

CHAPTER 5 – 1 – MEMBERS' ALLOWANCES SCHEME

Melton Borough Council, in accordance with the requirements of the Local Authorities (Members Allowances) (England) Regulations 2003 and the Local Authorities (Members Allowances) (England) (Amendment) Regulations 2003, makes the following scheme for Member Allowances.

In this scheme, 'Member' means an elected Councillor of the Melton Borough Council.

The commencement date of the scheme shall be 12 May 2022 (Amendments approved by Council on 23 February 2023)

A '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 scheme shall consist of 6 key elements being :-

1. Basic allowance
2. Special responsibility allowance and other payments
3. Dependent carers' allowance
4. Travelling and subsistence allowance
5. Scheme requirements
6. Independent Remuneration Panels

1.0 **BASIC ALLOWANCE**

1.1 Each Member shall be entitled to the same basic allowance. From 1 April 2022 the Allowance shall be £5329.82 and shall be increased annually on 1st April each year in line with the National Joint Council Staff Pay Award.

1.2 Should a Member not claim the basic allowance, Council related expenses, in addition to those that can be claimed elsewhere, be claimable up to a maximum of the basic allowance.

2.0 **SPECIAL RESPONSIBILITY ALLOWANCE**

2.1 This Scheme provides for the annual payment of an allowance ('special responsibility allowance') to such Members of the Council that have the special responsibilities that are specified below. These Special Responsibility Allowances shall be increased annually on 1st April each year in line with the National Joint Council Staff Pay Award.

- 2.2 A maximum of one Special Responsibility Allowance only can be claimed by a Member and unless notified otherwise the payment will be based on the highest allowance.

Position	Detail relating to role	Allowance per annum
Leader of the Council	Role includes Chair of Cabinet with authority to take delegated decisions	£15,368.57
Deputy Leader	Role includes Vice Chair of Cabinet and portfolio with authority to take delegated decisions	£10,245.72
Leader of the Opposition	The main opposition Group Leader	£2,090.96
Cabinet Member	Role includes portfolio with authority to take delegated decisions	£6,403.58
Chair	Scrutiny Committee	£6,403.58
Chair	Regulatory Committees	£4,355.48
Vice Chair	Scrutiny Committee	£2,090.96
Vice Chair	Regulatory Committees	£1,283.85
Mayor	Role includes Chair of Council and Civic responsibilities	£5,122.86
Deputy Mayor	Role includes Vice Chair of the Council and deputising for the Mayor in relation to Civic responsibilities	£1,707.62
Cabinet Support Member	Support for Cabinet Member(s)	£2,134.52

2.3 **Other payments – Councillors**

Who is entitled	Reason for payment	Amount payable
Planning Committee and Substitute Members	Attendance at Planning Site Visit and Member Briefing (see note below)	£35.00 per site visit

When the number and duration of site visits, combined with the duration of the Members briefing reaches a level where the Assistant Director for Planning 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 Site Visit Attendance Allowance.		
All Councillors	Reimbursement of computer consumables such as printer cartridges and paper (on the production of a receipt).	Up to £53 per annum

3.0 **CHILD CARE AND DEPENDANT CARERS' ALLOWANCE**

3.1 A Member shall be entitled to claim an allowance of up to £10.50 per hour in respect of expenses actually incurred in arranging childcare and dependants' relative care whilst engaged on any of the approved duties set out below subject to a maximum amount in any year of £1,500.

3.2 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) A meeting Committee or Sub-Committee of an outside organisation as the Council's appointed representative.
- (d) 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.

4.0 **TRAVEL AND SUBSISTENCE ALLOWANCE**

4.1 A Member shall be entitled to claim travel and subsistence expenses in accordance with the HMRC rates and 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) Chair/Portfolio Holder's Briefing meetings.
- (d) Community Governance Forums.
- (e) On approved visits and trips organised by the Council where the Member has been authorised to attend as the Council's representative.
- (f) Planning application site visits.

- (g) 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) At the invitation of Cabinet or a Chair to speak on an item of particular interest.
- (j) Conference or seminar the booking fee for which has been paid by the Council
- (k) Meeting, Committee or Sub-Committee of an outside organisation as the Council's appointed representative.
- (l) Training courses organised by the Council.
- (m) 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 4.2 below.
- (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.

4.2 Guidelines for use of delegated power by Chief Executive in respect of 'Approved Duties' for travel and subsistence

4.3 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 Member' Allowances 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.

4.4 The Chief Executive must ensure that:

- (a) the meeting/conference/seminar is relevant to the Member's role and responsibilities at the Council, ie. by virtue of membership of a Committee, Task Group, Panel or Outside Body or his/her position as Chair or Vice-Chair 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.

4.5 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.

5.0 SCHEME REQUIREMENTS

5.1 Election to forgo allowances

5.2 A person may, by notice given in writing to the Director for Corporate Services, elect to forego his or her entitlement or any part of his or her entitlement to allowances.

5.3 Claims

5.4 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 Director for Corporate Services **within three months of the date of the meeting** in respect of which the entitlement to the allowance arises.

5.5 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.

5.6 Payments

5.7 In respect of basic and special responsibility allowances, subject to paragraph 5.9 below, in instalments of one-twelfth of the amount specified in this scheme on the penultimate day of each month by bank credit.

5.8 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.

5.9 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 Member receiving more than the amount to which, by virtue of paragraph 5.2, 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.

5.10 Part-year Entitlements

5.11 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 Member receiving more than the amount to which, by virtue of paragraph 5.2, 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.

5.12 If an amendment to this scheme changes the amount to which a Member 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.

5.13 Where the terms of office of a Member begins or ends otherwise than at the beginning or end of a year, the entitlement of that Member 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.

5.14 Where this scheme is amended as mentioned in paragraph 5.12, and the term of office of a Member does not subsist throughout the period mentioned in paragraph 5.12(a), the entitlement of any such Member 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 paragraph 5.12(a)) as bears to the whole the same proportion as the number of days during which his term of office as a Member subsists bears to the number of days in that period.

5.15 Where a Member 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.

5.16 Where this scheme is amended as mentioned in sub-paragraph 5.12 and a Member has during part, but does not have throughout the whole, of any period mentioned in paragraph 5.12(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 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.

5.17 **Records of Allowances**

5.18 A record of payment shall be kept, which shall:

- (a) specify the name of the recipient of the payment and the amount and nature of each payment;
- (b) be available, at all reasonable times, for inspection and at no charge by any local government elector for the area of the Borough of Melton; and
- (c) be supplied in copy to any person who requests such a copy and who pays to the Council such reasonable fee as the Director for Corporate Services may determine at the time of application.

5.19 As soon as reasonably practicable after the end of a year to which the scheme relates, the Council shall make arrangements for the publication within the authority's area of the total sum paid by it in the year under the scheme to each recipient in respect of the following :-

- Basic Allowance
- Special Responsibility Allowance
- Dependent Carers' Allowance
- Travelling and Subsistence Allowance

5.20 **Publicity**

5.21 The Council shall, as soon as reasonably practicable after the making or amendment of a scheme, make arrangements for its publication by:

- (a) ensuring that copies of the scheme are available for inspection by members of the public at the principal office of the Council, at all reasonable hours; and
- (b) publishing in one or more newspapers circulating in its area, a notice which:

- (i). states that the Council has made or amended a scheme and specifies the period of time for which the scheme has effect;
- (ii). describes the main features of the scheme and specifies the amounts payable in respect of each allowance mentioned in the scheme;
- (iii). describes any responsibilities or duties specified in the scheme in accordance with Regulations in relation to special responsibility allowance and travelling and subsistence allowance;
- (iv). confirms that in making or amending the scheme, the Council complied with any duty arising under Regulations to have regard to the recommendations of an Independent Remuneration Panel;
- (v). describes the main features of that Panel's recommendations and specifies the recommended amounts of each allowance mentioned in its report for the Council;
- (vi). states that copies of the scheme and copies of a record kept in accordance with Regulations are available at the principal office of the Council for inspection by members of the public at such times as may be specified by the Council in the notice; and
- (vii). specifies the address of the principal office of the Council at which such copies are made available.

5.22 The Council shall ensure that a notice in the form required under paragraph 5.21 above is published in one or more newspapers circulating in its area as soon as possible after the expiration of twelve months after the previous publication of such a notice, irrespective of whether the scheme has been amended during that twelve-month period.

5.23 The Council shall supply a copy of the scheme to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.

5.24 This scheme shall come into force with effect from 14 May 2020 and any previous scheme shall be deemed revoked for the payment of allowances.

6.0 **INDEPENDENT REMUNERATION PANELS**

6.1 **Duty to have regard to Recommendations**

6.2 Before the Council makes or amends a scheme, it shall have regard to the recommendations made in relation to it by the Independent Remuneration Panel.

- 6.3 There shall not be more than one Panel which makes recommendations in respect of this Council.
- 6.4 The Independent Remuneration Panel shall consist of at least three Members none of whom:
- (a) shall also be a Member of this Council or a Member of a Committee or Sub Committee of the Council; or
- (b) is disqualified from being or becoming a Member of an authority.
- 6.5 The Council will pay all reasonable travelling and subsistence expenses incurred by the Independent Remuneration Panel in carrying out its functions.
- 6.6 The Council has agreed to pay the Chair of the Independent Remuneration Panel the following:-

	£
Full Review	1,000
Chair's final report	500
Presentation of report to Full Council	500
Interim Review	500
Chair's final report	250
Presentation of report to Full Council	250

6.7 **Recommendations of the Independent Remuneration Panel**

- 6.8 The Independent Remuneration Panel shall produce a report making recommendations:
- (a) as to the responsibilities or duties in respect of which the following should be available:
- (i). special responsibility allowance
- (ii). travelling and subsistence allowance
- (iii). co optees' allowance (if provided for).
- (b) as to the amount of such allowances and as to the amount of basic allowance.
- (c) as to whether dependants' carers' allowance should be payable to Members of an authority, and as to the amount of such an allowance.
- (d) as to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with Regulations.
- (e) as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed.
- (f) as to which Members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972.
- (g) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable in accordance with a scheme made under section 7 of the Superannuation Act 1972.

6.9 A copy of the report of the Independent Remuneration Panel shall be sent to Council.

6.10 Publicity for recommendations of the Independent Remuneration Panel

6.11 Once the Council receives a copy of a report made to it by the Independent Remuneration Panel in accordance with Regulations, it shall, as soon as reasonably practicable:

- (a) ensure that copies of that report are available for inspection by members of the public at the principal office of the authority, at all reasonable hours; and
- (b) publish in one or more newspapers circulating in its area, a notice which:

- (i). states that it has received recommendations from an Independent Remuneration Panel in respect of its scheme.
- (ii). describes the main features of that Panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of the Council.
- (iii). states that copies of the Panel's report are available at the principal office of the Council for inspection by members of the public at such times as may be specified by the authority in the notice; and
- (iv). specifies the address of the principal office of the Council at which such copies are made available.

6.12 The Council shall supply a copy of a report made by the Independent Remuneration Panel in accordance with Regulations to any person who requests a copy and who pays to the Council such reasonable fee as the authority may determine at the time of the request.