



## Part 6

# Members' Allowances Scheme

Updated ~~Oct 2015~~July 2016

(\*NJC Pay Award of 2.21.0% applied wef 1 ~~January 2015~~April 2016)

## MEMBERS' ALLOWANCES SCHEME

### 1. Introduction

The Melton Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1991 as amended, and the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following scheme :

### 2. Specific items approved at Full Council since 10 October 2012

This scheme may be cited as the Melton Borough Council Members' Allowances' Scheme, and shall come into effect on 10 October 2012 in respect of the following :-

- (a) The Basic Allowance should remain unaltered.
- (b) All Special Responsibility Allowances, with the exception of that for the Leader of the main Opposition Group, should remain unaltered.
- (c) The existing Special Responsibility Allowance paid to the Leader of the main Opposition Group be augmented by an interim sum of \*~~£670,946~~£677,65 per annum with effect from 9 May 2012, as a consequence of increased responsibilities following the abolition of the Overview and Scrutiny Committee.
- (d) The Independent Persons appointed to advise the Governance Committee on Code of Conduct complaints each be paid an allowance of \*~~£462,467~~ per annum from the date of appointment.
- (e) All allowances be now index linked to NJC pay awards from 10 October 2012.
- (f) No provision be made in the Allowance Scheme for Members' use of Information and Communication Technology as it is separately covered in the Council's Electronic Working Package for Members.
- (g) No change be made to the Travel and Subsistence Expenses Scheme and the Childcare and Carers' Allowance Scheme.
- (h) A more detailed appraisal of workloads individually, comparatively and in Partnership working was undertaken in 2013 and as a result the interim sums agreed in October 2012 to the Leader of the Opposition and the Independent Persons were confirmed and no other changes were made to the above by the Council on 16 October 2013.

The following provision of the scheme was updated from the 14 October 2008 scheme and approved by Council on 11 December 2013 :-

- (a) the claiming of computer consumables be as follows :-

*'Members may claim for computer consumables such as printer cartridges and paper (on the production of a receipt) up to the value of \*£~~51.10~~51.61 per annum per Member and this sum be subject to inflation.'*

The following provisions of the scheme approved on 14 October 2008 remain in force with the changes to paragraphs (b)(i) and b(ii) relating to site visit payments as below which were approved by Full Council on 22 July 2015 :-

- (a) should a member not claim the basic allowance, expenses be claimable up to the maximum of the basic allowance;
- (b) (i) a payment of £~~30.66~~30.97 be made to Planning Committee Members upon attendance at site visits, and the subsequent Members briefing;
- (ii) When the number and duration of site visits, combined with the duration of the Members briefing reaches a level where the Head of Regulatory Services in consultation with the Chairman of the Planning Committee deems it appropriate, a light buffet shall be provided for the Members, without any deduction from their Attendance Allowance.

In this scheme, "Councillor" means a member of the Melton Borough Council who is a Councillor;

"year" means the period commencing on the day of the Annual General Meeting and ending on the day prior to the next Annual General Meeting.

The following was approved by the Full Council on 25 February 2015 - Parish Representative allowance when dealing with Parish Councillor complaints :-

Parish Representatives required to be involved in considering allegations of inappropriate behaviour by a Parish Councillor receive an annual allowance of £~~300~~303 and this allowance be payable with immediate effect (25 February 2015) and be index linked to the NJC Pay Award.

### **3. Basic Allowance**

Subject to paragraph 7, for each year a basic allowance of \*£~~4,617~~4,663 shall be paid to each Councillor.

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

- (i) For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the Council that are specified in Schedule 1 to this scheme.
- (ii) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in the Schedule.

### **6. Travel and Subsistence Expenses**

A Councillor shall be entitled to claim travel and subsistence expenses in respect of those duties specified in Schedule 2 to this scheme.

### **7. Childcare and Dependent Carers' Allowances**

A Councillor shall be entitled to claim an allowance in respect of such expenses of arranging for the care of their child/children or dependent relative(s) as are necessarily incurred in the amount and in respect of those duties specified in Schedule 3 to this scheme.

## **7. Renunciation**

A Councillor may by notice in writing given to the Head of Central Services elect to forego any part of his entitlement to an allowance under this scheme.

## **8. Part-year Entitlements**

- (i) 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 a year, 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.
- (ii) 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
  - (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
  - (b) 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 this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

- (iii) Where the terms 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.
- (iv) Where this scheme is amended as mentioned in sub-paragraph (ii), and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (ii) (a), 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 the 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.
- (v) 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 responsibilities bears to the number of days in that year.

- (vi) Where this scheme is amended as mentioned in sub-paragraph (ii) and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (ii) (a) 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.

## 9. Claims and Payments

- (i) A claim for travel and subsistence expenses and/or childcare and dependant carers' allowance under this scheme shall be made in writing in the form prescribed by the Head of Central Services within two months of the date of the meeting in respect of which the entitlement to the allowance arises.
- (ii) A claim for travel and subsistence expenses and/or childcare and dependent carers' allowance shall include, or be accompanied by, a statement by the Councillor claiming the allowance that he or she is not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under this scheme.

## 10. (i) **Payments shall be made:**

- (a) in respect of basic and special responsibility allowances, subject to sub paragraph (ii), in instalments of one-twelfth of the amount specified in this scheme on the penultimate day of each month by bank credit
  - (b) in respect of travel and subsistence expenses, and/or childcare and dependant carers' allowance on the penultimate working day of each month by bank credit in respect of claims received by the end of the previous month.
- (ii) Where a payment of one-twelfth of the amount specified in this Scheme in respect of a basic allowance or a special allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount he or she is entitled.

## SCHEDULE 1

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

<u>Position</u>	<u>Allowance (per annum)</u>
Leader of the Council	*£12, <del>2834</del> <u>06</u>
Deputy Leader	*£3, <del>46449</del> <u>9</u>
Chairman Policy, Finance & Administration Committee	*£3, <del>46449</del> <u>9</u>
Chairman Rural, Economic and Environmental Affairs	*£3, <del>46449</del> <u>9</u>
Chairman Community and Social Affairs Committee	*£3, <del>46449</del> <u>9</u>
Chairman Planning Committee	*£3, <del>46449</del> <u>9</u>
Chairman Governance Committee	*£3, <del>46449</del> <u>9</u>
Chairman Town Area Committee	*£3, <del>46449</del> <u>9</u>
Chairman Licensing & Regulatory Committee	*£3, <del>46449</del> <u>9</u>
Chairman Appeals Committee	*£1, <del>84886</del> <u>7</u>
Vice Chairman Policy, Finance & Administration Committee	*£1, <del>15616</del> <u>8</u>
Vice Chairman Rural, Economic and Environmental Affairs	*£1, <del>15616</del> <u>8</u>
Vice Chairman Community and Social Affairs Committee	*£1, <del>15616</del> <u>8</u>
Vice Chairman Planning Committee	*£1, <del>15616</del> <u>8</u>
Vice Chairman Governance Committee	*£1, <del>15616</del> <u>8</u>
Vice Chairman Town Area Committee	*£1, <del>15616</del> <u>8</u>
Vice Chairman Licensing & Regulatory Committee	*£1, <del>15616</del> <u>8</u>
Independent Person Appointed to advise the Governance Committee on Code of Conduct complaints	*£ <del>462467</del>
Parish Representative Parish Representatives required to be involved in considering allegations of inappropriate behaviour by a Parish Councillor receive an annual allowance of £ <del>300-303</del>	£ <del>300-303</del>

2. Where the Members of the Council are divided into at least two groups constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 a special responsibility allowance shall be paid to the leader(s) of the political group(s) other than the group containing the Leader of the Council to a maximum of the special responsibility allowance paid to the Policy Committee Chair.

The amount of such allowance for each Leader other than the Leader of the Council shall be calculated by sharing the sum of £3,624,589 pro rata to the number of Members in each Group excluding the Group containing the Leader of the Council. The main Opposition Group Leader's allowance be augmented by £670,946,77.65 per annum.

Where there is just one other Group Leader, besides the Leader of the Council, 50% of the sum of £3,589,624 be paid, together with the sum of £670,946,77.65 per annum to recognise the additional responsibilities undertaken by the Leader of the Opposition since the dissolving of the Scrutiny Committee.

3. A Member shall be entitled to receive only one special responsibility allowance at any time. Unless notified otherwise the Head of Central Services will make payment based on the highest amount.
4. All allowances be index linked to the NJC pay award.

## **SCHEDULE 2**

### **APPROVED DUTIES FOR TRAVEL AND SUBSISTENCE EXPENSES**

The following duties are those which are “Approved Duties” for the purpose of payment of travel and subsistence expenses.

- (a) Meetings of the Council.
- (b) Meetings of Committees and Task Groups (attended by Members thereof).
- (c) Attending Chairman’s Briefing meetings.
- (d) Attending Community Governance Forums.
- (e) On approved visits and trips organised by the Council where the Councillor has been authorised to attend as the Council’s representative.
- (f) Attending planning application site visits.
- (g) Attendance at properly convened meetings with Government departments, statutory authorities or other local authorities to discuss the work of the Council.
- (h) In connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises.
- (i) Attendance at the invitation of a Committee Chairman in order to speak on an item of particular interest.
- (j) Attendance at a conference or seminar the booking fee for which has been paid by the Council.
- (k) Attendance at a meeting, committee or sub-committee of an outside organisation as the Council’s appointed representative.
- (l) Attending training courses organised by the Council.
- (m) Attendance at any meeting event or seminar in connection with the work of the Welland Partnership as the Council’s appointed representative.
- (n) Any duty approved by the Chief Executive under delegated authority in accordance with the guidelines set out at Appendix 1.
- (o) Any other duty approved by the Council, or any duty of a class so approved, for the purpose of, or in connection with the discharge of the functions of the Council or any of its Committees or Task Groups.



### GUIDELINES FOR USE OF DELEGATED POWER BY CHIEF EXECUTIVE IN RESPECT OF APPROVED DUTIES FOR TRAVEL AND SUBSISTENCE

1. Under the Scheme of Delegation, the Chief Executive (and in his/her absence the ) has been granted delegated authority to approve duties which have not previously been approved by the Council.
2. In exercising his/her delegation the Chief Executive must have regard to these guidelines.
3. The Chief Executive must ensure that there is sufficient budgetary provision taking into account:-
  - (a) The financial provision required to meet existing commitments under the Members' Allowance Scheme;
  - (b) The financial provision required for the support and development needs of all Members for the financial year in question;
  - (c) The cost and quality of the course/seminar/conference where applicable.
4. The Chief Executive must ensure that:
  - (a) The meeting/conference/seminar is relevant to the Member's role and responsibilities at the Council, i.e. by virtue of membership of a Committee, Task Group, Panel or Outside Body or his/her position as Chairman or Vice-Chairman of a Committee, Task Group, Panel or Outside Body; or
  - (b) Attendance would be beneficial to the Council or non-attendance would be prejudicial to the Council or its standing in the wider community; or
  - (c) The conference/seminar provides necessary or relevant training or education to the member(s) in his/her/their capacity as a Borough Councillor; or
  - (d) The conference/seminar forms part of an agreed programme of training for Members; and
  - (e) The conference/seminar does not duplicate attendance by that Member at a previous conference/seminar meeting.
5. The Chief Executive must ensure that;
  - (a) all approvals are given prior to the duties taking place;
  - (b) all approvals are recorded in a register kept for the purpose;
  - (c) the entry in the register is made at the time the approval is given.

## SCHEDULE 3

### CHILD CARE AND DEPENDANT CARERS' ALLOWANCE

A Councillor shall be entitled to claim an allowance of up to \*~~£6,556.62~~ per hour in respect of expenses actually incurred in arranging child care and dependants' relative care whilst engaged on any of the approved duties set out below subject to a maximum amount in any year of \*~~£1,308,941,322.03~~.

The following duties are those which are "Approved Duties" for the purpose of payment of childcare and dependant carers' allowance:

- (a) Meetings of the Council.
- (b) Meetings of Committees and Task Groups (attended by Members thereof).
- (c) Attendance at a meeting committee or sub-committee of an outside organisation as the Council's appointed representative.
- (d) Attendance at a meeting which has both been authorised by the Council or a Committee and to which representatives of more than one political group have been invited.
- (e) A meeting of a local authority association of which the authority is a member.
- (f) 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 authoring to inspect or authorise the inspection of premises.