



Council - 26 April 2010

Members' Allowances Scheme 2010/11

Summary

Before the beginning of each year the Council is required to adopt a Members' Allowances Scheme for the forthcoming year.

Attachment(s)

Summary (with minor amendments proposed by CRG)

Schedule 1 - Basic and Special Responsibility Allowances from 12 May 2010

Schedule 2 - Travel and Subsistence Allowances from 12 May 2010

1. The legislation governing the payment of Members' Allowances requires the Council to adopt a Members' Allowances Scheme prior to the beginning of the new year.
2. As Members are aware the allowances were not increased for 2009/10 and it is proposed once again to show financial restraint and to continue to freeze the basic and special responsibility allowances for 2010/11. Details of the proposed allowances for 2010/11 are set out in Schedule 1.
3. The Constitution Review Group (CRG) has considered the Scheme and some very minor changes have been proposed to tidy up the wording of the Scheme. These changes do not impact on the main principles previously adopted by Council or require a referral to the Independent Members Remuneration Panel. The specific changes proposed to the Scheme do not affect the entitlements to either the basic or special responsibility allowances. However, the proposal from CRG to remove the Asset Management Panel from the committee structure will reduce the number of special responsibility allowances payable.
4. It is proposed to make some changes to the travel and subsistence expenses. Firstly the Scheme is to be amended to allow Champions and Lead Members to claim travelling expenses in discharging their roles. Secondly the mileage rate for all Members has been reduced down to 40 pence per mile. This reflects the reduction in car mileage rates agreed with staff as part of changes to their terms and conditions of employment. The Independent Members Remuneration Panel has always recommended that Members should receive the same mileage rate as those offered to staff and the Council has previously adopted this recommendation. Finally the right to first class travel on trains has been removed. The changes are included in the travel and subsistence expenses set out in Schedule 2.
5. The constitutional and procedural changes were considered by Scrutiny Committee on 14 April 2010 and the Committee was satisfied with the changes being proposed to the Scheme. Policy and Resources Committee will consider the proposed changes to the Constitution on 19 April 2010 and the outcome will be reflected in the recommendations from the Policy and Resources Committee which will be considered under item 6 on the agenda.
6. It is **recommended** that
 - (i) the Council does not increase the basic and special responsibility allowances for 2010/11 and retains the sums set out in Schedule 1;
 - (ii) the changes to the travelling and subsistence expenses, as set out in Schedule 2, be approved.

Implications:					
Corporate Outcomes or Other Policy/Priority/Strategy					
Good Quality of Life	<input type="checkbox"/>	Good Reputation	<input checked="" type="checkbox"/>		
Good Value for Money	<input checked="" type="checkbox"/>	High Quality Service Delivery	<input type="checkbox"/>		
Effective Partnership Working	<input type="checkbox"/>	Strong Community Leadership	<input type="checkbox"/>		
Effective Management	<input type="checkbox"/>	Knowledge of our Customers and Communities	<input type="checkbox"/>		
Employees and Members with the Right Knowledge, Skills and Behaviours					<input type="checkbox"/>
Other:					
Decision(s) would be outside the budget or policy framework and require full Council approval					
					<input type="checkbox"/>
Financial	There are no financial implications at this stage				<input type="checkbox"/>
	There will be financial implications – see paragraph				<input type="checkbox"/>
	There is provision within existing budget CKH001				<input checked="" type="checkbox"/>
	Decisions may give rise to additional expenditure at a later date				<input type="checkbox"/>
	Decisions may have potential for income generation				<input type="checkbox"/>
Risk Management	An assessment has been carried out and there are no material risks				<input checked="" type="checkbox"/>
	Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score -				<input type="checkbox"/>
Staff	There are no additional staffing implications				<input checked="" type="checkbox"/>
	Additional staff will be required – see paragraph				<input type="checkbox"/>
Equalities and Human Rights	There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications				<input checked="" type="checkbox"/>
	There will be an impact on equality (see categories above) or human rights implications – see paragraph				<input type="checkbox"/>
Legal	Power: The Local Authorities (Members' Allowances) (England) Regulations 2003,				
	Other considerations:				
Background Papers: None					
Person Originating Report: Mark Lovell, Chief Finance Officer. Tel: 01832 742074 malovell@east-northamptonshire.gov.uk					
Date: 15 April 2010					
CFO		MO		CX	

(Committee Report Normal Rev. 21)

Part 6 : Members' Allowances Scheme 2010/11

1. SUMMARY OF MAIN FEATURES

- 1.1 Members are entitled to -
- Basic allowance of £4,290 per annum
 - Special Responsibility Allowance (for Chairman and Vice Chairman of Policy, Regulatory, **Audit & Risk Performance**—and Scrutiny Committees; Chairman of Standards Board; the Leader of the Council, Deputy Leader; Leader of the Opposition Group; Chairman of Licensing Panels; Council **Lead Members and** Champions; “Co-opted” Members of Standards Board - see Schedule 1). These are annual sums.
 - Travelling and subsistence expenses linked to approved staff casual user travelling rates. ~~under the NJC national conditions of service (Green Book) (see Schedule 2).~~
 - a carers' allowance of £5.55 per hour for the approved duties (see travel and subsistence schemes for approved duties) in Schedule 2 of the Council's current scheme.
- 1.2 Independent or Town/Parish Council representative Members of the East Northamptonshire Standards Board are entitled to a Special Responsibility Allowance of £805 per annum.
- 1.3 Basic allowance is payable from date of declaration of acceptance of office to 4 days after an election or formal notification of the resignation of office.
- 1.4 Where entitlement to all or any part of the allowances is renounced, notice must be given in writing to the Executive Director/Chief Finance Officer.
- 1.5 Entitlements to special responsibility allowances are applied pro-rata to the period of office as a Chairman, Vice-Chairman or Leader. The allowance is normally payable from date of the formal appointment by Council to the office until any subsequent change in office or resignation. In the case of the Opposition Leader allowance the payment is payable from the date of formal notification of the Leader by the Group, to the Chief Executive, until the Group subsequently advises of any change of leadership.
- 1.6 The Deputy Leader of the main political group may claim the “Leaders” Special Responsibility Allowance, in lieu of the Leader, in respect of planned absences, long term sickness or the death of the Leader. Formal notification of planned absence must be given to the Chief Executive in writing, in advance, by the Leader.

- 1.7 Basic allowances and special responsibility allowances are paid automatically - in instalments of one twelfth on the 27th of each month by BACS direct to a nominated bank account.
- 1.8 Only one Special Responsibility Allowance shall be payable in respect of Councillors holding more than one post.
- 1.9 Where a Member, elected or not, is entitled to an allowance from this Council, including travelling and subsistence payments, but is also a member of another authority (e.g. county, police or parish) that Member may not receive allowances from more than one authority in respect of the same duty. It is the Member's responsibility to ensure he only claims or receives one allowance.
- 1.10 Where a Member is suspended or partially suspended from his responsibilities or duties as a Member of an authority in accordance with Part III of the Local Government Act 2000, all allowances in respect of the suspension period or partial suspension period will be withheld.
- 1.11 No Members will be able to have access to the pensions scheme in 2006/07 but this will be kept under review for consideration in future years.
- 1.12 The year begins on the date of the Annual Meeting (AM) of the Council and ends the day before the subsequent AM.
- 1.13 The scheme can be amended during the year by full Council. Any amendments to the allowances that may be approved during the year that affect the sum payable for the year may be applied from the beginning of the year subject to Council approval to the back dating
- 1.14 The Basic and Special Responsibility Allowances **may** be increased annually from the date of the Annual Council Meeting to reflect the percentage increase received by staff. ~~under the terms of the NJC national conditions of service.~~
- 1.15 The scheme and sums payable are subject to review by the Independent Panel ~~prior to May 2008 at the latest.~~

Schedule 1

ALLOWANCES PAYABLE for 2010/11

	Basic Allowance £	Special Responsibility £	Total £	SRA = Multiple of Basic or Chair
Leader of the Council	4,290	7,508	11,798	1.75
Deputy Leader of the Council	4,290	3,647	7,937	0.85
Policy and Resources, Development Control and Planning Policy Committee – Chairmen (Tier 1)	4,290	3,647	7,937	0.85
Scrutiny and Audit & Risk Management Committees – Chairmen (Tier 2)	4,290	3,218	7,508	0.75
Independent Chairman of Standards Board (Tier 2)	0	3,218	3,218	0.75
Licensing Committee, Finance Sub-Committee and Personnel Sub-Committee (Tier 3)	4,290	1,216	5,506	1/3 of Chairman of Tier 1
Policy and Resources, Development Control and Planning Policy Committee – Vice Chairmen	4,290	1,216	5,506	1/3 of Chairman
Scrutiny & Audit & Risk Management Committees – Vice Chairmen	4,290	1,073	5,363	1/3 of Chairman
Licensing Committee, Finance Sub-Committee and Personnel Sub-Committee - Vice Chairmen	4,290	0	4,290	-
Standards Board – Non-Council Members	0	805	805	0.25 of Chairman
Leader of the Opposition	4,290	3,647	7,937	0.85
Licensing Panels – Chairman	4,290	0	4,290	-
Designated Council Champions/Lead Members	4,290	805	5,095	0.25 of Tier 2 Chairman
Other Members	4,290	0	4,290	None

Note: Where a Member holds more than one post, only one SRA can be claimed.

Schedule 2

TRAVELLING AND SUBSISTENCE EXPENSES

Travel and subsistence allowances will be paid with basic and special responsibility allowances on 27th of each month, subject to the receipt of a properly completed form. Completed claim forms for travel and subsistence must be received by the 10th of the month to ensure payment on the 27th.

Members should submit claims on a monthly basis.

There is an entitlement to reimbursement of travelling and subsistence expenses when a Councillor -

- *Attends a Council, Committee, Joint Committee, Board, Sub-Committee, Working Party, Panel, or formal Development Control Committee site meeting/visits, provided the claimant is a member of these bodies;*
- *Attends meetings of a body (or, in the absence of similar provisions operated by that body, a meeting of a committee or sub-committee of that body) to which he/she has been appointed as a representative of the Council. Where it is not possible for the Leader of the Council, as the appointed representative, or a Deputy appointed by the Council, to attend, the Leader shall be entitled to nominate another Member to attend instead.*
- *Attends meetings called at the request or invitation of Chief Officers (including opening of tenders pursuant to paragraph 7 of the Council's Procurement Procedures);*
- *Attends any other meeting or function for which the Council or a Committee has decided, in advance, that travelling and subsistence expenses may be claimed to discharge the functions of the Council or any of its Committees.*
- *Undertakes duties in order to discharge the role of Leader or Deputy Leader of the Council, as set out in Article 6 of the Constitution.*
- ***Undertakes duties in order to discharge the role of Champion or Lead Member as set out in Articles 2.07 and 2.08 of Part 2 of the Constitution, provided the duties have been sanctioned by the Leader of the Council beforehand and notified to the Democratic Services Manager.***

TRAVELLING AND SUBSISTENCE ALLOWANCES PAYABLE

1. Expenditure must have been actually and necessarily incurred.

2. Travelling

- (a) The rate for travel by public transport shall not exceed the standard fare or any available cheap fare. Receipts should be obtained and attached to claim forms.
- (b) Travel by taxi is allowed in cases of urgency or where no public service is reasonably available, and the amount claimed shall not exceed the amount of the actual fare and any reasonable gratuity. Receipts should be obtained and attached to claim forms.
- (c) The rate for travel by a hired car shall not exceed the rate which would have been applicable for a member's own car.

(d) Where a Councillor uses his own motor car (or one belonging to a member of his/her family), the rate claimed shall be **40p per mile**.

3. Subsistence – actual costs will be reimbursed subject to receipts and a maximum sum of:-

- | | | |
|-----|-----------------|------------------------------------------------|
| (a) | Bed & Breakfast | (full cost of reasonable & necessary expenses) |
| (b) | Breakfast | £5.75 |
| (c) | Lunch | £8.00 |
| (d) | Tea | £3.20 |
| (e) | Evening meal | £9.85 |