

Part 6

Members' Allowances Scheme West Devon Borough Council

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West Devon Borough Council

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Members' Allowances Scheme

This Scheme has been made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

1. Basic Allowance

- 1.1 The Basic Allowance is payable to every Member of the Council at the rate specified in Schedule A below, and will be paid by equal monthly instalments in arrears. The allowance is intended to recognise the time devoted by Members to their work as well as to cover incidental costs such as the use of their homes and private telephones.

2. Special Responsibility Allowances (SRAs)

- 2.1 An SRA is paid to those Members who have significant responsibilities such as committee chairmen or political group leaders etc. Each 'post of responsibility' is identified by the Independent Remuneration Panel and attracts an appropriate level of payment as shown in Schedule A, which is paid monthly in arrears.
- 2.2 Payment to any Member who did not hold the position for which the allowance is paid for the whole year will be adjusted pro rata according to the number of months for which it was held.
- 2.3 A Member holding the office of Chairman will normally be expected to agree to the re-allocation of the relevant proportion of the SRA to their Vice-Chairman in circumstances where the latter has to provide cover for a continuous period of absence of their Chairman of at least one month.
- 2.4 No Councillor shall receive more than one SRA.

3. Travelling Allowances

- 3.1 Members may claim mileage allowances at the rates specified in Schedule B.
- 3.2 Travelling Allowances will normally be payable in respect of attendance at any Approved Duty, except that they may not be claimed where the Body attended pays them.
- 3.3 Approved Duties in respect of which Travelling Allowances may be paid are set out in Appendix D.

4. **Subsistence Allowances**

- 4.1 Subsistence allowances will be paid on the scales and under the conditions set out in Schedule C below. The allowance is for actual expenditure, and payment will normally only be made where receipts are supplied.
- 4.2 Approved Duties in respect of which Subsistence Allowances may be paid are set out in Appendix D.

5. **Carer's Allowance**

- 5.1 Carer's Allowance will be paid in accordance with the conditions set out in Schedule C below.

6. **Service on Outside Bodies**

- 6.1 Members are appointed to represent the Council on specific outside bodies by the appropriate committee or by Council. In these specific instances, Members are entitled to claim travel and subsistence **unless** the outside body already provides reimbursement.
- 6.2 If a Member is unable to attend a meeting as a representative of the Council, they are able to make arrangements for another Member to attend in their place. This arrangement is irrespective of any political or party allegiances. The Member attending as a substitute must clearly show this on their claim form.
- 6.3 Representatives appointed to serve on outside bodies are conditional upon them remaining Members of the Council during that period. The Council approves from time to time a list of Outside Bodies to which Members have been appointed.

7. **Withholding Allowances**

- 7.1 Where the Standards Committee determine at a Hearing that a Member should be fully suspended from his/her duties, then the Member's Allowances (save for Dependant Carers' allowance) will be withheld for the period of suspension.

8. **Official Civic Duties**

- 8.1 The Mayor and Deputy Mayor and any other Member deputising for them or invited by them to attend, shall be entitled to receive travelling and subsistence allowance for the performance of official duties and courtesy visits.
- 8.2 The Mayor and Deputy Mayor both receive an annual lump sum allowance as set out in the table in Schedule A.

9. **Renunciation**

- 9.1 Any Member may (by giving notice in writing to the Head of Paid Service) choose to forgo any part of the allowances paid under this Scheme.

10. **Administrative Rules**

- 10.1 No payment can be made of any travel and subsistence claim made more than three months after the meeting for which the claim is made, without the authority of Council in every case.
- 10.2 The responsibility for the correctness of claims is that of the Member concerned. Where in the opinion of administrative staff, a claim cannot for some reason be met within the rules of this Scheme, the travel and subsistence claim will not be paid, and the Member will be informed in writing of the reason.
- 10.3 All claims for expenses should, as far as possible, be submitted according to the timetable (provided by the Finance Community of Practice) and passed to Democratic Services for verification. All claims will be checked against the relevant attendance sheets, list of approved duties and approved appointments to outside bodies, prior to payment being made. Members may be contacted if some claims require further clarification. Any unresolved problems arising out of claims for expenses will be referred to the Standards Committee for determination.
- 10.4 Subsistence allowance rates are all maximum amounts and reimbursement will be for actual expenditure (up to these limits), wherever possible supported by a receipt. This will enable the Council to reclaim the VAT element. Claims should not be made if a meal is provided free of charge.
- 10.5 Every Member will be issued with a copy of this Scheme on its approval by Council and the Scheme will be an element of the Constitution. As part of the Constitution the Scheme will be available on the Council's website.
- 10.6 Claims must be made on the claim forms provided, fully completed in accordance with the guidance notes on the form, signed and dated by the Member.
- 10.7 It is the responsibility of the Member to notify the Council of any material changes to the information held on file, e.g. change of vehicle or address etc.

11. **Records and Publication**

- 11.1 Records will be kept as necessary to satisfy the requirement for public access.
- 11.2 This Scheme and any amendment subsequently made to it will be published in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

11.3 As soon as practical after the end of each year the amounts paid to each Member in respect of each of Basic Allowances and SRA's will be published as required by the 2003 Regulations.

12. **Review**

The Independent Remuneration Panel reviewed the Members' Allowance Scheme in November 2016. A further review will have to take place before November 2020 (unless any significant issues which may necessitate a review arise before this date).

13. **Definitions**

13.1 Member

An elected Member or co-opted Member of West Devon Borough Council.

13.2 Year

The 12 months ending 31 March.

Schedule A

Basic and Special Responsibility Allowances 2018/19

Role	Multiple of Basic Allowance	Basic Allowance per annum	Special Responsibility Allowance per annum	Total
Basic Allowance (all elected Members)		£4,370		£4,370
Special Responsibility Allowances:				
Leader of the Council (Chairman of the Hub Committee)	Basic x 200%	£4,370	£8,740	£13,110
Deputy Leader (Vice Chairman of the Hub Committee)	Basic x 150%	£4,370	£6,555	£10,925
Hub Committee Members (x 7)	Basic x 90%	£4,370	£3,933	£8,303 (each)
Leaders of other political groups (NB. subject to minimum group size threshold of 3 Members)	2 x Basic / 31 x No. of Group Members			
Chairman of Audit Committee	Basic x 90%	£4,370	£3,933	£8,303
Chairman of Planning and Licensing	Basic x 120%	£4,370	£5,244	£9,614
Chairman of Overview and Scrutiny	Basic x 90%	£4,370	£3,933	£8,303 (each)

Civic allowances (see paragraph 7 of the Scheme)

Civic Duty	£ Allowance
Mayor	3,000
Deputy Mayor	825

Schedule B

Travelling Allowances

The scheme to allow Members to claim for car travel is as follows:

SCHEME:

The rates are set by the Inland Revenue and are such that no taxable element is included.

Mileage allowance	
Per mile for the first 10,000 miles	45.0p
Per mile after 10,000 miles	25.0p

There are additional allowances available for transporting passengers, bicycles and motorcycles as follows:

For each passenger	5p per mile
Bicycle rate	20p per mile
Motorcycle rate	24p per mile

Longer journey rate – in the case of any one return journey exceeding 150 miles, excess mileage will be paid at a rate of 11.7p per mile (however, second class rail travel – if cheaper – is the preferred method for long distance travel).

EXPLANATORY NOTE:

It is the responsibility of each Member to notify any material change in the details of the car used to the Officer responsible for the payment of Members' allowances.

SCHEDULE C

Subsistence and Carers' Allowances

Subsistence Allowances (from 1 April 2018)		
Breakfast allowance	A rate of up to £5.00 may be paid where a Member has been away from home on Council business for a period of at least five hours and has incurred the cost of a meal	
One meal rate (five-hour rate)	A rate of up to £5.00 may be paid where a Member has been away from home on Council business for a period of at least five hours and has incurred the cost of a meal	
Two meal rate (ten-hour rate)	A rate of up to £10.00 may be paid where a Member has been away from home on Council business for a period of at least ten hours and has incurred the cost of a meal or meals	
Late evening meal rate	A rate of up to £15.00 may be paid where a Member has to work later than 8.00pm having been on Council business during the day and has to buy a meal which they would usually have at home.	
Overnight/Conference subsistence allowances	London	£91.04 per night.
	Other locations	£79.82 per night

Carer's Allowance:

- 5.1 Carer's Allowance will be paid for the reimbursement of actual expenditure incurred by Members up to a maximum equivalent to the national minimum wage current at that time for the care of dependents whilst the Member is on Council business. For this purpose, "dependents" include children, elderly people or people with disabilities.
- 5.2 The allowance will not be paid to a member of a claimant's own household, except where that person would otherwise be in existing paid employment during the hours of caring.

- 5.3 The allowance will not be paid to a Councillor who is already in receipt of an allowance or other assistance from any other source for the same purpose on the occasion for which the allowance is being claimed.

Explanatory notes

- i) These allowances may be claimed only where incurred, and supported wherever possible with a receipt, so that where appropriate the Council may reclaim any VAT included.

SCHEDULE D

Approved duties for Travelling and Subsistence

(Local Authorities (Members' Allowances)(England) Regulations 2003)

Allowances for travelling and subsistence may be paid to the Council's members (including co-opted members) for the following approved duties:

- Attendance at meetings of the Council
- Attendance at meetings of the Council's committees or sub-committees
- Attendance at meetings of some other body (including that body's core committees or sub-committees discharging that body's core functions) to which the Council makes appointments or nominations by the Council's appointed nominee(s)
- Attendance at any other meeting which has both been authorised by the Council, and to which representatives of more than one political group have been invited (including training sessions and briefings)
- Attendance at meetings of a local authority association of which the Council is a member by the Council's appointed nominee
- Duties undertaken 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
- Duties undertaken on behalf of the Council in accordance with any procedural rule requiring a member or members to be present while tender documents are opened
- Any other duty approved by the Council, or any duty of a class so approved by the Council or by the Head of Paid Service (or in his absence his nominee) (in consultation with the Group Leaders) for the purpose of, or in connection with, discharging the duties of the Council, its committees or sub-committees (for example (but not limited to) Task and Finish Groups, working groups and Group Leaders' meetings).
- Attendance at a meeting at which it is necessary for Group Leaders or Chairmen to attend to represent or protect the Council's interests.
- Mileage for attendance at Parish and Town Council meetings within a Member's local ward of which they are not already a member and which is within the West Devon Boundary.

The above Approved Duties (where appropriate) shall also be Approved Duties for the purpose of any Town or Parish Council within the Borough of West Devon where the Town/Parish Council has resolved to pay travel and subsistence allowances.