



Rushcliffe

RUSHCLIFFE BOROUGH
COUNCIL
CONSTITUTION

PART 6

MEMBERS' ALLOWANCES

COUNCILLORS' ALLOWANCES SCHEME

1. Councillors' Allowances Scheme

- 1.1 The Council is required, in accordance with the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the regulations"), to make a scheme providing for the payment to Councillors of the following allowances:
- (a) basic allowance
 - (b) special responsibility allowance (optional)
 - (c) dependants' carers' allowance (optional)
 - (d) travel and subsistence allowance (optional)
 - (e) co-optees' allowance (optional)
- 1.2 A copy of the current Councillors' allowances scheme is attached at Appendix 1.
- 1.3 In accordance with the regulations, an independent remuneration panel has been established to review and make recommendations to the Council on the Councillors' allowances scheme.
- 1.4 The independent panel last reviewed the scheme in December 2014 and the principles set out in Appendix 2 attached were reaffirmed by Council on 5 March 2015.

2. Approved Duties

- 2.1 The regulations prescribe the approved duties in respect of which dependants' carers' and travel and subsistence allowances may be paid. Those which are relevant to the Council are as follows:
- (a) attendance at Council meetings
 - (b) attendance at meetings of the Cabinet, committees (including joint committees), sub-committees and other member groups by Councillors who have been appointed to serve on them
 - (c) attendance at a meeting of any association of authorities of which the Council is a member (e.g. LGA)
 - (d) the carrying out of any other duty approved by the Council, or any class of duty so approved, for the purposes of, or in connection with, the discharge of the functions of the Council or any of the committees or sub-committees. Under this category the Council has approved the following duties or class of duty:
 - (i) attendance at meetings of the Planning Committee by Councillors who are not members of the committee but who are allowed to speak on applications relating to the area which they represent

- (ii) attendance at meetings of a committee or member group although not a member of that committee or group, if attendance follows a specific invitation by the committee or group or its Chairman or is otherwise specifically authorised by the Council
- (iii) attendance at site visits and other meetings arranged by the Council or a committee or member group within their terms of reference
- (iv) attendance as the Council's representative on outside bodies as approved by the Council, (excluding school governing bodies)
- (v) representing such outside bodies on any formally constituted committees, if nominated by the body concerned and no other arrangements for the payment of allowances in respect of such duties exist
- (vi) attendance at conferences or training events authorised by the Council
- (vii) attendance at any meeting or event following the specific request of the Chief Executive to attend as the Council's representative
- (viii) attendance at meetings (other than ward party meetings), consultations and visits to constituents
- (ix) attendance at any meeting or event following the specific request of the Chief Executive for the purpose of, or in connection with, the discharge of the functions of the Council.
- (x) attendance by non-executive members at Cabinet
- (xi) attendance by Cabinet members at meetings of scrutiny committees.

3. **Co-optees' Allowance**

The independent and parish members of the Council's standards committee will be paid a co-optees' allowance at the rate specified in schedule I of the scheme.

**LOCAL GOVERNMENT AND HOUSING ACT 1989 -
SECTION 18**

COUNCILLORS' ALLOWANCE SCHEME

The Rushcliffe 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 may be cited as the Rushcliffe Borough Council Councillors' Allowances Scheme
2. In this scheme:
 - "Councillor" means a member of the Rushcliffe Borough Council who is a Councillor
 - "year" means the 12 months ending with 31 March.

Basic Allowance

- 3 Subject to paragraph 7, for each year a basic allowance in the sum specified in Schedule 1 shall be paid to each Councillor.

Special Responsibility Allowances

- 4.1 For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified in Schedule 1 to this scheme and (subject to paragraph 4.3 below) at such rates as are therein specified.
- 4.2 For the purposes of the Councillors' allowances scheme, only political groups comprising five or more members shall be recognised for the payment of special responsibility allowances.
- 4.3 No councillor may claim more than one special responsibility allowance.

Dependants' Carers' Allowance

- 5.1 Councillors will be entitled to claim a childcare and dependants' carers' allowance in respect of expenditure incurred for the care of dependant relatives or children whilst carrying out approved duties. This will be paid at cost up to a maximum of £7 per hour, but that limit will not apply in the event of specialist care being required. The allowance shall be on the basis of the reimbursement of actual expenses incurred on the production of receipts. Councillors will be requested to complete a form giving details of their circumstances.
- 5.2 Councillors will not be entitled to claim such an allowance in respect

of any payment made to a relative who also normally resides with the Councillor concerned.

- 5.3 In respect of payments made to other relatives, reimbursement will be made provided that the rate claimed is not in excess of the rate which the Section 151 Officer considers to be the normal commercial rate having regard to other claims under paragraph 5(1).

Renunciation

6. A Councillor may, by notice in writing given to the Chief Executive, elect to forego any part of his or her entitlement to an allowance under this scheme.

Part-Year Entitlement

- 7.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility is payable.

- 7.2 If an amendment to this scheme changes the amount to which a Councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:

- (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or
- (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- 7.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office subsists bears to the number of days in that year.

- 7.4 Where this scheme is amended as mentioned in sub-paragraph (2) and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph (2) (a), the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of the days during which his term of office as a Councillor subsists bears to the number of days in

that period.

- 7.5 Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's 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 has such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- 7.6 Where this scheme is amended as mentioned in 7.2 and a Councillor has during part, but does not have throughout the whole, of any period mentioned in 7.2 (a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

Claims and Payments

- 8.1 Payments shall be made monthly for all allowances.
- 8.2 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 Councillor receiving more than the amount to which, by virtue of paragraph 7, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- 8.3 Claims for dependants' carers' allowances and travel and subsistence allowances shall be submitted to the Section 151 Officer within 3 months of the date of entitlement.

Revision of amounts payable

9. The Allowances Scheme shall be updated annually on 1 April each year to reflect changes in comparable salary and inflation levels, and be subjected to a more formal review every four years. The measure by which this annual review is achieved shall be the inflation provision in the Council's budget for salaries and wages and the Section 151 Officer shall be authorised to determine and pay the relevant amounts.

Suspension of Payments

- 10.1 If a Councillor fails to attend any meeting during a period of three months, the Chief Executive, in consultation with the group leaders, may

refer the question of the non-attendance of the member to the standards committee for consideration. The standards committee has authority to suspend the payment of allowances under the scheme, unless the reasons for non-attendance are approved by the standards committee.

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

Pensions

12. No Councillor of the Council shall be entitled to a pension in accordance with a scheme made under Section 7 of the Superannuation Act 1972.

Travel and Subsistence

13. Councillor shall be entitled to receive travel and subsistence allowances in accordance with Schedule 2 when necessarily incurred in carrying out any approved duty and, in the case of subsistence allowances, the approved duty exceeds four hours in duration.

SCHEDULE 1

RATES OF ALLOWANCES

1. The following allowances are payable with effect from May 2015.
2. The amount of basic allowance payable to all Councillors is £5,188 per annum.
3. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances:

Full Year

	£
Leader of the Council	14,545
Deputy Leader	8,606
Other Cabinet members	5,670
Leader of the principal opposition	4,684
Leader of other political groups (5 members or more)	2,359
Chairmen of scrutiny committees	3,276
Vice Chairmen of above committees	1,092
Chairman of Development Control Committee	4,823
Vice-Chairman of Development Control Committee	2,411
Chairman of Alcohol and Entertainments Licensing Committee	1,200
Chairman of Standards Committee*	1,200
* to be paid as a co-optees allowance if an independent member	

4. The independent and parish council members of the Standards Committee shall each be paid a co-optees allowance of £293
5. The Council has also agreed that the following additional allowances be paid under Sections 3 and 5 of the Local Government Act 1972:

Mayor - £6,444 per annum

Deputy Mayor - £2,048 per annum.

SCHEDULE 2

PART 1

Rates of Travelling Allowance and Provisions Relating Thereto (from 1 April 2010)

1. The rate for travel by public transport (which, for the avoidance of doubt, excludes air travel) where more than one class of fare is available shall be determined by reference to first class fares.
- 2.1 The rate for travel by a Councillor's own solo motor cycle will be 24.0p per mile.
- 2.2 The rate for travel by a Councillor's own private motor vehicle, or one belonging to a member of his family or otherwise provided for his/her use, other than a solo motor cycle, shall (subject to sub-paragraphs (3) and (4)) be in accordance with the National Joint Council (NJC) rates for officers applying at the relevant time, which, from 1 April 2010, are:
 - for the use of a motor car of cylinder capacity not exceeding 999 cc
46.90p a mile
 - for the use of a motor car of cylinder capacity exceeding 999 cc, but not exceeding 1199 cc
52.20p a mile; and
 - for the use of a motor car of cylinder capacity exceeding 1199 cc,
65.0p a mile.
- 2.3 The rates specified in sub-paragraphs (1) and (2) may be increased by not more than the amount of any expenditure incurred on tolls, ferries or parking fees and overnight garaging.
- 2.4 The rates specified in sub-paragraph (2) shall be reduced by 10% in respect of cars with CO₂ emissions greater than 185 g/km.
3. The rate for travel by bicycle shall be 14.9p per mile.
4. The rate for travel by taxi-cab or cab shall not exceed:
 - in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid, and
 - in any other case, the amount of the fare for travel by appropriate public transport.

The rate for travel by a hired motor vehicle other than a taxi-cab shall not

exceed the rate which would have been applicable had the vehicle belonged to the Councillor who hired it provided that where the body so approves the rate may be increased to an amount not exceeding the actual cost of hiring.

5. The rate for travel by air shall not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in subsistence allowance consequent on travel by air. Provided that if the Council resolves, either generally or specifically, that the saving in time is so substantial as to justify payment of the fare for travel by air, there may be paid an amount not exceeding:
 - (a) the ordinary fare or any available cheap fare for travel by regular air service; or
 - (b) where no such service is available or in case of urgency, the fare actually paid by the Councillor.
- 6 As per the independent panel recommendations, approved March 2015, the rate of allowances will remain in parity with officer allowance rates.
7. The cost of travel outside of the UK shall not be reimbursed unless it has previously been authorised by the Council.
8. Travel allowances to be payable from home to place of duty, or another location (if applicable and less), except that where a Councillor's main residence is no longer in Rushcliffe and is a greater distance than their last qualifying address in the Borough, such allowances shall be payable from the latter.

Part 2

Rates of Subsistence Allowance, and Provisions Relating Thereto

- 1.1 The rate of subsistence for Councillors' allowances will be in accordance with the Council's policy at that time.

**COUNCILLORS' ALLOWANCES SCHEME
PRINCIPLES IN REVIEWING SCHEME**

The following principles were restated by the independent remuneration panel in reviewing the Councillors' allowances scheme in 2003, 2007 and in 2014.

1. The system of Councillors' allowances should not restrict the possibility of any group in society from standing for the Council, and should ideally have the effect of encouraging groups currently under-represented on Councils to become Councillors.
2. The voluntary public service principle should be one of the factors influencing the allowances scheme but not the only one.
3. There should be established proper processes for holding Councillors to account in the performance of their duties. Transparency and accountability are essential components of a new system.
4. There should be a basic payment received by all Councillors, irrespective of their formal responsibilities on the Council, reflecting the demands of their representative roles and other duties.
5. Special allowances for Councillors holding positions of responsibility should be categorised into a limited number of "bands" with related job descriptions. Special responsibility allowances paid should reflect these different levels of responsibility.
6. Levels of remuneration in Rushcliffe should bear comparison with those agreed in comparable authorities.
7. The allowances paid to Councillors should take into account those paid in relation to comparable positions of responsibility in the public sector.
8. The system of Councillors' allowances should be as uncomplicated as possible; easy for Councillors and members of the public to understand.
9. Internal political roles and activities (party group leadership excepted) should not be eligible for allowances.
10. The allowances scheme should be updated annually to reflect changes in comparable salary and inflation levels, and subjected to a more fundamental review every four years.