

PART 6 MEMBERS' ALLOWANCES SCHEME

Tewkesbury Borough Council, in exercise of the powers conferred by the Local Authorities (Members Allowances) Regulations (England) 2003 hereby makes the following Scheme:

Citation

1. This Scheme may be cited as the Tewkesbury Borough Council Members' Allowances Scheme and shall have effect commencing on 1 April 2023, for one year ending on 31 March 2024.

Interpretation

2. In this Scheme

"Councillor" means a Member of the Tewkesbury Borough Council who is a Councillor.

"Year" means the 12-month period commencing on 1 April.

Basic Allowance

3. Subject to Paragraph 8, a Basic Allowance of £7,650 shall be paid to each Councillor for the duration of the Scheme.

Special Responsibility Allowances

4. (i) For each year a Special Responsibility Allowance shall be paid to those Councillors who have the special responsibilities in relation to the Authority that are specified in Schedule 1 to this Scheme.
(ii) Subject to Paragraph 8, the amount of each such allowance shall be the amount specified against that special responsibility in that Schedule.
(iii) A Councillor who carries out more than one role which would attract a Special Responsibility Allowance is entitled to claim each allowance to reflect the responsibility of each role undertaken.
(iv) In an election year, payment of all Special Responsibility Allowances will cease (with the exception of the Mayor and Deputy Mayor) when the Councillor goes out of Office (four days after the election). Payment of Special Responsibility Allowances will resume upon appointments being made, to the positions subject to an allowance, at the annual meeting of the Council.

Attendance at Meetings

5. If a Councillor does not attend at least two-thirds of the total number of scheduled meetings of the Council, or of the Executive, or of Committees of which he/she is a Member, the Councillor concerned should be invited to pay back an appropriate percentage of his/her Basic Allowance up to a maximum of 25% of the Basic Allowance.

If a Member is absent from Council business for more than one continuous month (other than on illness grounds) the Member concerned should be invited to pay back a sum equivalent to the amount of Basic and Special Responsibility Allowances paid for any single period of absence which exceeds one month.

For periods of long-term absences due to illness the Council should review its position on a case by case basis.

Attendance Allowances

6. No Attendance Allowances whatsoever shall be payable in respect of attendance at any meeting or conference or seminar etc., whether organised by, or on behalf of, the Council or by any other body.

Renunciation

7. A Councillor may, by notice in writing given to the Executive Director: Resources and S151, elect to forego any part of his/her entitlement to an allowance under this Scheme.

Part Year Entitlements

8. If the Term of Office or duties undertaken by a Member begin or end part way through a financial year, or amendment of the Scheme during a financial year changes the amount to which a Member is entitled, then calculation of the allowance payable shall be on a pro-rata basis having regard to the proportion that the Term of Office, period of duty or relevant periods of the Scheme bear to the month in the financial year in which they occur based on the number of days in that month.

Claims and Payments

9. A claim for Travelling and Subsistence Allowance under this Scheme shall be made in writing on the form provided within two months of the date on which the duty in respect of which the entitlement to the allowance arises.
10. (i) Payments shall normally be made by bank transfer
 - (a) in respect of Basic and Special Responsibility Allowances, subject to Sub Paragraph 10(ii) below, in instalments of 1/12th of the amounts specified in this Scheme on the 21st day of each month and for which Councillors will not be required to submit a claim; and
 - (b) in respect of Travelling and Subsistence Allowances, on the 21st day of each month where the claim is received by Democratic Services by not later than the 7th day of that month.
- (ii) Where a payment of 1/12th 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 or less than the amount to which, by virtue of Paragraph 8, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more or less is paid than the amount to which he or she is entitled.
- (iii) There shall be no provision for advance payment of Basic or Special Responsibility Allowance in the case of financial hardship.

Travelling and Subsistence Expenses

11. (i) Any duty undertaken for the purpose of, or in connection with, the discharge of the functions of the Council, or any of its Committees, is an "approved duty" for the purposes of entitlement to Travelling and Subsistence Allowance. "Approved Duties" are defined at Schedule 2.
- (ii) Travelling and other expenses reasonably incurred by Councillors making official and courtesy visits will be paid.
- (iii) The amount of these expenses will be paid at the Inland Revenue approved rates and will increase in accordance with these rates for the period of the Scheme.
- (iv) Subsistence payments will be paid in accordance with the rates paid to staff and will rise in line with any increases agreed in the staff rates. All claims for subsistence must be supported by receipts. The allowances are as follows:
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|--------------|--|
| Breakfast | £6.22 |
| Lunch | £8.57 |
| Tea | £3.37 (payable for absence beyond 6.30pm) |
| Evening Meal | £10.61 (payable for absence beyond 8.30pm) |
- NB: The above rates can be varied upon approval in advance by the Executive Director: Resources and S151 where an increased amount is appropriate and reasonable, such as visits to London, subject to the production of receipts.
- (v) Councillors should make every effort to use public transport, particularly when they need to travel some distance to meetings, for example, journeys to London should usually be made by train and only in exceptional circumstances should a private vehicle be used.
- (vi) The onus is on the Councillor to achieve value for money and efforts should be made to take advantage of "early booking" discounts available for rail travel.
- (vii) Taxi and Private Hire Vehicles should only be used in exceptional circumstances where a Councillor is unable to use their own private vehicle, cannot share transport and no public transport is readily available.
- (viii) An overnight allowance is not included within the Scheme. If a Councillor is required to stay overnight in attending an event, they should contact Democratic Services who will make the necessary accommodation arrangements. In exceptional circumstances, when an overnight stay could not be foreseen, reasonable costs will be reimbursed upon production of receipts.

SCHEDULE 1 SPECIAL RESPONSIBILITY ALLOWANCE

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

	£pa
Leader (inclusive of Lead Member role)	9,150
Deputy Leader (inclusive of Lead Member role)	6,860
Lead Members (7)	4,575
Committee Chairs (5)	2,290
Mayor	2,290
Deputy Mayor	1,400
Support Members (9)	180

Note:

1. A Councillor who carries out more than one role which would attract a Special Responsibility Allowance is entitled to claim each allowance to reflect the responsibility of each role undertaken.
2. Telephone costs form part of the Members' Basic Allowance.
3. The Council has approved separate arrangements in respect of the provision of IT equipment which are not part of this Scheme.

SCHEDULE 2

APPROVED DUTIES

The following are deemed to be approved duties for the purposes of claiming Travelling Allowances:

- a) Formal meetings of the Council including Committees, Sub-Committees, Working Groups and Advisory Panels.
- b) Meetings of other bodies to which the Council makes appointments.
- c) Authorised training events and conferences which relate to the duties of the Council.
- d) Attendance at meetings and events relating to the duties of the Council at the request of a Borough Council Officer.
- e) Any other duty undertaken for the purpose of, or in connection with, the discharge of the functions of the Council, or any of its Committees, subject to the prior approval of the Executive Director: Resources and S151.
- f) Any meetings arranged by an Officer with a Lead/Support Member at the Council Offices to discuss items within their Portfolio.
- g) Any meeting which a Lead Officer has asked the Lead/Support Member to attend (whether at the Council Offices or elsewhere).
- h) Invitations to Lead/Support Members to attend events, seminars, presentations etc. within a Members' Portfolio, subject to prior approval by the Executive Director: Resources and S151, in consultation with the Lead Officer.

DEPENDANTS' CARE SCHEME

1. Persons Eligible to Claim and Duties for Which They May Claim

- 1.1 Borough Councillors may claim reimbursement of care expenses in respect of any meeting (including conferences, seminars, etc.), which the Member is specifically invited to attend (approved duty).
- 1.2 When travelling away from home to an approved duty which may involve an overnight stay, care expenses may be claimed in respect of the total duration of the duty, less any period during which a dependant is cared for at no cost to the Councillor.

2. Rate Per Hour Payable and How Long Payable

- 2.1 The maximum rate payable by way of reimbursement has been fixed at £10.42 per hour (in line with the National Living Wage) with no overall daily maximum.
- 2.2 The time claimed for should normally equate to the duration of the meeting/duty plus up to one hour in total travelling time to and from the meeting/duty.

3. Definition of 'Dependant' and 'Carer'

- 3.1 The Care Allowance is payable in respect of:

- (a) children aged 14 or under;
- (b) elderly relatives requiring full-time care; and
- (c) relatives with disabilities or nursing requirements who require either temporary or permanent full-time care.

In each case the dependant must normally live with the claimant as part of the family and be unable to be left unsupervised. For any new claims evidence of eligibility of the dependant **MUST** be provided i.e. birth certificate/doctors certificate.

- 3.2 A carer can be any responsible mature person who does not normally live with the claimant as part of the family but should not be a parent.

4. Method of Claim

- 4.1 A receipt in standard format **MUST** be obtained from the carer for each amount paid (copy attached). A proper business paid invoice or official receipt would be acceptable in place of the standard format if this is provided. **Only original receipts will be accepted (no copy/faxed receipts).**
- 4.2 A claim for care expenses should be attached to the Travelling and Subsistence Claim and forwarded to Democratic Services at the end of each month. Reimbursement will be included in the next payment of the Councillor's allowances.
- 4.3 A copy of the claim form/standard receipt is attached.

5. Annual Declaration

- 5.1 An annual declaration (in May of each year) will be sent to carers (see attached) to confirm that they have undertaken, and received payment for, the duties which have been claimed. The declaration will be sent by Democratic Services direct to the carer either by post or email and, if sent by post, will enclose a stamped addressed envelope to be returned to Democratic Services.

DECLARATION OF DUTIES UNDERTAKEN FOR COUNCILLOR (insert name of Cllr as applicable)

DETAILS OF CARER

Name: Telephone No:
Address:
..... Postcode:

DETAILS OF DUTIES UNDERTAKEN

(insert amount of payment - £) has been paid to the person named below in connection with the care of (insert name/s of those cared for) for the period (insert period of claim).

I, (insert name of carer), hereby confirm that I have received payment of the above amount for duties undertaken as the carer for (insert name/s of those cared for).

Signed

Date

