



**Members' Allowances Scheme**  
**2016/2017**

1 April 2016

## **Cherwell District Council**

### **1. Basic Allowance**

A basic allowance of £4,152 shall be paid to each Councillor.

### **2. Special Responsibility Allowances**

A special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified below:

#### **Special Responsibilities – 2016/2017**

The following are specified as the special responsibilities in respect of which special responsibility allowances are payable, and the amounts of these allowances:-

Leader of the Council (to which should be added the SRA as a Member of the Executive holding a Portfolio).	£7,212
Executive Members holding a Portfolio	£6,300
Chairman of Overview and Scrutiny Committee	£3,504
Chairman Budget Planning Committee	£3,504
Chairman of Planning Committee	£4,200
Chairman of Accounts, Audit and Risk Committee	£1,800
Chairman of Personnel Committee	£250 SRA plus £250 per meeting to a Capped limit of £1,000 per annum
Chairman of Licensing Committee	£250 SRA plus £250 per full meeting to a capped limit of £1,000 per annum
Chairman of Standards Committee	£250 SRA plus £250 per meeting to a capped limit of £1,000 per annum
Leader of the Opposition	£2,904
Deputy Leader of the Council	£2,484
Chairman of Appeals Panel	£250 per sitting capped at £1,000

### **3. Co-optees and Independent Persons Allowances**

A co-optees allowance of £708 shall be paid to each Independent Person.

#### **4. Renunciation**

A Councillor may by notice in writing given to the Head of Law and Governance forego any part of his/her entitlement to an allowance under this scheme.

#### **5. Part-year Entitlements**

During the operation of this scheme where there is an amendment to the scheme or where there is a change in the person receiving the allowance, the scheme shall be applied on a daily pro-rata basis with any over payment paid back to the Council.

#### **6. Claims**

A claim for any travelling and subsistence allowances under this scheme shall be made monthly in writing on a form supplied for that purpose by the Head of Law and Governance and in any event within two months of the date of the meeting or other “approved duty” in respect of which the entitlement to the allowances arises.

A claim for a travelling allowance by public transport shall be reimbursed provided the expenditure involved has been necessarily incurred to enable a Councillor or Independent Person to perform an “approved duty”. Payments shall be made subject to the proviso that tickets and/or receipts must be submitted. Fuel receipts must also be submitted for mileage claims.

A monthly claim for any dependent carers’ allowance shall be made in writing on a form supplied for that purpose by the Head of Law and Governance and in any event within two months of the date of the meeting or other “approved duty”. Payments shall be made subject to the proviso that receipts must be submitted.

#### **7. Payments**

Payments of basic, special responsibility and co-optees allowances shall be paid in monthly instalments on or before the twenty-third day of each month by means of bank credit transfer.

In respect of travelling and subsistence allowances, payment will be made on or before the twenty-third day of each month in respect of claims received up to the fifth day of each month.

#### **8. Repayment of Allowances**

Where a Councillor or Independent Person has already received payment of allowances or travelling and subsistence payments in respect of any period during which they are:-

- Ceases to be a Member
- Or is in any way not entitled to receive such allowance in respect of that period.

It shall be a requirement that the part of the allowance for the period in question shall be repaid to the Council.

## **9. Pensions**

All Councillors unless otherwise disqualified shall be entitled to opt for membership of the Local Government Pension Scheme, for the purposes of calculating entitlement to benefits, the basic allowance and the special responsibility allowance shall be treated as pensionable remuneration.

## **10. Membership of another Authority**

Where a Councillor is also a Member of another authority from which allowances can be claimed that Councillor must not claim nor receive any allowances from more than one authority in respect of the same duties.

## **11. List of Approved Duties for the payment of Travelling and Subsistence Allowances**

It remains a condition of the payment of travelling and subsistence allowances that the duty for which they are paid has been approved before the duty is performed. It is therefore necessary for the Head of Law and Governance to approve any additional duties over and above those referred to prior to any duty which may qualify for travelling and subsistence allowances taking place.

### **Meetings**

- Formal meetings of Council, Council Committees and Sub-Committees.
- Informal meetings and working groups for Overview and Scrutiny.
- Meetings of Outside Bodies and Partnerships where the Member has been formally appointed as a representative of the Council.
- Local Government Association Committees/Groups/Assemblies and one-off conferences and seminars provided such attendance has first been approved by the Council.
- Attending as the Council's representative at a National Conference/Seminar/training course provided such attendance has first been approved by the Council.

### **Other "Approved Duties"**

All in-house or external training sessions organised by or on behalf of the Council.

- When acting as Chairman or Vice-Chairmen on behalf of their respective Chairman subject to the duty or occasion falling into the special responsibility criteria.

- Formal/informal meetings of Members called in pursuance of any function of the Council.
- Attending a meeting when a motion proposed by a Member has been referred to a Committee for consideration.
- Attending a Council meeting when a motion proposed by them has been referred by Council to a meeting for consideration.
- When Members address a Council meeting on which they are not serving on a matter which directly and specifically affects their Ward.
- When the Group Leaders, or their nominated deputies, attend a council meeting on which they are not Serving Members.
- When acting as a Council's appointed Champion.
- When attending a meeting by invitation of that committee.

## **12. Site Visits**

For each year a travelling allowance shall be paid to those Councillors in respect of each occasion on which that Councillor undertakes a site visit to areas within the District which are subject to reports on an agenda for a formal meeting of Council, Council Committee and Sub-Committee.

Payments shall be made subject to the following criteria:-

- A site shall only be visited where it is considered essential that a close personal knowledge of it is necessary in order for the Councillor concerned to be able to properly consider the item at Council, Executive, Committee or Panel meetings.
- Sites may only be visited by serving Councillors on a Committee or Sub-Committee (and Members who are to attend the meeting in question) which is to consider the issue.
- Site visits will be of greater frequency for Councillors serving on the Planning Committee, and where a formal site meeting takes place, a Councillor entitled to attend will only be able to make one claim in respect of such visit notwithstanding that the visit claimed for might occur at some other time to meet the Councillor's personal convenience.
- Where a series of sites are to be visited, the most economical route between those sites shall be chosen and every endeavour to avoid return trips to the same location shall be made (ie sites in the same locality should be visited at the same time).
- Full details of claims for travelling to sites shall be included on the form supplied for that purpose by the Head of Legal and Democratic Services.
- The approval of a travelling allowance for site visits does not extend to any site outside the Council's area and any such ad hoc approval in this regard shall be given by the Executive, Committee or Panel dealing with the issue

under consideration before such a visit takes place.

- Any requests made by the public for Councillors to visit sites shall not be approved for travelling allowance purposes unless the issue concerned forms part of a current agenda item/report which has still to be considered by the Executive, Committee, Panel or Council and in such circumstances visits should only be made after a Councillor has exercised careful judgement as to whether such a visit is justified and necessary.
- When Members undertake site visits they shall have due regard at all times, and act accordingly, to the requirements of any national or local code of conduct Good Practice Guidance or Protocols operated or adopted by the Council.

### 13. Subsistence Allowances

Where a Councillor or Independent Person is entitled to receive a subsistence allowance the expenditure must have been necessarily incurred for the purposes of enabling that Councillor or Independent Person to perform an approved duty as a Member of the Council or as a Member of the Council's Standards Committee. Payments shall be made at the maximum rates for overnight subsistence as determined by the Council. In respect of day subsistence, payments shall be made at actual expenditure up to the maximum specified in this scheme subject to the proviso that, as described, every claim is accompanied by a declaration that such expenditure has been necessarily incurred in the performance of an approved duty; a declaration certifying the period a Councillor or Independent Person is away from their normal place of residence; and a receipt or receipts showing clearly and accurately the amount of expenditure incurred.

The subsistence allowances payable up to the maximum amounts detailed below are:-

		<b>Rate</b>
Day Subsistence		£
Breakfast Allowance	More than 4 hours away from the normal place of residence before 11 am.	6.02
Lunch Allowance	More than 4 hours away from the normal place of residence including the lunchtime between 12 noon and 2 pm.	8.31
Evening Meal Allowance	More than 4 hours away from the normal place of residence ending after 7 pm.	10.29

#### **Overnight Accommodation**

Overnight accommodation should be booked via Democratic Services.

#### Overnight Subsistence

Where meals are provided free of charge, the day subsistence rates and the

overnight subsistence rates above will be reduced by an appropriate amount in respect of meals provided free of charge by an authority or body in respect of the meal (including VAT) or the period to which the allowance relates.

### **Meals on Trains**

Where a main meal is taken on a train during a period for which there is an entitlement to day subsistence, the reasonable cost of the meal (including VAT) may be reimbursed in full. Where such reimbursement does take place, the rate of day subsistence payable shall effectively be reduced by one 4-hour band for each meal taken.

(**Note:** Where payments are claimed receipts must be attached to the claim.)

### **Travelling Allowances**

	<b>Rate (per mile)</b>
• Bicycles	20p
• Electric or similar Specialised Vehicles	£1.10 per journey regardless of the distance.
<b>(Note:</b> the outward and return journey are counted as two separate journeys for the purposes of calculating this allowance.)	
• Motor cycles	24p
• Motor Vehicles	45p

### **Notes:**

- The levels of the above allowances are set at the specified Inland Revenue rates. If the rates are adjusted the travelling allowances will be paid at the Inland Revenue specified maximum rates.
- The motor cycle and motor vehicle rates apply whatever the cc of the vehicle concerned.
- The travelling allowance rates set out above can be increased by not more than the amount of any necessary expenditure incurred on tolls or parking fees etc.
- Travel by public transport should not exceed the amount of any ordinary or other cheap fare and where there is more than one class of fare travel should be by second class fare unless it has been previously approved by the Council.
- The rates/fares referred to above may be increased by any necessary supplementary payments relating to the journey concerned but not exceeding the expenditure incurred.

- In cases of urgency, and where no other public transport is available, the reimbursement of the actual taxi fare and, in any other case, where travel is by public transport, the payment shall not exceed the amount of the fare.
- Travel by hired vehicle the allowance rates as specified by the Council shall be used excluding the hire costs.

(**Note:** where payments are claimed tickets/receipts must be attached to the claim.)

#### **14. Dependent Carers' Allowances**

Carers' allowances shall be paid when a Councillor has necessarily incurred expenditure for the care of children or a dependent relative when undertaking any "approved duty".

The allowances shall be paid:

- Subject to the submission of receipts, and in the case of the childcare allowance, to the allowance not being paid to a member of the claimant's household.
- On the basis of the actual costs incurred up to the maximum hourly rate set out below and to a maximum cap of 20 hours per month:-

Childcare - £8 per hour

Dependent Relative Care - £15 per hour

#### **15. Annual Review of Scheme**

This scheme shall be reviewed annually in association with the consideration of the Council's revenue estimates for the next following year.

As from April each year the practice has been to adjust the allowances payable as necessary subject to the recommendations of the Council's Independent Remuneration Panel. In the case of the basic, special responsibility and co-optees allowances the basis for adjusting the levels of those allowances is a matter for the Independent Remuneration Panel to determine having regard to the outcome of the Staff Side pay settlement for the relevant financial year.