsequently regularly endorsed, including on 13 December 2011 (Minute 70 refers), it is still considered appropriate that these allowances continue to be updated each year in line with the annual Pay Award made to officers.
- 2.3 The basic allowance is paid in equal monthly instalments, payable on the 23 day of each month or if that day is a weekend/Bank Holiday, then the previous Friday.

## **3. Special Responsibility Allowances (SRA)**

- 3.1 Subject to Section ~~7 8 or 9~~, for each year, an SRA shall be paid to those Councillors who hold the special responsibilities that are set out in Schedule 1 to this Scheme.
- 3.2 A Councillor may hold more than one position, but only one SRA shall be paid to any Member. ~~Where two SRAs are applicable the higher rate will be applied.~~

3.3 SRA are also paid in equal monthly instalments, payable on the 23 day of each month or if that day is a weekend/Bank Holiday, then the previous Friday.

#### **4. Travel and Subsistence Allowances**

4.1 Members are able to claim travel and subsistence allowances in respect of their travel to and from:-

- (a) meetings covered by the list of approved duties referred to in Schedule 2;
- (b) meetings of outside bodies, organisations to which they have been appointed by the Council, as set out in Schedule 3;
- (c) meetings with the Chief Executive, Directors and/or Service Managers, subject to such meetings having been pre-arranged and not relating specifically to a Member's ward work or activities.

4.2 Details of the rates for travel and subsistence allowances are set out in Schedule 4 to this Scheme.

4.3 ~~In accordance with the Council's resolution on 28 June 2005 (Minute 30(2) refers) and regularly endorsed, it is still considered appropriate that the subsistence allowances be directly linked to the rates payable to the officers and, therefore, be amended as and when the officers scheme is amended.~~

#### **5. Childcare and Dependant Carers' Allowance**

5.1 This allowance is divided into two parts; namely childcare and ~~elderly/disabled~~ specialist care.

5.2 For reimbursement of childcare costs (for general care), ~~£6.08~~ £10 an hour is the maximum rate payable for reimbursement of costs, on production of a receipt. If paying less than this rate then the rate actually paid should be claimed.

5.3 For dependents or specialist nursing ~~elderly/disabled~~ care, ~~£12.10~~ £20 an hour is the maximum rate payable for reimbursement of costs. If paying less than this rate then the rate actually paid should be claimed. Both allowances to be monitored against market led increases.

5.4 The care allowance is payable in respect of:-

- (a) children aged 14 or under;
- (b) elderly relatives requiring full time care; and
- (c) relatives with disabilities or nursing requirements who require either temporary or permanent full time care.

In each case the dependant must normally live with the claimant as part of the family and be unable to be left unsupervised.

~~5.5 A carer can be any responsible mature person who does not normally live with the claimant as part of the family. The allowance should not be payable in respect of carers who are members of the Councillor's immediate and close family, i.e. parents, children, spouses, cohabitees or members of the same household as the Councillor.~~

5.5 Schedule 5 provides full details on the operation of the Scheme.

## **6. Disability or Special Need**

6.1 The Council will make necessary reasonable adjustments to allow a Councillor with a disability or a special need to carry out their role. The assessment of the adjustments will be on an individual basis.

6.2 Where appropriate, a Councillor's Carer costs will be eligible for reimbursement at the same rate as detailed in the Childcare and Dependent Carers' Allowance Scheme detailed in Schedule 5 of the Members' Allowance Scheme.

6.3 If a Councillor's disability prevents them from using ~~a bicycle or~~ private transport ~~car~~ then the Travel Allowance Scheme will allow for the use of taxis or specialised transport arrangements.

6.4 The Assistant Director ~~Head of~~ (HR, Legal and Democratic Services) be authorised to approve the reimbursement of costs for Councillors with a disability or special need that are not specified within the Members' Allowance Scheme, to include items such as the provision of specialist IT equipment or the availability of a wheelchair for use in the Council's buildings.

## ~~7. Pensions~~

~~7.1 From 1 April 2004, Members have been eligible to join the Local Government Pension Scheme.~~

## **7. Absence**

7.1 No Special Responsibility Allowance be paid to the absent Member when the responsibility is undertaken and the allowance is paid to another Member.

7.2 A Member should receive 100% of the Basic Allowance for the first six months of absence, from the date on which they last attended a meeting, and, subject to full Council granting dispensation, from six to twelve months absence 50% of the Basic Allowance. No allowance be payable after one year's absence.

## **9. ~~Renunciation~~**

- ~~9.1 A Councillor may by notice in writing given to the Proper Officer elect to forego any part of their entitlement to an allowance under this Scheme.~~
- ~~9.2 Any Councillor foregoing an allowance under these provisions may elect for all or part of their renounced gross entitlements to be transferred into the Mayor of St Edmundsbury's Official Charity Fund. Any such foregone entitlements must then be used for one off grants to one or more of the chosen charities of the Mayor for the municipal year in which the renouncement is made.~~

## **8. Part-Year Entitlements**

- 8.1 When the term of office of a Councillor begins or ends then the entitlement of that Councillor to the basic and/or special responsibility allowance will be in the same proportion as the number of days during the term of office to the number of days in that year.
- 8.2 When an amendment to this Scheme changes the amount to which a Councillor is entitled then the existing rates are payable ending with the day before the amendment takes effect.

## **9. Claims**

- 9.1 ~~Annual claims for allowances under this Scheme shall be made in writing, using the prescribed form, within two months of the commencement of the financial year or within two months of a revision to the Scheme.~~ Annual allowances under this Scheme shall be paid automatically through the payroll system. No claims for basic or SRA allowances are necessary.
- 9.2 ~~The annual claim forms will include the details of mileage to attend meetings in Bury St Edmunds. A claim for travelling expenses will be initiated by a Member signing the relevant meeting attendance sheet.~~ Allowances are subject to tax and national insurance contributions in accordance with HMRC Regulations.

## **10. Payments shall be made**

- 10.1 The basic allowance and special responsibility allowances are paid in equal instalments, payable on the 23 day of each month or if that day is a weekend/Bank Holiday, then the previous Friday in which they are entitled to a basic or special responsibility allowance.
- 10.2 Expense claims should be made regularly throughout the year using the Council's on-line expenses system ~~on the appropriate claim form~~, which will detail the mileage and expenses incurred, and claimed, by the Member. Any claim for expenses must be made by the person to whom they are payable, in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003.

**Schedule 1 – ~~Schedule of Members' Allowances~~  
Basic Allowance and SRAS  
(Updated: 1 April 2017)**

~~Set out below are details of the amounts of Members' Allowances payable under the Scheme with effect from May 2013 and including pay increases index linked to officers' pay increases.~~

Basic Allowance

All Members           £5,585.00

Special Responsibility Allowance (SRA)

These SRA use a multiplier of the basic allowance.

<b>Special Responsibility</b>	<b>Amount</b>	<b>Multiplier</b>
Leader of the Council	£11,170.00	2
Deputy Leader of the Council	£6,702.00	1.20
Portfolio Holders (Cabinet Members)	£6,143.50	1.10
Mayor/Chairman of Council	£2,792.50	0.50
Deputy Mayor/Chairman of Council	£1,396.25	0.25
Chairman of Overview and Scrutiny Committee	£4,468.00	0.80
Vice-Chairman of Overview and Scrutiny Committee	£2,234.00	0.40
Chairman of Performance and Audit Scrutiny Committee	£4,468.00	0.80
Vice-Chairman of Performance and Audit Scrutiny Committee	£2,234.00	0.40
Chairman of Development Control Committee	£5,585.00	1
Vice-Chairman of Development Control Committee	£2,792.50	0.50
Chairman of Licensing and Regulatory Committee	£1,117.00	0.20
Vice-Chairman of Licensing and Regulatory Committee	£558.50	0.10
Chairman of Standards Committee	£1,117.00	0.20
Vice-Chairman of Standards Committee	558.50	0.10
<del>Chairman of Sustainable Development Working Party</del>	£	0
Co-opted Members <del>Standards</del> of Committees (As determined by each Committee as the need arises to a maximum of x0.015 the basic allowance)		0.015
Leader of a Political Group with 10 or more Members	£3,351.00	0.60

Leader of a Political Group between 5 to 9 Members	£1,675.50	0.30
<b>Exceptional Responsibility Allowance`</b> A special meeting of the Independent Remuneration Panel be convened by the Assistant Director <del>Head of</del> (HR, Legal and Democratic Services) to consider the payment of an exceptional responsibility allowance if considered necessary.		
<del>Childcare and Dependent Carers' Allowance</del> Other Allowance	<b>Amount</b>	
Carer's allowance (contribution to cash incurred):		
1. General care (on production of receipt);	£10 per hour	--
2. Specialist nursing care (on production of receipt)	£20 per hour	--

The basic allowance to be index linked to officers pay. This will automatically calculate the SRAs using the multipliers.

**The Allowances listed above relate to a *full year***

## Schedule 2 – Approved Duties

The duties are specified in the Local Authorities (Members' Allowances) England Regulations 2003 as follows:-

- (a) a meeting of the executive;
- (b) a meeting of a committee of the executive;
- (c) a meeting of the authority;
- (d) a meeting of a committee or sub-committee of the authority;
- (e) a meeting of any other body to which the authority makes appointments or nominations;
- (f) a meeting of a committee or sub-committee of any other body to which the authority makes appointments or nominations;
- (g) a meeting which has *both* been authorised by the authority, a committee or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a sub-committee of a joint committee *and* to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more Councillors have been invited (if the authority is not divided into political groups);
- (h) a meeting of a local authority association of which the authority is a member;
- (i) duties undertaken on behalf of the authority in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (j) duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises; and
- (k) duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996.

### In Addition

Attendance at Parish Council meetings in the capacity of a Ward Member (but not where they are attending a Parish Council of which they are a Member unless they have been seconded by the Borough Council in exceptional circumstances)

## Schedule 3 – Representation on Outside bodies/organisations 2015-2019

~~Abbeycroft Leisure Trust Board~~

Association for Suffolk Museums Management Committee

Abbey of St Edmund Heritage Trust

Barley Homes (Group) Ltd (Wholly-owned commercial company) Shareholder Advisory Group

~~Bid 4 Bury Board of Directors~~

~~Brecks Partnership—Core Management Group~~

Breaking New Ground – HLF Management Committee

Bury St Edmunds and District Volunteer Centre - Management Committee

~~Choose Suffolk~~

~~Clare Country Park Joint Advisory Panel~~

Dedham Vale and Stour Valley Advisory Committee

District Councils Network

East of England Local Government Association (EELGA)

George Savage Trust

Gerhom Parkington Memorial Trust

~~Greater Cambridge/Greater Peterborough Local Enterprise Partnership~~

Guildhall Feoffment Trust

~~Havebury Housing Partnership: Exercise of Borough Council's Voting Rights~~

~~Havebury Housing Partnership Management Board~~

~~Haverhill Volunteer Centre Management Board~~

~~Health and Wellbeing Board~~

King Edward VI Grammar School Bury St Edmunds Foundation

~~Local Government Association~~

Local Government Association General Assembly

~~Local Government Association Rural Commission~~

Magna Carta Trust

New Anglia Local Enterprise Partnership (LEP) Board

ONE Haverhill Board

OurBuryStEdmunds (Bid 4 Bury) Board Directors

Our Greenest County Board (Suffolk County Council)

Rural Services Network (SPARSE)

Smith's Row Art Gallery Trust

~~St Edmund and Waveney YMCA (Services) Ltd~~

Southgate Community Partnership

St John's Centre Trustees, Bury St Edmunds

Stiff's Almshouses Charity Trustees, Rougham

Suffolk County Council Health and Wellbeing Board

Suffolk County Council: Suffolk Flood Management Joint Scrutiny Committee

Suffolk County Council: Health ~~Overview &~~ Scrutiny Committee

Suffolk Joint Emergency Planning Policy Panel

~~Suffolk Joint Municipal Waste Management Members' and Directors' Group~~

Suffolk Police and Crime Panel

Suffolk Waste Partnership

~~Suffolk Rail Policy Group~~

~~Suffolk Sport~~

Suffolk West Citizens' Advice Bureau

Theatre Royal Board of Management

Verse Facilities Management Ltd (Wholly-owned commercial company)

West Stow Anglo Saxon Village Trust

Western Suffolk Community Safety Partnership

~~West Suffolk Strategic Group (West Suffolk Partnership)~~

## Schedule 4 – Travel and Subsistence Allowances

### 1. Travel Allowance

- ~~(a) Private Vehicle Allowance : 45.0 pence a mile~~
- ~~(b) Train or Bus : actual standard fare incurred~~
- ~~(c) Taxi : actual fare incurred plus gratuity~~
- ~~(d) Motor Cycles : 24.0 pence a mile~~
- ~~(e) Bicycle Allowance : 20.0 pence a mile~~
- ~~(f) Car parking fees : actual expenditure incurred.~~

Vehicle Class	Rate Payable per mile (p)
All cars:	45.00
Carriage of passenger (councillor) in car for the same purpose	05.00
Motor cycles/bicycles	28.00
Train or Bus	Actual standard fare Incurred with receipt
Taxi ( <i>taxi to be used in exceptional circumstances</i> )	Actual expenditure incurred on Receipt
Car parking fees	Actual expenditure incurred

### 2. ~~Day~~ Subsistence Allowances

- 2.1 The subsistence rates listed below are with effect from ~~1 January 2010~~ **1 April 2017**. ~~and the allowance will be the same as, and linked to, the rates payable to officers.~~
- 2.2 ~~Day~~ Subsistence expenses will be payable to a Member who is prevented by official duties from taking a meal at home or the place where they normally take their meals and thereby incurs additional expenditure.
- 2.3 The payment of subsistence allowances is subject to the principle that expenditure on meals has actually been incurred. Members will be reimbursed **for** the actual expenditure incurred up to the maximum rates set

out in the scheme. All claims must be supported by receipts or third party documentation.

2.4 ~~Day Subsistence is as follows: - payable if absent for more than four hours~~

~~(a) Breakfast Allowance  
(More than 4 hours away from normal place of residence before 11.00 am) £6.88~~

~~(b) Lunch Allowance  
(More than 4 hours away from normal place of residence including lunchtime between 12.00 noon and 2.00 pm) £9.50~~

~~(c) Tea Allowance  
(More than 4 hours away from normal place of Residence ending after 6.30 pm) £3.76~~

- In exceptional circumstances, subject to the agreement of the Assistant Director (HR, Legal and Democratic Services), lunch to be paid to a maximum of £10.00, on production of a receipt
- Evening Meal Allowance  
(More than 4 hours away from normal place of Residence ending after 8.30 pm) ~~£11.77~~  
£20.00
- Subsistence can not be claimed for drinks/food brought from home, alcoholic drinks or tips.

~~2.5 Either a tea or evening meal can be claimed but not both.~~

2.5 **Overnight Subsistence (deemed to cover a 24 hour period)**

Outside London £80.00

For such an absence in London, or for attending one of the conferences approved by the Secretary of State £100.00

The overnight subsistence allowance may be exceeded on the authorisation of the Assistant Director (HR, Legal and Democratic Services) ~~a Head of Service~~, for example in order for a Member to stay in a hotel associated with a particular conference.

Accommodation to be booked by officers in order to maximise any discounts that could be achieved, except in exceptional circumstances.

## ~~2.7~~ **Meals provided free of charge**

~~The rate shall be reduced by an appropriate amount in respect of any meal provided free of charge by an authority or body in respect of the meal for the period to which the allowance relates.~~

## ~~2.8~~ **Meals on Trains**

~~If Members are away for a period of over four hours and take a meal on a train they can claim the cost of the meal. If they do so the subsistence band is reduced by three hours for each meal taken.~~

~~If absent for 4-8 hours, Members may claim 1 main train meal.~~

~~If absent for 8-12 hours, Members may claim 2 main train meals.~~

~~If absent for over 12 hours, Members may claim 3 main train meals.~~

## **Schedule 5 – Childcare and Dependant Carers’ Allowance**

- 1.** Full Council at its meeting on 23 July 2002 approved the principle of reimbursement of dependants care expenses which have actually been incurred, and are reviewed annually by the Independent Remuneration Panel.
- 2. Persons Eligible to Claim and Duties for which they may claim**
  - 2.1 Borough Councillors may claim reimbursement of care expenses in respect of any approved duty. The duties are specified in the Local Authorities (Members’ Allowances) England Regulations 2001 as follows:-
    - (a) a meeting of the executive;
    - (b) a meeting of a committee of the executive;
    - (c) a meeting of the authority;
    - (d) a meeting of a committee or sub-committee of the authority;
    - (e) a meeting of any other body to which the authority makes appointments or nominations;
    - (f) a meeting of a committee or sub-committee of any other body to which the authority makes appointments or nominations;
    - (g) a meeting which has *both* been authorised by the authority, a committee or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a sub-committee of a joint committee *and* to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more Councillors have been invited (if the authority is not divided into political groups);
    - (h) a meeting of a local authority association of which the authority is a member;
    - (i) duties undertaken on behalf of the authority in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
    - (j) duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises; and

(k) duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996.

2.2 When travelling away from home to an approved duty (conference, seminar etc) which may involve an overnight stay, **actual** care expenses may be claimed in respect of the total duration of the duty less any period during which e.g. a child/children may be at school.

### **3. Maximum Rate Per Hour Payable and for how long payable**

3.1 ~~£6.08~~ **£10.00** an hour is the maximum rate payable for reimbursement of childcare costs and ~~£12.10~~ **£20.00** an hour for dependant carers' allowance (**on production of a receipt**). If paying less than this rate you should claim the rate actually paid. If you have to pay more, you can only claim the maximum. **Both allowances to be monitored against market led increases.**

3.2 The time claimed for should normally equate to the period from leaving home to attend the meeting etc to returning home afterwards.

### **4. Definition of 'Dependant' and 'Carer'**

4.1 The care allowance is payable in respect of:-

- (a) children aged 14 or under;
- (b) elderly relatives requiring full time care; and
- (c) **relatives dependents** with disabilities or nursing requirements who require either temporary or permanent full time care.

in each case the dependant must normally live with the claimant as part of the family and be unable to be left unsupervised.

~~4.2 A carer can be any responsible mature person who does not normally live with the claimant as part of the family. The allowance should not be payable in respect of carers who are members of the Councillor's immediate and close family, i.e. parents, children, spouses, cohabitees or members of the same household as the Councillor.~~

### **5. Method of Claim**

5.1 A receipt in the standard format should be obtained from the carer for each amount paid. A proper business paid invoice or receipt would be acceptable in place of the standard receipt if this is provided.

- 5.2 A reimbursement claim detailing the duties carried out and supported by the appropriate receipt(s) should be forwarded to the ~~Payroll Officer~~ ~~Committee~~ ~~Services Manager~~ at the end of each month. Reimbursement will be included in the next payment of Councillors' allowances.

## **Schedule 6 – Subsistence and Travelling Expenses for Co-opted Members**

### **1. Committees and other Council Meetings**

- Attendance at Committee Meetings of which they are a Member and other Council/Committee Meetings (if required to do so):
  - No subsistence allowance payable.
  - Travelling allowances payable to meeting venue from home address and also from Council Offices back home.

### **2. Meetings/Conferences outside the St Edmundsbury Borough Area**

- Provided attendance at the meeting/conference is expressly agreed by the Monitoring Officer beforehand and is both appropriate and necessary for the Co-opted Committee Member concerned, travelling and subsistence allowances may be claimed. Travelling allowances may be claimed from the Members' home address to the meeting/conference and for the return journey.
- All co-opted members shall be paid and able to claim expenses for travel; subsistence, carers allowance.

### **3. The current subsistence and travelling allowances payable are as set out in Schedule 4.**