

SPENNYMOOR TOWN COUNCIL



MEMBERS' ALLOWANCES SCHEME

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1. Members' Allowances Scheme

This Scheme ("the Scheme") was made by Spennymoor Town Council (the "Council") in accordance with The Local Authorities (Members' Allowances) (England) Regulations 2003 as amended on 4 March 2008 and ratified by Council on 24 March 2008

- (i) The Scheme shall be known as the Spennymoor Town Council Members' Allowances Scheme.
- (ii) The Scheme shall commence on the 1 April 2008 and shall continue until revoked or amended.

In the Scheme, the following expressions have the following meanings:

- "Allowance" means the relevant allowance under the Scheme, (and "allowances" shall be interpreted accordingly)
- "Apportioned" means an apportioned part of the Allowance in accordance with relevant provisions contained in the Regulations.
- "Councillor" means a member of Spennymoor Town Council who is an elected Councillor or a co-opted Councillor pursuant to the appropriate regulations.
- "Year" means
 - a) the period from 1 April 2007 to 31 March 2008;
 - b) any period of 12 months ending on 31 March in any year after 2008
- "Regulations" mean the Local Authorities (Members' Allowances) (England) Regulations 2003

2. Parish Basic Allowance

- a) A Parish Basic Allowance of **£1000** per year shall be paid to each Councillor and reviewed annually with regard to the recommendations of the appropriate local Independent Remuneration Panel. **However, only elected Councillors can receive the Parish Basic Allowance, co-opted Councillors cannot. They can claim for expenses incurred for items such as costs related to attending meetings,**

training, conferences etc. Local Authorities (Members' Allowances) (England) Regulations 2003.

- b) The Town Mayor will receive a Civic Allowance to cover their Civic Duties under Section 15a of The Local Government Act 1972 during his/her year of office.
- c) Payment of the allowance shall be paid monthly in arrears and shall be made by BACS payable to a Councillor's nominated bank account or by cheque.
- d) Where a Councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made thereunder the part of the allowance payable to him/her in respect of the period for which he/she is suspended or partially suspended may be withheld by the Council.
- e) Where payment of the allowance has already been made in respect of any period during which the Councillor is:
 - i) suspended or partially suspended from his/her responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made there under;
 - ii) ceases to be a Councillor; or,
 - iii) is in any other way not entitled to receive the allowance in respect of that period,

the Council may require that such part of the allowance as relates to any such period shall be repaid to it.
- f) where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the Councillor's entitlement shall be to payment of such part of the allowance as bears to the whole such proportion as the number of days during which his/her term of office subsists bears to the number of days in that year.
- g) where the term of office of the Mayor begins or ends otherwise than at the beginning or end of a year, his/her entitlement for the period during which he/she holds the office of Mayor to the additional allowance

under the Scheme, shall be to payment of such part of the additional allowance as bears to the whole the same proportion as the number of days during which his/her term of office as Mayor subsists bears to the number of days in that year.

3 Claims and Payments

Basic Allowances will be paid in arrears in equal monthly instalments on the 15th day of the month or the first working day thereafter.

Travel Reimbursement and any overnight subsistence allowance will be paid in arrears on the 15th day of the month or the first working day thereafter in respect of claims received up to 4pm on the **8th day of the month**.

Telephone allowances will be paid in arrears on the 15th day of the month or the first working day thereafter in respect of claims received up to 4pm on the **8th day of the month**.

Claim forms are provided for the purpose of claiming travelling expenses, subsistence allowances and telephone allowances.

Your attention is drawn to the need for a full description of the approved duty and all amounts being claimed in respect of travelling and subsistence, together with the relevant sub-totals to be entered on the claim form.

Claim forms should be completed and submitted, so as to arrive not later than 4pm on the 8th day of the month. If claims are not received by the above time, payment will be made the following month.

4 Advances

The Finance Manager or Finance Assistant at the discretion of the Council's Responsible Financial Officer can arrange for an advance of travelling and subsistence expenses in respect of attendance at Conferences/Seminars etc. Failure to attend an approved activity for which an advance payment has been made will require the Member to repay the amount claimed.

5 Renunciation

You may, by notice in writing given to the Town Clerk, elect to forego any part of your entitlement to an allowance under this scheme.

6 Approved Duties for the Purposes of Travelling and Subsistence

In accordance with the requirements of this Scheme, approved duties for the purpose of travelling and subsistence may relate to approved duties within or outside the Council's boundaries. Travel allowances paid to Councillors shall reflect those paid to officers, and such allowances shall be paid only in respect of "approved duties". Approved duties shall include the following:

- i) meetings of the Council;
- ii) meetings of committees or sub-committees of the Council;
- iii) meetings of other bodies to which the Council makes appointments or nominations;
- iv) meetings of committees or sub-committees of a body to which the Council makes appointment or nominations;
- v) attendance at the Council offices to open tender documents;
- vi) a meeting of a local authority association of which the Council is a member;
- vii) any other duty approved by the Council in connection with discharging the duties of the Council or its committees or sub-committees;
- viii) attendance at Conferences/Seminars provided attendance at such Conference/Seminar has been approved by the Council, a Committee or Sub Committee of the Council;
- ix) attendance at a Sub Committee of which you are not a member subject to you satisfying the "need to know" criteria;
- x) attendance by any Member of the Council at a meeting arranged by:-
 - a) the Leader or Deputy Leader; or
 - b) an Officer to discuss Council business such meetings will be confirmed by email or letter from the Town Clerk or their representative
- xi) attendance at Official meetings of outside organisations by members appointed to represent the Council on such outside organisations, being organisations for the purpose of, or in connection with, the discharge of the functions of the Council;
- xii) any duty reasonably performed or to be performed.

7 Travelling Allowances

A Member shall be entitled to travel allowances under the Scheme in respect of the performance of an approved duty within and outside the administrative

area of the Council. Members are entitled to travel by the most conveniently available means within their choice. In normal circumstances the cost shall be limited to the equivalent of a first class rail ticket. However, the choice of travel and relevant cost are subject to the conditions referred to below.

The Council's overall policy for travelling allowances is based on the principle that the most cost effective means of travel is adopted, bearing in mind the number of Members travelling, the health and fitness of those Members, the distance and location of the venue and the availability of public transport.

In normal circumstances a Member will not be expected to leave home before 7.30am to arrive at a Conference in time for registration that day.

Where travelling on behalf of the Council to venues outside the boundaries of the counties of Durham, Tyne and Wear and Teesside, Members may travel by rail or by air.

Arrangements for each mode of transport are as follows:

1. The rate for travel by your own private motor vehicle, or one belonging to a member of your family or otherwise provided for your use, shall not exceed: **45p per mile.**
2. The rates specified in paragraph 1 may be increased:
 - a) in respect of the carriage of each passenger, not exceeding 4, to whom a travelling allowance would otherwise be payable under any enactments, by not more than 3p per mile for the first passenger and 2p per mile for the second and subsequent passengers;
 - b) by not more than the amount of any expenditure incurred on tolls, ferries or parking fees, including overnight garaging.
3. The rate for travel by taxi shall not exceed:-
 - a) in the case of urgency or where no public transport is reasonably available, the amount of the actual fare and any gratuity paid of 50 pence, and,
 - b) in any other case, the amount of the fare for travel by appropriate public transport.
4. Where travel by rail is considered the most appropriate means of transport, rail bookings must be made by the appropriate Council Officers. Where this is not possible due to late notification of the need

to travel, or where travel changes en-route, the Member will be entitled to claim back any rail travel booked by themselves on production of receipts. First Class travel can only be booked if it is cheaper than a Standard Fare, or following discussion with the Town Clerk in the case of any special circumstances, e.g. health issues, lack of other travel options etc. **If in doubt, please contact the Town Clerk for advice and assistance.**

5. Where travel by air has been determined appropriate, Officers will make the necessary flight reservations. The rate for travel by air shall not exceed the rate applicable to travel by appropriate alternative means of transport, together with an allowance or financial loss allowance, and subsistence allowance, consequent on travel by air:

Provided that where the body 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 Member.

8 Use of Cars on Council Business – Insurance

If you are using a car or other privately owned vehicle for a purpose relating to your activities as a Councillor (including travelling from home to the Council's Offices), you are advised to ensure that your insurance company is fully aware that the car is being used for 'Council Business' purposes. The Town Council have arranged cover for Members using Town Council vehicles on Town Council business. **Councillors are required to submit a copy of their driving licences to the Town Clerk. Copies will be kept on file at the Town Hall.**

9 Subsistence Allowances

Subsistence Allowances are normally paid for official duties or conferences that involve an overnight stay.

The rate for an absence overnight from the usual place of residence will equal that payable to Officers. The current rate for outside London shall be **£109.39** and for such an absence in London, the rate shall be **£124.76**.

The rates determined under this paragraph shall be deemed to cover a continuous period of twenty-four hours from the time the Councillor leaves home.

The rates of subsistence for an absence not involving an overnight stay away from the usual place of residence will be the same as those which apply to an overnight and are as follows:-

- Breakfast – minimum absence 2 hours which must be before 11am - **£6.75.**
- Lunch – minimum absence 2 hours which must fall between 12 noon and 2pm - **£9.27.**
- Tea – minimum absence of 3 hours which must include 3pm to 6pm.
- Evening Meal – minimum absence of 3 hours which must be after 7.00pm - **£11.48.**
- **RECEIPTS MUST BE PROVIDED.**

Incidental Expenses

Where the cost of a Conference/Seminar is paid by the Council and is inclusive of accommodation and meals, Members may claim incidental expenses of up to £30 per day such as parking – **receipts must be provided.**

10 Telephone Allowance

The Council will reimburse the following telephone charges on receipt of the original telephone accounts with the appropriate claim form:-

Basic Line Rental + VAT

In the case of the Chairman and Deputy Chairman, and Chair of Committees the Council will pay 75% of the cost of calls subject to a maximum of £30.

11 National Insurance

National Insurance contributions are payable on any payment of Basic Allowances and taxable expenses, provided the gross amount of the total payment reaches a lower earnings limit (currently £90) and no Certificate of Age Exception or Certificate of Earners' Non-liability is produced. The local offices of Inland Revenue supply these certificates, where applicable. If you are in possession of this certificate, you should hand it to the Finance Manager, where it will be held for the duration of your term of office and used as authority for not deducting NI contributions from allowances.

There is an annual maximum for National Insurance contribution liability for people with more than one job, and in some instances a Member in this position, who has paid in excess of the stipulated maximum, may be entitled to a refund of contributions paid direct to the Department for Work and Pensions. Alternatively, if you are employed elsewhere in addition to your Council duties, you may apply to defer payment of NI contributions in your capacity as a Councillor.

Advice regarding contributions and benefits can be obtained from local offices of the Department for Work and Pensions.

12 Work and Pensions Benefits

A number of Work and Pensions benefits are subject to earnings rules and can therefore be affected by the payment of allowances, unemployment, sickness, invalidity, dependents' benefits and even retirement or disablement pensions may be affected and if you are in receipt of any of these benefits it is essential that your local Work and Pensions office is informed by you of the amount of Basic Allowances which you receive from Spennymoor Town Council in order that the appropriate adjustments can be made to your state benefits.

13 Members Personal Accident Cover

The Council has arranged a personal accident insurance policy for its Members (under the age of 80 years), which covers the death or bodily injury sustained whilst engaged in the business of the Council anywhere in the world.

Benefits include compensation for temporary total disablement, permanent total and partial disablement and loss of, or damage to, clothing and personal effects.

Full details of the cover provided by this policy including the benefits, exclusions, special conditions etc., may be obtained from the Consultant Accountant.

If you wish to make a claim, you should contact the Town Clerk in order that arrangements can be made for the necessary claim form to be completed.