

CONSTITUTION 2021
PART 9 – MEMBERS ALLOWANCES

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SCHEME OF MEMBERS’ ALLOWANCES (2019)

Arun District Council (‘the Council’), in exercise of the powers conferred by Section 18 of the Local Government and Housing Act 1989, Section 100 of the Local Government Act 2000 and The Local Authorities (Members’ Allowances) (England) Regulations 2003 (as amended), hereby makes the following scheme:

1 Citation and Commencement

- 1.1 This Scheme may be cited as the Arun District Council Members’ Allowances Scheme and will have effect from 19 May 2021 and for subsequent years.

2 Definitions

- 2.1 In this scheme:

- ‘Councillor’ means a Councillor elected to the Council
- ‘Co-Optee’ and ‘Witnesses’ means a non-Councillor Member co-opted to Committees and Panels
- ‘Independent Persons’ means a non-Councillor Member of the Standards Committee
- The Independent Remuneration Panel means a non-Councillor member of this Panel with the specific role to review the Council’s Members’ Allowances Scheme
- ‘Year’ means the 12 months ending 31 March

3 Basic Allowance

- 3.1 Subject to the provisions of this Scheme, for each year a basic allowance as set out in Appendix 1 shall be paid to each Councillor.
- 3.2 Part year entitlements will be calculated where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year.
- 3.3 The Basic Allowance to be increased in line with staff pay increases at 1 April each year

4 Special Responsibility Allowances

- 4.1 For each year a Special Responsibility Allowance will be paid in addition to the Basic Allowance to those Councillors who hold a position of responsibility as specified in Appendix 1.

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5 Child Care Allowance

5.1 A Councillor will be entitled to be paid a Childcare Allowance at the rate specified in Appendix 1 to enable them to provide for the care of children whilst the Councillor is engaged on the approved duties set out in Appendix 3. To claim this allowance, Members will need to submit a claim using the Member Expenses Claim Form together with a valid business receipt issued by the carer provider. Such an allowance shall not be paid in respect of carers who are parents, spouses, partners or members of the same household as the Councillor.

6 Adult Dependant’s Carers’ Allowance

6.1. A Councillor will be entitled to be paid an Adult Dependant’s Carers’ Allowance at the rate specified in Appendix 1 to enable them to provide for the care of disabled or sick relatives whilst the Councillor is engaged in the duties set out in Appendix 3. To claim this allowance Members will need to provide a valid business receipt issued by the carer provider. Such an allowance shall not be paid in respect of carers who are parents, spouses, partners or members of the same household as the Councillor.

7 Travelling and Subsistence Allowances

7.1 A Member shall be entitled to be paid Travelling and Subsistence Allowances at the rates specified in Appendix 2 in respect of travelling and subsistence undertaken in connection with or relating to the duties set out in Appendix 3.

8 Time Limit for Submission of Expenses Claims

8.1 Claims shall be submitted monthly by the tenth day of each month to the Committee Services Manager. In any event claims shall be submitted no later than three months after the entitlement to the claim arises.

9 Renunciation

9.1 A Councillor may, by notice in writing, given to the Payroll Manager, elect to forego any part of their entitlement to an allowance under this Scheme.

10 Records

10.1 Records shall be kept of the payment made to Councillors in accordance with this Scheme.

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10.2 This record shall specify the name of the recipient and the amount and nature of each payment.

10.3 As soon as reasonably practicable after the end of a year to which the scheme relates, the Council will make arrangements for the publication within the Council’s area of the total sum paid by it in the year under the scheme to each recipient in respect of the each of the following:

- Basic Allowance
- Special Responsibility Allowance
- Dependent Carer’s Allowance
- Travelling and Subsistence Allowance; and
- Co-Optees’ Allowance

11 Disqualification etc. of a Member

Where an allowance has already been made in respect of any period during which the Member concerned:

- a) ceases to be a Member; and
- b) is in any other way not entitled to receive an allowance in respect of that period

the Council may require that such part of the allowance as relates to any such period be repaid to the Council.

12 Claims and payments

12.1 Payments of Basic and Special Responsibility Allowances and Co-Optees’ Allowances will be payable monthly in arrears through the Council's payroll.

12.2 Claims by Members in respect of the Carers’ Allowance [Childcare or Adult Dependent Care] and travelling and subsistence allowances should be made monthly and will, in any event, be made by no later than three months of the expenditure being incurred. Claims will not be considered beyond this time limit unless there are extenuating circumstances.

12.3 Payments will be made direct to a Councillor’s bank account on or before the last day of the month. A statement analysing the amount credited to the bank will be sent to the Councillor on or before the end of each month.

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12.4 The Basic and Special Responsibility Allowances paid to Councillors are not pensionable.

12.5 The levels of Basic Allowance, Special Responsibility Allowance, Childcare Allowance; Adult Dependents’ Carers’ Allowance and Co-Optees’ Allowance specified in this scheme [See Appendix 1] will be varied with effect from and in accordance with the same average percentage change in the levels of the Council’s staff remuneration.

12.6 The travelling and subsistence allowance will be the same as that for the Council’s staff and will alter accordingly.

13 Review and Backdating of Reassessments

13.1 The levels of the Basic Allowance and Special Responsibility Allowance specified in this scheme shall continue until they are next reviewed.

13.2 Reassessments of the allowances in future years shall not be automatically backdated to 1 April in these years unless there are specific reasons to the contrary.

14 Income Tax, National Insurance and Benefits

14.1 Allowances will be subject to income tax and national insurance in accordance with instructions from HM Revenue and Customs.

14.2 Allowances may affect certain benefits received and so guidance should be sought from the local office of the Department of Work and Pensions or the Council’s Benefits Office.

15 Eligibility to Claim Any Allowance Under This Scheme

15.1 All Members of the Council wishing to claim any allowance detailed in Appendix 1 must provide the following identification:

- Passport; or
- Birth Certificate;
- Driving Licence and car insurance documentation, if claiming car mileage to ensure that the insurance certificate states not only social, domestic and pleasure purposes but also travel in connection with the policy holder’s business employment.

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APPENDIX 1 TO THE SCHEME

1. Basic allowance (Paragraph 3)

The amount of Basic Allowance payable to each Councillor shall be £5,631 per year.

2. Special Responsibility Allowances (Paragraph 4)

The amounts of Special Responsibility Allowances and the special responsibilities for which they shall be payable shall be as follows:-

	£ per
Chair of the Council	8,549
Vice-Chair of the Council	2,820
Leader of the Council	6,038
Deputy Leader	2,137
Chairs of Service Committees	5,004
Vice-Chairs of Service Committees	1,651
<ul style="list-style-type: none"> • Policy & Finance Committee • Corporate Support Committee • Planning Policy Committee • Housing & Wellbeing Committee • Environment Committee • Economy Committee 	
Chair of Licensing Committee	4,110
Vice-Chair of Licensing Committee	1,233
Member of Licensing Committee	257
Chairman of Planning Committee	6,165
Vice-Chairman of Planning Committee	2,034
Member of Planning Committee	770
Substitute Member of Planning Committee	308
Chair of Standards Committee	1,027
Independent Person of the Standards Committee (overall allowance)	1,478 [3 x 492.66]
Chair of Audit & Governance Committee	3,853
Vice-Chair of Audit & Governance Committee	1,272
Leader of the Opposition	4,025
Leaders of smaller Minority Groups [3 or more Members]	100 per Member
Appeals Panel Member	£60 per meeting
Co-Opted Members and Members of the Independent Remuneration Panel; Members and Witnesses to Committees and Panels	£60 per meeting

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<p>Carer’s Allowance</p> <ul style="list-style-type: none"> • Childcare Allowance - £10 per hour [up to a limit of £4k per annum • Dependent Adult Allowance – maximum of the Home Care Allowance rate paid by West Sussex County Council [£18.49] up to a limit of £6k per annum 	<p>£10 per hour</p> <p>£18.49 per hour</p>
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Notes:

- There is to be no restriction on Members receiving dual Special Responsibility Allowances.
 - From 1 April 2020, in addition to the Basic Allowance, all Special Responsibility Allowances, including those paid to Co-Opted Members, Independent Persons of the Standards Committee; and Members of the Independent Remuneration Panel be linked annually to staff pay.
 - Councillors are entitled to request maternity, paternity and adoption arrangements.
 - Where a Chair of the Council or a Committee is absent for a continuous period of more than two months or more, then their allowance may be paid to the Vice Chair until the Chair returns.
 - Members are not eligible to join the Local Government Pension Scheme.
 - Members may renounce their entitlement to all or part of their allowances.
3. The following travelling and subsistence allowances are paid to Councillors and co-opted members in respect of journeys on Council business such as attendance at meetings, conferences and training seminars. A full list is set out in the scheme. The rates for travelling and subsistence are consistent with the rates approved for staff.

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APPENDIX 2 TO THE SCHEME

The rates under the Scheme shall be as follows:-

1. Travelling

(a) Travel to seminars/conferences and training courses outside of the district	Cost of standard class rail fare; by own car only in exceptional circumstances at 45p per mile.
(b) Travel to meetings and other events by own car	45p per mile – for first 10,000 miles within and out of the District 25p per mile – above 10,000 miles within and out of the District
(c) Car parking	At cost
(d) Car parking	At cost
(e) Travel by train	Standard class rail fare
(f) Taxi – if urgent and necessary [subject to the approval of the Group Head of Law & Governance]	At cost
(g) Bus	At cost
(h) Motorcycle	24p per mile
(i) Cycles	20p per mile
(j) Member drives other member(s) or officer(s) on official Council duties	Extra 5p per mile per passenger
(k) Travel by Air – please refer to the Group Head of Law & Governance	
(l) Hired Motor Vehicles - Rates payable shall not exceed the rate for Councillors own motor vehicle unless previously approved by the Council	45p per mile
(m) Car Parking and other Supplements	The actual cost of any necessarily incurred tolls and car parking fees can be claimed

2. Subsistence

Breakfast	£6.98 (where work/travel has started, absence less than 24 hours, leaving home before 7am)
Lunch	£9.64 (for necessary absences of several hours spanning the normal lunch period leaving before 11.00am and not returning until after 3.00pm)
Tea*	£3.82 (unable to arrive home before 6.30pm)
Evening Meal*	£11.94 (unable to arrive home before 8.30pm)
Out of pocket expenses for residential courses	£6.38 per night or £25.48 per week
Overnight Accommodation – please refer to the Group Head of Law & Governance in advance	£106.91

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* If an overnight stay is necessary and not included in the course fee, normally only bed, breakfast and overnight meal are reimbursed (at a rate of up to £21.78 for an evening meal).

* Tea and evening meal cannot be claimed on the same day.

3. Further Conditions

- a) To claim travel and/or subsistence allowance, valid receipts or other evidence of the expenditure must be produced.
- b) If the expenditure on subsistence is less than the allowance, only the lesser figure will be reimbursed. No claim will be paid if the meal was provided free by the Council or another body.
- c) If an overnight stay is necessary, and not included in the course fee, normally only bed and breakfast and evening meal are reimbursed.
- d) Claims for expenses exceeding the above rates must be approved by the Group Head of Law & Governance

4. The above rates for Travelling and Subsistence shall be varied in accordance with the rates approved from time to time by Arun District Council for its staff.

[Note: Rates shown above are those that apply from 1 April 2019]

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APPENDIX 3 TO THE SCHEME

1. DUTIES SPECIFIED IN THE REGULATIONS

[Regulation 8(1)(a)-(f)]

- a) Attendance at a meeting of the Council or of any Committee; Sub-Committee; Working Party or Panel of the Council, or of any other body to which the Council makes appointments or nominations, or of any committee or sub-committee of such a body.
- b) Attendance at any other meeting, the holding of which is authorised by the Council, or a Committee or Sub-Committee or Working Party of the Council, or a Joint Committee of the Council and one or more local authorities or a Sub-Committee of such a Joint Committee, provided that where the Council is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited.
- c) Attendance at a meeting of any association of authorities of which the Council is a member.
- d) Duties in connection with the discharge of any function of the Council conferred by law.

2. DUTIES APPROVED BY THE COUNCIL

[Regulation 8(1) (h)]

- a) Liaison meetings with Town/Parish Councils and West Sussex County Council;
- b) Attendance of Councillors to observe the proceedings at meetings of Committees; Sub-Committees; Working Parties and Panels of which they are not Members or if the Chair of said meetings has invited them to attend to assist its deliberations;
- c) Site meetings of the Planning Committee Site Inspection Panel but excluding attendance by local representatives unless specifically approved. For this purpose, site meetings are those meetings the holding of which has been previously authorised by a Committee or other formally constituted Panel of Councillors in order to assist it in formulating a decision or recommendation on any matter formally before it for consideration; and that authorisation expressly designated the meeting as an approved duty for the purpose of payment of Councillors’ allowances;
- d) Meetings, visits or other arrangements made on an ad hoc basis between meetings of the relevant bodies if approval is given in accordance with the power delegated to the Chief Executive;

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- e) In-house training seminars or external training events if approval is given in accordance with the power delegated to the Chief Executive;
- f) Such activities as the Chair of the Council, the Vice-Chair of the Council, or the Chair of a Committee considers necessary for the effective performance of his/her duties;
- g) Attendance at briefings for Chair and Vice-Chair of particular meetings;
- h) Training and educational conferences, where authorised by the Chief Executive in accordance with delegated powers;
- i) Attendance at meetings of the South Downs National Park Authority’s Planning Committee by Members whose wards are partly or wholly within the National Park;
- j) Meetings with officers at the Council’s offices to discuss business relating to the Member’s ward;
- k) Where invited by an Officer, attendance at meetings of a Parish Council or with constituents;
- l) Representing the Council on its Outside Bodies where the Councillor has been appointed to the Body by the Council (where that Body does not pay travel and subsistence).