

# PART 7

## MEMBERS' ALLOWANCES

### SCHEME

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## **Scheme of Members' Allowances – 202~~45~~/202~~56~~**

Bournemouth, Christchurch and Poole Council in exercise of the powers conferred by the Local Authorities' (Members' Allowances) (England) Regulations 2003, hereby makes the following scheme:

- a. This scheme may be cited as the Bournemouth, Christchurch and Poole Council Members' Allowances Scheme and shall have effect from ~~7 May 2024~~ [INSERT EFFECTIVE DATE].
- b. In this scheme "Councillor" means a member of the Bournemouth, Christchurch and Poole Council who is a Councillor.

### **1. Basic Allowance**

- 1.1. A Basic Allowance of ~~£15,109~~ £16,000 shall be paid to each Councillor.
- 1.2. The Basic and Special Responsibility Allowances shall be adjusted by an amount equivalent to any officers' pay award for 20~~25~~~~24~~/~~26~~~~25~~ in line with the Employees' National Salary Award and shall be applied retrospectively to ~~67~~ May 202~~45~~. Where the pay award is determined as a fixed amount the average pay award for BCP employees shall be applied for this purpose.
- 1.3. The Basic Allowance is intended to recognise the time devoted by Councillors to their work, including their community representative role, and to cover some incidental expenses incurred by them encompassing;
  - (a) the community representative role that all Members undertake that includes
    - representing constituents' views at meetings of the Council and, as appropriate, on other organisations;
    - ensuring that individual problems which have not been dealt with by the normal procedure are dealt with satisfactorily;
    - holding community meetings and consultations;
    - dealing with correspondence and obtaining information;
    - meeting with officers to make them aware of local concerns;
    - acting as the representative on another body, requiring briefing and reporting back to Council;
  - (b) attendance at and preparation for committee meetings;
  - (c) travel time and time spent representing the Council on outside bodies;
  - (d) the use of the home as an office including internet, telephone and postage costs and the purchase of stationery and related items; and
  - (e) some subsistence costs.

### **2. Special Responsibility**

- 2.1. A Special Responsibility Allowance shall be paid to those Councillors (in addition to the Basic Allowance) who hold the special responsibilities; this is in recognition of

the additional workload and levels of responsibility and accountability placed upon members appointed to these roles:

Leader	<u>£32,730</u> <u>£40,000</u>
Cabinet Members (including Deputy Leader)	<u>£21,820</u> <u>£25,000</u>
Lead Members	<u>£12,087</u> <u>£12,200</u>
Chair of the Council	<u>£12,087</u> <u>£12,200</u>
Vice-Chair of the Council	<u>£6,045</u> <u>£3,600</u>
Chair of Audit & Governance Committee	<u>£12,087</u> <u>£12,200</u>
Chairs of Area Planning Committees	<u>£9,065</u> <u>£9,000</u>
Chair of Overview & Scrutiny Board	<u>£9,065</u> <u>£9,000</u>
Chair of Environment and Place Overview & Scrutiny Committee	<u>£9,065</u> <u>£9,000</u>
Chair of Children's Services Overview & Scrutiny Committee	<u>£9,065</u> <u>£9,000</u>
Chair of Health & Adult Social Care Overview & Scrutiny Committee	<u>£9,065</u> <u>£9,000</u>
Chair of Licensing Committee	<u>£12,087</u> <u>£9,000</u>
<del>Vice-Chair of Licensing Committee</del>	<u>£3,023</u>
Chair of Appeals Committee	<u>£3,628</u> <u>£9,000</u>
Chair of Standards Committee	<u>£3,628</u> <u>£9,000</u>
Group Leaders*	<u>£3,628</u> <u>£3,600</u>

(\***NOTE:** minority parties must have a membership of no fewer than 5 for their Leader to receive an SRA)

- 2.2. Councillors shall be restricted to claiming only one Special Responsibility Allowance (and may elect which SRA to receive) with the exception that a Group Leader's SRA can be payable as a second SRA.

- 2.3. Subject to paragraph 2.4 below, no Special Responsibility Allowance shall be paid to vice-chair of committees (with the exception of the vice-chair of Council ~~and the Licensing Committee~~).
- 2.4. Where the relevant chair is permanently unavailable to perform their duties, the entitlement to a special responsibility allowance shall transfer to the elected vice-chair.

### **3. Travel allowances**

- 3.1. Councillors and appointed members are entitled to claim travel allowances in line with MAP (HMRC approved Mileage Allowance Payments) for undertaking official business and travelling to the BCP Council offices for meetings and official business.
- 3.2. The MAP approved amounts are currently:
- (a) Car – 45p per mile up to 10,000 miles and 25p per mile thereafter;
  - (b) Passenger payments – up to 5p per mile per passenger (up to a maximum of four) to be claimed only for passengers who would otherwise be eligible for travelling allowance;
  - (c) Motorcycle – 24p per mile;
  - (d) Bicycle – 20p per mile;
  - (e) In relation to public transport (including rail and bus) – standard fare; and
  - (f) Parking fees – actual cost

### **4. Subsistence allowances**

- 4.1. Subsistence allowances include the cost of:
- (a) Accommodation (if a member needs to stay overnight); and
  - (b) Meals and other ‘subsistence’ while travelling.
- 4.2. Subsistence allowances are only claimable for undertaking official business outside of the unitary council area.
- 4.3. Subsistence allowances are made towards meals up to a maximum limit set out below and must be accompanied by a receipt.
- (a) In the case of an absence not involving an absence overnight from the usual place of residence:-
    - (i) Breakfast (more than 4 hours away before 11am) £7.14
    - (ii) Lunch (more than 4 hours including 12 noon to 2pm) £10.72
    - (iii) Tea (more than 4 hours including 3pm to 6pm) £5.35
    - (iv) Evening Meal (more than 4 hours away ending after 7pm) £14.29

### **5. Carers’ allowance**

- 5.1. Dependent carers’ allowance to be paid to recompense the actual cost expended (and is not payable to a member of the claimant’s own household subject to the Monitoring Officer having the discretion to approve claims on a case-by-case basis):
- (a) for care of dependents, whether children, elderly people or people with

disabilities;

- (b) for such time as a member is on BCP Council business where travelling allowances are payable;
- (c) at an hourly rate equivalent to 110% of the minimum wage, rounded up to the nearest whole pound, i.e. actual expenditure incurred subject to a maximum of £9\* per hour.

(\*As at April 2019)

## **6. Co-opted and Independent Members' allowance**

6.1. An allowance of ~~£1,211~~ £1,200 per annum to be paid to:

- (a) the co-opted members of the scrutiny committee with oversight of education matters; and
- (b) the independent persons appointed to contribute to the arrangements of promoting and maintaining high standards of conduct.

## **7. Foregoing and suspension of allowances**

7.1. A Councillor may by notice in writing given to the Monitoring Officer elect to forego all or any part of their entitlement to an allowance.

7.2. Where a Councillor is suspended or partially suspended from his or her duties as a councillor in accordance with Part III of the Local Government Act 2000, or regulations made under Part:

- (a) the part of the basic allowance payable to them in respect of the period for which they are suspended or partially suspended shall be withheld;
- (b) the part of the SRA payable to them in respect of the period for which they are suspended or partially suspended shall be withheld; and
- (c) the part of the travelling and subsistence allowance payable to them in respect of the period for which they are suspended or partially suspended shall be withheld.

7.3. Where payment of any allowance has already been made in respect of any period during which the member concerned is:

- (a) suspended or partially suspended from their responsibilities or duties as a councillor in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
- (b) ceases to be a member of BCP Council or;
- (c) is any other way not entitled to receive the allowance in respect of a relevant period

the authority may require that such part of the allowance as related to any such period be repaid to the authority.

## **8. Salary Sacrifice**

8.1. HMRC's view is that the same tax rules apply to elected members who hold office as a local councillor as they do for employees. Councillors are therefore permitted

to give up part of their Basic Allowance and/or Special Responsibility Allowance in exchange for certain salary sacrifice schemes available at BCP Council.

- 8.2. Provided Councillors satisfy the various qualifying conditions, they may be entitled to access some of the various salary sacrifice schemes offered by BCP Council. Not all schemes will be available for Councillors to participate in.
- 8.3. In order to access salary sacrifice schemes, Councillors will be required to meet qualifying and affordability criteria in line with legislation and detailed by BCP Council. These criteria may be subject to change without notice.
- 8.4. Applications made by Councillors will be considered on a case-by-case basis, and BCP Council retains full authority in deciding whether to accept any requests.
- 8.5. In the event a Councillor is approved for any salary sacrifice scheme, this is strictly on condition that if they later leave their role as a Councillor, they will reimburse BCP Council any and all outstanding payments or early termination charges incurred in connection with their particular salary sacrifice scheme benefit. This includes authorising BCP Council to deduct any outstanding amounts from the Councillor's Basic and/or Special Responsibility Allowance before paying them the balance.

## **9. Part-Year Entitlements**

- 9.1. 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 the 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.
- 9.2. 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 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;

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.

- 9.3. 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 their term of office subsists bears to the number of days in that year.
- 9.4. Where this Scheme is amended as mentioned in sub-paragraph 9.28.2 above, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 9.28.2(a) above, 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 days which his or her term of office as a Councillor subsists bears to the number of days in that period.

- 9.5. Where a Councillor has during part of, but not throughout, a year special responsibilities as entitle them to a Special Responsibility Allowance, that Councillor's entitlement shall be to the payment of such part of that allowance as bears to the whole the same proportion as the number of days during which they have such special responsibilities bears to the number of days in that year.
- 9.6. Where this Scheme is amended as mentioned in sub-paragraph 9.28-2 above, and a Councillor has during part, but does have throughout the whole, of any period mentioned in sub-paragraph 9.28-2(a) of that paragraph any such special responsibilities as entitle them to a Special Responsibility Allowance, that Councillor's entitlement shall be to the 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 they have such special responsibilities bears to the number of days in that period.

## **10. Pension Payments**

- 10.1. There is no provision of any pension for Members within the allowances scheme.

## **11. Payments**

- 11.1. Payments shall be made in respect of basic, co-optees' and special responsibility allowances in instalments of one-twelfth of the amount specified in this scheme on the 28<sup>th</sup> of each month.
- 11.2. Where a payment of one-twelfth of the amount specified in this scheme in respect of basic allowance or special responsibility allowance would result in a Councillor receiving more than the amount to which, by virtue of paragraph 8, they are entitled, the payment shall be restricted to such amount as will ensure that no more than the amount to which they are entitled.

## **12. Making a Claim**

- 12.1. Claims for the payment of childcare and dependent carers' allowance and travelling and subsistence allowances under this scheme must be made using the electronic expenses system within two months of the date on which the duty is carried out. *Claims received outside this timescale will only be paid in the case of exceptional circumstances.*
- 12.2. Claims for the payment of a childcare and dependent carers' allowance must be supported by the production of an official receipt relating to the expenditure incurred by the Councillor or appointed member for the provision of these services.

## **13. List of Approved Duties**

- (a) Attendance at a meeting of the authority or as a member of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations or any committee or sub-committee of such a body;
- (b) Attendance at any meeting in (a) above where invited to attend and speak by

the Chair of the Committee, or Sub-Committee of Body or when presenting a report to Committees as Chair of a Sub-Committee as defined in Council Procedure Rules;

- (c) A Member who is not a member of the Cabinet may attend a meeting of the Cabinet and shall be entitled to claim travelling and dependent care allowances as applicable for such attendance, which will be regarded as an approved duty;
- (d) Attendance at a meeting of any association of authorities of which the authority is a member;
- (e) Attendance at training courses;
- (f) Attendance at seminars or briefing to which all Members of the Council have been invited;
- (g) Duties undertaken in connection with the appointment of employees;
- (h) Site tours or tours to which all Members of the Council, the Cabinet, a Committee or Sub-Committee have been invited;
- (i) Any meeting involving either Chairs or Vice-Chairs called by the Chief Executive including briefings for Cabinet, Committees and Sub-Committees;
- (j) Attendance by any individual Members or group of Members at a meeting called or authorised by the Chief Executive or members of the Management Team to ensure that travelling and subsistence allowances are only payable for approved duties.



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