

## **PART 12**

# **Members' Allowances Scheme**

The Council has to agree and adopt an allowance scheme

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## 1 MEMBERS' ALLOWANCES SCHEME 2013

Northumberland Council hereby makes this Scheme under The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) and all other powers enabling the Council in this behalf

(This scheme should be read in conjunction with the Members' Allowances, Statutory Sick Pay, and Insurance Guidance Notes)

## 2 INTRODUCTION

This scheme may be cited as The Northumberland Council Members' Allowances Scheme 2013 ("this Scheme"), and shall have effect from 22 May 2013 and shall continue in force thereafter until revoked or amended.

The previous Northumberland Council Allowances Scheme is revoked.

In this scheme:

**"the Council"** means Northumberland County Council.

**"Co-optee"** means a person who is not a Member but who is a co-opted Member of a Committee of the Council.

**"Councillor"** means an elected Member of the Council.

**"the Regulations"** means The Local Authorities (Members' Allowances) (England) Regulations 2003 as amended by The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003.

**"Year"** means –

- (a) the period beginning on 22 May 2013 and ending on 31st March 2014; and
- (b) any period of 12 months ending on 31st March in any year after 2014.

## 3 BASIC ALLOWANCE

**3.1** For each year a basic allowance ("basic allowance") set out in [Schedule 1](#) shall be paid to each Member.

**3.2** The basic allowance shall be automatically linked to annual pay awards for NJC for Local Government Services staff and shall be increased at the same level from 1st April each year. If these rises apply at different periods in the year, then the basic allowance shall be similarly adjusted at the same time.

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

- 3.4** Where a Member is suspended or partially suspended from their responsibilities or duties as a Member of the 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 them in respect of the period for which they are suspended or partially suspended may be withheld by the Council.

#### **4 SPECIAL RESPONSIBILITY ALLOWANCE**

- 4.1** For each year for which this scheme relates a special responsibility allowance (“special responsibility allowance”) shall be paid to those Members who have the special responsibilities in relation to the Council that are specified in [Schedule 2](#).
- 4.2** The amount of each special responsibility allowance shall be the amount specified against that special responsibility in [Schedule 2](#).
- 4.3** Where a Member does not have throughout the whole of a year any such special responsibilities as entitle them to a special responsibility allowance, their entitlement shall be to payment of such part of the special responsibility allowance as bears to the whole the same proportion as the number of days during which they have such special responsibilities bears to the number of days in that year.
- 4.4** Where a Member is suspended or partially suspended from their responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of special responsibility allowance payable to them in respect of the responsibilities or duties from which they are suspended or partially suspended may be withheld by the Council.
- 4.5** Any Member who would be entitled to claim more than one special responsibility allowance, in accordance with [Schedule 2](#), shall only be entitled to receive one such allowance (and where the allowances are of different amounts, the entitlement shall be to the highest amount), unless otherwise provided in [Schedule 2](#).

#### **5 DEPENDANTS’ CARERS’ ALLOWANCE**

- 5.1** An allowance (“the Dependants’ carers’ allowance”) will be paid to each Member who needs to incur the expenses of arranging for the care of their children or dependants while undertaking the duties specified in [Schedule 3](#).
- 5.2** The Dependants’ carers’ allowance will be payable in respect of actual expenditure up to the amount specified in [Schedule 3](#) and will be subject to the eligibility criteria set out in that Schedule.

#### **6 TRAVELLING AND SUBSISTENCE ALLOWANCE**

- 6.1** Members and Co-optees may claim expenses in respect of travelling and subsistence up to scale rates in accordance with [Schedule 4](#) undertaken in connection with or relating to the duties specified in [Schedule 5](#).

**6.2** The travelling and subsistence allowance will comprise the rates specified in [Schedule 4](#).

**6.3** Where a Member or Co-optee is suspended or partially suspended from their responsibilities or duties as a Member or Co-optee of the 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 them in respect of the responsibilities or duties from which they are suspended or partially suspended may be withheld by the Council.

## **7 AMENDMENTS AND REPAYMENT OF PART OF ALLOWANCES**

**7.1** This Scheme may be amended at any time.

**7.2** Where an amendment is to be made which affects an allowance payable for the Year in which the amendment is made, the entitlement to such allowance as amended may apply with effect from the beginning of the Year in which the amendment is made unless determined otherwise by full council.

**7.3** Where payment of any allowance has already been made in respect of any period during which the Member or Co-optee concerned:

7.3.1 is suspended or partially suspended from their responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part then the Standards Committee should be empowered to suspend in whole or part the allowances payable to that Member and/or co-optee;

7.3.2 ceases to be a Member or a Co-optee;

or

7.3.3 is in any other way not entitled to receive the allowance in respect of that period,

7.3.4 the Council may require that such part of the allowance as relates to any such period be repaid to the Council.

**7.4** Where a Member is also a Member of another council (as defined in the Regulations) that Member may not receive allowances from more than one council in respect of the same duties.

## **8 ELECTION TO FORGO ALLOWANCES**

**8.1** A person may, by notice in writing given to the Section 151 Officer, elect to forgo all or any part of their entitlement to any allowances under this scheme.

## **9 CLAIMS AND PAYMENTS**

**9.1** Payments of basic and special responsibility allowances shall be made in instalments of one twelfth of the amount specified in this scheme on the fifteenth

day of each month (the fourteenth day when the fifteenth is a Saturday and the sixteenth day when the fifteenth is a Sunday).

**9.2** Where a payment of one twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Member receiving more than the amount to which, by virtue of parts 2 and 3 of this scheme, they are entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which they are entitled.

**9.3** A claim for the following allowances must be made by the person to whom they are payable within a month from the date on which an entitlement to the relevant allowance arises:

9.3.1 Dependants' carers' allowance.

9.3.2 Travelling and subsistence allowance.

**9.4** Nothing in paragraph 8.3 shall prevent the Council from making a payment where the allowance is not claimed within the period specified in paragraph 9.3.

## **10 DELEGATIONS**

**10.1** The Standards Committee shall have full delegated power to make the following determinations under this Scheme:

10.1.1 under paragraph 3.4, whether to withhold payment of a basic allowance during the suspension etc. of a Member;

10.1.2 under paragraph 4.4, whether to withhold payment of a special responsibility allowance during the suspension etc. of a Member;

10.1.3 under paragraph 6.3, whether to withhold payment of travelling and subsistence allowances during the suspension etc. of a Member or co-optee;

10.1.4 under paragraph 7.3, whether to require re-payment of an allowance from a Member or co-optee in certain circumstances.

**10.2** The Head of Paid Service shall have delegated power to permit claims to be paid outside the period referred to in paragraph 9.3.

## **SCHEDULE 1**

### **BASIC ALLOWANCE**

Subject to paragraphs 2.2 and 2.3 of this scheme, the amount of the basic allowance is £13,329

**SCHEDULE 2**  
**SPECIAL RESPONSIBILITY ALLOWANCES**

Post	Nos.	SRA
Leader of Council	1	£27,000.00
Deputy Leader	1	£18,090.00
Cabinet Members with Portfolio	6	£14,850.00
Business Chair of Council	1	£14,850.00
Deputy Business Chair of Council	1	£9,900.00
Chairs Scrutiny Committees	4	£12,150.00
Vice Chairs Scrutiny Committees	4	£5,467.00
Chair Strategic Planning Committee	1	£12,150.00
Vice Chair Strategic Planning Committees	1	£5,467.00
Chairs Local Area Councils	5	£10,800.00
Vice Chairs Local Area Councils	5	£3,645.00
Vice Chairs (Planning) Local Area Councils	5	£3,645.00
Rights of Way Committee Chair	1	£9,450.00
Rights of Way Committee Vice Chair	1	£5,467.00
Chair Licensing and Regulatory and Licensing Committees	1	£9,450.00
Vice Chair Licensing and Regulatory and Licensing Committees	1	£2,362.50
Chair of Audit Committee	1	£4,005.00
Vice Chair of Audit Committee	1	£1,350.00
Chair Pension Fund Panel	1	£4,005.00
Vice Chair Pension Fund Panel	1	£1,350.00
Chairs Cabinet Working Groups	3	£4,005.00
Vice Chairs Cabinet Working Groups	3	£1,350.00

Post	Nos.	SRA
Chairs Council Working Groups	2	£4,005.00
Vice Chairs Council Working Groups	2	£1,350.00
Major Opposition Group Leader	1	£12,150.00
Major Opposition Group Deputy Leader	1	£4,860.00
Other Opposition Group Deputy Leaders (with 7 Members)	0	£2,430.00
Civic Allowance for Civic Head	1	£5,400.00
Civic Allowance for Deputy Civic Head	1	£1,620.00
Group Secretaries SRA @ £15 per Group Member:	Group Secretaries not subject to 1 SRA only rule	

Independent Chair – Standards Committee

£2,700 pa

Independent Person – Standards Committee

£2,700 pa

Co-optees – Standards Committee

£500 pa

Independent Co-opted Members - Audit Committee

£1,000 pa

## SCHEDULE 3

### TRAVELLING SUBSISTENCE

#### 1 Mileage Rates

The following Inland Revenue authorised mileage rates will apply from 1st November 2003 and will automatically be adjusted, in line with any variations made by the Inland Revenue.

Mode of Transport	Mileage rate
Cars (all CC's)	45p per mile (first 10,000 miles) 25p per mile (over 10,000 miles) 5p per mile (each additional passenger)
Motorcycles	24p per mile
Bicycles	20p per mile

Journeys by car in excess of 100 miles in each direction can only be made where they are more cost effective than using public transport or where public transport arrangements would be impractical.

#### 2 Subsistence Rates

Entitlement to subsistence rates requires an absence from home of four hours or more. Breakfast allowance may only be claimed where the absence from home has commenced at least four hours before 11.00 a.m. i.e. from 7.00 a.m. or before. In addition, absences must include the period shown in brackets for the relevant meal claimed.

The following subsistence rates will apply and will automatically be adjusted, in line with annual RPI increases.

Subsistence	Rate
Breakfast	£5.28 (before 11 a.m.)
Lunch	£7.26 (12 noon and 2 p.m.)
Tea	£2.86 (3 p.m. and 6 p.m.)
Dinner	£8.99 (after 7 p.m.)
Overnight (outside London)	£103.20
Overnight (inside London)	£117.69

These rates represent the maximum rates payable. They do not imply an automatic entitlement to claim at that level. Where actual expenditure incurred is lower than the relevant subsistence rates in this Schedule, reimbursement will be made at the lower level. Receipts must accompany all claims.

The guidance notes, which supplement this scheme, set out the procedure for undertaking foreign travel and for claiming out of pocket expenses.

### **3 Parish and Town Councils**

The Independent Review Panel recommended that parish and town councillors should be paid at the same rates and conditions that apply to the new unitary council, namely mileage rates at HMRC rates and subsistence rates based on the Northumberland unitary subsistence scheme.

## **SCHEDULE 4**

### **DEPENDANTS' CARER'S ALLOWANCE**

The Northumberland County Council, in exercise of the powers conferred by the Local Government Act 1972, hereby makes the following scheme:-

- 1 official County Council business, and may be cited as the Northumberland County Council Carers' Allowance Scheme. The scheme came into effect on 1st October 1998 and was reviewed by the Council on 4 December 2013.
- 2 This scheme applies to elected Members of Northumberland County Council.
- 3 The allowance is available in relation to all approved duties, and duties in respect of which travel and subsistence are paid.
- 4 The allowance is payable in respect of the cost of caring for children aged 14 and under, and in respect of dependent relatives who are suffering from illness or disability, and who the Occupational Health Service have confirmed require constant care.
- 5 In relation to relatives suffering from illness or disability, Members should contact the Head of Paid Service, who will engage the Occupational Health Service to carry out the necessary confirmation.
- 6 The allowance is not payable in respect of Members of the Members household who may be providing the care.
- 7 The allowance will be paid at up to £7.74 per hour for weekdays and £9.21 per hour for weekends, providing this does not exceed the actual costs incurred, and is inclusive of all travel costs of the carer. This rate equates to the current hourly rate for County Council Home Carers and the hourly rate should be increased at the same time and the same level as County Council Home Carers. The allowance is payable for the duration of the meeting, and for the reasonable travelling time of the Member before and after the meeting in relation to the care arrangements.
- 8 If a Member has a second dependant then the DCA rate payable should be paid at 50% of the full claimable rate. For subsequent dependants the DCA rate payable should be paid at 25% of the full claimable rate.
- 9 Claims are to be made on the appropriate form, signed by both the Member and the carer, and should be made within one month of the date of the meeting in respect of which the entitlement to the allowance arises. Claim forms may be obtained from the Head of Paid Service.
- 10 Payments in relation to this scheme will be made on the same basis as those made for other Members' Allowances.

## SCHEDULE 5

### APPROVED DUTY FOR DEPENDANTS' CARERS' ALLOWANCE AND TRAVEL AND SUBSISTENCE ALLOWANCE

Approved duties for the purpose of the payment of Dependants' Carers' allowance and travel and subsistence allowance shall be:

- 1 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.
- 2 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.

Note 1: In relation to category 2 meetings, it must be a meeting to which Members of at least two political groups have been invited.

- 3 The attendance at a meeting of any association of authorities of which the Council is a Member. The attendance at a meeting of the Cabinet or a meeting of any of its committees, where the Council is operating executive arrangements and where a Member is invited to attend by an Cabinet Member, Chair of meeting, or Senior Officer, or is specified in a Members role profile.
- 4 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.
- 5 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.
- 6 The performance of any duty in connection with arrangements made by the Council for the attendance of pupils at any school approved for the purposes of Section 342 of the Education Act 1996 (approval of non-maintained Special Schools).
- 7 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.

Note 2 In relation to paragraph 8, the following will be classed as being approved duties:

- 7.1 the attendance at a meeting of a Working Group or Panel of the Council (provided that at least two political groups have been invited);
- 7.2 the attendance at site visits and inspections arranged by the Council;

- 7.3 the attendance at training activities arranged/approved by the Council, and
- 7.4 journeys not exceeding twenty four in a twelve month period, by backbench Members in furtherance of consultations with Cabinet Members, other Members and/or officers about matters within their electoral divisions (to include surgeries, trips to County Hall and other constituency business).
- 8 Members can claim mileage for attending parish council meetings within their division.