

Creating Central Bedfordshire

Draft Members' Allowances

Scheme for the year commencing

1 April 2009

MEMBERS' ALLOWANCES SCHEME

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CENTRAL BEDFORDSHIRE COUNCIL

MEMBERS' ALLOWANCES SCHEME

The Central Bedfordshire Shadow Council, in exercise of the powers conferred by The Bedfordshire (Structural Changes) Order 2008 and 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 for the financial year commencing on 1 April 2009.

2. **Definitions**

In this scheme,

2.1 "Councillor" means a member of the 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 or a Panel.

3. **Basic Allowance**

3.1 The basic allowance payable to all Councillors shall be at the rates set out below:

- (a) for the period from 1 April 2009 until 8 June 2009 the allowance shall be paid pro rata to an annual sum of £5,971
- (b) for the period from 8 June 2009 until 31 March 2010 the allowance shall be paid pro rata to an annual sum of £11,220

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 paragraph 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 exceptions noted below, no Councillor may receive more than one special responsibility allowance:
- (a) 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, and
 - (b) if the same Councillor is appointed as the Chairman of both the Licensing Committee and the Regulation Committee, that Councillor may be paid the special responsibility allowances for both posts 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 Councillor to basic, and special responsibility allowances where in the course of the year commencing 1 April 2009 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 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 payments 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 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 entitlements 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.

9.2 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**

With the exception of the Chairman of the Standards Committee, for whom a special responsibility allowance is payable, each person appointed to a Committee or Sub-Committee 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. **Annual Review**

This scheme will be reviewed by an independent remuneration panel in accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003, prior to 1 April 2010.

SCHEDULE 1

SPECIAL RESPONSIBILITY ALLOWANCES

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

	£
Leader of the Council	£33,660
Deputy Leader of the Council	£5,049
Portfolio Holders	£20,196
Portfolio Holder Assistants	£2,525
Overview and Scrutiny Committee Chairmen	£10,940
Overview and Scrutiny Committee Vice-Chairmen	£2,525
Development Management Committee Chairman	£13,464
Development Management Committee Vice-Chairman	£2,525
Audit Committee Chairman	£10,940
Audit Committee Vice-Chairman	£2,525
General Purposes Committee Chairman	£5,049
Standards Committee Chairman	£5,049
Licensing Committee Chairman	£2,525
Regulation Committee Chairman	£2,525
Luton and South Bedfordshire Joint Committee Chairman	£13,464
Lead Members of Transitional Task Forces	£3,655
Members of Transitional Task Forces	£1,828
Minority Group Leaders (see Note 1)	£2,525

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.

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 or training.

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 Portfolio Holders.
- (c) Chairman's Briefing meetings for Council, Executive, Committees, Sub-Committees, Task Forces etc. for Chairmen and Vice-Chairmen, Portfolio Holders, other 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, Portfolio Holders, Group Leaders, with the Chief Executive, Deputy Chief Executive, Directors, Heads of Staff, 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 Shadow Council (or substituting for either office holder) when the official car is not used.

- 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 by Councillor's Own Car

If the use of a councillor's own vehicle (i) results in substantial saving of his/her time, or (ii) is in the interests of the council, or (iii) is otherwise reasonable, a councillor may claim:-

	per mile
For a car or motorcycle irrespective of engine size	46.9p

The above rate, which is fixed at the same level as the rate prescribed by the National Joint Council for local government staff, for a vehicle with an engine size of up to 1199cc, will be amended during the year ending 31 March 2010 in line with any change recommended by the National Joint Council for the payment of local government staff.

If a councillor conveys other councillors, (to whom a travelling allowance would be payable, he/she may claim an additional 12p per mile for the first councillor and 6p per mile for the second and each subsequent councillor.

A councillor may claim for the mileage necessarily and reasonably incurred in travelling to and returning from meetings, site visits, etc. from his/her normal place of residence.

A councillor may claim the actual amount spent on parking fees, and expenses incurred for the purpose of overnight parking whilst away from home. Receipts must be obtained and included with the claim.

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 April 2009)

Councillors may claim the amounts actually spent up to those shown below:-

Breakfast allowance (more than 4 hours away from normal place of residence before 11 am)	£6.28
Lunch allowance (more than 4 hours away from normal place of residence, including the lunchtime between noon and 2.30 pm)	£8.65
Tea allowance (more than 4 hours away from normal place of residence including the period 3 pm to 6 pm)	£3.42

Or

Evening meal allowance (more than 4 hours away from normal place of residence, ending after 7 pm)	£10.72
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When main meals (i.e. a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT) may be reimbursed in full, within the times specified below. In such circumstances, reimbursement for the reasonable cost of a meal would replace the entitlement to the day subsistence allowance for the appropriate meal period.

The limitations on reimbursement are:

- (a) for breakfast, an absence of more than 4 hours, before 11 am.
- (b) for lunch, an absence of more than 4 hours, including the period between 12 noon and 2 pm.
- (c) for dinner, an absence of more than 4 hours, ending after 7 pm.

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 Enterprise and Regulatory Reform or its successor as the National Minimum Wage for workers aged 22 and over, being the sum of £5.73 per hour as from 1 October 2008;
 - (b) where specialist care services are required, and the Director of Corporate Resources is satisfied that such care is necessary, the hourly rate will be up to three times the rate for non-specialist care, £17.19 per hour as from 1 October 2008.
2. Councillors shall be reimbursed up to a maximum of 12 hours per week, 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.