



Part 6

Member Allowances Scheme

WEF 17 May 2017

(In accordance with NJC pay award, 1% increase applied wef 1 April 2017)

MEMBER 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, 'Councillor' means a member of the Melton Borough Council who is a Councillor.

The commencement date of the scheme shall be 17 May 2017.

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 :-

- (a) Basic allowance
- (b) Special responsibility allowance and other payments
- (c) Dependent carers' allowance
- (d) Travelling and subsistence allowance
- (e) Scheme requirements
- (f) Independent Remuneration Panels

1.0 BASIC ALLOWANCE

1.1 Each Councillor shall be entitled to the same basic allowance. From 17 May 2017 the Allowance shall be £4,710 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, expenses be claimable up to the maximum of the basic allowance.

2.0 SPECIAL RESPONSIBILITY ALLOWANCE

2.1 This scheme provides for the payment, for each year for which this scheme relates, of an allowance ('special responsibility allowance') to such Members of the Council as have such special responsibilities in relation to the Council as 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 for 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 Policy, Finance & Administration Committee) | £12,530 |
| Deputy Leader | (Role includes Vice Chair of Policy, Finance & Administration Committee) | £4,004 |
| Other Group Leader(s) | Other Group Leaders (besides the Leader of the Council) – see note below* | *£3,660 |
| Leader of the Opposition | The main Opposition Group Leader's allowance be augmented by this sum – see note below** | **£684 |
| Chair | Community and Social Affairs Committee | £4,004 |
| Chair | Governance Committee | £4,004 |
| Chair | Licensing & Regulatory Committee | £4,004 |
| Chair | Planning Committee | £4,004 |
| Chair | Rural, Economic and Environmental Affairs | £4,004 |
| Chair | Town Area Committee | £4,004 |
| Chair | Appeals Committee | £2,121 |
| Vice Chair | Community and Social Affairs Committee | £1,180 |
| Vice Chair | Governance Committee | £1,180 |
| Vice Chair | Licensing & Regulatory Committee | £1,180 |
| Vice Chair | Planning Committee | £1,180 |
| Vice Chair | Rural, Economic and Environmental Affairs | £1,180 |
| Vice Chair | Town Area Committee | £1,180 |

* 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 allocated sum* pro rata to the number of Members in each group excluding the group containing the Leader of the Council.

Where there is just one other Group Leader, besides the Leader of the Council, 50% of the allocated sum* be paid.

** The Leader of the Opposition is entitled to an additional sum per annum to recognise the additional responsibilities undertaken by the Leader of the Opposition due to the Council not having a scrutiny function.

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) | £31 per site visit |
| When the number and duration of site visits, combined with the duration of the Members briefing reaches a level where the Head of Strategic Planning and 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 Site Visit Attendance Allowance. | | |
| All Councillors | Reimbursement of computer consumables such as printer cartridges and paper (on the production of a receipt) | Up to £52 per annum |
| All Councillors | Fee for registering Members of the Council as Data Controllers under the Data Protection Act which is administered by the Council on behalf of all Members (see note below) | £35 per annum for each Councillor |
| The Data Protection Act 1998 requires every data controller (including Elected Members) who may process personal information to register with the Information Commissioner's Office (ICO) which requires each Member to pay a £35 fee. | | |

2.4 Payments in respect of other roles

| Who is entitled | Reason for payment | Amount per annum |
|--------------------------|--|------------------|
| Independent Person(s) | Appointed to advise the Governance Committee on Code of Conduct complaints | £472 |
| Parish Representative(s) | Required to be involved in considering allegations against a Parish Councillor | £306 |

3.0 CHILD CARE AND DEPENDANT CARERS' ALLOWANCE

3.1 A Councillor shall be entitled to claim an allowance of up to £6.69 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 £1,335..

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 Councillor shall be entitled to claim travel and subsistence expenses in accordance with the NJC 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) Chairman's Briefing meetings
- (d) 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) 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 a Committee Chairman in order 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

4.2.1 Under the Scheme of Delegation, the Chief Executive (and in his/her absence, the appointed Deputy as set out in the Constitution) has been granted delegated authority to approve duties which have not previously been approved by the Council.

4.2.2 In exercising his/her delegation the Chief Executive must have regard to these guidelines.

4.2.3 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.

4.2.4 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.

4.2.5 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**

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

5.2 **Claims**

5.2.1 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 Corporate Director within two months of the date of the meeting in respect of which the entitlement to the allowance arises.

5.2.2 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.

5.3 **Payments**

5.3.1 In respect of basic and special responsibility allowances, subject to paragraph 5.3.3 below, in instalments of one-twelfth of the amount specified in this scheme on the penultimate day of each month by bank credit.

5.3.2 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.

5.3.3 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 5.1.1, 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.

5.4 **Part-year Entitlements**

5.4.1 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 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.

5.4.2 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 :

(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.

5.4.3 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.

5.4.4 Where this scheme is amended as mentioned in paragraph 5.4.2, and the term of office of a Councillor does not subsist throughout the period mentioned in paragraph 5.4.2(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 paragraph 5.4.2(a)) 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.

5.4.5 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 responsibilities bears to the number of days in that year.

5.4.6 Where this scheme is amended as mentioned in sub-paragraph 5.4.2 and a Councillor has during part, but does not have throughout the whole, of any period mentioned in paragraph 5.4.2 (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.

5.5 **Records of Allowances**

5.5.1 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 Corporate Director may determine at the time of application.

5.5.2 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

5.6 **Publicity**

5.6.1 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.

5.6.2 The Council shall ensure that a notice in the form required under paragraph 5.6.1 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.

5.6.3 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.

5.6.4 This scheme shall come into force with effect from 17 May 2017 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

6.1.1 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.

6.1.2 There shall not be more than one Panel which makes recommendations in respect of this Council.

6.1.3 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.

6.1.4 The Council will pay all reasonable travelling and subsistence expenses incurred by the Independent Remuneration Panel in carrying out its functions.

6.1.5 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 |

6.2 Recommendations of the Independent Remuneration Panel

6.2.1 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

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

6.3 **Publicity for recommendations of the Independent Remuneration Panel**

6.3.1 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.

6.3.2 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.

