

The Constitution of Gravesham Borough Council

Annex 4: Members' Allowances Scheme

Adopted by the Council on 21 June 2022

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The Service Manager (Communities) is responsible for ensuring that Annex 4 to the Constitution is kept up to date.

Annexe 4: Members' Allowances Scheme

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Members' Allowances Scheme

1. Introduction

1.1 This scheme:

- (1) has been made in exercise of the powers conferred on Gravesham Borough Council by the Local Authorities (Members' Allowances) (England) Regulations 2003; and
- (2) may be cited as "The Gravesham Borough Council Members' Allowances Scheme"; and
- (3) shall have effect from 21 June 2022 for the 2022/23 municipal year and in subsequent municipal years.

1.2 In this scheme the term "year" means the municipal year starting and ending at Annual Council in May each year.

2. Basic Allowance

Subject to paragraph 6 below, for each year a basic allowance of £5,318, for the 2022/23 municipal year, shall be paid to each councillor.

3. Special Responsibility Allowances

3.1 For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the borough council that are specified in schedule 1 to this scheme.

3.2 Subject to paragraph 6 below, the amount of each such allowance shall be the annual amount specified against that special responsibility in that schedule.

4. Childcare and Dependent Carers' Allowance

4.1 A childcare and dependent carers' allowance shall be payable in circumstances where a member of the council is obliged to engage and pay a carer for a child or other dependent member of his or her household because that member would otherwise be unable to attend an approved duty (as defined in schedule 2 below) due to the need to ensure care is provided for that child or dependent person.

4.2 The amount of the childcare and dependent carers' allowance shall be based on the actual costs incurred whilst undertaking an approved duty, and at a rate equivalent to the national living wage NLW (£7.50 per hour from 1 April 2017), including up to one hour in total travelling to and from the place at which the approved duty takes place.

4.3 In exceptional cases where a child or dependent adult requires specialist care incurring greater expense; then payment of an allowance more closely aligned with actual verified cost of that care will be considered.

- 4.4 A childcare and dependent carers' allowance shall not be paid where the carer is a member of the councillor's own family.

5. Subsistence and travelling expenses

- 5.1 Subsistence and travel expenses will be re-imbursed in respect of approved duties listed at schedule 2 and in accordance with the rates set out in schedule 3. All claims must be submitted via the HR system, Selfserve4you and must be supported by tickets/receipts.
- 5.2 All claims must be made within three months of incurring the expense. Claims for more than three months previous will not be reimbursed.
- 5.3 All elected members and co-opted members of Gravesham Borough Council shall be eligible for re-imburement of subsistence and travelling expenses in accordance with 5.1 and 5.2 above.

6. Pensions

The special responsibility allowance paid to the Leader of the Executive shall be treated as superannuable in accordance with a scheme made under section 7 of the Superannuation Act 1972.

7. Renunciation

A councillor may, by notice in writing given to the Assistant Director (Communities), elect to forego any part of his/her entitlement to an allowance under this scheme.

8. Part-Year Entitlements

- 8.1 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 a year:
- (1) this scheme is amended or
 - (2) that councillor becomes, or ceases to be, a councillor, or
 - (3) accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- 8.2 If an amendment, or amendments, to this scheme change(s) the amount of the basic allowance or a special responsibility allowance to which a councillor is entitled then, for each period in a particular year during which the relevant amounts are applicable, the entitlement to such allowance(s) shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.
- 8.3 Where the term of office of a councillor begins or ends at any time other than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be calculated on the basis of the equivalent daily rate that is applicable to the relevant period.

8.4 Where both:

- (1) this scheme is amended as described in sub-paragraph 8.2; and
- (2) the term of office of a councillor begins and/or ends as described in sub-paragraph 8.3; then

the entitlement of any such councillor to a basic allowance shall be calculated on the basis of the equivalent daily rate that is applicable to the relevant periods.

8.5 Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him/her to one or more special responsibility allowances, that councillor's entitlement shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.

8.6 Where this scheme is amended as mentioned in sub-paragraph 8.2 and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 8.3 any such special responsibilities as entitle him/her to one or more special responsibility allowances, that councillor's entitlements shall be calculated on the basis of the equivalent daily rate(s) that is/are applicable to the relevant periods.

9 Payments

9.1 Payments shall be made, subject to sub-paragraph 9.2, in instalments of one-twelfth of the amounts specified in this scheme on the 28th of each month or the nearest previous working day.

9.2 Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which, by virtue of paragraph 8, he/she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he/she is entitled.

9.3 Where a member of Gravesham Borough Council is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.

Schedule 1

1. The following are specified as the special responsibilities in respect of which Special Responsibility Allowances are payable, and the amounts of those allowances:

<u>Special Responsibility</u>	<u>Annual Rate (£)</u> <u>as at 18 May</u> <u>2021</u>
Leader of the Executive	£23,935
Deputy Leader of the Executive	£10,638
Leader of the Opposition	£5,318
Members of the Executive (excluding the Leader and Deputy Leader)	£5,318
Chair of the Planning Committee	£5,318
Chair of the Overview Scrutiny Committee	£2,660
Vice-Chair of the Overview Scrutiny Committee	£798
Chair of Finance & Audit Committee	£1,329
Chair of the Licensing Committee	£798
Chair of the Crime & Disorder Scrutiny Committee	£531

All Member allowances will be increased in line with any pay awards given to Gravesham Borough Council staff.

Any Member in receipt of more than one special responsibility allowance will be paid 100% of the first special responsibility allowance but only 50% of the second (lower value) special responsibility allowance.

NOTE A

Where –

- (a) the members of the Council are divided into at least two groups constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990; and
- (b) either a majority of councillors, or half of the councillors and the Mayor belong to the same political group ("the controlling group"); and
- (c) no special responsibility specified in paragraph 1 of this schedule is held by a councillor who is not a member of the controlling group.

a special responsibility allowance of £5,041 shall be paid -

- (i) where the members of the Council are divided into only two political groups, to the leader of the political group which is not the controlling group;

- (ii) where the members of the Council are divided into more than two political groups, the leader of the larger or largest political group other than the controlling group;
- (iii) where members of the Council are divided into more than two political groups, and the second and third largest political groups are of equal size, the leaders of both those groups.

Schedule 2

Duties which are approved for the purpose of claiming travelling and subsistence allowances

Attendance at the following meetings:-

1. Gravesham Borough Council, its Committees, Sub-Committees, Boards, Panels and at meetings of the Cabinet and Cabinet Committees, as set out in the Constitution.
2. Briefing by officers of the Council for members of the Cabinet and for Chair and Vice-Chair in respect of business appearing on agendas of those meetings set out in paragraph 1 above (payable to Chair, Vice-Chair and Cabinet Members only).
3. Local Government Association.
4. South East Employers/South Eastern Provincial Council.
5. Kent County Council Education Committee member briefings.
6. Seminars organised by the Council to which all members of the Council are invited to attend.
7. Conferences and seminars at which attendance has been specifically approved by the Council, or by the appropriate Director in consultation with the Leader of the Executive.
8. Joint Staff/Member Consultative Committees.
9. Meetings held outside the area of the Borough (e.g. with KCC or government representatives) and attended as official representatives of the Council on Council business.
10. Kent County Superannuation Fund Panel.
11. General meetings of the Superannuation Fund Panel.
12. Formal meetings of the Council with Parish Councillors.
13. Site meetings called by the Council, or one of its Committees, Sub-Committees Boards or Panels.
14. Management Committee of the Local Government Information Unit.
15. Joint Transportation Board.

Schedule 3

Subsistence and Travelling Allowances to Members of the Council

Introduction

The purpose of the scheme is to reimburse councillors for expenses incurred in the performance of their approved duties. Tickets or receipts must be provided in all circumstances and attached to the claim form.

Subsistence – Maximum Allowances

The travel and subsistence scheme for Members is aligned with that of officers.

Subsistence Rates as at 1 April 2012 are:-

	Maximum without receipt	Maximum with receipt **
Breakfast [leaving before 6.00 a.m.]	£6.23	-
Lunch [including drinks]	£8.60	£15.00 **
Tea Claimable up to 8.30 p.m.	£3.40	-
Evening Meals * [including drinks]	£10.65	£25.00 **
* N.B. Claim instead of Tea allowance/after 8.30 p.m.- (do not claim both)		** only claimable if 'residential' or no alternative available

Accommodation and Overnight Stays

Hotel costs linked to the event being attended will be reimbursed in accordance with the terms of the residential booking, i.e. if arranged by event organising body, full costs will be claimable.

Members making bookings will be reimbursed for accommodation, including breakfast to a maximum of £80.

Receipts must be provided in all circumstances.

Out of Pocket Expenses

An allowance is provided per day for any travel away from home that incurs an overnight stay. This is to cover ad-hoc drinks, light refreshments, telephone calls to home and work.

The rate as at 1 April 2012 is £4.81 per night's stay or £19.24 per week.

Note: Deduction must be made in respect of any meal provided free of charge by any authority for the Member.

Travelling – Maximum Allowances

Rail

All journeys should be made by the cheapest available fare.

Payment will only be made from **home to destination and return.**

Bus/Coach

All journeys should be made by the cheapest available fare.

Payment will only be made from **home to destination and return.**

Air Travel

All journeys should be made by the cheapest available fare.

Payment will only be made from **home to destination and return.**

Own Private Car

Members' motor insurance should include use on business mileage.

Car mileage allowances follow the Inland Revenue advisory rates for vehicles from tax year 2011 to 2012 to present date

- a) 45p per mile first 10,000 business miles in the tax year
- b) 25p each business mile over 10,000 in the tax year

Fees for parking will be reimbursed on production of tickets. Car parking will be reimbursed for parking whilst travelling by train.

Hired Car or Taxi

Reimbursement of taxi fares will only be made in cases of urgency or when no public service is available. Please note on the receipt accordingly and attach it to the claim form.

Otherwise - public service rate (i.e. bus or tube).

Hire Motor Vehicle other than CAB or Taxi

Rate for own private car or actual expenses.

Bicycles and Motor Bikes

Mileage allowances follow the Inland Revenue advisory rates from tax year 2011 to 2012 to present date

- a) 20p per mile for bicycles
- b) 24p per mile for motorbikes