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## **Part 6**

# **MEMBERS' ALLOWANCES SCHEME**

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## **Members' Allowances and Travel and Subsistence Scheme**

### **General**

This Members' Allowance Scheme for Lincolnshire County Council has been prepared in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 ('the 2003 Regulations') and other appropriate legislation. In particular, the Scheme takes account of recommendations of an Independent Remuneration Panel reporting to Council in February 2019.

This Scheme is effective from 1 April 2019. It is applicable to all elected Members of the County Council. Specific provisions relating to co-opted members are also included.

Within the scheme:

- 'year' refers to the financial year ending on the 31 March and
- 'day' and 'daily' refers to a 24 hour period beginning at 3am
- 'approved duties' are those defined in Schedule 2

An Elected Member who is a member of two separate authorities may not receive an allowance from each authority in respect of the same duties or for the same purpose.

Administrative guidelines relating to Members allowances, travel and subsistence will be published separately.

Members should initially seek advice from the Head of Democratic Services if necessary. In all cases of interpreting this Scheme, the decision of the Monitoring Officer shall be final.

### **Record of allowances**

The 2003 Regulations require the County Council to maintain records of payments made under this scheme specifying the name of the recipient of the payment, the amount and the nature of each payment. The records must be available for inspection at any reasonable time by members of the public.

The 2003 Regulations also require annual publication of the total paid to each recipient for each of the types of allowance and expenses in this scheme. Lincolnshire County Council publishes these on our website.

Government transparency legislation may require additional information regarding Members' allowances to be published.

### **Allowances for Elected Members**

There is no power to pay an attendance allowance to Members.

There are three types of Elected Members allowance in this Scheme:

*Basic Allowance* payable to all Elected Members – see Schedule 1 for values.

*Special Responsibility Allowance* payable in addition to those Elected Members who hold the posts shown in Schedule 1 to the values shown in that Schedule. In the event of one Member holding more than one Special Responsibility post, only one Special Responsibility Allowance, whichever is the greater, will be paid.

*Childcare and Dependants' Carers' Allowance* payable in addition to reimburse Elected Members for the cost of caring for their children or dependent relatives whilst undertaking approved duties. The maximum rate payable is set out in Schedule 1.

### **Claims and payments**

Basic and Special Responsibility Allowances will normally be paid monthly into Members' bank accounts. Such allowances are paid in respect of each year or part year. For example, in the event of a Member giving up a Special Responsibility Allowance mid-year the part-year allowances are paid on a pro-rata daily basis for the period of a year to which they apply.

Claims for travel and subsistence expenses and for Childcare and Dependant's Carer's Allowance should be supported by receipts and made in accordance with any guidance issued by the County Council. Claims must normally be made within two months of the duty for which the claim is made.

### **Renouncing allowances**

A Member may elect to forego any or all of their entitlement to any allowance under this Scheme. Election must be made by written notice to the Head of Democratic Services and will continue until amended by a further notice.

### **Travel and Subsistence Expenses**

Travel expenses incurred whilst on approved duties as defined in Schedule 2 will be paid in accordance with rates set out in Schedule 3.

Subsistence expenses incurred whilst on approved duties as defined in Schedule 2 will be paid in accordance with rates set out in Schedule 3 except that subsistence expenses will not be paid for '*County Councillors' activities within their Division including surgeries, formal meetings of any relevant Parish Council, Residents Association or similar organisation.*'

All reasonable steps should be taken to minimise the need to travel by using telephone or video conferencing, telephone or e-mail or by combining meetings at the same location.

### **Suspension of Payments to Members**

The County Council has resolved to exercise the power available to it under the 2003 Regulations to withdraw all allowances (including travel & subsistence) from any Member of the Council who has been or is in custody pursuant to a custodial sentence.

In the event that any Member is in custody pursuant to a custodial sentence, their entitlement to allowances will cease from the point of conviction. Allowances will only recommence at a point when they are no longer in custody and are able to perform the full range of duties. No retrospective payment of allowances forgone will be made in any circumstances.

Where payment of any allowance has already been made in respect of any period during which the member concerned ceases to be a member of the County Council; or is in any other way not entitled to receive the allowance in respect of that period, the County Council may require that such part of the allowance as relates to any such period be repaid to the County Council.

### **Annual Increases (Indexing) of Allowances**

The County Council has resolved to exercise the power available to it under the 2003 Regulations to increase allowances annually in line with the movement in an appropriate index.

The index to be applied is the average % increase in pay for employees covered by the National Joint Council for Local Government Services for the previous 12 months (usually referred to as 'Green Book' employees).

Indexation will be applied to the basic, special responsibility and co-opted members' allowances for the four-year period up to May 2022 unless the Council resolves otherwise. (The 2003 Regulations allow indexing for a maximum of four years but also require that Council votes to adopt a Scheme of Members' Allowances each year.)

### **Backdating Of Allowances**

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The County Council has resolved to adopt the backdating provisions in the 2003 Regulations.

Where an amendment is made which affects an allowance payable for the year in which the amendment is made, the amendment will apply from the beginning of the year in which the amendment is made or such later date as specified by the County Council.

### **Co-opted Members Allowance**

The County Council has resolved to exercise the power available to it under the 2003 Regulations to pay a co-optee's allowance in respect of the attendance of individuals co-opted onto committees, sub-committees, working groups and scrutiny panels of the Council. The allowance will cover attendance at such meetings and any other activity arising directly from that role (e.g. seminars, conferences, training courses, etc.).

The Co-opted Members Allowance is set out in Schedule 1.

The Council Committees etc. relevant to this allowance are those set out in the Articles of the Constitution.

Entitlement to this allowance will be restricted to co-optees who are not remunerated by way of an allowance, salary, etc. from another body as a direct result of their membership of the Committee in question. For example, a District Councillor representing that body would not qualify for this allowance.

The allowance will be paid monthly and in the case of part year service, pro-rata to the service undertaken.

Where a co-optee undertakes any role that would otherwise qualify for receiving a Special Responsibility Allowance set out in Schedule 1 they will receive the relevant Special Responsibility Allowance (but not the basic allowance) that would have been paid to an Elected Member discharging that role. In such circumstances the co-optee will not also receive the standard co-optees allowance for the period they are in receipt of the Special Responsibility Allowance.

The provisions of this scheme relating to renunciation, travel and subsistence expenses, suspension of payments, annual increases and backdating also apply to the Co-opted Members Allowance.

### **IT Related expenses**

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The Council will facilitate use of Information Technology to assist Elected Members and Co-opted Members (Members) in their approved duties.

## Revised Schedule 1 – Allowances

Responsibilities and allowances within bands 1-12 in the table below are 'Special Responsibility Allowances'.

Band	Responsibility	Allowance
-	Basic Allowance	£11,055.27
1	Leader of the Council	£35,026.42
2	Deputy Leader of the Council	£22,986.04
3	Members of the Executive	£19,702.32
4	Chairman of the County Council	£13,266.24
	Chairman of the Overview and Scrutiny Management Committee	
	Chairman of the Health Scrutiny Committee for Lincolnshire	
	Chairman of the Audit Committee	
	Chairman of Health and Wellbeing Board	
5	Chief Whip	£10,499.08
6	Chairmen of the Scrutiny Committees	£9,949.73
	Chairman of the Planning & Regulation Committee	
	Leader of the Opposition	
	Chairman of the Pensions Committee	
7	Executive Support Councillor	£8,756.67
	Chairmen of the Scrutiny Panels	
8	Minority Group Leaders	£5,472.95
9	Vice-Chairman of the County Council	£4,422.16
	Vice-Chairman of the Overview and Scrutiny Management Committee	
	Vice-Chairman of the Health Scrutiny Committee for Lincolnshire	
	Vice-Chairman of the Health and Wellbeing Board	
	Vice-Chairman of the Audit Committee	
	Chairman of the Definitive Map & Statement of Public Rights of Way Sub Committee	
	Chairman of the Councillor Development Group	
10	Vice-Chairmen of the Scrutiny Committees	£3,316.63
	Vice-Chairman of the Planning & Regulation Committee	
	Vice-Chairman of the Pensions Committee	

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11	Vice-Chairman of the Scrutiny Panels	£2,918.89
12	Vice-Chairman of the Definitive Map & Statement of Public Rights of Way Sub Committee	£1,105.54
	Member of the Shadow Executive	
-	Childcare and dependents' carers' allowance  The Monitoring Officer has discretion to increase the rate in particular cases of need.	An hourly rate equivalent to the National Minimum Wage for the time being
-	Co-opted Member	£821.00

## Schedule 2 – Approved Duties

The 2003 Regulations specify the circumstances in which dependant's carer's allowance travel and subsistence expenses may be paid. These are all encompassed in the definition of 'approved duties' below.

Approved duties are duties undertaken in exercise of the role of County Councillor

That includes, but is not limited to:

- Meetings of, and activities related to, the County Council, any of its Committees, Executive functions or any bodies of which the County Council is a Member or appoints members
- Any legislative requirement for Members to be present
- Any Standing Orders of the County Council
- The exercise of any function of the County Council
- Any meeting where two or more political groups are invited by an Officer
- Any meeting where one political group is invited by the Chief Executive or an Executive Director
- County Councillors' activities within their Division including surgeries, formal meetings of any relevant Parish Council, Residents Association or similar organisation

Meetings and other activities related to the management or operation of any political group or political party are not approved duties.



## **Schedule 3 - Travelling & Subsistence and Other Allowances**

### **Public Transport**

Travel by public transport should be made at the lowest rate available for the journey(s) in question.

Air travel, foreign travel and, in exceptional cases, travel at rates higher than lowest available fares should be approved in advance by the Head of Democratic Services.

Travel costs will be reimbursed at the actual cost incurred with claims supported by receipts.

Members are encouraged to order tickets for travel by public transport through their administrative support who will use the County Council's travel procurement arrangements to secure good value for money that will normally be paid direct by the County Council.

### **Private vehicles and car parking**

Rates payable for travel by a private vehicle used by a Member and for official passengers will be those equivalent to HM Revenue & Customs Approved Mileage Rates for the time being. Rates and changes in rates will be notified to Members.

Members are responsible for ensuring that private vehicles used by them comply with all relevant legislation for the purposes for which they are used including safety, taxation and insurance.

Car parking will be reimbursed at the actual cost incurred with claims supported by receipts.

### **Taxis**

In cases of urgency, or where no public transport is reasonably available, Members may travel by taxi and claim the amount of the actual cost incurred, supported by receipts.

### **Subsistence Expenses**

In cases where the County Council provides a meal no other meal allowance will be paid. On County Council meeting days Members will be provided with a lunch in the County Restaurant and will consequently not be entitled to claim expenses.

In other cases, the County Council will reimburse reasonable costs of meals incurred whilst undertaking approved duties except that subsistence expenses will not be paid

*for 'County Councillors' activities within their Division including surgeries, meetings of any relevant Parish Council, Residents Association or similar organisation.'*

Claims must be for actual costs incurred supported by receipts.

Overnight accommodation should be booked in advance on behalf of the Member by their administrative support using the County Council's standard procurement arrangements to secure best value for money that will normally be paid direct by the County Council.

In cases where a Member incurs reasonable costs for overnight accommodation, it will be reimbursed at actual cost incurred with claims supported by receipts.