

# **PART K**

## **Members' Allowances**

**Scheme for the years commencing**

**1 April 2013**

**1 April 2014**

**1 April 2015**

**1 April 2016**

## **MEMBERS' ALLOWANCES SCHEME**

### **CONTENTS**

	<b>Page No.</b>
<b>1. The Scheme</b>	<b>3</b>
<b>2. Definitions</b>	<b>3</b>
<b>3. Basic Allowance</b>	<b>3</b>
<b>4. Special Responsibility Allowances</b>	<b>3</b>
<b>5. Renunciation</b>	<b>4</b>
<b>6. Part-year Entitlements</b>	<b>4-5</b>
<b>7. Suspension/Repayment of Allowances</b>	<b>5</b>
<b>8. Claims and Payments</b>	<b>5</b>
<b>9. Payment of Allowances</b>	<b>6</b>
<b>10. Travelling and Subsistence</b>	<b>6</b>
<b>11. Dependants' Carers' Allowances</b>	<b>6</b>
<b>12. Co-opted Members' Allowances</b>	<b>6</b>
<b>13. Annual Review</b>	<b>6</b>
<b>Schedule 1 Special Responsibility Allowances</b>	<b>7</b>
<b>Schedule 2 Approved Duties</b>	<b>8-9</b>
<b>Schedule 3 Travelling &amp; Subsistence</b>	<b>10-11</b>
<b>Schedule 4 Dependants' Carers' Allowances</b>	<b>12</b>

# CENTRAL BEDFORDSHIRE COUNCIL

## MEMBERS' ALLOWANCES SCHEME

The Central Bedfordshire Council, in exercise of the powers conferred by The Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following scheme:

### 1. **The Scheme**

This scheme may be cited as the Central Bedfordshire Council Members' Allowances Scheme, and shall have effect as from 1 April 2011.

### 2. **Definitions**

In this scheme,

2.1 "Councillor" means a member of Central Bedfordshire Council who is a Councillor;

2.2 "Co-opted Member" means a person appointed by Central Bedfordshire Council to serve as a member of a Committee, Sub-Committee or Panel.

### 3. **Basic Allowance**

Subject to paragraphs 5, 6 and 7, there shall for each year be a basic allowance of £10,995.60 paid to each Councillor.

### 4. **Special Responsibility Allowances**

4.1 A special responsibility allowance shall be paid to those Councillors who hold a position of special responsibility in relation to the Authority as specified in Schedule 1 to this Scheme.

4.2 Subject to paragraphs 5, 6, and 7 the amount of each such allowance shall be the amount specified against the special responsibility in Schedule 1.

4.3 Other than for the exception noted below, no Councillor may receive more than one special responsibility allowance:

- the Deputy Leader of the Council may be paid one additional special responsibility allowance, if appointed to any other position included within Schedule 1 to this Scheme.

**5. Renunciation**

A Councillor may by notice in writing, given to the Monitoring Officer, elect to forego any part of his or her entitlement to an allowance under this Scheme.

**6. Part-year Entitlements**

6.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Central Bedfordshire councillor to basic, and special responsibility, allowances where in the course of the year commencing 1 April 2012 this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

6.2 If an amendment to this Scheme changes the amount to which a Councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods

6.2.1 beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or

6.2.2 beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under the scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

6.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his or her term of office subsists bears to the number of days in that year.

6.4 Where this Scheme is amended as mentioned in sub-paragraph 6.2 and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 6.2.1, the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his or her term of office as a Councillor subsists bears to the number of days in that period.

- 6.5 Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the numbers of days in that year.
- 6.6 Where this Scheme is amended as mentioned in sub-paragraph 6.2 and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 6.2.1 of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

## **7. Suspension/Repayment of Allowances**

- 7.1 The Monitoring Officer, in consultation with the Chairman of the Council is authorised:-
- 7.1.1 to withhold payment of allowances to any Councillor who is suspended or partly suspended in accordance with the provisions of Part III of the Local Government Act 2000;
- 7.1.2 to seek repayment of allowances paid to a Councillor in respect of any period during which the Councillor concerned is suspended, partly suspended, has ceased to be a Councillor, or is in any other way not entitled to receive the allowance paid to him or her.

## **8. Claims and Payments**

- 8.1 A claim for any travelling, subsistence or dependants' carers' allowances under this scheme shall be made in writing within two months of the date of the meeting in respect of which the entitlement to the allowance arises.
- 8.2 A claim for an allowance under paragraph 8.1 above shall include, or be accompanied by, a statement signed by the claimant that he or she has not made and will not make any other claim in respect of the matter to which his or her claim relates.

## **9. Payment of Allowances**

### **9.1 Payments shall be made:-**

9.1.1 in respect of basic and special responsibility allowances, subject to sub-paragraph 9.2, in instalments of one-twelfth of the amount specified in this Scheme on the same day of each month as that on which salary is paid to staff;

9.1.2 in respect of travelling, subsistence and dependants' carers' allowances, on the same day of each month as that on which salary is paid to staff, in respect of claims received on or before the third working day of that month.

9.1.3 In respect of ICT allowances, subject to sub-paragraph 9.2 below, in instalments over a 4-year Council term as set out in Schedule 5, subject to the provision of appropriate receipts.

9.2 Where a payment of one-twelfth of the amount specified in this Scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount to which, by virtue of paragraph 6, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

## **10. Travelling and Subsistence**

Details of, and entitlement to, travelling and subsistence payments in respect of approved duties are set out in Schedules 2 and 3.

## **11. Dependants' Carers' Allowances**

Details of, and entitlement to, dependants' carers' allowances are set out in Schedule 4.

## **12. Co-opted Members' Allowance**

Each person appointed to a committee or sub-committee or panel of Central Bedfordshire Council, as a co-opted Member, shall be paid in respect of each meeting or training event attended each year an allowance, as shown below:

- |  |      |
|--|------|
| (a) where the meeting or training event is of up to 4 hours      | £75  |
| (b) where the meeting or training event is for more than 4 hours | £150 |

## **13. ICT Allowances**

Details of, and entitlements to, ICT allowances are set out in Schedule 5.

## **14. Annual Review**

This scheme will be in force until such time as the Council decides to request the Panel to make further recommendations regarding allowances, and/or updates the scheme.

## SCHEDULE 1

### SPECIAL RESPONSIBILITY ALLOWANCES

The following are specified as the special responsibilities in respect of which special responsibility allowances are payable from the date shown, and the amounts of those allowances:-

	From	£		From	£
Leader of the Council	1.4.11	32,986.80		1.12.11	31,337.40
Deputy Leader of the Council	1.4.11	4,948.02		1.12.11	5,013.98
Executive Members	1.4.11	19,792.08		1.12.11	18,802.44
Deputy Executive Members	19.5.11	6,267.48		1.12.11	6,267.48
Executive Members without Portfolio	19.5.11	10,654.72		1.12.11	10,654.72
Overview and Scrutiny Committee Chairmen	1.4.11	10,721.20		1.12.11	10,654.72
Development Management Committee Chairman	1.4.11	13,194.72		1.12.11	13,161.71
Development Management Committee Vice-Chairman	1.4.11	2,474.50		1.12.11	2,506.99
Audit Committee Chairman	1.4.11	10,721.20		1.12.11	10,654.72
General Purposes Committee Chairman	1.4.11	4,948.02		1.12.11	5,013.98
Licensing Committee Chairman	1.4.11	2,474.50		1.12.11	2,506.99
Minority Group Leader (see notes 1 and 2)	1.4.11	2,474.50		1.12.11	2,506.99

**Note 1:** The allowance will be payable to the Leader of any duly constituted minority group that has 7 or more members. In the event of no minority group having 7 or more members, and no other special responsibility allowance being paid to a member of a duly constituted minority group, the allowance shall be paid to the leader of the largest minority group.

**Note 2:** The election in November 2011 resulted in two minority groups with an equality of membership. On the recommendation of the Independent Remuneration Panel it was agreed (Council 24.01.13) that while that balance remained, each of the two minority group leaders would receive the special responsibility allowance payable to the minority group leader.

## **SCHEDULE 2**

### **APPROVED DUTIES**

- A. Attendance at meetings of the forums below is an approved duty for the purpose of the payment of travelling and subsistence allowances:

Council

Executive, committees, sub-committees, joint committees and panels

site meetings where duly authorised

Task Forces and similar bodies

in-house seminars and training sessions

meetings (when representing the Council) with other Authorities, organisations etc or specific visits arranged by the Executive, a committee, sub-committee or Task Force in respect of its functions

meetings with the External Auditor concerning management matters

- B. The following shall be approved duties for the purpose of paying travelling and subsistence allowances:-

- (a) meetings of Group Leaders
- (b) meetings of Chairmen, Vice-Chairmen, Leader and Deputy Leader and Executive Members
- (c) Chairman's Briefing meetings for Council, Executive, committees, sub-committees, Task Forces etc for Chairmen and Vice-Chairmen, Executive Members, Deputy Members of the Executive, Lead or Deputy Lead Members (or their representatives)
- (d) Individual or joint formal meetings between the Members holding the following offices:- Chairmen, Vice-Chairmen, Leader, Deputy Leader, Executive Members, and Group Leaders with the Chief Executive, Deputy Chief Executive, Directors, senior officers or their representatives to discuss official Council business
- (e) Attendance at any training course, seminar or conference approved by or on behalf of the Member Development Champions
- (f) Attendance at the Council Offices for newly elected Members for such matters as the signature of Declaration of Acceptance of Office and having photographs taken
- (g) Undertaking civic visits as Chairman or Vice-Chairman of the Council (or substituting for either office holder)
- (h) Absence overnight (except in London) from usual place of residence – up to £36.70 per night (this allowance includes accommodation and breakfast).



- (i) No overnight expenses to be paid for daily approved duty visits to London
  - (j) Attendance by Councillors for the purpose of meeting officers up to an average, calculated over the Council year, of four visits per month (travel only).
- C. Attendance at all outside bodies where the Member is attending as the Council's duly appointed representative (whether appointed for a fixed term or authorised on an ad hoc basis), subject to no such allowances being claimed by the Member from the outside body concerned.

## **SCHEDULE 3**

### **TRAVELLING AND SUBSISTENCE**

#### **Travel Allowances**

With effect from 1 December 2011, the car mileage rate per mile for Members be based on the same rates that apply to the officers of the Council (i.e. the HRMC rate) with the exception of the training mileage rate where Members be allowed to continue to claim mileage for attending training courses at the rate of 45p per mile subject to exclusion of the business mileage lump sum.

The rates to apply are set out below:

<b>Car Mileage Allowances</b>	<b>Rate per mile</b>
Business Mileage up to 10,000 miles	45p
Business Mileage over 10,000 miles	25p
 <b>Motor Cycle Allowances</b>	 <b>Rate per mile</b>
Motor cycle rate	24p

- VAT receipts for fuel purchases that cover the journeys undertaken by Members on 'approved duties' must accompany claims in all cases;
- mileage allowances to be indexed to the same rates that are applicable to officers;
- car parking permits allowing free parking on approved duties in Council operated car parks be withdrawn from 1 December 2011;
- Councillors be reimbursed the cost of car parking fees whilst on approved duties, subject to appropriate receipts accompanying claims in all cases.

#### **Travel by Public Transport or Rail**

The ordinary or any concessionary fare may be claimed. Advantage should be taken of cheap or concessionary rates whenever reasonably practicable.

### **Travel by Other Means – Taxi, Hire Car, Pedal Cycle etc.**

Claims for taxi journeys shall not exceed:-

- (a) in cases of urgency, or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid; and
- (b) in any other case, the amount of the fare for travel by appropriate public transport.

Where journeys are by pedal cycle, the allowance will be at the rate of 20p per mile.

### **Subsistence Allowances** (from 1 October 2013)

Subsistence Allowances and conditions by which they can be claimed by Councillors undertaking approved duties be based and indexed to the same rates that apply to Officers of the Council.

<b>Allowance</b>	<b>Rates (£)</b>	<b>Condition</b>
Breakfast	4.50	before 10.00am
Lunch	6.25	10.00am – 4.30pm
Evening meal	7.64	after 5.00pm

Payments will only be made upon the production of receipts in all cases.

## SCHEDULE 4

### DEPENDANTS' CARERS' ALLOWANCES

A Councillor may claim a Dependants' Carers' Allowance in accordance with the provisions set out below:-

1. The rate payable for Dependants' Carers' Allowance shall be decided upon the following criteria:-
  - (a) where care is required for children or is of a non-specialist nature for dependant relatives; at the rate set and from time to time amended by the Department for Business , Innovation and Skills or its successor as the national minimum wage for workers aged 22 years and over;
  - (b) where specialist care services are required, and the Monitoring Officer is satisfied that such care is necessary, the hourly rate will be up to three times the rate for non-specialist care,
2. Councillors shall be reimbursed up to a maximum of 52 hours per month, in respect of provision of care for any of the following who are at the time part of the claimant's household living with him/her and would normally be looked after by him/her, whilst the claimant is undertaking an approved duty\*.

(\*NOTE: "Approved duty" is a duty defined in Schedule 2 of this Scheme of Members' Allowances)

  - Children under the age of 14
  - Elderly persons (aged 60 or over)
  - People with disabilities
  - People with learning disabilities
3. In addition to living as part of the claimant's household, the dependant must be unable to be left unsupervised by the carer.
4. Only one claim may be allowed per household for any given period of time.
5. The rates referred to in 1 above shall be the **total** maximum payable per hour and not payable **per** dependant.
6. The claimant must produce a receipt for payments he/she has made and must sign a form to state that the costs were properly and necessarily incurred in the course of, or to permit, him/her undertaking his/her duties as a Councillor.

## SCHEDULE 5

### ICT ALLOWANCES

The following allowances may be paid following the purchase of ICT equipment/support for Council-related use on production of appropriate receipts, to be concluded within a 4-year Council term.

Where a Council Member does not remain a Member for the full term the purchased equipment or the value of the allowance paid for that equipment must be returned to the Council.

<b>Nature of allowance</b>	<b>Monthly amount</b>	<b>Total 4-year cost (48 payments)</b>
Equipment allowance	£12.50	£600
PC support and consumables allowance	Initial payment of £19.80 and 47 payments of £16.60	£800
Fixed line and Broadband allowance	Initial payments of £34.90 and 47 payments of £33.30	£1,600
Mobile phone allowance	£25	£1,200
<b>Total</b>	Up to a maximum of an initial payment of £92.20 and 47 payments of £87.40 over a 4-year Council term.	<b>£4,200</b>