



CORPORATE AFFAIRS COMMITTEE

25 AUGUST 2004

MEMBERS' SCHEME OF ALLOWANCES

PURPOSE OF THE REPORT

- 1 To amend the Scheme of Allowances following the recent Council decision relating to the remuneration payable to the Chair of Standards Committee, and the amended remuneration in respect of the Mayor.

BACKGROUND

- 2 At its meeting of 10 December 2003, Council agreed that the Special Responsibility Allowance in respect of the Mayor should be increased from £45,000 to £50,000.
- 3 At its meeting of 4 August 2004, Council agree that a Co-optees Allowance of £5,000 should be payable to the Chair of Standards Committee.
- 4 As a consequence of these decisions, the Members' Scheme of Allowances must now be amended

RECOMMENDATION

- 5 Members are asked to agree the amended Scheme of Allowances attached at Appendix 1 to this report.

Chris Davies
12 August 2004

BACKGROUND PAPERS

Minutes of Middlesbrough Council, 10 December 2003

Minutes of Middlesbrough Council, 4 August 2004

MIDDLESBROUGH BOROUGH COUNCIL MEMBERS' ALLOWANCES

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

1. This Scheme may be cited as the Middlesbrough Borough Council Members' Allowances Scheme, and shall have effect for the year commencing on 1st April 2004 and subsequent years, unless amended by the Council.

2. In this Scheme:

“Councillor” means a Member of the Middlesbrough Borough Council who is a Councillor or Elected Mayor and where appropriate, a Co-opted Member.

“year” means the 12 months ending with 31st March.

3. Basic Allowance

Subject to paragraphs 9, 12 and 13 a basic allowance of £5,500 shall be paid to each Councillor for the year 1st April 2004 to 31st March 2005.

4. Special Responsibility Allowances

4.1 For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the Authority that are specified in Schedule 1 to this Scheme, PROVIDED THAT no Member shall be entitled to receive more than one Special Responsibility Allowance.

4.2 Subject to paragraphs 9, 12 and 13 the amount of each such allowances shall be the amount specified against that special responsibility in that Schedule.

5. Co-opted Members Allowance

5.1 A Co-opted Members Allowance shall be paid to such Co-opted Member as detailed in Schedule 2 to this Scheme.

5.2 Subject to paragraphs 9, 12 and 13 the amount of each such allowance shall be the amount specified against the Co-opted Member in that schedule.

6. Travelling and Subsistence Allowance – Councillors

- 6.1 A Councillor shall be entitled to receive appropriate travel and subsistence allowances where he/she necessarily incur expenditure on travel or subsistence in order to perform an approved duty.
- 6.2 The amount of the allowance payable to a Member in respect of travel or subsistence shall be the same as that approved by the Authority in respect of officers of the Council who are paid casual officer rates.
- 6.3 The allowance payable shall be increased or decreased to the same extent as determined by the Authority in respect of officers.
- 6.4 For the purposes of this paragraph approved duties shall include all those duties which are specified in Part I of Schedule 3 to this Scheme.

7. Travelling and Subsistence – Co-opted Members

A Co-opted Member shall be entitled to receive appropriate travel and subsistence allowances as specified in Part II of Schedule 3 to this Scheme.

8. Dependent Carers Allowance

- 8.1 A Councillor or Co-opted Member shall be entitled to receive a child care allowance of up to a maximum of £4.50 per hour where he/she has necessarily incurred that expenditure in respect of a child who is looked after by a registered provider whilst the Councillor or Co-opted Member is carrying out an approved duty.
- 8.2 A Councillor or Co-opted Member shall be entitled to receive a carers allowance of up to a maximum of £8.50 per hour where he/she has necessarily incurred that expenditure in respect of an adult who is looked after by a registered provider whilst the Councillor is carrying out an approved duty.
- 8.3 The Child Care Allowance referred to in paragraph 8.1 shall be increased in line with any increase in the national minimum wage.
- 8.4 The Adult Care Allowance referred to in paragraph 8.2 above shall be increased in line with any increase in the maximum hourly rate as notified by the Executive Director of Social Services as charged by the independent care sector in respect of providing adults with home care.
- 8.5 For the purposes of this paragraph an approved duty is any duty listed in Part I of Schedule 3 to this Scheme.

9. Suspension and Disqualification

- 9.1 No Councillor, including Co-opted Members shall be entitled to, nor receive, any Basic Allowance, Special Responsibility Allowance, Travel and Subsistence Allowance, Dependent Carers Allowance or Co-optees Allowance whilst he or she is suspended or disqualified.
- 9.2 Any payment of any allowance referred to in paragraph 9.1 which has been paid to a Member in respect of a period during which the Councillor has been suspended or disqualified shall be repaid by the Councillor in accordance with a direction issued by the Director of Resources.

10. Pensions

- 10.1 The Councillors specified in Schedule 4 to this Scheme shall be entitled to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972, or any re-enactment thereof.
- 10.2 The allowances to be treated as amounts in respect of which pensions are payable are those specified in Schedule 4 to this Scheme.

11. Renunciation

A Councillor may by notice in writing given to the Director of Resources elect to forego any part of his entitlement to an allowance under this Scheme.

12. Part-year Entitlements

- 12.1 The provision of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility where, in the course of a year, this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility is payable.
- 12.2 If an amendment to this Scheme changes the amount to which a Councillor is entitled by way of a basic allowances or a special responsibility allowance, then in relation to each of the periods:
- a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - b) beginning with the day on which an amendment takes effect and ending with the day that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this Scheme as it has effect during the relevant

period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- 12.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office subsists bears to the number of days in that year.
- 12.4 Where this Scheme is amended as mentioned in sub-paragraph 12.2, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 12.2a, the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.
- 12.5 Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- 12.6 Where this Scheme is amended as mentioned in sub-paragraph 12.2 and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 12.2a of that paragraph any such responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.
- 12.7 Where a scheme of allowances is amended, the Council can choose to apply any amendment retrospectively to the beginning of the financial year in which the amendment is made.

13. Claims and Payments

13.1 Payments of allowances shall be made as follows:

- a) Basic Allowances:
Monthly
- b) Special Responsibility Allowances:
Monthly

- c) Travel and Subsistence Allowance:
Monthly
- d) Dependent Carers Allowance:
Monthly
- e) Co-optees Allowance:
Monthly

13.2 All payments shall be made direct to a Bank or Building Society.

13.3 The Director of Resources shall have authority to agree a different frequency of payment with an individual Member on request.

**THE COMMON SEAL OF THE COUNCIL OF
THE BOROUGH OF MIDDLESBROUGH WAS
HEREUNTO AFFIXED IN THE PRESENCE
OF:**

Signed:

Date:

SCHEDULE 1

The following are specified as the special responsibilities in respect of which special responsibility allowances are payable, and the amounts of those allowance:

<u>OFFICE</u>	<u>ALLOWANCE</u>
Mayor	50,000
Deputy Mayor	15,000
Executive Members	10,000
Chair of the Council	7,000
Chair of Overview & Scrutiny Board	10,000
Chair of Licensing Committee	7,000
Chair of Planning Committee	7,000
Chair of Corporate Affairs Committee	5,000
Chairs of Scrutiny Panels	5,000
Chair of Complaints & Appeals Committee	3,000
Chairs of Select Commissions	2,000
Chair of Teesside Pension Fund & Investment Panel	3,000
Political Group Leaders:	
Majority Group	7,000
Largest Minority Group	4,000
Smaller Minority Group	3,000
Counsellor Advocate	3,000

SCHEDULE 2

The following are specified as the allowances to be paid in respect of Co-opted Members:

OFFICE

ALLOWANCE

Chair of Standards Committee

£5,000

SCHEDULE 3

TRAVEL & SUBSISTENCE ALLOWANCES

Part 1 Duties that may qualify for Travelling & Subsistence Allowances

- a) the attendance at a meeting of the Authority or of any Committee or Sub Committee of the Authority, or of any other body to which the Authority makes appointments or nominations, or of any Committee or Sub Committee of such a body;
- b) the attendance at any other meeting, the holding of which is authorised by the Authority, or a Committee or Sub Committee of the Authority, or a Joint Committee of the Authority and one or more Local Authority within the meaning of Section 270(1) of the Local Government Act 1972, or a Sub Committee of such a Joint Committee provided that:
 - (i) where the Authority is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited, or
 - (ii) if the Authority is not so divided, it is a meeting to which at least two Members of the Authority have been invited;
- c) the attendance at a meeting of any association of Authorities of which the Authority is a Member;
- d) the attendance at a meeting of the Executive or a meeting of any of its Committees, where the Authority is operating executive arrangements;
- e) the performance of any duty in pursuance of any standing order made under Section 135 of the Local Government Act 1972 requiring a Member or Members to be present while tender documents are opened;
- f) the performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises;
- g) the performance of any duty in connection with arrangements made by the Authority for the attendance of pupils at any school approved for the purposes of Section 342 (approval of non-maintained special schools) of the Education Act 1996, and
- h) the carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the Authority or of any of its Committees or Sub Committees. For the purpose of this Section approved duties shall include the following:
 - i) travel and subsistence for Members attendance at Royal Garden Parties
 - ii) travel to and from Ward Surgeries
 - iii) travel to the Town Hall for any Council related purpose
 - iv) travel in connection with Scrutiny site visits or investigations
 - v) authorised attendance at Seminars or Conferences

Part II Co-opted Members Travelling & Subsistence Allowances

- a) Co-opted Members of the following Council bodies shall be entitled to receive a combined travel & subsistence allowance as specified in paragraph (b) following production of a signed declaration that expenses had been incurred:
 - (i) Scrutiny Committees (including Overview & Scrutiny Board, Scrutiny Panels and Scrutiny Working Groups);
 - (ii) Standards Committee;
 - (iii) The Independent Panel on Members' Remuneration, and
 - (iv) Teesside Pension Fund & Investment Panel

- b) The amount of the combined Travel & Subsistence Allowance shall be £10 per meeting.

SCHEDULE 4

PENSIONS

MEMBERS

None

ALLOWANCE

Nil