

MEMBERS' ALLOWANCES – SCHEME TO APPLY FROM 1 APRIL 2015

1. INTRODUCTION

- 1.1 Allowances paid to members of the Council are set out in the Members' Allowances Scheme. The Council is required annually to make a scheme of members' allowances, which must be published.

2. BACKGROUND

- 2.1 The current scheme provides for the annual adjustment of allowances (basic, special responsibility and dependant carers' allowances) by the Local Government staff employees' national pay award annual percentage increase.

3. CHANGE TO SCHEME

- 3.1 The Government has announced that the Local Government Pension Scheme (LGPS) will close to elected members. Councillors who were in the scheme on 31 March 2014 may continue in membership up until their existing term of office comes to an end. The scheme of allowances to take effect on 1 April 2015 should be amended to reflect this, as well as the adjusted allowances arising from the employee pay award. An amended scheme to apply from 1 April 2015 is attached at Appendix 1.

4. FINANCIAL IMPLICATIONS

- 4.1 Savings from the cessation of LGPS pension rights for district councillors will be approximately £14,000 per year. The adjustment in allowances from 1 April 2015 will increase the budget by £5,466, but this will be offset by the savings in pension contributions.

5. ENVIRONMENTAL, EQUALITY & DIVERSITY AND CRIME & DISORDER IMPLICATIONS

- 5.1 There are none.

6. RECOMMENDATION

- 6.1 That it be a recommendation to the Council that the scheme of members' allowances attached at Appendix 1 to this report be made with effect from 1 April 2015.

Further information:

Rosemary Rutins
Democratic Services Manager
Tel: (023) 8028 5588
e-mail: rosemary.rutins@nfdc.gov.uk

Background Papers:

Published documents

NEW FOREST DISTRICT COUNCIL

MEMBERS' ALLOWANCES SCHEME

This scheme will be known as the New Forest District Council Members' Allowances Scheme, and shall have effect on 1 April 2015

A list of definitions is given in Appendix 1. The basis for the calculation of the basic and some special responsibility allowances is set out in Appendix 2. Appendix 3 deals with 'Approved Duties' for the payment of travel, subsistence and dependant carer's allowances.

1. Basic Allowance

- 1.1 Each Councillor shall receive a basic allowance of £6,027 (inclusive of an ICT Allowance of £382) per annum. Where the term of office of a Councillor begins or ends otherwise than at the beginning of the year to which the scheme relates, their entitlement to this allowance shall be calculated on a pro-rata basis.

2. Special Responsibility Allowance

- 2.1 The following annual Special Responsibility Allowances shall be paid:

Leader of the Council	£19,209
Portfolio Holders	£9,605
Chairmen of Overview and Scrutiny Panels	£4,803
Chairman of Planning Development Control Committee	£5,330
Chairman of General Purposes & Licensing Committee	£1,979
Chairman of Audit Committee	£1,979
Major Opposition Group Leader	£7,204*
Deputy Leader of Major Opposition Group	£1,022*
Minority Group Leader	£1,022*

* see standing provision on group size in Appendix 2

- 2.2 Where a member serves in a role with 'Special Responsibility' as listed in the table at 2.1 above for only part of a year, his or her entitlement to the allowance shall be calculated on a pro-rata daily basis.

3. Limitation on Payment of Special Responsibility Allowances

- 3.1 A Councillor may receive only one special responsibility allowance at any one time.

4. Dependant Carer's Allowance

- 4.1 A dependant carer's allowance shall be paid to those Councillors who incur expenditure for the care of dependant relatives or children whilst the Councillor is undertaking approved duties, subject to the following:

- (i) a maximum allowance of 12 hours per week;
- (ii) the allowances being payable as follows –

- (a) care for dependent children under 16, living at home with the Councillor - £7.85 per hour (fixed to the living wage);
- (b) elderly or dependent relatives aged 16 or over living at the same address as the Councillor and in need of full-time care - £10.22 per hour;
- (iii) Councillors claiming the allowance declaring that the minder or carer is not an immediate member of the family and is over 16 years of age.

(See Appendix 3 for list of approved duties)

5. Pensions

- 5.1 All eligible Councillors are entitled to membership of the Local Government Pension Scheme, and their basic and special responsibility allowances are to be treated as amounts in respect of which pensions are payable.
(Note: This paragraph applies only to members who were in the Pension Scheme on 31 March 2014, and only until 13 May 2015.)

6. Travel Allowances

- 6.1 Travel allowances will be paid for approved duties, as set out in Appendix 3 to this scheme. Mileage rates will be the Inland Revenue's approved annual mileage allowance payments (AMAP) which are currently:
- | | |
|----------------|----------|
| Motor Vehicles | 45p/mile |
| Motor Cycles | 24p/mile |
| Bicycles | 20p/mile |
- 6.2 Where members travel together on approved duties, the member using his/her motor vehicle will be entitled to an additional allowance of 5p/mile per member passenger.
- 6.3 Where public transport is used, the most cost-effective method of travel, making use of "special offer" rates where possible, must be used. The cost of standard rate only will generally be reimbursed. Exceptional payments may be authorised by the Chief Executive.
- 6.4 Taxis may be used only in special circumstances and should have the prior approval of the Chief Executive, the Head of Legal and Democratic Services or the Democratic Services Manager.

7. Subsistence Allowances

- 7.1 Reasonable subsistence allowances will be paid for the "Approved Duties" set out in Appendix 3 to this Scheme, on condition that:
- (a) refreshments are not provided as part of the meeting/function attended;
 - (b) meal allowances will be paid only where a member is undertaking an approved duty which involves his/her absence from home or his/her normal place of work for a period exceeding four hours; and

- (c) all claims are accompanied by receipts. The requirement for receipts may be waived at the discretion of the Chief Executive, Head of Legal and Democratic Services or Democratic Services Manager in the case of claims submitted electronically.

8. Overnight Accommodation

- 8.1 There is no set allowance for overnight accommodation. However Councillors should endeavour to stay in accommodation which provides good value for money but, if the reason for requiring overnight accommodation is to attend a training event, conference, or similar event, Councillors may stay overnight at the venue being used for that event. Receipts must be provided with all claims for reimbursement of accommodation costs. If a Councillor stays overnight with a friend or family member, an amount of £25 per night will be reimbursed.

9. Automatic Uprating of Allowances

- 9.1 The annual adjustment index for the Basic, Special Responsibility, Co-opted and Dependants' Carers' allowances, shall be the local government employees' national pay award annual percentage increase backdated to 1 April each year subject to the following:-
 - (i) backdating will not apply to Councillors who resign or who otherwise cease to be members of the Council after 1 April in any year, or who are not re-elected to the Council in the years of the ordinary election of Councillors; and
 - (ii) where different percentage increases apply to pay bands, the index shall be the award applicable to Spinal Column Point (SCP) 28, which most closely equates to the Scheme's notional hourly rate
- 9.2 The mileage rates shall be adjusted annually, with effect from 1 April each year, by any adjustments to the Inland Revenue's AMAP rates.
- 9.3 The subsistence rates shall be adjusted annually, with effect from 1 April each year, by any adjustments to the New Forest District Council's employees' subsistence scheme.

10. Backdating of Allowances

Where an amendment is made which affects an allowance payable under this scheme, the entitlement to such allowance may, with the agreement of the Council, apply with effect from the beginning of the year in which the amendment is made.

11. Payments

- 11.1 Payment of the annual basic, special responsibility and co-optee's allowances shall be made in 12 equal monthly instalments paid in arrears on the 20th day of each month or thereabouts, subject to compliance with the part-year payment provisions set out above.
- 11.2 Payment of travel and subsistence claims received by the first day of the month shall be made on the 20th day of the month or thereabouts.

12. Time Limit for Submission of Claims

12.1 Any claims submitted for the payment of:

- (a) dependant carer's allowance; or
- (b) travelling and subsistence allowance;

must be made within two months from the date on which the entitlement to the allowance arises.

13. Suspension/Repayment of Allowances

13.1 Where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of the basic, special responsibility, or co-optee's allowance payable in respect of the period for which he/she is suspended or partially suspended in respect of the responsibilities or duties from which he/she is suspended or partially suspended will be withheld.

13.2 Where the allowances referred to in paragraph 13.1 have already been paid to the member and where the member concerned is:

- (a) suspended or partially suspended from his 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; or
- (b) ceases to be a member of the authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period;

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

14. Members of other authorities

Where a member is also a member of another authority, he/she may not receive allowances from more than one authority in respect of the same duties.

15. Renunciation

A member may by notice in writing given to the Chief Executive elect to forego all or any part of his or her entitlement to allowances payable under this scheme.

APPENDIX 1

DEFINITIONS

In this scheme -

"Councillor" means an elected member of the New Forest District Council;

"Co-optee" means a member of a panel, committee or sub-committee of the Authority who is entitled to vote;

"ICT allowance" means a financial contribution towards Members' own ICT support for the purposes of ICT usage on Council-related duties;

"Immediate member of the family" means a member of the Councillor's own household living at the same address as the Councillor and the dependant requiring care;

"Leader of the Council" means the Councillor elected by the Council to fill that office;

"Leader of Major Opposition Group" means the Councillor notified to the Chief Executive by the opposition group having the largest number of members on the Council, as the Councillor elected as that Group's Leader;

"Deputy Leader of Major Opposition Group" means the Councillor notified to the Chief Executive by the Opposition Group having the largest number of members on the Council, as the Councillor elected as that Group's Deputy Leader;

"Minority Group Leader" means the councillor notified to the Chief Executive by a group having a lesser number of members than the Major Opposition Group as the councillor elected as that Group's Leader;

"Member" in relation to co-optee's, travel or subsistence allowances means an elected member of the New Forest District Council or a person who is a member of a committee or sub-committee of the authority;

"Portfolio Holder" means a councillor appointed by the Leader of the Council to be responsible for a particular portfolio as a member of the Executive;

APPENDIX 2

CALCULATION OF BASIC, SPECIAL RESPONSIBILITY AND CO-OPTEE'S ALLOWANCES

- The basic and special responsibility allowances are based on the number of hours it is considered reasonable for the member to spend on that particular role. These are:

Allowance	Calculation
Basic *	624 minus one-third "public service discount" of 208 hours = 416
Leader of Main Opposition Group**	£7,204 - on condition that the size of the Major Opposition Group consists of at least 10% of the Council membership, which equates to six seats. If it falls below the 10% of Council membership, then the SRA should be reduced by 25%, which equates to £5,403
Leader of Minority Opposition Group**	£1,022
Deputy Leader of Main Opposition Group**	£1,022 - Subject to Group reaching the qualification criteria of 20% of Council Membership (12 seats)
<p>**Opposition Groups of Equal Size</p> <p>If the situation arises where two or more Opposition Groups are of equal size, then the sum of the SRAs that would be payable to Opposition Group Leaders of differing group sizes should be divided equally between each Opposition Group Leader. For instance, where both Opposition Groups have</p> <ul style="list-style-type: none"> • 6 members each then the SRA payable to each Group Leader would be £4,113 (£7,204 + £1,022 = £8,226 divided by 2) • 5 or less members each then the SRA payable to each Group Leader would be £3,213 (£5,404 + £1,022 = £6,426 divided by 2) 	

- The notional hourly rate for calculation of the Basic Allowance 2015/16 is £13.57 per hour (subject to annual percentage adjustment of employees' national pay award).
- *In addition to this calculation, the Basic Allowance includes an ICT Allowance of £382 .

APPENDIX 3

1. APPROVED DUTIES FOR THE PAYMENT OF TRAVEL, SUBSISTENCE AND DEPENDANT CARER'S ALLOWANCES

- (a) Attendance at a meeting of the Authority or of any Committee or Sub-Committee of the Authority, or of any other body to which the Authority 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 Authority, or a Committee or Sub-Committee of the Authorities, or a joint committee of the Authority and one or more Local Authority 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 Authority 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 Authority is not so divided, it is a meeting to which at least two members of the Authority have been invited;
- (c) The attendance at a meeting of any Association of Authorities of which the Authority is a member;
- (d) The attendance at a meeting of the Executive or a meeting of any of its Committees;
- (e) The attendance at the opening of tender documents, where the attendance of a member has been specifically requested by the Chief Executive, an Executive Director or a Head of Service;
- (f) 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;
- (g) Portfolio holders', Overview and Scrutiny Panel and Committee Chairmen's visits to Council venues, partner organisations or appropriate sites on issues directly related to their portfolios or the work of the Panel/Committee;
- (h) Journeys by Overview and Scrutiny Panel or Committee members working on projects assigned to them by the Panel or Committee;
- (i) Journeys to planning or similar enquiries, or court proceedings, where the member is appearing to give evidence for the Council;
- (j) Journeys made by the political group leaders in their roles as group leaders;
- (k) Journeys to approved training sessions, conferences and courses ("approved" for this purpose will mean a session arranged by the Council or in respect of which the Council is bearing the cost);
- (l) In appropriate circumstances, journeys made for the purpose of resolving constituents' problems;

- (m) Attendance at meetings of parish or town councils in the member's role as a District Councillor (except where the member is also attending as a parish/town councillor);
- (n) Journeys to political group meetings called by the leader of the political group and designated by him/her as being necessary for the conduct of Council business;
- (o) Journeys undertaken by members of the Planning Development Control Committee and local members to view sites that are the subject of planning or tree work applications, when the member considers a visit essential;
- (p) Journeys undertaken by members to collect or deliver ICT equipment issued to them by the Council, provided such collection or delivery cannot reasonably wait until the member makes his or her next scheduled visit to the Council's offices;
- (q) Journeys by Chairmen, Vice-Chairmen and opposition group spokespersons to attend pre-meeting briefings;

provided in all cases that the journeys are necessary for the carrying out of a duty which has been assigned to a member, either generally or specifically.