

Members' Allowances Scheme

In exercise of the powers conferred by Local Authorities (Members' Allowances) (England) Regulations 2003, the County Council has made the following scheme for the payment of allowances.

The scheme will be reviewed from time to time by an independent review panel in accordance with the relevant Regulations.

1. This scheme may be cited as the North Yorkshire County Council Members' Allowances Scheme, and shall have effect from **1 April 2009**.
2. In this scheme
"councillor" means an elected member of the North Yorkshire County Council;
"year" means the 12 months ending with 31 March.

Basic Allowance

3. Subject to paragraph 10, for each year a basic allowance of **£8,994** shall be paid to each councillor.

Special Responsibility Allowances

4. (a) 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 paragraph 1 of schedule 1 to this scheme.
(b) Subject to paragraph 10, the amount of each allowance shall be the amount specified against that special responsibility in that schedule.

Childcare and Dependant Carers' Allowance

5. (a) A childcare and dependant carers' allowance shall be paid to all members of the Council in respect of costs necessarily incurred by them in making arrangements for the care of children (under 14) or other dependant relatives (requiring care because of age and/or disability) to enable them to perform an approved duty (other relatives include parents, partners, siblings and others agreed by the Chief Executive Officer).
(b) For childcare, the allowance payable will be the lower of actual expenditure and the national minimum wage for adults aged 22 or over.
(c) For care for others, the allowance will be the lower of actual expenditure and the charge for home care by NYCC Adult and Community Services.
(d) All claims for childcare should be accompanied by a statement signed by both the Councillor and carer certifying that the childcare has been provided, that the expenditure has been incurred and that the carer does not live in the same household as the Councillor. If the childcare is provided by a professional carer then a receipted invoice is required.
(e) All claims for the care of elderly and/or disabled dependant relatives should be supported by a receipted invoice. It is expected that this care will be provided by professional carers.

6. Travel and Subsistence Allowance

The following allowances shall be payable under the scheme in respect of travel and subsistence.

Travelling Allowance

(a) Public Transport

All rail travel is made in standard class accommodation and claimed at the most economical reasonable rate dependant on the rail company's prevailing ticket policy. However, with the approval of the Leader of the Council, Members are able to claim for first class rail journeys where this is appropriate.

Air travel at standard rate may also be claimed with the approval of the Leader of the Council where this is appropriate.

(b) Travel by Member's own private vehicle

The rate for travel by member's own private vehicle will be:-

for a motor or tri car:-

Up to 8,500 miles per annum	48.5p per mile
Additional miles in excess of 8,500 per annum	25p per mile

If, during the year, the rates payable to officers is reviewed and exceed the rates shown above, then the scheme will be amended to pay the officer rates.

for a motor cycle:-

To match the rates payable under the Officer Scheme

(c) Carriage of passengers to whom a travelling allowance would otherwise be payable

In respect of each passenger not exceeding four, an additional 3.0p per mile for the first passenger and 2.0p per mile for the second and subsequent passengers can be claimed.

(d) The amount claimed for a journey may be increased by not more than the amount of any expenditure incurred on tolls, ferries or parking fees. Wherever possible receipts should be submitted.

(e) Travel by bicycle may also be reimbursed at the rate of £2.00 per week for a regular user, or 40p per day for an occasional user.

Subsistence Allowance

(a) For an absence not involving an absence overnight from the usual place of residence, the maximum subsistence rates for Members operate on a meals basis, as for the officers, but with clarification of eligibility based on the time of day the meal is taken, and time away from home, as follows:-

(i)	Breakfast allowance (more than 4 hours away from normal place of residence, before 11 am)	Officer's rate
(ii)	Lunch allowance (more than 4 hours away from normal place of residence, including between 12 noon and 2 pm)	Officer's rate
(iii)	Tea (more than 4 hours away from normal place of residence, ending after 6:30 pm)	Officer's rate
(iiii)	Evening meal allowance (more than 4 hours away from the normal place of residence, ending after 7 pm)	£12.00

Note: In line with the officer's scheme, it should be noted that where a dinner allowance is claimed, a tea allowance may not be claimed for the same day.

(b) In the case of an absence overnight from the usual place of residence, **£82.00**, this rate to cover a continuous period of absence of 24 hours. For an absence overnight in London or for the purpose of attendance at an annual conference (including or not including an annual meeting) of the Local Government Association or such other association of bodies as the Secretary of State may for the time being approve for the purpose, **£97.00**. These allowances apply where a Member makes their own arrangements for accommodation and reclaims an allowance. Where the arrangements are made by officers on behalf of the Member, then the County Council Travel Contract will be used to arrange appropriate accommodation at the most cost effective rate.

(c) Subsistence allowances are limited to the reimbursement of actual expenditure, for which receipts are required, subject to the maximum rates set out in this scheme. Where any meal is provided free of charge by an authority or body in respect of the meal or the period to which the allowance relates no further allowance should then be claimed.

Meals on Trains

When main meals (ie a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to daytime subsistence, the reasonable cost of the meals (including VAT) may be reimbursed in full, within the time limits specified below. In such circumstances, reimbursement for the reasonable cost of a meal would replace the entitlement to the day subsistence allowance for the appropriate meal period.

The limitations on reimbursements are:

- (a) for Breakfast, an absence of more than 4 hours before 11 am;
- (b) for Lunch, an absence of more than 4 hours before 12 noon and 2 pm;
- (c) for Tea, an absence of more than 4 hours ending after 6:30 pm;
- (d) for Dinner, an absence of more than 4 hours ending after 7 pm.

General Provisions

All claims shall only be payable if received within three months of the date of the entitlement arising.

7. Payments to Co-optees

A “Co-optee” is defined as a person who is not an elected member of the County Council, but who has been appointed to serve on one or more of the County Council Committees.

Co-optees Allowance

For each year a co-optees allowance will be paid to the Chairman and Independent Members of the Standards Committee in accordance with paragraph 2 of Schedule 1.

Travelling Allowance

All Co-optees are entitled to claim travelling allowance in line with Section 6 in the same way as Members of the Council.

8. Pensions

A councillor, subject to scheme eligibility criteria, may participate in the Local Government Pension Scheme if they wish. The councillor should give notice in writing to the Corporate Director – Financial Services that they wish to participate. Pension contributions would then be payable on basic and special responsibility allowances that the councillor is entitled to and they would receive benefits in line with the regulations of the Local Government Pension Scheme for a councillor member.

9. Renunciation

A councillor may by notice in writing given to the Corporate Director - Financial Services elect to forego any part of his entitlement to an allowance under this scheme.

10. Part-year Entitlements

- (a) 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, 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 allowance is payable.

- (b) Where a councillor does not hold office as such throughout a year, or the scheme is amended to change entitlement to basic allowance during a year, the basic allowance to which the councillor is entitled shall be treated as calculated on a daily basis, so that the entitlement shall be to the aggregate of the daily entitlements for each day on which the councillor holds office.
- (c) Where a councillor who receives a special responsibility allowance does not have the special responsibilities in question throughout a year, or this scheme is amended in a way which changes his or her entitlement to a special responsibility allowance during a year, the special responsibility allowance to which the councillor is entitled shall be treated as calculated on a daily basis, so that the entitlement shall be to the aggregate of the daily entitlements for each day on which the councillor has the special responsibilities.
- (d) A daily entitlement to basic allowance or special responsibility allowance is the annual amount of that allowance as it applies on the day in question, divided by the number of days in the year.
- (e) The Corporate Director - Financial Services is authorised to automatically adjust the special responsibility allowances to reflect changes in the numerical strength of the Political groups. In these circumstances any such changes will take effect from the beginning of the month after which such a change has taken place.

11. Withholding of Allowances for Members under Suspension

- a) The Standards Committee shall have the ability to withhold any part of a Member's basic allowance, special responsibility allowance, co-optees allowance or travel and subsistence allowance payable for any period where, or in respect of duties from which, s/he is suspended or partially suspended under Part III of the Local Government Act 2000;
- b) The Standards Committee shall have the ability to require repayment of any allowance (or part thereof) already paid in respect of any period during which the Member concerned is suspended or partially suspended under Part III, ceases to be a Member of the authority or is in any other way not entitled to receive the allowance in respect of that period; and
- c) That the withholding of the specified allowances or the requirement to repay any allowance in the circumstances set out above should continue during any period of appeal by the Member concerned under Part III of the Local Government Act 2000 and associated legislation. In the event of any appeal being successful in removing the suspension or partial suspension, then any withheld or repaid amount may be reimbursed to the Member where appropriate.

12. Claims and Payments

Payments shall be made in respect of basic and special responsibility allowances, in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month. Payments shall be made in respect of childcare and dependant

carers' allowances on the last working day of the month in respect of claims received up to the day 14 days prior to that date.

13. Attendance by Councillors

- (a) Individual councillors are expected to attend meetings of the Executive/Committees to which they are appointed. Periodic reports of attendance level will be made to the Standards Committee.
- (b) Individual councillors' attendance will be published annually.

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:

Post	<i>Allowance Per annum per Member £</i>
Chairman of the County Council	9,264
Vice Chairman of the County Council	3,088
Leader of the County Council	24,704
Deputy Leader of the Council	15,440
Other Executive Members (6):	13,896
Chairman of Health Overview and Scrutiny Committee	9,264
Chairmen of Overview and Scrutiny Committees (8):	4,632
Vice-Chairmen of Overview and Scrutiny Committees (9):	1,544
Chairmen of Area Committees (7):	3,088
Chairman of Planning and Regulatory Functions Committee	3,088
Chairman of the Appeals Committee	3,088
Chairman of the Employment Appeals Committee	1,544
Chairman of Pensions Committee	4,632
Chairman of Scrutiny Board	1,544
Chairman of Audit Committee	3,088
Champions (2)	4,632
Leaders of Political Groups:	
Where group is second party in terms of group membership	4,632
Other parties, where group has over 10% of all Members	2,316
Secretaries of Political Groups	
Where group is first party in terms of group membership	2,316
Where group is second party in terms of group membership	1,544
Other parties, where group has over 10% of all Members	772

These allowances are payable in addition to the basic allowance.

2. The following is specified as the co-optee allowance payable, and the amount of that allowance:

Chairman of the Standards Committee	3,088
Independent Members of the Standards Committee (3)	772