

**MEMBERS' ALLOWANCES  
SCHEME**

**DRAFT FOR CONSIDERATION BY  
COUNCIL ASSEMBLY  
29 OCTOBER 2003**

## **MEMBERS' ALLOWANCES SCHEMES – 2003 - onwards**

### **1. Introduction**

- 1.1 The Local Government & Housing Act 1989 and the Local Authorities (Members' Allowances) (England) Regulations 2003 require authorities to make a scheme for payment of allowances to Councillors. The regulations do not limit the amount that can be paid.
- 1.2 Before making, amending or reworking its allowances scheme, the Council is required to have regard to the recommendations of an independent remuneration panel. The Council is not, however, bound to adopt all or any of the panel's recommendations provided it has given them due consideration and is satisfied that it has justifiable reasons for not doing so.
- 1.3 In September 2003 the Council agreed a new Members' Allowances Scheme having considered the recommendations of the Standards Committee and having taken into account the Association of London Government Independent Remuneration Panel's reports of Summer 2001 and 2003.

### **2. Basic Allowance**

2.1	Each member of the Council is entitled to receive the annual Basic Allowance of <b>£9,149.40</b> . This is paid on a monthly basis rather than as a lump sum.
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- 2.2 If a member of the Council does not serve for the whole of the 12 month period, or becomes disqualified, they will only be entitled to pro-rata payments for the period(s) during which they were actually a serving member of the Council.
- 2.3 If a Member wishes to waive their right to receive a Basic Allowance, or any other allowance under the scheme, they must notify the Borough Solicitor & Secretary in writing.

### **3. Special Responsibility Allowance**

- 3.1 The Council has decided to pay special responsibility allowances (SRA) to those Members whom it considers to have special responsibilities for the discharge of the Council's functions. The list of SRAs payable is set out in Paragraph 12 below. This Allowance is in addition to the Basic Allowance. No Member may receive more than one SRA.
- 3.2 The level of Allowance paid to a Band 3 or Band 4 member is dependent on the average number of hours per week the Member is employed elsewhere, as set out below:
  - less than 11 hours elsewhere, full SRA
  - 11 to 24 hours elsewhere, two thirds SRA
  - more than 24 hours elsewhere, one third SRA
- 3.3 SRA is paid monthly. Where a Member does not hold the post attracting the SRA for a complete calendar month, it will be paid proportionately for the number of days during which they held the post. If a Member of the Council does not serve as an elected Member for the whole of the 12 month period, or

becomes disqualified, or if they cease to perform the duties for which the allowance is payable, they will only be entitled to pro rata payments for the period(s) during which they undertake the duties. Similarly, if the scheme is amended so as to affect entitlement, the Allowance will be paid pro rata.

#### 4. Travel Allowance

- 4.1 Councillors (and Co-optees receiving a Special Responsibility Allowance) may only claim travel expenses incurred in the performance of “approved duties” (see paragraph 7 below) for meetings held outside the borough, subject to the following exceptions.
- Members with mobility difficulties are able to claim the cost of travel when on council business
  - That Members are able to claim for taxis home after Council meetings ending after 9.00pm in Summer (BST) and 7.00pm in Winter (GMT).
  - Non statutory co-optees (who do not receive an allowance) can claim their travel expenses.
- 4.2 Other conditions applying and the approved rates are set out in **Paragraph 13 below** and are the same as for officers who claim casual car or cycle user allowance.

4.3

#### 5. Subsistence Allowance

- 5.1 The maximum rates for subsistence allowance relating to “approved duties” are set out in **Paragraph 14 below** and are the same as for officers who claim casual car or cycle user allowance.. This allowance is not payable where the Council has made arrangements for refreshments and/or accommodation.

#### 6. Child-care and Dependant Carers Allowance Scheme

- 6.1 Members may claim this Allowance as reimbursement of costs they incur in arranging carers to look after dependants who cannot be left by themselves by reason of age or other special needs. The Allowance may only be claimed in respect of “approved duties”.

- 6.2 The maximum rate claimable is **£6.00 per hour***(and may be increased from time to time by the Chief Executive on the advice of the Strategic Director of Social Services taking into account local conditions..* The following criteria also apply:

- payment is claimable in respect of children aged 15 or under or in respect of other dependants where there is medical or social work evidence that care is required;
- the Allowance will be paid as a reimbursement of incurred expenditure against receipts;
- the Allowance is not payable to a member of the claimant's own household;
- the carer must be 18 or over (and not a spouse or partner/co-habitee of the member or a relative living at the same address); and

- any dispute as to entitlement and any allegation of abuse will be referred to the Standards Committee for adjudication

## **7. Approved Duties**

7.1 For a Member, an “approved duty” for the purpose of Travel, Subsistence and Child-care and Dependant Carers Allowances means:

- a) 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, provided they are a member of the body concerned;
- b) 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, or a sub committee of such a joint committee, provided that it is a meeting to which members of at least 2 political groups have been invited;
- c) attendance at a meeting of any association of authorities of which the Council is a member;
- d) attendance at a meeting of the Executive or of any of its committees;
- e) attendance at tender openings, where this is required by the Council's Procedure Rules;
- f) performance of any duty in connection with the discharge of a function of the authority empowering or requiring the inspection of premises; and
- g) performance of any duty in connection with arrangements made by the authority for the attendance of pupils at special schools
- h) any other duty approved by the Council for the purpose of, or in connection with, the discharge of the functions of the Council, or any of its committees or sub-committees; and
- i) any duty for the purpose of or in connection with the discharge of the functions of the Executive

7.2 No Allowances can be claimed in respect of political group meetings, Members' surgeries or attendance at college or school governing bodies.

7.3 A **summary list** of approved duties is set out in paragraph 15 Some of the bodies listed pay allowances directly to Members. When claiming Allowances, Members cannot claim twice in respect of the same expenditure. Members are required to sign a statement that the Member has not made and will not make any other claim in respect of the matter to which the claim relates.

## **8. Claiming Allowances**

8.1 Basic and Special Responsibility Allowances are paid automatically, unless a member elects to forego them, by writing to the Borough Solicitor. Claims for all other Allowances must be submitted within two months of the duty undertaken and accompanied by relevant receipts. Claims submitted outside of the two-month period may be put forward to the Standards Committee for consideration.

## 9. Withholding Allowances

- 9.1 The Standards Committee may withdraw allowances in whole or in part in the event of a member being suspended or partially suspended. All allowances should be withheld for the period of total suspension.
- 9.2 In the case of partial suspension
- the basic allowance should continue to be paid (though the Council expects a member voluntarily to abate their claim according to the extent to which they were able to continue to fulfil the functions of a non-executive member).
  - to the extent that the partial suspension made it impossible or impracticable for a member to undertake activities in respect of which a special responsibility allowance was payable, that allowance should be withdrawn

## 10. Co-Opted Members

- 10.1 Statutory co-optees to committees are entitled to receive annual co-optees allowances as below. This is paid on a monthly basis rather than as a lump sum.
- 10.2 Allowances are set by reference to the Special Responsibility Allowances payable to Members. Co-optees are not paid the basic allowance.

Chair of Standards	Band 2	£
Independent Members of the Standards Committee	Band 1	£
Statutory co-optees to the Education Committee	Band 1	£

- 10.3 Statutory Co-optees receiving an allowance are subject to the same travel and subsistence claim regime as Councillors (i.e. not able to claim for intra borough travel and subsistence except where one of the exceptions applies)
- 10.4 Non-statutory co-optees can claim reimbursement of travelling, subsistence and caring expenses
- 10.5 If a member does not serve for the whole of the 12 month period, or becomes disqualified, they will only be entitled to pro-rata payments for the period(s) during which they were actually a serving member of the Council.
- 10.6 If a Member wishes to waive their right to receive a Co-optees' Allowance, or any other allowance under the scheme, they must notify the Borough Solicitor & Secretary in writing.

## 11. Amendments to the Allowances Scheme

- 11.1 Levels of Basic, Special Responsibility and Financial Loss Allowance are adjusted in accordance with the Local Government Pay Settlement.
- 11.2 Travel and Subsistence Allowances: will be amended in line with changes to allowances for officers.

- 11.3 Dependent Carer's Allowance may be increased from time to time by the Chief Executive, in consultation with the Strategic Director of Social Services, to reflect local conditions, and amounts payable by the Social Services department for the level of care required.

## 12. Special Responsibility Allowances

<b>Band 1</b>	<b>Option</b>	
<b>Paid in 2002-3 and 3-4</b>	20%	<b>£2,045</b>
Deputy Leader, Majority Opposition	21%	<b>£2,605</b>
	22%	<b>£3,165</b>
	23%	<b>£3,724</b>
Leader of Minority Opposition		
Opposition Group Whip		
Councillors on the Adoption Panels		
<b>Band 2</b>	<b>30%</b>	<b>£7,642</b>
	29%	<b>£7,083</b>
Deputy Mayor	28%	<b>£6,523</b>
Chair, Scrutiny Sub-Committee	27%	<b>£5,963</b>
Chair, Planning Committee		
Chair, Licensing Committee		
Chief Whip		
<b>Leader of Majority Opposition</b>		
Chair of Community Council		
Chair of Disciplinary Appeals Sub Committee		
<b>Mayor's Band</b>		<b>£21,636</b>
Mayor		
<b>Option: Leader of Majority Opposition</b>		
<b>Band 3</b>		<b>£30,032</b>
Deputy Leader		
Executive Member		
Chair, Overview & Scrutiny		
<b>Option: Leader of Majority Opposition</b>		
<b>Band 4</b>		
Leader		<b>£46,823</b>

### 13. Travel Allowance

13.1 Members may claim the cost of public transport relating to “approved duties” outside the borough (receipts must be produced in respect of all claims). Members using their own transport may submit mileage claims. The maximum rates per mile are as follows:

13.2 Travelling expenses necessarily incurred in carrying out their approved duties will be reimbursed, subject to the conditions set out below, and in the Members Allowances Scheme.

13.3 The following is a summary of the conditions, and have been excerpted and adapted from those which apply to officers.

#### 13.4 Car Allowances: General Conditions

- Public transport must be used on all appropriate occasions, e.g. where more economic, timely etc.
- Members should not use their own cars when there is room in one of the local authority’s cars or in the car of another Member making the same journey on the same business. As far as possible journeys over the same route should be arranged so as to synchronise.
- All official mileage has to be recorded.
- Members shall have included and maintain in their insurance policy a clause indemnifying the local authority against all third party claims (including those concerning passengers) arising out of the use of the vehicle on official business.
- Members must ensure that the car they are travelling in has current insurance and MOT certificates and are encouraged to ensure that their car has passed emission checks,;
  - for cars less than 3 years old, annually,
  - for cars 3 years and above, twice yearly

13.5 The National Joint Council reviews the rates payable to staff on an annual basis. The current rates are set out below.

13.6 There are three bands of allowance according to the cubic capacity of the car: 451 - 999 CC; 1000 - 1199 CC; 1200 CC and above.

Casual Users

	451-999 cc	1000-1199 cc	1200 cc and above
<b>Per mile-first 8,500 miles</b>	36.4 pence	40.2 pence	49.9 pence
<b>Per mile-after 8,500 miles</b>	10.6 pence	11.3 pence	12.8 pence

#### 13.7 Motor Cycles:



13.8 There are five bands of allowance according to the engine size of the Motorcycle: The rates are set out below:

**Rates of Allowances: Moped, Motor Cycle & Pedal Cycle Allowances from 1<sup>st</sup> October 2002**

<u>Engine Size (cc)</u>	<u>Mileage (pence per mile)</u>
up to 150	7.0 pence per mile
151 -- 244	10.7 pence per mile
245 -- 500	13.2 pence per mile
501 - 999	17.4 pence per mile
1000 +	21.2 pence per mile

**13.9 Pedal Cycles:**

**£10 per month.**

## 14. Subsistence Allowance

### 14.1 Conditions

#### Option 1: Current Condition

Subsistence Allowance may be claimed in respect of “approved duties” if they involve an absence from the normal place of residence exceeding four hours in total which includes one hour travelling time.

Or

#### Option 2: Policy applying to Officers

Reimbursement of reasonable expenditure is payable to members who are prevented by their official duties from taking a meal at their home, or establishment where they normally take their meals, and thereby incur additional expenditure.

14.2 Claims are subject to the following maxima, which are the same for Members as they are for Officers:

Breakfast	£5.28
Lunch	£7.29
Evening Meal	£9.00

14.3 The amount to be reimbursed in respect of qualifying duties is the actual amount spent subject to the maximum figures quoted above. Receipts must be produced in respect of all claims.

### Overnight absences

#### Option:

There is not an equivalent daily rate for overnight absences for officers.

### Summary List of Approved Duties

1. Attendance at Council, Committee or Sub-Committee meetings.
2. Attendance at Neighbourhood Forums that fall within the Member's Ward.
3. Attendance at Tenants' Council and Leaseholders' Council.
4. Attendance at Licensing or Development Control Committees as a Ward representative.
5. Attendance at a meeting of a body to which the Member has been nominated by the Council including the following:
  - Adoption Panel
  - Anti Homophobic Forum
  - Age Concern Greater London
  - ALG (Association of London Government)
  - ALG Area Environment Group
  - ALG Committees and Panels
  - Association of Direct Labour Organisations
  - Aylesbury Plus Community Forum
  - Aylesbury Plus SRB Partnership Board
  - Browning Estate Management Board
  - Business Link
  - Executive Best Value Panel
  - Camberwell Provident Dispensary
  - Capital Transport Campaign
  - Capital Working Group
  - Chartered Institute of Library and Information Professionals (formerly the Library Association)
  - Children and Young People Best Value Working Groups
  - Corporate Parenting Panel
  - Credit Union Development Agency
  - Cross River Partnership Board
  - Disabilities Forum
  - Early Years Development and Childcare Partnership
  - Education Action Zones
  - Elephant Links Partnership Board
  - Environmental Management Contract Working Party
  - Greater London Provincial Council
  - Greater London Employers' Association Ltd
  - Greater London Energy Efficiency Network (GLEEN) Greater London Enterprise Limited
  - Greater Peckham Alliance
  - Housing Partnership Board (formerly Tenant Participation Compact Project Team).
  - Joint Partnership Panel (Trade Union Consultation)
  - Lambeth and Southwark Housing Association Limited
  - Leaseholders Arbitration Panel
  - Lee Valley Regional Parks Authority
  - LGA (Local Government Association) General Assembly
  - Southwark Local Strategic Partnership

- London Arts Board/Local Authority Forum
- London Accident Prevention Council (LAPC)
- London and Quadrant Housing Trust – South West Thames Regional Committee
- London Boroughs Children’s Regional Planning Committee
- London Caribbean Partnership Group
- London Museums Agency
- London South East Valuation Tribunal
- National Association of Black, Asian and Ethnic Minority Councillors
- National Society for Clean Air and Environmental Protection
- North Southwark Environment Trust
- Pensioners’ Forum
- School Organisation Committee
- Secure Accommodation Panel
- Silwood Estate SRB Partnership Board
- South Eastern Museum Service
- South London Gallery Steering Group
- Southern Association of Direct Labour Organisations
- Southwark and Lambeth Archaeological Excavation Committee
- Southwark Community Leisure Ltd (Fusion) Management Board
- Southwark Council for Community Relations
- Southwark Groundwork Trust (Directors)
- Southwark Partnership Board
- Southwark Police & Community Consultative Group
- Southwark Women’s Aid
- Southwark Police and Community Consultative Group
- Stakeholder Forum – Housing Management and Support for Residential Involvement.
- Standing Advisory Council on Religious Education
- Standing Committee on Atmospheric Pollution
- Stephen Lawrence Strategic Advisory Group.
- Street Trading Consultative Forum
- Territorial Auxiliary and Volunteer Reserve Association for Greater London
- Tenancy Agreement Arbitration Panel
- Tenants Management Organisations Liaison Committee
- Traffic Petitions and Deputations Panel
- Unitary Development Plan Advisory Panel.
- Voluntary Bodies Appointments Panel
- Warwick Consortium