

RIBBLE VALLEY BOROUGH COUNCIL DECISION
REPORT TO POLICY AND FINANCE COMMITTEE

Agenda Item No 12

meeting date: 23 MARCH 2010
title: MEMBERS' ALLOWANCE SCHEME 2010/11
submitted by: DIRECTOR OF RESOURCES
principal author: JANE PEARSON

1 PURPOSE

1.1 To agree the Council's scheme of members' allowances for the 2010/11 financial year.

1.2 Relevance to the Council's ambitions and priorities

- Council's Ambitions – none directly
- Community Objectives – none directly
- Corporate Priorities – none directly
- Other considerations – the Council has adopted a scheme which provides for annual updating of allowances.

2 BACKGROUND

2.1 The Local Authorities (Members' Allowances) (England) 2003 require the Council to establish a scheme of members' allowances in accordance with these regulations.

2.2 The Council established an independent panel in March 2007 to review the scheme of members' allowances. Following consideration of the independent panel's report in July 2007 the Council agreed the scheme of members' allowances set out at Annex 1.

2.3 The Council is required to agree and publicise its members' allowance scheme each year and have an independent review at least every 4 years. The next comprehensive review is scheduled for 2011 to coincide with the newly elected Council.

3 REVIEW OF MEMBERS' ALLOWANCES

3.1 The Independent Panel recommended that once agreed the Council's Members' Allowance scheme be upgraded each October by the increase in the National Minimum wage.

3.2 The increase in the National Minimum Wage of 1.2% in October 2009 was not applied as you agreed to freeze allowances for 2009/10.

3.3 The current allowances are set out below:

Basic Allowance	£2,685
Special Responsibility Allowances	
Leader of the Council	£13,425
Deputy Leader of the Council	£8,055
Leader of the Opposition	£8,055
Committee Chairmen	£5,370
Planning & Development Committee Chairman	£6,712.50
Service Committee Vice Chairmen	£2,685
Co-optee Allowances:	
Chairman of Standards Committee	£895
Independent Members of the Standards Cttee	£298
Dependent Carers Allowance	£5.73 per hour

3.4 Attached at Annex 1 is the current members allowance scheme. Allowances will be updated following any increase in the National Minimum wage in October 2010 and/or any changes to the National Travel and Subsistence Rates in April 2010.

4 RISK ASSESSMENT

- Financial – The budget includes the cost of the current scheme of members' allowances including an amount of £1,500 estimated for the potential increase in members' allowances from October 2010.
- Technical, Legal and Environmental – None
- Reputation – The setting of members' allowances is a sensitive issue for all councils
- Political – None.

5 RECOMMENDED THAT COMMITTEE

5.1 Agree the scheme of Members' Allowances for 2010/11.

DIRECTOR OF RESOURCES

PF20-10/JP/AC
15 March 2010

UPDATED MARCH 2010



**RIBBLE VALLEY
BOROUGH
COUNCIL**

MEMBERS ALLOWANCE SCHEME

Key Officer Contacts for Members' Allowances Queries

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RIBBLE VALLEY BOROUGH COUNCIL MEMBERS' ALLOWANCE SCHEME

Ribble Valley Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following Scheme:

1. This Scheme shall have effect from 1 May 2007 for a period of 4 years.
2. In this Scheme

"Councillor" means an elected member of Ribble Valley Borough Council.

"Year" means the twelve months commencing 1st April.
3. In this Scheme, the total allowances shall consist of Basic Allowances and Special Responsibility Allowances. (For the avoidance of doubt, Attendance Allowance shall not be payable under this Scheme).
- 3.1 These total allowances shall be updated annually in line with increases in the national minimum wage as described in more detail in Schedule 'A'.
4. Basic Allowance
 - 4.1 Subject to paragraph 7 below, an equal Basic Allowance shall be paid to every councillor. The amount of Basic Allowance is detailed in paragraph 1 of Schedule 'A' of this Scheme.
 - 4.2 The Basic Allowance is intended to recognise all time devoted by councillors to their general work including such inevitable calls on their time as meetings with constituents, political group meetings and other incidental costs for which no other provision is made.
5. Special Responsibility Allowance
 - 5.1 Subject to paragraph 7 below, each councillor who holds a special responsibility as defined within the Regulations and specified within this Scheme, will receive a Special Responsibility Allowance as detailed in paragraph 2 of Schedule 'A' of this Scheme.
6. A councillor may elect to forego any part of his/her entitlement to an allowance under this Scheme. Such election shall be in the form of a written notice delivered to the Director of Resources.
7. The provisions of this paragraph shall regulate the entitlements of a councillor to allowances where, in the course of a year:
 - (a) The Scheme is amended.
 - (b) A person becomes, or ceases to be, a councillor.
 - (c) A councillor accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
 - (d) A councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the Borough Council.

- 7.1 If, during the year, the Scheme is amended and this results in a change to a councillor's entitlement to Special Responsibility Allowance and/or Basic Allowance, the actual entitlement shall be based on:
- (a) A proportion of the original annual allowance based on the number of days up to the date of amendment plus
 - (b) A proportion of the revised annual allowance based on the number of days from the date of amendment.
- 7.2 When the term of office of a councillor either begins and/or ends during the course of a year, the entitlement to Basic Allowance shall be based on the number of days in office during that year. Similar pro rata entitlements will apply in situations where Basic Allowance is amended under sub-paragraph 7.1 above.
- 7.3 Where, for a part of the year, a councillor has such special responsibilities as specified in this Scheme, the entitlement to Special Responsibility Allowance shall be based on the number of days during that year that the councillor has held such special responsibilities, such entitlement being pro rata to a full year. Similar pro rata entitlement will apply in situations where Special Responsibility Allowances have been amended under sub-paragraph 7.1 above.
- 7.4 Where a councillor is suspended or partially suspended from his/her responsibilities or duties as a member of the Borough Council in accordance with Part III of the Local Government Act 2000 (or Regulations made under that Part), the part of the Basic, Special Responsibility, Travel and Subsistence Allowances payable in respect of the period of suspension may be withheld by the Borough Council.

8. Carers/Dependants Allowance

- 8.1 Subject to paragraphs 8.2 and 8.3, a carers/dependants allowance may be claimed in respect of named children aged 14 or under or in respect of other named dependants where there is medical or social evidence that care is required.
- 8.2 Payment of carers/dependants allowance shall:
- (a) Be based on actual receipted expenditure subject to a maximum hourly rate and a maximum annual allowance, as specified in paragraph 3 of Schedule 'A' of this Scheme.
 - (b) Not be made where a councillor already receives a carer's allowance.
 - (c) Not be payable where the expenditure is incurred in favour of a parent or a member of the household.
- 8.3 The carers/dependants allowance may be claimed where the actual expenditure has been incurred in connection with the approved duties that apply to claims for travel and subsistence as detailed in Schedule 'B' of this Scheme.

9. Method of Payment

- 9.1 Payments of Basic Allowance and Special Responsibility allowance shall be made monthly on the 15th day of each month. The monthly amount payable shall be one twelfth of the annual allowance(s) specified in this Scheme and subject to paragraph 7 above.

9.2 Separately, individual claims for carers/dependants allowances, travel and subsistence shall be made on a monthly basis and be submitted to the Director of Resources as soon as possible at the end of each month. (Regulations prescribe that claims must be submitted within two months at the very latest.) In particular, it should be noted that claims for allowances covering the period up to 31 March must be submitted to the Director of Resources by the end of May. Failure to submit these year end claims within this time scale could result in non-payment.

9.3 Each claim form shall be certified by the claiming councillor that he/she has not made and will not make any other claim in respect of the matter to which the claim relates otherwise than under this Scheme.

10. Travelling and Subsistence Allowances

10.1 A councillor shall be entitled to receive payment by way of travelling allowance or subsistence allowance at the rate specified in Schedule 'A' and set out in full at Schedule 'B'. These allowances are payable where such expenditure has necessarily been incurred in the performance of an approved duty as defined in Schedule 'B' of this Scheme.

RIBBLE VALLEY BOROUGH COUNCIL

MEMBERS' ALLOWANCES SCHEME

SCHEDULE 'A'

1. Basic Allowance

An annual Basic Allowance is payable to each Councillor as follows:

Period 1/10/2009 – 30/9/2010 £2,685 per annum

2. Special Responsibility Allowance

The following Special Responsibility Allowances shall be payable:

Responsibility	Annual Amount 1/10/09-30/9/10
Leader	£13,425.00
Deputy Leader	£8,055.00
Shadow Leader	£8,055.00
Committee Chairman – Planning & Development	£6,712.50
Committee Chairmen	£5,370.00
Committee Vice Chairmen	£2,685.00
Standards Co-optee Independent Chairman	£895.00
Standards Co-optee Members	£298.00

2.1 No member to be entitled to more than one special responsibility allowance.

3. Carers/Dependants Allowance

3.1 Payment of a Carers/Dependants Allowance, as provided for in paragraphs 8.1 to 8.3 of this Scheme, shall be based on actual receipted expenditure subject to a maximum hourly rate of £5.73.

4. Travelling and Subsistence Allowances

4.1 The amounts payable by way of Travelling and Subsistence Allowances shall be subject to the rates specified in Schedule 'B' of this Scheme.

5. Scheme Amendments

5.1 The amounts specified in paragraphs 1, 2 and 3 above are subject to an annual uprating on 1 October each year. This uprating shall equate to the percentage increase in the national minimum wage provided that if in any year the minimum wage is not increased the uprating shall equate to the percentage increase in the Retail Price Index.

RIBBLE VALLEY BOROUGH COUNCIL

MEMBERS' ALLOWANCES SCHEME

SCHEDULE 'B' – TRAVELLING AND SUBSISTENCE ALLOWANCES (2010/2011)

TRAVELLING BY PRIVATE VEHICLE

(a) Motor Cars

The rate for travel by a councillor in his/her own private vehicle or one belonging to a member of the family or otherwise provided for the councillor's use shall not exceed:

A motor car of cylinder capacity:

	2009/10 rates	(to be revised wef 1 April 2010)
Not exceeding 999c	42.9p per mile	
1000 to 1199cc	47.7p per mile	
Over 1199c	60.1p per mile	

The above rates will be revised in accordance with the rates determined by the National Joint Council for Local Authorities.

(b) Car Sharing

Where a councillor brings another councillor or councillors he/she shall be entitled to a passenger allowance of 5p per mile for each passenger.

(c) Bicycles

When a councillor uses a bicycle the rate shall not exceed 20p per mile. This rate shall be revised in accordance with the maximum allowance for income tax purposes as determined by HMRC.

(d) General

For the purposes of paragraph (a) above the cylinder capacity (cc) shall be that entered in the vehicle registration book or document by the Secretary of State under the Vehicles (Excise) Act 1971.

In addition to the rates detailed above, the actual and receipted expenditure incurred on tolls, ferries or parking fees, including overnight garaging may be claimed.

SUBSISTENCE

Overnight Accommodation

Where the nature of the duties being undertaken result in a councillor being absent from his/her usual place of residence overnight accommodation will be booked and paid directly by the borough council.

In exceptional circumstances where it is not possible for the borough council to make a direct booking on behalf of a councillor, the actual receipted cost of accommodation

including breakfast will be reimbursed to the councillor. Such reimbursement will be subject to a maximum allowance per night as follows:

Area	1/10/09-30/9/10
London	£126.78
Elsewhere in the UK	£107.73

These maximum allowances are reviewed each October using the September retail price index. The next review is due in October 2010.

Day Subsistence

For an absence of more than 4 hours from the normal place of residence, councillors may claim reimbursement in respect of actual receipted expenditure incurred on subsistence subject to the following maximum allowances:

Period	1/10/09-30/9/10
For a period greater than four hours but less than eight hours	£19.00
For a period greater than eight hours but less than twelve hours	£31.68
For a period greater than twelve hours	£44.36

These maximum allowances are reviewed each October using the September retail price index. The next review is due in October 2010.

Travel & Subsistence – Approved Duties

Appropriate travel and subsistence allowances may be claimed in accordance with the above details where such travelling and/or subsistence has been undertaken in connection with one or more of the following duties:

- (a) The attendance at a meeting of the Authority or of any Committee or Sub-Committee of the Authority, or of any 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 Authority 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 or 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 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.

- (e) 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.
- (h) The carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Authority or any of its Committees or Sub-Committees.