



SCHEME OF MEMBERS' ALLOWANCES

2011/2012

**Effective Date:
18 May 2011**

**[Encompassing Changes to Car Mileage
Rates as approved by Council on
15 December 2011]**

SCHEME OF MEMBERS' ALLOWANCES 2011/2012

The following Scheme has been adopted by Cheshire East Council in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003.

The effective date of operation of the Scheme is 18 May 2011. Notwithstanding this, Council on 15 December 2011 agreed to make changes to the car mileage rates, which came into effect on 1 December 2011 and are set out in Schedule 2 of the Scheme.

The Scheme is reviewed each year by the Independent Remuneration Panel. It makes recommendations to Constitution Committee then Council on whether any adjustments should be made to the Allowances contained therein having regard to relevant financial information from the Office for National Statistics and taking into account the outcome of the National Joint Council Local Government Settlement.

In making the Scheme the Council has accepted the recommendations of the Independent Remuneration Panel and Constitution Committee contained in the report submitted to Council on 21 April 2011 entitled "Referral from Constitution Committee - Mid Year Review of Members' Allowances".

SCHEME OF MEMBERS' ALLOWANCES 2011/2012

1. Basic Allowance

- 1.1 The amount to be disbursed as Basic Allowance annually is **£918,400**.
- 1.2 Each Member of the Borough Council shall receive a sum of **£11,200** per annum (**£933** monthly).
- 1.3 Payment of Basic Allowance shall be monthly in arrears. If during this period, the term of office of a Member begins or ends, the entitlement to payment shall be based on calendar days per month.

2. Special Responsibility Allowances (SRA's)

- 2.1 Special Responsibility Allowances are paid as a percentage (referred to as gearing) of the Basic Allowance except for the position of Committee Vice Chairmen who receive £1000 per annum and who may claim an additional £50 per Committee meeting chaired up to an accumulated maximum total of £1,500 per annum.
- 2.2 The amount to be disbursed as Special Responsibility Allowances in 2011/2012 is **£344,840**.
- 2.3 Special Responsibility Allowances shall be paid in accordance with Schedule 1 attached to this Scheme.
- 2.4 Only one Special Responsibility Allowance shall be payable to any individual Member. Where a Member holds two or more positions which attract an SRA payment the highest amount only shall be paid.
- 2.5 Payment of Special Responsibility Allowances shall be monthly in arrears. If during this period a Member takes up or relinquishes such responsibilities as entitle him/her to a Special Responsibility Allowance the entitlement to payment shall be based on calendar days per month.

3. Civic Allowances

- 3.1 An allowance of **£14,000** per annum shall be paid to the Worshipful the Mayor of the Borough of Cheshire East and an allowance of **£5,600** per annum shall be paid to the Deputy Mayor of the Borough of Cheshire East to meet the expenses of the officer holder.
- 3.2 Although included in the Scheme for completeness, the allowances are not considered to be Special Responsibility Allowances in accordance with Section 3(5) and 5(4) of the Local Government Act 1972.

4. Travel and Subsistence Allowance: Elected Members

- 4.1 Travel and Subsistence Allowances may be claimed on the submission of receipts for the performance of any duty specified in the Local Authorities (Members' Allowances) (England) Regulations 2003 and set out in Schedule 2 attached to this Scheme.

5. Travel and Subsistence Allowance: Co-opted Members

- 5.1 Parent Governor Co-opted members and School Appeal Panelists may claim reasonable travel expenses for attendance at the Cheshire Association of Governing Bodies meetings and School Appeals meetings respectively. School Appeal Panelists may also be reimbursed for any loss of earnings incurred as a direct result of the performance of their duties when attending appeal meetings or associated training up to a maximum of £50 per four hour session (or part thereof) on receipt of proof of the loss from their employer.
- 5.2 Co-opted (Independent/Parish) members of the Standards Committee are entitled to claim an allowance of £30 for any meeting they are required to attend by the Chairman of the Standards Committee together with associated travel costs, whereas only claims for subsistence will be paid where the cost of attendance at an event has been met by the Council.
- 5.3 Members of the Independent Remuneration Panel are entitled to claim Travel and Subsistence Allowances and a meeting allowance of £30 for each meeting attended.

6. Approved Duties

- 6.1 The list of approved duties for which Allowances can be claimed is set out in Schedule 3 of this Scheme.

7. Dependants Carers' Allowance

- 7.1 A Dependent Carers' Allowance will be paid to Members where actual costs are incurred for the care of dependants whether children, elderly people or people with disabilities whilst undertaking the duties specified in the Local Authorities (Members' Allowances) (England) Regulations 2003 and set out in Schedule 3 of this Scheme.
- 7.2 The amount payable in respect of a Dependent Carers' Allowance shall be up to a maximum of **£6,100** per calendar year on the production of receipts. A carer's (reasonable) expenses will also be paid.

- 7.3 The allowance or expenses can be claimed only if the elected Member is the carer. The allowance will not be payable in respect of a member of the elected Member's own household.

8. Suspension of Allowances

- 8.1 The right to Basic Allowance, Special Responsibility Allowance and Travel and Subsistence Allowance may be withdrawn by the Council whilst a Councillor is suspended or partially suspended from his/her responsibilities or duties as a member of the Council as a result of a breach of the Members' Code of Conduct in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part.

9. Telephone/Broadband Line Rental

- 9.1. An allowance to cover the cost of telephone calls made in the course of Council business has been included in the Basic Allowance. Where elected Members are billed directly for a personal broadband/telephone line used or partly used for the purpose of carrying out Council duties; the associated line rental cost can be reclaimed on submission of a bill.

10. Local Government Pension Scheme

- 10.1 The Council has introduced a Pension Scheme for Members as provided under Section 7 of the Superannuation Act 1972 and in accordance with the statutory regulations and guidance issued by the Local Government Pensions Committee and the Local Government Pension Scheme (LGPS). Under the Council's Scheme, elected Members of Council are entitled to join the LGPS, providing they meet the eligibility criteria; contributions to be calculated on the Basic Allowance payable and any Special Responsibility Allowance whilst the Member is in receipt of such Allowances.

11. Other Provisions

- 11.1 Claims for allowance reimbursement are required to be submitted to Democratic Services for processing no later than three months after the performance of the duty. Members requiring reimbursement of expenses which have not been submitted within this time limit will have the right of appeal to the Borough Solicitor.
- 11.2 A Member may request in writing to the Chief Executive (or an officer appointed by them in writing) that payment of Special Responsibility Allowance and Basic Allowance be paid at such intervals, in arrears, as the Member may specify but in any event within 1 month of the end of the financial year.

- 11.3 A Member may, by notice in writing to the Chief Executive (or an officer appointed by her in writing), elect to forgo all or any part of the entitlement to an allowance under this Scheme.

12. Revocation of Previous Scheme

- 12.1 The previous Scheme of Members' Allowances for 2010/2011 is hereby revoked.

SCHEDULE OF ALLOWANCES 2011/2012

	No	Gear¹	£
The Worshipful the Mayor	1		14000
Deputy Mayor	1		5600
Basic Allowance (per elected Member)	82		11200
Carers Allowance (maximum claimable per year)		0.55	6100
Special Responsibility Allowances	No	Gear	£
Council Leader	1	2.5	28000
Deputy Council Leader	1	1.5	16800
Cabinet Member/Portfolio Holder	8	1.25	14000
Cabinet Support Members	7	0.4	4480
Audit and Governance Committee Chairman	1	0.65	7280
Vice Chairman	1		1000²
Constitution Committee Chairman	1	0.65	7280
Vice Chairman	1		1000
Licensing Committee Chairman	1	0.65	7280
Vice Chairman	1		1000
Public Rights of Way Committee Chairman	1	0.5	5600
Vice Chairman	1		1000
Scrutiny Committee Chairman	6	0.65	7280
Vice Chairman	6		1000
Southern/Northern Planning Committee Chairman	2	0.65	7280
Vice Chairman	2		1000
Staffing Committee Chairman	1	0.65	7280
Vice Chairman	1		1000
Standards Committee Chairman	1	0.65	7280
Vice Chairman	1		1000
Strategic Planning Board Chairman	1	0.65	7280
Vice Chairman	1		1000
Main Opposition Group Leader	1	0.65	7280
Main Opposition Group Deputy Leader	1	0.325	3640
Opposition Group Leaders	2	0.5	5600
Administration Whip	1	0.325	3640
Deputy Administration Whips	2	0.15	1680
Opposition Whips	3	0.15	1680

¹ Percentage of Basic Allowance applied

² Plus £50 per Committee meeting chaired (see paragraph 2.1 for full details)

TRAVEL, SUBSISTENCE AND OTHER ALLOWANCES

1. Dependants' Carers' Allowance

A Dependants Carers' Allowance is payable in respect of approved duties on the basis of actual costs accrued only if the elected Member is the carer. The maximum total amount which can be paid to an individual Member each year is £6,100 and claims should be supported by a receipt.

2. Travel Reimbursement

2.1 Car Rate per Mile

[In line with the National Joint Council (NJC) for Local Government Services Casual User Officer rates and as amended by Council on 15 December 2011]

Miles per Annum/Engine Size	451 – 999cc	1000 +cc
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

Additional rate for each passenger, not exceeding four to whom a Travel Allowance would otherwise be payable: 1 pence per mile

Members may also choose to claim the HM Revenue & Customs threshold of 45p per mile traveled upon notifying Democratic Services.

2.2 Rail and other travel

The cost of train travel is reimbursed up to the open standard rail fare for the journey undertaken. Expenses must be at the minimum cost to achieve the purpose of the journey. Any case for first class rail travel greater than the full open standard rail fare will require the submission of a business case supported by the Member's Group Leader.

2.3 Motorcycle or Moped Allowance

	Rate per mile	Rate per mile	Rate per mile
Motorcycle	126 - 250cc	251 - 500cc	
For the first 1,500 per annum	27 pence	35.5 pence	
Moped	Up to 50cc	Up to 125 cc	500cc+
For the first 1,500 per annum	12.4 pence	18.8 pence	39.2 pence

2.4 Other Travel Expenses

Non motorised transport e.g. bicycle 11 pence per mile

Expenditure on tolls, ferry or car parking, overnight garaging where the Member is absent overnight Actual Amount

3. Subsistence Reimbursements

Breakfast Allowance for a duty of more than 4 hours concluding before 12 noon	£8.29
Lunch Allowance for a duty of more than 4 hours concluding after 12 noon	£10.64
Dinner Allowance for a duty of more than 4 hours concluding after 6 p.m.	£16.69
Dinner Allowance (London and abroad) for a duty of more than 4 hours concluding after 6 p.m.	£34.57
Overnight accommodation outside London (to include breakfast)	£118.60
Overnight accommodation in London (to include breakfast)	£142.31

[Note: The rate applicable to subsistence claims made in respect of attendance at the Local Government Association (LGA) Annual Conference will be the Dinner Allowance (London and abroad) irrespective of where in the United Kingdom the event is held.]

The cost limitations on reimbursement are:

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| (i) | Absence of more than 4 but less than 8 hours | 1 main meal |
| (ii) | Absence of 8 hours or more but less than 12 hours | 2 main meals |
| (iii) | Absence of 12 hours or more | 3 main meals |

4. Member's Surgeries

Members may claim up to a maximum of £32 for room hire in connection with the conduct of a Member's Surgery, subject to a maximum of twelve such claims per annum and the submission of necessary receipts.

CHESHIRE EAST COUNCIL: LIST OF APPROVED DUTIES

- Attendance at meetings of Council, Committees, Sub-Committees, Cabinet meetings (including by invitation), Special Committees, Panels, Boards, Forums and Working/Task Groups
- Attendance at site visits/building inspections arranged by any of the bodies listed above
- Attendance at meetings of bodies on which the Borough Council is invited to be represented and Outside Organisation meetings to which the Cabinet and Constitution Committee make appointments (excluding School Governing Bodies)
- The duties associated with the Chairman or Vice-Chairman of an Outside Organisation on which the Member is representing the Borough Council
- Conferences/Seminars
- Visits to Tatton Park in the capacity of a Councillor excluding attendance at functions, council meetings and seminars
- Authorised briefings for Committees/Sub-Committees/Cabinet meetings including all meetings which are called by officers of the Council e.g. pre-agenda meetings
- Duties undertaken by a Chairman/Cabinet Member
- Courtesy Visits e.g.
 - i) Civic duties of the Mayor and Deputy Mayor of the Council
 - ii) Service duties and visits undertaken by the Chairman/Vice Chairman of Committees and Sub-Committees and by Cabinet Members
 - iii) For individual Members, attendance at official openings, open days, presentations, meetings with VIPs, receptions (in line with the adopted guidance document), all of which take place outside the Electoral Ward
- Governors of Further Education/Higher Education Colleges, Residential Special Schools and Independent Schools
- 'Nominated Member' Duties – Members covered by this element of the scheme are Leaders, Deputy Leaders, Group Whips, Mayor and Deputy Mayor and includes travel to the authority's administrative buildings for essential business arising from the office which they hold
- Attendance at Parish Council Meetings within the Electoral Ward
- Member Learning and Development Events