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## **PART 6 – MEMBERS ALLOWANCES SCHEME**

Blaby District 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 Members Allowances.

The commencement date of the scheme shall be 13th May 2003.

The Scheme shall consist of 7 key elements, being:-

1. Basic allowance
2. Special responsibility allowance
3. Dependents' carers' allowance
4. Travelling and subsistence allowance
5. Pensions
6. Scheme Requirements
7. Independent Remuneration Panel

### **1. BASIC ALLOWANCE**

Each Member of the Council shall be entitled to the same basic allowance. From 1st April 2010 the Allowance shall be £3,965.64 and shall be increased annually on 1st April each year thereafter in line with the National Joint Council Staff Pay Award.

Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year, his/her entitlement shall be to payment of 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 as Member subsists bears to the number of days in that year.

Where a Member is suspended or partially suspended (as per section 83(7) to (20) of the Local Government Act 2000) from his/her responsibilities or duties as a Member of a Council in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, the part of basic allowance payable to him/her in respect of the period for which he/she is suspended or partially suspended may be withheld by the Council.

### **2. SPECIAL RESPONSIBILITY ALLOWANCE**

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. A maximum of two Special Responsibility Allowances only can be claimed for by a Member.

1.	Leader of the Council (and Cabinet Executive)	£10,634.64
2.	Deputy Leader of the Council (and Cabinet Executive)	£6,912.84
3.	Leaders of Opposition (Minority) Groups	£3,190.44
4.	Deputy Leaders of Minority Groups	£1,063.56
5.	Members of the Cabinet Executive (excluding the Leader and Deputy Leader of the Council)	£5,317.44
6.	Not used	-
7.	Not used	-
8.	Not used	-
9.	Chairman of the Standards Committee	£1,595.40
10.	Not used	-
11.	Not used	-
12.	Not used	-
13.	Chairman of the Scrutiny Commission	£4,253.88
14.	Scrutiny Commissioners (Excluding the Chairman of the Scrutiny Commission)	£3,190.44
15.	Chairman of the Development Control Committee	£4,253.88
16.	Vice-Chairman of the Development Control Committee	£1,063.56
17.	Not used	-

Where a Member does not have throughout the whole of a year any such special responsibilities as entitle him/her to a special responsibility allowance/attendance allowance, his/her entitlement shall be to payment of such part of the special responsibility allowance/attendance allowance as bears to the whole the same proportion as the number of days during which he/she has such special responsibilities bears to the number of days in that year.

Where a Member is suspended or partially suspended from his/her responsibilities or duties as a Member of a Council in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, the part of special responsibility allowance/attendance allowance payable to him/her in respect of the responsibilities

or duties from which he/she is suspended or partially suspended may be withheld by the Council.

### **3. DEPENDANTS' CARERS' ALLOWANCE**

Payment may be made to Members of the Council an allowance ("dependants' carers' allowance") in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in:-

- (a) the attendance at a meeting of the Council or of any Committee or Sub-Committee of the Council, or of any other body to which the Council makes appointments or nominations, or of any Committee or Sub-Committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the Council, or a Committee or Sub-Committee of the Council, or a Joint Committee of the Council and at least one other local Council within the meaning of section 270(1) of the Local Government Act 1972, or a Sub-Committee of such a Joint Committee, provided that:
  - (i) where the Council is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited; or
  - (ii) if the Council is not so divided, it is a meeting to which at least two Members of the Council have been invited;
  - (iii) the attendance at a meeting of any association of authorities of which the Council is a Member;
  - (iv) the attendance at a meeting of the Cabinet Executive or a meeting of any of its Committees, where the Council is operating Cabinet Executive arrangements;
  - (v) the performance of any duty in pursuance of any Standing Order made under section 135 of the Local Government Act 1972 requiring a Member or Members to be present while tender documents are opened;
  - (vi) the performance of any duty 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;
  - (vii) the carrying out of 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 Sub-Committees.

The Council shall pay such claims as are considered reasonable and are supported by receipts.

#### **4. TRAVELLING AND SUBSISTENCE ALLOWANCE**

Payment shall be made to Members of the Council of an allowance in respect of travelling and subsistence ("travelling and subsistence allowance"), including an allowance in respect of travel by cycle or by any other non-motorised form of transport, undertaken in connection with or relating to such duties as are specified in the scheme and are within one or more of the following categories:

- (a) the attendance at a meeting of the Council or of any Committee or Sub-Committee of the Council, or of any other body to which the Council makes appointments or nominations, or of any Committee or Sub-Committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the Council, or a Committee or Sub-Committee of the Council, or a Joint Committee of the Council and one or more local Council within the meaning of section 270(1) of the Local Government Act 1972, or a Sub-Committee of such a Joint Committee provided that:
  - (i) where the Council is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited, or
  - (ii) if the Council is not so divided, it is a meeting to which at least two Members of the Council have been invited;
  - (iii) the attendance at a meeting of any association of authorities of which the Council is a Member;
  - (iv) the attendance at a meeting of the Cabinet Executive or a meeting of any of its Committees;
  - (v) the performance of any duty in pursuance of any Standing Order made under section 135 of the Local Government Act 1972 requiring a Member or Members to be present while tender documents are opened;
  - (vi) the performance of any duty 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;
  - (vii) the carrying out of 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 of any of its Committees or Sub-Committees.

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- (viii) the attendance by Members of the Cabinet Executive to any meetings /briefings etc deemed appropriate to the discharge of their collective or individual responsibility.
  - (ix) the attendance by Junior Members of the Cabinet Executive to any meetings /briefings etc deemed appropriate to the discharge of their collective or individual responsibility.
  - (x) where a Member is suspended or partially suspended from his/her responsibilities or duties as a Member of a Council in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, any travelling and subsistence allowance payable to him/her in respect of the responsibilities or duties from which he/she is suspended or partially suspended may be withheld by the Council.
- (c) For the purposes of this part of the scheme: a Member or co-optee of a Committee, Sub-Committee or Panel of the Council/Cabinet Executive is to be treated as a Member of the Council.

### Travel Allowance

The rate for travel by public transport shall not exceed the amount of the standard fare or any available cheap fare unless the Council determine otherwise. The rate for travel by a Member's own private motor vehicle, or one belonging to a member of his family or otherwise provided for his use, other than a solo motor cycle of cylinder capacity not exceeding 500 cc shall not exceed 40p per mile.

The rates specified may be increased where passengers are carried, not exceeding 4, to whom an allowance would otherwise be payable by not more than 1 pence per mile, per passenger.

In cases where no other form of public transport is available or in cases of urgency, Members may travel by taxi and they will be reimbursed the actual fare plus any reasonable gratuity paid upon the production of a valid receipt.

In the case where a Member requires Carer assistance to get to and from Council business, as identified in this section (Travelling and Subsistence Allowance), the reasonable cost of that Carer's time for the journey will be reimbursed on the submission of the necessary receipts.

Any necessary expenditure incurred in relation to the journey shall also be met on the production of valid receipts (car parking charges etc).

Travel to any Outside Body shall be included within this scheme, provided the Outside Body has been authorised as an approved duty and included in Part 7 of the Constitution. If a Member provides transport to another Member to enable that Member to attend a meeting, then they be authorised to claim travel expenses.

### Subsistence Allowance

<b>Subsistence Allowance</b>	<b>Amount</b>
Breakfast Allowance (More than 4 hours away from normal place of residence or where the Council permits, a lesser period before 11.00 a.m.)	£5.48
Lunch Allowance (More than 4 hours away from normal place of residence or where the Council permits, a lesser period, including the lunchtime between 12 noon and 2.00 p.m.)	£7.57
Tea Allowance (More than 4 hours away from the normal place of residence or where the Council permits, a lesser period including the period 3.00 p.m. to 6.00 p.m.)	£2.98
Evening Meal Allowance (More than 4 hours away from the normal place of residence or where the Council permits, a lesser period ending after 7.00 p.m.)	£9.38

As Members are aware the tea and evening meal allowance periods are straddled. As far as the provision for evening meal allowance is concerned and in cases where a tea allowance has been claimed then the spirit of the scheme would suggest that the period for claiming an evening meal allowance would not start until after 6.00 p.m. In instances where a tea allowance has not been claimed and the meeting duration is greater than 4 hours, then provided a substantial part of the 4 hour or more is after 7.00 p.m. an evening meal allowance would be appropriate.

In the case of an absence overnight from the normal place of residence, the rate is £77.43. For such an absence in London, or for attending the Local Government Association Annual Conference or such other Association of Bodies as the Secretary of State may for the time being approved for the purpose, the rate is £138.31 plus an additional allowance of £50 will be paid for attendances at Local Government Association Conferences or Conferences in London, which allows delegates to be accommodated in appropriate hotels.

For the purpose of the above paragraph, London means the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

The rates specified above shall be reduced by an appropriate amount in respect of any meal provided free of charge by an Authority or Body in respect of the meal or the period to which the allowance relates.

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### Meals on Trains

If full meals (Breakfast/Lunch/Dinner) are taken on trains during a period for which there is no entitlement to subsistence, the reasonable cost of the meals including VAT may be reimbursed in full on the production of a valid receipt, within the limits specified below.

4 - 8 hours	- The cost of 1 main meal
8 - 12 hours	- The cost of 2 main meals
12+ hours	- The cost of 3 main meals

### Pensions

Recipients of Basic and Special Responsibility Allowance shall be entitled to pensions in accordance with the requirements of Section 7 of the Superannuation Act 1972 and the further provisions of the Local Government Pension Scheme Regulations 1997.

Persons wishing to join the Local Government Pension Scheme shall give notice in writing to the Proper Officer, who shall arrange for such entitlement to be determined in accordance with the Superannuation Act 1972 and the Local Government Pension Scheme Regulations 1997.

### Scheme Requirements

#### (a) **Election to forgo allowances**

A person may, by notice given in writing to the Proper Officer of the Council (Democratic Services Manager), elect to forego his or her entitlement or any part of his or her entitlement to allowances.

#### (b) **Claims and Payments**

Any claim for payment in respect of the following allowances must be made within three calendar months of the date the claim occurring:-

Dependants' Carers' Allowance  
Travelling and Subsistence Allowance

Allowances shall be paid in twelve equal instalments on a date determined by the Council and also in accordance with requirements relating to part payments as indicated against each allowance detailed in the scheme.

#### (c) **Records of Allowances**

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

- (i) specify the name of the recipient of the payment and the amount and nature of each payment;
- (ii) be available, at all reasonable times, for inspection and at no charge by any local government elector for the area of the District of Blaby; and
- (iii) be supplied in copy to any person who requests such a copy and who pays to the Council such reasonable fee as the Proper Officer may determine at the time of application.

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 each of the following:-

Basic Allowance  
Special Responsibility Allowance  
Dependants' Carers' Allowance  
Travelling and Subsistence Allowance

**(d) Publicity**

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

- 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
- 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.

The Council shall ensure that a notice in the form required under sub-paragraph (d) 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.

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.

This scheme shall come into force with effect from 13th May 2003 and any previous scheme shall be deemed revoked for the payment of allowances from 12th May 2003 (the last day of the previous scheme).

### Independent Remuneration Panels

#### **(a) Duty to have regard to Recommendations**

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.

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

The Independent Remuneration Panel shall consist of at least three Members none of whom:-

- (i) shall also be a Member of this Council or is a Member of a Committee or Sub-Committee of the Council; or
- (ii) is disqualified from being or becoming a Member of an authority.

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

**(b) Recommendations of the Independent Remuneration Panels**

The Independent Remuneration Panel shall produce a report making recommendations:-

- (i) as to the responsibilities or duties in respect of which the following should be available:-
  - special responsibility allowance
  - travelling and subsistence allowance
  - co-optees' allowance (if provided for)
- (ii) as to the amount of such allowances and as to the amount of basic allowance;
- (iii) as to whether dependants' carers' allowance should be payable to Members of an authority, and as to the amount of such an allowance;
- (iv) 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;
- (v) 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;
- (vi) 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;
- (vii) 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.

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

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**(c) Publicity for recommendations of the Independent Remuneration Panel**

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:-

- (i) 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
- (ii) publish in one or more newspapers circulating in its area, a notice which:
  - states that it has received recommendations from an Independent Remuneration Panel in respect of its scheme;
  - 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;
  - 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
  - specifies the address of the principal office of the Council at which such copies are made available.

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.

Standards Committee

**Payment of Allowances**

An annual allowance of , 200 shall be paid to the Independent Members (excluding the Chairman) and the Parish/Town Council Members of the Standards Committee. Travel and subsistence allowance shall be paid as per the scheme in place for elected Members. A carers allowance shall be paid if applicable.

