

# EAST CAMBRIDGESHIRE DISTRICT COUNCIL

## CONSTITUTION

### PART 6

#### MEMBERS' ALLOWANCE SCHEME

The East Cambridgeshire District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby make the following scheme.

This scheme shall have effect for the current year commencing from 1 April 2009 and for subsequent years from 1st April to 31st March, updated as appropriate.

#### 1.0 Basic Allowance

1.1 Subject to paragraph 8, for each year a basic allowance, as specified in the Appendix to this scheme, shall be paid to each Councillor.

#### 2.0 Special Responsibility Allowances

2.1 Subject to paragraph 8, for each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the Council that are specified in the Appendix to this scheme.

#### 3.0 Travelling and Subsistence Allowances

3.1 The current rates for travelling and subsistence are as follows:

(a) Private Cars

47.7 pence per mile<sup>14</sup>

(b) Motorcycle and Cycle

|                                    |               |               |
|------------------------------------|---------------|---------------|
| Cycles                             | 5p per mile   |               |
| Motorcycles                        | up to 125cc   | over 125cc    |
| Up to 4000 miles                   |               |               |
| a. 3 <sup>rd</sup> party insurance | 18.38p / mile | 27.92p / mile |
| b. Comprehensive insurance         | 20.36p        | 31.86p        |
| Over 4000 miles                    | 7.77p / mile  | 11.36p / mile |

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<sup>14</sup> Council resolution 14.10.08: To be revalorised in line with Local Government Employers circulars in accordance with IRP recommendation. However as part of overall Council Budget approved by full Council on 23.02.10 Members Allowances frozen in 2010-2011.

(c) Public Transport

Necessary travel to be refunded on receipt of claims, paid at Standard or Second Class rate.

(d) Day Subsistence

Day subsistence guidelines from East of England Regional Assembly from January 1st 2007:

- (i) Breakfast allowance (More than 4 hours away from normal place of residence or where the authority permits, a lesser period, before 11 am) £6.72;
- (ii) Lunch allowance (more than 4 hours away from normal place of residence or where the authority permits, a lesser period, including the lunchtime between 12 noon and 2 pm) £9.28;
- (iii) Tea allowance (more than 4 hours away from normal place of residence or where the authority permits, a lesser period, including the period 3 pm to 6 pm) £3.67;
- (iv) Evening meal allowance (more than 4 hours away from the normal place of residence or where the authority permits, a lesser period, ending after 7 pm) £11.49.

(e) Overnight Subsistence

For an absence overnight from the usual place of residence the rate will be based on actual reimbursement for a reasonable area rate of accommodation. Guidance rates are available.

4.0 Crèche or Dependent Carer's Expenses

4.1 Not normally to exceed £25 per day (any higher amounts to be agreed by Head of Finance) on self-certification by claimants.

5.0 Information and Communication Technology Costs

5.1 An annual budget of up to £375 for each Member who chooses not to be provided with Council ICT facilities. Payment is subject to the presentation of receipted claims.

6.0 Indexation

6.1 Since the recommended scheme ties allowances and travel expenses (up to Inland Revenue maximum amount) to those of council employees, they will automatically be indexed along with the latter. For those expenses not covered by the APT& C pay settlement, etc, indexation should be carried out annually using RPI.

7.0 Renunciation

7.1 A Councillor may by notice in writing given to the Head of Finance elect to forego any part of his entitlement to an allowance under this scheme.

## 8.0 Part-year Entitlements

8.1 The provision 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 allowance is payable.

8.2 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 days in the period bears to the number of days in the year.

8.3 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 term of office subsists bears to the number of days in that year.

8.4 Where this scheme is amended as mentioned in sub-paragraph 8.2 and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 8.2(a) the entitlement of any such Councillor to a basis 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 days during which his term of office as a Councillor or of days in that period.

8.5 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 bears to the number of days in that year.

8.6 Where this scheme is amended as mentioned in sub-paragraph 8.2, and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 8.2(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.

## 9.0 Payments

9.1 Payments shall be made in respect of basic and special responsibility allowances by monthly instalments paid in arrears.

9.2 Where payment of an instalment of basic allowance or special responsibility allowance would result in the Councillor receiving more than the amount to which, by virtue of paragraph 6.0, 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.

- 9.3 All payments for childcare/dependent carers' allowance will be made against receipted invoices only. Invoices should be submitted on a calendar month basis to the Democratic Services Officer by no later than the 5<sup>th</sup> of the following month. The allowance will be paid through the payroll system one month in arrears.
- 9.5 No allowances to Members will be pensionable.

**MEMBERS' ALLOWANCES**

|     |  |                     |                          |
|-----|--|---------------------|--------------------------|
| (1) | <u>Basic Allowance</u> <sup>15</sup>           | Each Councillor     | £4521                    |
| (2) | <b><u>Special Responsibility Allowance</u></b> | <b><u>Chair</u></b> | <b><u>Vice Chair</u></b> |
|     | Policy and Resources                           | £2724               | £681                     |
|     | Environment and Transport                      | £2724               | £681                     |
|     | Community Services                             | £2724               | £681                     |
|     | Strategic Development                          | £2724               | £681                     |
|     | Personnel Committee                            | £1851               | £462                     |
|     | Planning Committee                             | £2724               | £1362                    |
|     | Licensing Committee                            | £1851               | £462                     |
|     | Internal Overview and Scrutiny Committee       | £1851               | £462                     |
|     | External Partnership Review Committee          | £1851               | £462                     |
|     | Neighbourhood Panels                           | £1118               |                          |
|     | Growth Delivery Sub-Committee <sup>16</sup>    | £41.25 per month    |                          |
|     | Working Party and Sub Committee                | £41.25 per month    |                          |
|     | Leader of Council                              | £5451               |                          |
|     | Deputy Leader of Council                       | £1818               |                          |
|     | Leader of Conservative Group                   | £1818               |                          |
|     | Leader of Liberal Democrats                    | £ 1818              |                          |
|     | Leader of Group of Independents                | £ 402               |                          |

Group Spokespersons Allowance to be paid to the Liberal Democrats for those sitting on Policy Committees, Personnel and Planning Committees, Group Spokes persons for External Partnerships Review<sup>17</sup> and Internal Overview & Scrutiny Committee<sup>18</sup> and to the Independent Spokesperson on Planning Committee at 10% of the relevant Chairman's Special Responsibility Allowance.

(3) Co-Optees' Allowance

Lay or Parish Council Members of Standards Committee

Chair £1851 per year

Vice Chair £ 926 per year

Member £ 926 per year

(4) Other Allowances<sup>19</sup>

The following are paid pursuant to section 3(5) and 5(4) of the Local Government Act 1972.

Chair of the Council £ 3852

Vice Chair of Council £ 1029

<sup>15</sup> Council resolution 14.10.09 revalorisation of Basic, Special and allowances for Chairman and Vice-Chairman of Council to take place on 1 April each year based on preceding year's NJC pay settlement. However as part of overall Council Budget approved by full Council on 23.02.10 Members Allowances frozen in 2010-2011.

<sup>16</sup> When established

<sup>17</sup> Back dated to August 2008

<sup>18</sup> Back dated to August 2008

<sup>19</sup> NB: These "other allowances" are not formally part of the Councillor Allowance scheme but are included in this schedule for completeness.