

PART 6

MEMBERS' ALLOWANCES SCHEME

(As resolved at Council on 21 February 2017, this Scheme has been extended beyond 31 March 2017, until a date of expiry of 31 May 2019)

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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 after consideration of the advice and recommendations from the Independent Remuneration Panel.
- 1.2 The Scheme was based on the rates recommended by the Panel, which came into effect on 1 September 2002. 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 annually by the Independent Remuneration Panel.

2. Basic Allowance

- 2.1 Subject to Sections 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 Sections 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.
- 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 care.
- 5.2 For reimbursement of childcare costs, £6.08 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.
- 5.3 For elderly/disabled care, £12.10 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.
- 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.

5.6 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 car then the Travel Allowance Scheme will allow for the use of taxis or specialised transport arrangements.

6.4 The Assistant Director (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.

8. Absence

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

8.2 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.

10. Part-Year Entitlements

- 10.1 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.
- 10.2 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.

11. Claims

- 11.1 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.
- 11.2 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.

12. Payments shall be made

- 12.1 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.
- 12.2 Expense claims should be made regularly throughout the year 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

Set out below are details of the amounts of Members’ Allowances payable under the Scheme with effect from April 2018 and including pay increases index-linked to officers’ pay increases.

Allowance	Amount £ (Updated: 1 April 2018)
(1) Basic Allowance	
All Councillors	5,568.23
(2) Special Responsibility Allowances: Additional to the Basic Allowance	
Leader of the Council	11,135.45
Deputy Leader	6,682.10
Other Cabinet Members	6,128.56
Chairman of Overview and Scrutiny Committee	3,344.17
Vice-Chairman of Overview and Scrutiny Committee	1,673.13
Chairman of Performance and Audit Scrutiny Committee	3,344.17
Vice-Chairman of Performance and Audit Scrutiny Committee	1,673.13
Chairman of Development Control Committee	4,455.43
Vice-Chairmen of Development Control Committee	1,673.13
Chairman of Licensing and Regulatory Committee	1,111.26
Chairman of Standards Committee	1,111.26
Chairman of Sustainable Development Working Party <i>(Note: Working Party was disbanded in May 2017)</i>	2,226.67
<u>Group Leaders</u>	
(a) Groups with 10 or more Members	3,344.17
(b) Groups of between 5 to 9 Members	1,673.13

Allowance	Amount £ (Updated: 1 April 2018)
(3) Co-optees Allowance	
Member of Standards Committee	219.55
(4) Exceptional Responsibility Allowance	
A special meeting of the Independent Remuneration Panel be convened by the Assistant Director (HR, Legal and Democratic Services) to consider the payment of an exceptional responsibility allowance if considered necessary.	
(5) Childcare and Dependent Carers' Allowance	
(a) Childcare Allowance	£7.38 an hour (National Minimum Wage)
	£7.83 per hour (National Living Wage – age 25 and over)
(b) Dependant Carers' Allowance	up to £12.49 an hour

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.

Schedule 3 – Representation on Outside bodies/organisations

(as reviewed at Annual Council on 17 May 2018)

Association for Suffolk Museums Management Committee
Abbey of St Edmund Heritage Partnership
'Breaking New Ground' Board (*replaces the Brecks Partnership – Core Management Group*)
Bury St Edmunds Volunteer Centre - Management Committee
Dedham Vale Area of Outstanding Natural Beauty (AONB) and Stour Valley Joint Advisory Committee
District Councils' Network
Destination Management Organisation (DMO): Bury St Edmunds
East of England Local Government Association (EELGA)
George Savage Trust
Gershom Parkington Memorial Trust
Guildhall Feoffment Trust
King Edward VI Grammar School, Bury St Edmunds Foundation
Local Government Association (LGA) General Assembly
New Anglia Local Enterprise Partnership (LEP) Board
ONE Haverhill Partnership Board
'OurBuryStEdmunds' (Bid4Bury) Board of Directors
Our Greenest County Board (Suffolk County Council)
Rural Services Network (SPARSE)
Smith's Row Art Gallery Trust
St John's Centre Trustees, Bury St Edmunds
Southgate Community Partnership
Stiff's Almshouses Charity Trustees, Rougham
Suffolk County Council: Health Scrutiny Committee
Suffolk County Council: Health and Wellbeing Board
Suffolk County Council: Suffolk Flood Risk Joint Scrutiny Sub-Committee
Suffolk Joint Emergency Planning Policy Panel
Suffolk Police and Crime Panel
Suffolk Waste Partnership (SWP)
Suffolk West Citizens' Advice
Theatre Royal Board of Management
West Stow Anglo Saxon Village Trust
Western Suffolk Community Safety Partnership

Representation on Wholly-owned/Joint Venture Commercial Companies

Barley Homes (Group) Ltd
Verse Facilities Management Ltd

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.

2. Day Subsistence Allowances

- 2.1 The subsistence rates listed below are with effect from 1 January 2010, 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 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 – 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

- (d) Evening Meal Allowance
*(More than 4 hours away from normal place of
Residence ending after 8.30 pm)* £11.77

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

2.6 **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 an Assistant Director, for example in order for a Member to stay in a hotel associated with a particular conference.

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, 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 an hour is the maximum rate payable for reimbursement of childcare costs and £12.10 an hour for dependant carers' allowance. 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.
- 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 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 Service Manager (Democratic Services) at the end of each month. Reimbursement will be included in the next payment of Councillors' allowances.