

# Chapter 11 – Members' Allowances

## Scheme

1. Scheme pursuant to the Local Authorities (Members' Allowances) (England) Regulations 2001 and the Local Authority (Members' Allowances) (England) Regulations 2003 ("the Regulations").

## 2. Introduction

2.1 The Council established jointly with Southend-on-Sea Borough Council a panel of independent persons to review its Members' Allowances Scheme. The Council last amended this scheme on 22 July 2015 after taking full account of the Panel's recommendations.

## 3. Schemes of Allowances

3.1 The allowances payable to Members are:

- (a) The Basic Allowance
- (b) Special Responsibility Allowance
- (c) An allowance for Co-Opted Members
- (d) Travelling and Subsistence Allowance
- (e) Dependants' Carers' Allowance

## 4. The Scheme

4.1 Thurrock Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 2001 and the Local Authorities (Members' Allowances) (England) Regulations 2003 and any subsequent amendments (hereinafter referred to as "the Regulations"), made this Scheme of Allowances, which may be cited as the "Thurrock Council Members' Allowances Scheme", on 22 July 2015.

4.2 This Scheme has effect from 23 July 2015.

## 5. Definitions

5.1 Except as follows or where the context otherwise admits, this Scheme shall be interpreted in accordance with the Council's Constitution.

5.2 In this Scheme, "approved duties" means attendance by a Member at any:

- (a) formally convened meeting of the Council or of the Cabinet, a Committee or sub-Committee to which he/she has been appointed by the Authority
- (b) formally convened meeting of the Cabinet, Committee or sub-Committee as the local ward Member, for the purposes of making any representations at that

meeting under any procedures approved by that body or under the Constitution of the Authority

- (c) a formally convened meeting of anybody (including anybody such as a working party or consultative group) to which the Authority makes appointments or nominations or of any Committee or sub-Committee of such a body
- (d) other meeting the holding of which is authorised by the Council, the Cabinet, the Leader, a Cabinet Member (acting within the scope of his/her portfolio), a Committee or sub-Committee, a Chair, a joint Committee of the Authority and one or more other authorities, a sub-Committee of such a joint Committee or by the Chief Executive
- (e) training sessions and presentations for Members organised by or on behalf of the Authority
- (f) meeting with a Director or Assistant Director where the Officer has requested the Member's attendance in writing or by e-mail or where the Member is a Member of the Cabinet or the Leader of an opposition Political Group
- (g) a meeting of any association of authorities of which the Authority is a Member
- (h) duties undertaken on behalf of the Authority

5.3 "the Authority" means Thurrock Council or any person or body authorised to act on its behalf in relation to this scheme.

5.4 "Co-opted Member" means any co-opted, added or independent Member of a Committee or other body to which this scheme relates regardless of whether or not the Co-opted Member receives a Co-opted Members' Allowance.

5.5 "Sub-Committee" means, unless the context otherwise requires, a sub-Committee appointed by the Council, a Committee or an Officer acting under delegated powers and shall include a working party or panel.

5.6 "Year" means the 12 months ending with 31 March.

## **6. Basic Allowance**

6.1 A Basic Allowance shall be paid to each Member in accordance with Appendix 1 of this Scheme.

## **7. Special Responsibility Allowances**

7.1 Special Responsibility Allowances shall be paid in accordance with Appendix 1 to this Scheme.

7.2 No member is permitted to draw down more than one Special Responsibility Allowance regardless of number of remunerated posts they may hold. It is assumed they will be paid the higher Special Responsibility Allowance.

7.3 In the event of a person receiving a Special Responsibility Allowance being absent or substantially unable to act for a period of at least three months, the Council may by resolution for such period as it determines reduce the level of Special Responsibility Allowance payable to that person and instead resolve to pay the allowance, or part of it, to any person appointed as a deputy or Vice-Chair.

## **8. Travelling and Subsistence Allowances**

8.1 Subject to paragraphs 8.2 to 8.5 below, travelling and subsistence allowances in respect of Approved Duties undertaken by Members and Co-opted Members are payable in accordance with Appendix 1 to this Scheme.

8.2 Any claims for car mileage and subsistence costs must relate to approved duties undertaken outside the Borough only. Members and Co-Opted Members are not permitted to claim such allowance whilst undertaking any duties within the Borough.

8.3 Travelling and subsistence costs by or on behalf of Members shall only be incurred and accounted for in accordance with this Scheme.

8.4 The following provisions apply to Travelling Allowances:

- (a) Claims for car mileage must relate to approved duties undertaken outside the Borough only. Members and Co-Opted Members are not permitted to claim an allowance for car mileage incurred whilst undertaking any duties within the Borough
- (b) Members are asked to ensure that their journey is essential and that other means of communication - e-mail, telephone etc are not available
- (c) Members are encouraged to use public transport where practicable
- (d) Public transport is reclaimable at standard rates wherever possible, but first class fares may be claimed in exceptional circumstances
- (e) Taxi and private hire fares may be claimed where alternative public or private transport arrangements are not reasonably available
- (f) Where taxi or car travel is unavoidable, Members travelling to the same location are encouraged to share vehicles
- (g) Public transport, taxi, private hire and parking costs will only be reimbursed against a ticket or formal receipt.

8.5 The following provisions apply to Subsistence Allowances:

- (a) The allowance is payable to Members and Co-Opted Members for out of Borough approved duties only
- (b) The allowance is only payable on proof of actual expenditure
- (c) For the purpose of calculating time, account should be taken of the time on Approved Duties, including travelling time, from leaving home until return

- (d) If a Member on an Approved Duty is staying at an hotel, he/she may claim the actual cost of standard meals supplied at that hotel

8.6 The Chief Executive may, in consultation with such Members as he/she considers appropriate, give prior approval to subsistence in excess of that authorised by this Scheme where, in all the circumstances, alternatives are not reasonably available.

## **9. Dependants' Carers' Allowances**

9.1 Subject to paragraph 9.2 below, Members and the co-opted Members listed in Appendix 1 shall be entitled to claim for the care of dependants in accordance with the rates in Appendix 1 to this Scheme.

9.2 The following provisions apply to Dependants' Carers' Allowances:

- (a) Payments shall be claimable in respect of children up until their fifteenth birthday or in respect of dependants where there is medical or social worker evidence that care is required.
- (b) The Council reserves the right to require evidence that there is a reasonable need for the level of care in respect of which a claim is made. Members seeking to claim an allowance to cover the cost of professional or specialist carers should first seek the approval of the Assistant Director of Law and Governance.
- (c) A claim will be reimbursed where it is a reasonable requirement of the market that a booking fee is payable and that a rate is payable for each person cared for.
- (d) The allowance shall be paid as a reimbursement of actual incurred expenditure against receipts. If receipts are unavailable the payment will be made through the Council's payroll and be subject to tax and national insurance contributions.
- (e) When there is more than one Member in a household, only one claim can be made in respect of each person cared for
- (f) The paid carer cannot be a member of the immediate family or household

## **10. Allegations of abuse of the Scheme**

10.1 Any allegation of abuse of the Scheme shall be referred to the Council's Standards and Audit Committee for adjudication.

## **11. Co-opted Members**

11.1 Co-opted Members shall be paid in accordance with Appendix 1.

## **12. School Appeals Panel Members**

12.1 Schools Appeals Panel (Admissions and Exclusions) members shall be entitled to receive travelling and subsistence allowances payable at the same rates that are applicable to elected Members and Officers.

### **13. Index Linking of Schemes of Allowances**

- 13.1 The Basic, Special Responsibility, and Co-optees Allowances shall be adjusted annually in line with average pay increases negotiated through the National Joint Committee for Local Government Employees (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable..
- 13.2 The travelling allowances shall be adjusted annually in line with the rates payable to the Authority's Officers. The day subsistence allowances and overnight subsistence allowances be should be indexed to the same percentage increase that may be applied by the Council to Officer day subsistence and overnight subsistence rates.
- 13.3 For Dependants' Carers' Allowances, the basic "sitters" allowance shall be indexed to national minimum wage applicable to the age of the carer.
- 13.4 A full review of the scheme will take place in 2019, when the Independent Remuneration Panel shall make further recommendations on the level of allowances to Council, unless either:
- (a) the Council in any given year decides not to apply such increases
  - (b) the Council decides to request the Independent Remuneration Panel to make further recommendations with regard to Members' Allowances, and/or
  - (c) the Authority's Section 151 Officer / Chief Finance Officer advises Council to disallow any increases due to Budgetary constraints

### **14. National Insurance and Social Security and Income Tax**

- 14.1 Payment of allowances shall be subject to such deductions as may be statutorily required in respect of national insurance and social security and income tax.

### **15. Elected Members and the Local Government Pension Scheme (LGPS)**

- 15.1 On 29 June 2011 the Southend-on-Sea and Thurrock Independent Remuneration Panel made no recommendation as to the entitlement of Members to be eligible to join the Local Government Pension Scheme. Accordingly, pursuant to Regulation 11(2) of the 2003 Allowances Regulations, no Member shall be eligible to join the scheme.

### **16. Renunciation**

- 16.1 Regulation 13 of the Local Authorities (Members' Allowances) (England) Regulations 2003 provides that a Member may, by notice in writing given to the Proper Officer of the Authority (Chief Executive), elect to forgo their entitlement or any part of his entitlement to allowances.

### **17. Payments and Claims**

- 17.1 Payment of Basic and Special Responsibility Allowances shall be made in instalments of one-twelfth of the amounts specified on a monthly basis.

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- 17.2 Where a person takes office part way through a Year, a proportionate part of any annual allowance is payable unless the allowance is a Special Responsibility Allowance for serving on a Committee which is appointed for a period of less than a year.
- 17.3 The Council may determine that an allowance or a rate of allowance will not come into effect until a date during the Year.
- 17.4 Claims for travelling and subsistence allowances and dependents carers' allowance should be completed monthly. All claims for out of Borough travel and subsistence should be submitted by the 15th day of the following month for which the claim related otherwise it will not be paid, unless exceptional circumstances prevent the claim being submitted by this date (for example, illness), whereby the Officer administering the Scheme has authority to accept a belated claim.

## **18. Record of Allowances Paid**

- 18.1 A record of the payments made by the Authority to each Member and Co-opted Member shall be maintained in accordance with the Regulations and shall be published in accordance with the Regulations.

## **19. Publication of Scheme**

- 19.1 In accordance with the Regulations, as soon as practicable after the making or amendment of any scheme made under the Regulations, arrangements shall be made for its publication within the Authority's area.

**Appendix 1 –  
Thurrock Borough Council –  
Summary of Allowances for Financial Year 2019/20**

Type	Allowance per Annum	
<b>Basic Allowance ("BA")</b>  (for all Members x 49)	<b>£9,200</b>	
<b>Special Responsibility Allowances ("SRA")</b>		
SRAs are paid in addition to BA, but no Councillor shall be entitled to payment of more than one SRA regardless of the number of remunerable posts they hold. If a Councillor holds more than one post which attracts an SRA, it will be assumed they will be paid the higher SRA.		
Leader	<b>£32,200</b>	(350% of BA)
Deputy Leader	<b>£16,560</b>	(180% of BA)
Cabinet Members (other than Leader and Deputy)	<b>£11,500</b>	(125% of BA)
Leader of the Main Opposition+	<b>£9,200</b>	(100% of BA)
	(If two main opposition groups are equal in size, each group leader will be paid 100% of BA.) <sup>^</sup>	
Deputy Leader of the Main Opposition	<b>£2,300</b>	(25% of BA)
	(But if opposition group has fewer than 17 members, namely one third of the Council, then this SRA is not payable.)	
Leader of Other Opposition*	<b>£2,300</b>	(25% of BA)
	(But if opposition group has fewer than 4 members then this SRA is not payable.)	
Chairs of Scrutiny Committees (x 6)	<b>£6,900</b>	(75% of BA)
Vice-Chairs of Scrutiny Committees (x 6)	<b>£1,380</b>	(15% of BA)
Chair of Planning Committee	<b>£9,200</b>	(100% of BA)
Vice-Chair of Planning Committee	<b>£2,300</b>	(25% of BA)
Chair of Licensing Committee	<b>£5,520</b>	(60% of BA)
Vice Chair of Licensing Committee	<b>£5,060</b>	(55% of BA)
Chair of Standards and Audit Committee	<b>£2,300</b>	(25% of BA)
Chair of Corporate Parenting Committee	<b>£2,300</b>	(25% of BA)

Type	Allowance per Annum
<b>Civic Allowances</b>	
The Allowances for the Mayor and Deputy Mayor are payable under sections 3(5) and 5(4) of the Local Government Act 1972.	
Mayor	<b>£13,800</b> (150% of BA)
Deputy Mayor	<b>£3,220</b> (35% of BA)
<b>Co-opted Members' Allowance</b>	
Audit Committee	<b>£1,150</b> (12.5% of BA)
Statutory Co-opted Members on Scrutiny Committees	<b>£270</b> (3% of BA)
<b>Independent Person(s) Allowance</b>	
Independent Person(s)	<b>£1,150</b> (12.5% of BA)
<b>Travelling Allowances</b>	
Mileage to be claimed for out of Borough approved duties only – rates:	<p>Cars: <b>45p</b> per mile (up to 10,000 miles), <b>25p</b> per mile thereafter (such allowance to also apply to electric/hybrid vehicles).</p> <p>Motorcycles: <b>24p</b> per mile</p> <p>Bicycles: <b>20p</b> per mile</p> <p>Standard rates for public transport wherever possible, but first class fares may be claimed in exceptional circumstances.</p>
<b>Subsistence Allowances</b>	
For out of Borough approved duties only – <b>day rates (actual)</b>	<p>Breakfast: <b>£6.72</b> (away from home before 6am) -</p> <p>Lunch: <b>£9.28</b> (away between midday and 2pm)</p> <p>Tea allowance: <b>£3.67</b> (attendance at a venue between 3pm and 6pm)</p> <p>Evening: <b>£11.49</b> (away after 8pm, unless leaving home after 6pm)</p>
For out of Borough approved duties only – <b>overnight rates</b>	<p>Normal: <b>£109.56</b></p> <p>London: <b>£124.97</b></p> <p>Conferences: <b>£124.97</b></p>

Type	Allowance per Annum
<b>Dependants' Carers' Allowance</b>	
Basic "sitters" allowance	To be linked to National Minimum Wage
Professional carers	Up to <b>£10.00</b> per person cared for per hour
Specialist carers	Up to <b>£15.00</b> per person cared for per hour
Booking fees	Actual up to <b>£10.00</b>

+ To qualify as 'Main Opposition', the group must have at least 17 members.

^ If two or more parties have an equal number of membership, all their leaders will receive the same allowance.

\* To qualify for this SRA, the membership of 'other' opposition groups must have a minimum of four elected Members.