

Part 6

Members' Allowances Scheme

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Members' Allowances Scheme

1. Introduction

1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) requires local authorities to prepare schemes for the payment of allowances to their members.

1.2 The 2003 Regulations (as amended) state~~s~~ that authorities must establish a ~~new~~ scheme of allowances under those Regulations by 31 December 2003. Authorities making schemes are required to make provision for the payment of basic allowances and may also provide for the payment of special responsibility allowances, dependants' carers allowances, travelling and subsistence allowance and co-optees' allowances.

~~1.3~~ The Council has established an Independent Remuneration Panel in conjunction with Canterbury City Council and Thanet District Council. Authorities must have regard to the recommendations made by an independent remuneration panel before making or amending a scheme in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003.

~~1.3~~ ~~An Independent Remuneration Panel has been established jointly by Dover District Council, Shepway District Council and Thanet District Council from 1 May 2008. The previous Independent Remuneration Panel established jointly by Dover District Council and Thanet District Council produced a report and recommendations (dated November 2003) in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003. This scheme was then duly made by the Council at its meeting on 17 December 2003.~~

~~1.4~~ ~~At the Annual Meeting of the Council held on 11 May 2005 (and following consideration of a further report and recommendations of the independent remuneration panel dated January 2005), the Scheme was duly amended and these amendments are referred to and included in the Scheme set out below. At the meeting of the Council held on 4 March 2015 the Council duly made its Members' Allowance Scheme as set out below.~~

2. Commencement and Period of Scheme

2.1 This Scheme is made by Dover District Council pursuant to Section 18 of the Local Government and Housing Act 1989 (as amended by Section 99 of the Local Government Act 2000) and the Local Authorities (Members' Allowances) Regulations 2003.

2.2 This Scheme has effect from 4 March 2015 and applies to the payment of members' allowances from 4 March 2015 until 31 March 2016 and subsequent years thereafter (subject to any revocation or amendment).

2.3 The Scheme shall remain in force unless and until revoked by the Council with effect from the beginning of a year.

2.4 The Scheme may be amended at any time provided that regard is had to the recommendations of the independent remuneration panel.

~~2.5 Following the report from the independent remuneration panel in January 2005, the Council amended this Scheme at its Annual Meeting held on 11 May 2005; such amendments comprised of (a) inserting amended Schedules 1 (Basic Allowance), 2 (Special Responsibility Allowances) and 3 (Travelling and Subsistence Allowance) and (b) inserting paragraph 7A and Schedule 5 (Dependants Carers' Allowance).~~

3. Revocation of Previous Schemes

3.1 All previous schemes made by the Council for the payment of members' allowances were revoked with effect from ~~17 December 2003.~~ 4 March 2015.

4. Basic Allowances

4.1 A ~~b~~B~~a~~asic ~~a~~A~~l~~lowance shall be paid to each Member of the authority who is a councillor in the amount set out in Schedule 1.

4.2 The Basic Allowance is intended to cover the full range of work expected of a ward councillor together with incidental expenditure on matters such as stationery, postage, telephone and broadband costs.

~~4.32~~ 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 ~~b~~B~~a~~asic ~~a~~A~~l~~lowance as bears to the whole the same proportion as the number of days during which his/her term of office as Member and councillor subsists bears to the number of days in that year.

4.3 DELETED

~~Where a Member is suspended or partially suspended from his/her responsibilities or duties as a member of the authority 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 authority.~~

5. Special Responsibility Allowances

5.1 Special ~~r~~R~~e~~sponsibility ~~a~~A~~l~~lowances shall be payable to those Members of the authority who are councillors as hold those offices (which have special responsibilities in relation to the authority) as are specified in ~~column 1 of~~ Schedule 2.

5.2 The amount of each ~~s~~S~~p~~ecial ~~r~~R~~e~~sponsibility ~~a~~A~~l~~lowance shall be as specified in ~~column 2 of~~ Schedule 2.

5.3 Where a Member does not have throughout the whole of a year any such special responsibilities as entitle him/her to a ~~s~~S~~p~~ecial ~~r~~R~~e~~sponsibility ~~a~~A~~l~~lowance, his/her 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/she has such special responsibilities bears to the number of days in that year.

5.4 DELETED

~~Where a Member is suspended or partially suspended from his/her responsibilities or duties as a member of the authority in accordance with Part~~

~~III of the Local Government Act 2000 or regulations made under that Part, the part of special responsibility allowances 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 authority.~~

- 5.5 No Member shall be entitled to more than one Special Responsibility Allowance. Where a Member holds more than one office, then the higher of the ~~s~~Special ~~r~~Responsibility ~~a~~Allowances shall apply.

6. Appropriate Adjustments

- 6.1 The Section 151 Officer shall be authorised to make provision for any appropriate adjustment if necessary in respect of any ~~b~~Basic ~~a~~Allowance or ~~s~~Special ~~r~~Responsibility ~~a~~Allowance which:

- (a) ~~_~~ has already been paid under the previous scheme in respect of the remainder of the year from which this Scheme has effect; or
- (b) ~~_~~ is to be paid in respect of any part of the year during which the previous scheme had effect.

7. Travelling and Subsistence Allowance

- 7.1 Travelling and Subsistence Allowance shall be available to Members of the Council (including Co-opted members) in such amount or amounts as may be specified in Schedule 5 and subject to such conditions as are set out therein and below.

- 7.2 Travelling and Subsistence Allowance shall only be payable to Members in respect of actual expenditure incurred in connection with or relating to the approved duties shown below. The scheme does not allow for travelling expenses to be paid to Members arranging meetings with officers or attending to Ward work as this is deemed to be part of the Member's role and Members' allowances paid are calculated to reflect these extra duties.

7.3 For the purposes of the payment of travel expenses, all travel will be deemed to have commenced from the Member's current address or, if this is not within the administrative area of the Council, from the address through which the Member qualified to stand for election.

7.5 For journeys outside Kent the second class rail fare is paid (irrespective of whether the Member chooses to use a car), although any taxi fares, parking charges and underground fares incurred as part of the journey may still be claimed for separately. Where it is impracticable for a Member to travel by train because the venue is difficult to get to within the time allowed, or to avoid an overnight stay, or extra passengers/luggage has to be taken, car mileage may be allowed at the appropriate rate provided that a self-certification form explaining why it is impractical has been completed and submitted to Democratic Support prior to the journey.

- 7.36 Attendance at meetings of the Council or of any of its committees, sub-committees, working or liaison groups, appeal panels and ad hoc meetings recorded in official minutes to which a Member has been appointed or at which s/he is acting as a Substitute for another Member including representatives appointed to Neighbourhood Forums and their substitutes.

- | **7.47** Attendance at meetings of the Cabinet or of any Committee of the Cabinet or policy or project advisory groups. Members of the Shadow Cabinet, Chairmen of Scrutiny Committees and recognised Group Spokespersons shall also be eligible to claim for attendance at meetings of the Cabinet.
 - | **7.58** Requested attendance at meetings of Overview and Scrutiny Committees.
 - | **7.69** Meetings pursuant to any Joint Arrangements with another or other local authorities whether appointed or established under the Local Government Act 2000 or any other enactment.
 - | **7.710** Official briefing meetings which relate to an approved meeting as set out in 1.1 and 1.2 above where officers have specifically invited the Member. This scheme does not allow for travelling expenses to be paid to individual Members arranging meetings with officers as this is deemed to be part of the Member's role and Members' allowances paid are calculated to reflect these extra duties. For example: visiting the Council offices to discuss with an officer a matter raised by a member of the public in the Member's Ward.
 - | **7.811** Site meetings approved in advance by the Council, a committee or sub-committee, and limited to members of the committee or sub-committee in question.
 - | **7.912** Attending the approved duties as set out in Table 1 of Schedule 5. (Travelling arrangements should be co-ordinated to avoid duplicate claims wherever possible, particularly in instances where a Council Officer is also attending).
 - | **7.103** There is also a general duty permitting the Leader or nominated deputy to represent the Council at formal meetings not specified elsewhere with other authorities, official bodies or agencies for the purposes of any function of the Council.
 - | **7.144** Training, induction courses and seminars arranged for Members.
 - | **7.125** Attending the Council offices to open tender documents in accordance with Contracts Standing Order 11.5 in Part 4 of the Constitution.
 - | **7.136** The performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises.
 - | **7.147** The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996.
 - | **7.158** 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. Provided always that the approved duties for which Members are eligible to claim travel and subsistence allowance shall not include cases where the Member is acting solely in his/her community role or carrying out ward business.
 - | **7.169** Co-opted and independent members of Committees, Boards and Panels receive travel allowances in the same way as elected members of the Council.
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7.4720 All claims for travel and subsistence allowances must be submitted to the Democratic Support ~~s~~Section within three months from the date on which the entitlement arises.

~~8. Suspension from duties~~

8.1 ~~DELETED DUE TO LEGISLATIVE CHANGES~~

~~Where a Member is suspended or partially suspended from his 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, any travelling and subsistence allowance payable to him/her in respect of the responsibilities or duties from which s/he is suspended or partially suspended may be withheld by the Council.~~

9. Dependants' Carers' Allowance

9.1 A Dependants' Carers' Allowance shall be available to Members of the Council (a) in such amount or amounts as may be specified in Schedule ~~56~~ and (b) subject to such conditions as are set out in Schedule ~~67~~ and below.

9.2 A Dependant's Carer's Allowance shall only be payable to Members in respect of actual expenditure incurred in connection with or relating to the approved duties set out and at the hourly national minimum wage or higher for the municipal year 2011/12 and thereafter index linked as specified in Schedule ~~56~~.

9.3 A Dependant's Carer's Allowance shall only be payable to Members in respect of the expense of arranging for the care of a spouse, partner, child, parent, or a person who lives in the same household as the Member otherwise than by reason of being his/her employee, tenant, lodger or boarder.

9.4 The carer must not be a member of the claimant's immediate family i.e. spouse or partner, other children of the Member or Member's spouse, or any member of the Member's family who lives at the same address as the Member; nor should it be an employee, tenant, lodger or boarder who lives at that address.

9.5 Payment of the allowance shall only be made on satisfactory production of an invoice and receipt; invoice ~~is~~are available from the Head of Democratic Services.

9.6 Such allowances paid to a Member shall be unlimited.

9.7 All claims for such allowances must be submitted monthly to the Head of Democratic Services.

10. Index Linking

10.1 ~~NOT USED~~

~~Each of the levels of the allowances contained in this Scheme shall be adjusted annually on 1 April 2006, 1 April 2007, 1 April 2008 and 1 April 2009 by reference to those indices as may be specified in Schedule 5.~~

11. Back Dating

11.1 Where an amendment of this Scheme is made which affects an allowance payable for the year in which the amendment is made, the Member's entitlement to such

allowance as amended shall apply with effect from the beginning of the year in which the amendment is made.

12. Repayment

12.1 Where payment of any allowance has already been made in respect of any period during which the Member concerned is:

(a) DELETED DUE TO LEGISLATIVE CHANGES

~~suspended or partially suspended from his/her responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;~~

(ab) ceases to be a Member of the authority; or

(be) is in any way not entitled to receive the allowance in respect of that period,

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

13. Membership of More Than One Authority

13.1 Where a Member of the Council is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.

14. Electing To Forgo Allowances

14.1 A Member may, by notice in writing given to the Section 151 Officer, elect to forego any part of his/her entitlement to an allowance under this Scheme.

15. Claims and Payments

15.1 No claim is required for basic allowances and special responsibility allowances. Basic allowances will be paid equally to all Members whilst special responsibility allowances will be paid to those Members who are entitled to them.

15.2 Basic allowances and special responsibility allowances will be paid as follows:

(i) To enable Members to meet one-off expenses at the start of ~~each~~the -year following the ordinary elections of the full Council, the basic allowance will be paid as follows:

(a) a payment of £500 at the commencement of the year

(b) the balance to be paid by equal monthly payments on or about the 19th day of each month.

(ii) Special responsibility allowances will be paid by equal monthly instalments on or about the 19th day of each month.

For all subsequent years until the next ordinary elections of the full Council, the basic allowance and special responsibility allowances will be paid by equal monthly instalments on or about the 19th day of each month.

- 15.3 In the case of Travelling and Subsistence Allowance and Dependants' Carers' Allowance claims must be submitted on the appropriate form on a monthly basis and will be paid through the Council's payroll system. In order to facilitate payment, claim forms should be completed in full detail and any appropriate receipts or vouchers must be attached. If the expenses are vatable, a VAT receipt should be enclosed if possible, to enable the Council to recover the VAT element. The declaration on the form must be completed and signed in every instance.
- 15.4 Members are requested to submit claims by not later than the 25th of each month for payment by direct credit to bank accounts on or about the 19th of the following month. A payment advice slip will be sent directly to Members and further claim forms are available from ~~the~~ Democratic Support ~~Officers~~ on request.
- 15.5 The following data must be provided to the Section 151 Officer in order to facilitate the payment:
- (i) Bank address and bank account number.
 - (ii) National Insurance number and, in the case of certain married women, a Certificate of Reduced Liability and, in the case of pensioners, a Certificate of Age Exemption, these certificates being provided by the Department of ~~Social Security~~ Work and Pensions.
- 15.5 In the case of a claim for Travelling and Subsistence Allowance or Dependants' Carers' Allowance such claim must be made to the ~~Senior~~ Democratic Support ~~Section Officer~~ within ~~one~~three months ~~s~~ from the date on which an entitlement to the allowance arises.
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SCHEDULE 1

Basic Allowance	£3,980 pa
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SCHEDULE 2

Column 1 (Description)	Column 2 (Amount)
Special Responsibility Allowances	
Special responsibility allowances of the amounts shown in Column 2 (where indicated) shall be payable in respect of the following office holders:	
Leader of the Council	£14,832 pa
Deputy Leader of the Council	£7,416 pa
Other Cabinet Members	£5,562 pa
Chairmen of Overview and Scrutiny Committees	£3,708 pa
Chairman of the Planning Committee	£3,708 pa
Chairman of the Governance Committee	£3,708 pa
Chairman of the Standards Committee	£927 pa
Chairman of the Regulatory Committee	£927 pa
Chairman of the Licensing Committee	£927 pa
Chairman of the Dover Joint Transportation Board	£927 pa
Chairman of the General Purposes Committee	£927 pa
Vice-Chairmen of Overview and Scrutiny Committees	£927 pa
Vice-Chairman of the Planning Committee	£927 pa
Vice-Chairman of the Governance Committee	£927 pa
Vice-Chairman of the Standards Committee	£232 pa
Vice-Chairman of the Regulatory Committee	£232 pa
Vice-Chairman of the Licensing Committee	£232 pa
Vice-Chairman of the Dover Joint Transportation Board	£232 pa
Vice-Chairman of the General Purposes Committee	£232 pa

APPENDIX 1

Column 1 (Description)	Column 2 (Amount)
Leader of the Main Opposition Group where the group has 10 or more members	£4,171 pa
Leader of an Opposition Group with a membership of between 5 and 9 members	£232 pa
Leader of an Opposition Group with less than 5 members	None
Deputy Leader of the Main Opposition Group where the group has 10 or more members	£1,854 pa
Deputy Leader of an Opposition Group with less than 10 members	None
Members of the Shadow Cabinet	£1,854 pa
Members of the Licensing Committee	£260 pa
Independent (Co-opted) Members of the Standards Committee	£116 pa

SCHEDULE 3

Column 1 (Description)	Column 2 (Amount)
Chairman of the Council	£5,300 pa
Vice-Chairman of the Council	£1,400 pa

SCHEDULE 4

<u>Column 1 (Description)</u>	<u>Column 2 (Amount)</u>
<u>Independent Person</u>	<u>£927 pa</u>
<u>Substitute Independent Person</u>	<u>£232 pa</u>

SCHEDULE 5

Travelling and Subsistence Allowance

List of approved duties attendance at which travelling and subsistence allowance may be claimed for:

Body	Number of representatives
Action with Rural Communities in Kent	2
<u>Age Concern Deal (Liaison Committee)</u>	<u>1</u>
Dover Deal & District Citizens Advice Bureau	2
Dover District Community Sports Network	2
East Kent Spatial Development Company	1
Industrial Communities Alliance	1
JAC Kent Downs AONB Partnership	1
Kent County Playing Fields Association	1
Kent Leaders' & Chief Executives' Forum	1
<u>Local Enterprise Partnership Board and Executive</u>	<u>1</u>
Local Government Association – General Assembly	1
Local Government Association – Rural Commission	1
Patrol (National Parking Adjudication Service)	1
<u>Kent Police and Crime Panel</u>	<u>1</u>
River Dour Steering Group	1
River Stour (Kent) Internal Drainage Board	2
Sandwich & Pegwell Bay National Nature Reserve Management Committee	1
South East England Councils (Secretary & Executive)	1
South East Leaders' Board	1
Southern & South East England Tourist Board	1
Supporting People in Kent Commissioning Body	1

Travel expenses claims in respect of attendance at meetings of other bodies to which the Member has been appointed or any outside body to which the Member are appointed as trustees would need to be submitted to relevant Charity/Trust not Dover District Council.

Conferences attended by Members:

Conference	Number of representatives
Local Government Association Annual Conference	3

Subsistence Allowances

Subsistence allowance shall only be paid for actual expenses incurred and with proper receipts and shall not exceed:

- (a) In the case of absence, not involving an absence overnight, from the Member's usual place of residence:

<u>Allowance</u>	<u>Rate</u>	<u>Conditions</u>
Breakfast Allowance	£6.45	Absence to exceed 4 hours before 11.00am
Lunch Allowance	£8.91	Absence to exceed 4 hours and to include the lunch period between 12 noon to 2.00 pm.
Tea Allowance	£3.53	Absence to exceed 4 hours and to include the period 3.00 pm to 6.00 pm.
Evening Meal Allowance	£11.03	Absence to exceed 4 hours, period of time ending after 7.00pm

- (b) Members who are required to make overnight stays in the performance of their official duties should, wherever possible, pre-book accommodation of an appropriate standard and obtain approval from the Leader of the Council. Arrangements should be made for an invoice to be submitted directly to the Council. If this is not possible a detailed VAT receipt MUST be obtained to substantiate the claim. Alcoholic drinks may not be included in any claim.

Travelling Allowances

The rate for travel by a Member's own car shall not exceed 40p per mile. Where a Member takes as a passenger another Member or person to whom a travelling allowance would otherwise be paid, the Member may claim an extra 1p per passenger (not exceeding 4) per mile.

- (a) The rate for travel by a Member's own solo motorcycle shall not exceed, according to the cylinder capacity of the engine, the following:

engines not exceeding 150cc	8.5 per mile
engines exceeding 150cc but not exceeding 500 cc	12.3 per mile
engines exceeding 500cc	16.5 per mile

- (b) The rate for travel by bicycle shall not exceed 20p per mile.

- (c) ~~Travel outside of Kent will be paid at a rate equivalent to the second class rail fare even where the Member has used their own vehicle, unless the Member can demonstrate that taking passengers to the same meeting or avoiding an overnight stay has resulted in cost savings. The Member should enter the second class rail fare on their monthly claim form. For journeys outside Kent the second class rail fare is paid (irrespective of whether the Member chooses to use a car), although any taxi fares, parking charges and underground fares incurred as part of the journey may still be claimed for separately. Where it is impracticable for a Member to travel by train because the venue is difficult to get to within the time allowed, or to avoid an~~

overnight stay, or extra passengers/luggage has to be taken, car mileage may be allowed at the appropriate rate provided that a self-certification form explaining why it is impractical has been completed and submitted to Democratic Support prior to the journey.

- (d) Second class rail fares, bus fares, essential taxi fares and gratuities, car parking fees, tolls etc necessarily incurred may be claimed subject to the provision of receipts. Rail fares should be pre-booked wherever possible to achieve reduced fares.
- (e) All claims for travel and subsistence allowances must be submitted to the Democratic Support section within three months from the date on which the entitlement arises.

SCHEDULE 56

Allowance	Index
Index Linking	<u>NOT USED</u>
Basic and Special Responsibility Allowances and Co-optees Allowance	Percentage adjustment in line with changes in Officers' Allowances
Travel and Subsistence Allowances	Percentage adjustment in line with changes in Officers' Allowances
Dependants' Carers' Allowance	Retail Price Index

SCHEDULE 67

Column 1 (Description and Conditions)	Column 2 (Amount)
Dependants' Carers' Allowance	£5.93 per hour