

# **Lancashire County Council**

## **Members' Allowance Scheme**

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

1.0 This Scheme shall have effect for the period 1 April 2014 to 31 March 2015 and subsequent years.

2.0 In this Scheme

"Councillor" means an elected member of Lancashire County Council.

"Co-opted member" means a person other than a councillor who is appointed to serve on a Council Committee or Sub-Committee.

"Year" means the twelve months commencing 1st April.

"Meetings" means a meeting of the Full Council or a body of Members formally established by the Full Council, the Leader of the County Council, the Cabinet or a Council Committee.

3.0 In this scheme, the total allowances shall consist of Basic Allowances and Special Responsibility Allowances. (For the avoidance of doubt, Attendance Allowance shall not be payable under this Scheme).

3.1 These total allowances shall be updated annually in line with employee percentage pay increases as described in more detail in Schedule 'A'.

### **4.0 Basic Allowance**

4.1 Subject to paragraph 7.0 below, an equal Basic Allowance of £10,139 shall be paid to every councillor. The amount of Basic Allowance is shown in paragraph 1.0 of Schedule 'A' of this Scheme.

4.2 This Basic Allowance is intended to recognise the time commitment of all councillors including such inevitable calls on their time as meetings with officers and constituents, and political group meetings. It is also intended to cover incidental costs such as the use of councillors' homes.

## **5.0 Special Responsibility Allowance**

5.1 Subject to paragraph 7.0 below, each councillor or co-opted member who holds a special responsibility as defined within the Regulations and specified within this Scheme, will receive a Special Responsibility Allowance as shown in paragraph 2.1 of Schedule 'A' of this Scheme. A councillor may not receive more than one Special Responsibility Allowance.

## **6.0 Renunciation**

6.1 A councillor may elect to forego any part of his/her entitlement to an Allowance under this Scheme. Such election shall be in the form of a written notice delivered to the Chief Executive.

## **7.0 Adjustments to Entitlements in Year**

7.1 The provisions of this paragraph apply in relation to the entitlement of a councillor to Allowances where, in the course of a year:

- (a) The scheme is amended.
- (b) A person becomes, or ceases to be, a councillor.
- (c) A councillor accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
- (d) A councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the County Council.

7.2 If, during the year, the Scheme is amended and this results in a change to a councillor's entitlement to Special Responsibility Allowance and/or Basic Allowance, the actual entitlement shall be based on:

- (a) A proportion of the original annual Allowance based on the number of days up to the date of amendment plus
- (b) A proportion of the revised annual Allowance based on the number of days from the date of amendment.

7.3 When the term of office of a councillor either begins and/or ends during the course of a year, the entitlement to Basic Allowance shall be based on the number of days in office during that year. Similar pro rata entitlements will apply in situations where Basic Allowance is amended under sub-paragraph 7.2 above.

7.4 Where, for a part of the year, a councillor has such special responsibilities as specified in this Scheme, the entitlement to Special Responsibility Allowance shall be based on the number of days during that year that the councillor has held such special responsibilities, such entitlement being pro rata to a full year. Similar pro rata entitlement will apply in situations where Special Responsibility Allowances have been amended under sub-paragraph 7.2 above.

7.5 Where a councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the County Council in accordance with Part III of the Local Government Act 2000 (or Regulations made under that Part), the part of the Basic, Special Responsibility, Travel and Subsistence Allowances payable in respect of the period of suspension may be withheld by the County Council.

## **8.0 Carers/Dependants Allowance**

8.1 Subject to paragraphs 8.2 and 8.3, a carers/dependants allowance may be claimed in respect of named children aged 16 or under or in respect of other named dependants where there is medical or social evidence that care is required.

8.2 Payment of carers/dependants allowance shall:

- (a) Be based on actual receipted expenditure subject to a maximum hourly rate and a maximum annual allowance, as specified in paragraph 3 of Schedule 'A' of this Scheme.
- (b) Not be made where a Councillor already receives a carer's allowance from the Department for Works and Pensions.
- (c) Not be payable where the carer is a parent or is a member of the household.
- (d) Not be payable unless the carer has been cleared by the Criminal Records Bureau.

8.3 The carers/dependants allowance may be claimed where the actual expenditure has been incurred in connection with the approved duties that apply to claims for travel and subsistence as detailed in Schedule 'D' of this Scheme.

## **9.0 Co-optees Allowance**

9.1 Co-opted members shall receive an allowance, which equates to travel and subsistence expenses they have actually and necessarily incurred calculated under the rules set out in this scheme, in accordance with paragraphs 10 and 11.

## 10.0 Method of Payment

- 10.1 Payments of Basic Allowance and Special Responsibility Allowance shall be made monthly on the last working day of each month. The monthly amount payable shall be one-twelfth of the annual allowance(s) specified in this Scheme and subject to paragraph 7.0 above.
- 10.2 Separately, individual claims for carers/dependants allowances, travel and subsistence shall be made on a monthly basis and shall be paid on the last working day of the following month. Claims **must** be submitted via the electronic Members' Allowances System as soon as possible at the end of each month. Claims may be submitted by non-electronic means (by an agreed paper based method) only in exceptional circumstances approved by the County Secretary and Solicitor. Claims **must** be submitted within two months of the period to which they relate or a payment will not be made unless it is approved by the Chief Executive, good cause having been shown by the member submitting the late claim.
- 10.3 Each claim shall be certified by the councillor or co-opted member that he/she has **actually and necessarily incurred** the expenditure claimed in the performance of approved duties as defined in Schedule D and that he/she will not make any other claim in respect of that expenditure other than under this Scheme.

## 11.0 Travelling and Subsistence Allowances

- 11.1 A councillor or co-opted member shall be entitled to receive travelling and/or subsistence allowances at the rates specified in Schedule C.
- 11.2.1 Subsistence Allowances are payable where such expenditure has been **actually and necessarily incurred** in the performance of an approved duty as defined in Schedule D where a councillor or co-opted member is absent from their normal place of residence.
- 11.2.2 When claiming subsistence allowances, councillors should identify all approved activities attended in the period of absence recorded, including any political group meetings
- 11.3 A councillor or co-opted member may claim **up to** the maximum amounts set out in Schedule C where expenditure has been **actually and necessarily incurred** when absent from home for the periods stated.
- 11.4 Appropriate receipts **must** be obtained and retained in respect of any claims made by a councillor or co-opted member for the payment of subsistence allowances or reimbursement of public transport and taxi fares, car parking fees and other incidental expenses.

- 11.5 Receipts must be retained for 3 years following the financial year in which the expenses were incurred.
- 11.6 A councillor or co-opted member must produce his/her receipts if required by claim processing officers, as well as internal or external auditors.
- 11.7 Each councillor or co-opted member shall agree with the County Secretary and Solicitor a fixed mileage for journeys between his/her home address and County Hall for the purpose of verifying travel expense claims. The schedule of agreed and approved mileages will be updated following the County Secretary and Solicitor being notified of a change of address.

## **12. Scheme Amendments**

- 12.1 The amounts specified in paragraphs 1.0, 2.0 and 3.0 (basic allowance, special responsibility allowance and carers/dependents allowance respectively) of Schedule A are subject to an annual uprating on 1 April. This uprating shall equate to the average annual percentage increase in employees' pay under the National Joint Council for Local Government Services pay structure.
- 12.2 Overnight Accommodation, Travel Abroad and Subsistence allowances shall be increased annually with effect from 1<sup>st</sup> April in every year in line with the Retail Price Index (All Items) published in November of the preceding year.
- 12.3 Motor car, motor cycle, and bicycle travelling allowances shall be revised annually with effect from 1<sup>st</sup> April in every year in accordance with the maximum allowance for Income Tax purposes as determined by HM Revenue and Customs.

**Lancashire County Council**  
**Members' Allowance Scheme**  
**Schedule 'A'**

**1.0 Basic Allowance**

An annual Basic Allowance of £10,139 is payable to each councillor.

**2.0 Special Responsibility Allowance**

2.1 Based on an annual Special Responsibility Allowance total of £344,474, the actual individual Allowances are detailed in Schedule 'B'. The amounts quoted in Schedule 'B' are in respect of a full year term of office.

**3.0 Carers/Dependants Allowance**

3.1 Payment of a Carers/Dependants Allowance, as provided for in Paragraphs 8.1 to 8.3 of this Scheme, shall be based on actual receipted expenditure subject to a maximum hourly rate of £6.97. Total payments in any one year shall not exceed £1,458.

**4.0 Travelling and Subsistence Allowances**

The amounts payable by way of Travelling and Subsistence Allowances including Overnight Accommodation, Day Subsistence and Travel Abroad shall be subject to the rates specified in Schedule 'C' of this Scheme.

**Lancashire County Council**  
**Members' Allowance Scheme**  
**Schedule 'B' - Special Responsibility Allowances**

<b>Position</b>		<b>Amount £</b>	<b>% of Leader</b>	
Leader		28,953	100.00	
Deputy Leader		20,267	70.00	
Cabinet		6 @ 15,924	55.00	
Lead Members		5 @ 7,962	27.50	
Chairs	Overview & Scrutiny	3 @ 7,238	25.00	
	Corporate Parenting Board	7,238	25.00	
	Development Control	8,686	30.00	
	Pension Fund	7,238	25.00	
	Regulatory	7,238	25.00	
	Audit and Governance	2,895	10.00	
	Corporate Complaints	7,238	25.00	
	Lancs County Dev Ltd	7,817	27.00	
	Champion	Older People	5,067	17.50
		Young People	5,067	17.50
		Parish Councils	5,067	17.50
Disabled People		5,067	17.50	
Armed Forces Veterans		5,067	17.50	
	Digital Inclusion**	-	-	
Deputy Chairs	Overview & Scrutiny *	3 @ 3,402	47.00	
Majority Group	Secretary	4,343	15.00	
	Whip	4,343	15.00	
Largest Opposition Group	Leader	15,924	55.00	
	Deputy Leader	7,962	27.50	
	Secretary	2,895	10.00	
	Whip	2,895	10.00	
Second Opposition Group	Leader	8,686	30.00	
	Deputy Leader	4,343	15.00	
	Secretary	1,448	5.00	
	Whip	1,448	5.00	

\* This is the % of the amount paid to the chair of O & S Committees

\*\* No SRA is paid in respect of this position

## Lancashire County Council

### Members' Allowance Scheme

#### Schedule 'C' – Travelling & Subsistence Allowances

##### Travelling by Private Vehicle

The rate for travel by a councillor or co-opted member in his/her own private vehicle, or one belonging to a member of the family or otherwise provided for the councillor or co-opted member's use, shall not exceed:

Type of vehicle	First 10,000 miles	Above 10,000 miles
Cars and vans	45p	25p
Motorcycles	24p	24p
Cycles	20p	20p

In addition to the rates detailed above, the actual and receipted expenditure incurred on public transport, taxis, tolls, ferries or parking fees, including overnight garaging may be claimed.

##### Overnight Accommodation

Where the nature of the duties being undertaken result in a councillor or co-opted member being absent from his/her usual place of residence, overnight accommodation will be booked and paid directly by the County Council.

In exceptional circumstances where it is not possible for the County Council to make a direct booking on behalf of a councillor or co-opted member, the actual receipted cost of accommodation, including breakfast, will be reimbursed to the councillor or co-opted member. Such reimbursement will be subject to a maximum allowance per night of £144 for London and £125 elsewhere in the UK.

##### Day Subsistence

A councillor or co-opted member may claim **up to** the following maximum amounts when absent for the periods stated below from their normal place of residence:

- (a) a period less than 4 hours - £6.30
- (b) a period between 4 and 8 hours - £12.54
- (c) a period between 8 and 12 hours - £25.10
- (d) a period in excess of 12 hours - £37.62



Actual expenditure in excess of £37.62 may be reimbursed subject to the production of receipts.

### **Travel Abroad**

For councillors or co-opted members travelling outside Great Britain on approved duties (including, for the purpose of this section, travelling in Northern Ireland), a flat daily rate of £70 will be provided. This allowance is intended to cover costs incurred on meals and transport whilst actually abroad. An unused portion of this allowance, say in respect of meals provided at no cost to the councillor or co-opted member, must be returned to the County Council.

## **Lancashire County Council**

### **Members' Allowance Scheme**

#### **Schedule 'D' – Travel & Subsistence – Approved Duties**

(see also Part B of the Guidance Notes to the Members' Allowance Scheme)

Appropriate travel and subsistence allowances may be claimed in accordance with the above details where such travelling and/or subsistence has been undertaken in connection with one or more of the following duties:

- (a) The attendance at a meeting of the Authority or of any Committee, Sub-Committee, Task Group, Working Group, Board, Forum, Panel of the Authority, or of any 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) For the purposes of paragraphs (a) to (d) above, claims for travel and subsistence can only be made in respect of attendance at meetings of a Committee, Sub-Committee or other body of which the Councillor claiming is a Member. However, any Councillor can claim for attendance at a meeting of the Cabinet.
- (f) The performance of any duty in pursuance of any Procurement Rule under section 135 of the Local Government Act 1972 requiring a Member or Members to be present while tender documents are opened.

- (g) 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.
- (h) 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.
- (i) The carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Authority or any of its Committees or Sub-Committees. All duties which derive from a position of responsibility for which a Member receives a special responsibility allowance are approved duties for the purpose of this paragraph.