

Members' Allowances Scheme

In exercise of the powers conferred by Local Authorities (Members' Allowances) (England) Regulations 2003, the 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 Council Members' Allowances Scheme, and shall have effect from **1 April 2024**.
2. In this scheme

"councillor" means an elected member of the North Yorkshire Council;

"year" means the 12 months ending with 31 March.

Basic Allowance

3. Subject to paragraph 10, for each year a basic allowance of **£17,000** 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 8, 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 21 or over.

(c) For care for others, the allowance will be the lower of actual expenditure and the appropriate charge, dependent on the period of care, set as part of the home care charging scheme by NYC Health and Adult 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

Travel by member's own private vehicle will be paid at the rate payable under the officers scheme. The current rate is shown below. If, during the year, the rates payable to officers is reviewed, then the scheme will be amended to pay the revised officer rates:-

for a motor or tri car:-

Up to 10,000 miles per annum	45p per mile
Additional miles in excess of 10,000 per annum	25p per mile

for a motor cycle:-

To match the rates payable under the Officer Scheme

- (c) 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.
- (d) 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) Current rates and eligibility based on time of day are shown below. It is expected that claims will be made only where there are genuine and unavoidable additional expenses incurred. If during the year the rates payable to officers are reviewed then the scheme will be amended to pay the revised officer rates.

(b) 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 detailed below and will be paid in line with the officer scheme (with the exception of the lunch allowance).

(i)	Breakfast allowance (when a journey commences before 7.30am)	£6.50
(ii)	Lunch allowance (when a journey commences before 12 noon and continues after 2pm)	£6.50
(iii)	Tea (when the absence continues after 6:30 pm)	£3.50
(iv)	Evening meal allowance (when the absence continues after 8.30pm)	£11.00

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.

(c) 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.

(d) In line with the officers' scheme, maximum overnight allowances for Bed and Breakfast are £76.50 outside London and £110.00 in London. Other meals taken during the absence are payable in line with the rates set out in section (b) above. 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 Council Travel Contract will be used to arrange appropriate accommodation at the most cost effective rate. Again in line with the officers' scheme it is recognised that there may be exceptional circumstances where consideration needs to be given to paying above these maximum rates. This may be necessary where other costs, e.g. conference fees, are part of a package, or where accommodation in a particular town or city are high and it can be shown that efforts have been made to find hotels or guest houses within the limits. Where such difficulties are likely to occur, it will normally be appropriate to ask officers to make the necessary arrangements using the Council Travel Contract.

(e) 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.

General Provisions

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

8. Renunciation

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

9. 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 of Resources 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.

10. 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, and travelling and subsistence allowances, on the last working day of the month in respect of claims received by the processing deadline.

11. 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 and Governance Committee.
- (b) Individual councillors' attendance will be published annually.

- (c) If an individual councillor's attendance falls below the benchmark of 60%, they will be invited to voluntarily return a proportion of their allowance, except when there are mitigating circumstances such as illness.

SCHEDULE 1 - ALLOWANCES PAID PER ANNUM PER MEMBER

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> £
Chair of the Council	12,385
Vice Chair of the Council	4,108
Leader of the Council	40,447
Deputy Leader	21,588
Other Executive Members (8):	19,945
Chair of Health Overview and Scrutiny Committee	11,273
Housing and Leisure Overview and Scrutiny Committee	5,637
Chairs of Other Overview and Scrutiny Committees (4):	5,637
Vice-Chair of Overview and Scrutiny Committees (6):	1,879
Chair of Area Committees (6):	5,637
Chair of Strategic Planning Committee	7,110
Vice-Chair of Strategic Planning Committee	2,184
Chair of the Appeals Committee	5,637
Vice-Chair of Appeals Committee	939
Chair of Pension Fund Committee	5,637
Chair of Audit Committee	4,864
Chair of Standards and Governance Committee	4,509
Chair of Area Planning Committee (6)	3,891
Vice-Chair of Area Planning Committee (6)	1,485
Chair of Statutory Licensing Committee	3,570
Vice-Chair of Statutory Licensing Committee	1,879
Chair of Statutory Licensing Sub-Committee (3)	250
Chair of General Licensing and Registration Committee	4,010
Vice-Chair of General Licensing and Registration Committee	1,879
Chair of General Licensing and Registration Sub-Committee (3)	250
Champion for Young People	1,879
Champion for Older People	1,879
Champion for Climate Change	1,879
Leaders of Political Groups:	
Second largest Group membership	6,957
Third largest Group membership	3,598
NB the allowance for the third largest Group Leader is shared equally where there is more than one eligible group*	

Secretaries of Political Groups

Largest Group membership	2,818
Second largest Group membership	1,879
Third largest Group membership	939
NB the allowance for the third largest Group Secretary is shared equally where there is more than one eligible group*	

(* other eligible groups are those that have over 10% of the membership, which is to be interpreted as over 7 in number)

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:

Independent Persons of the Standards and Governance Committee	939
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3. The following are specified as the special responsibilities in relation to the Police, Fire and Crime Panel in respect of which Special Responsibility Allowances are payable and the amounts of those allowances:

Chair of the Panel	9,394
Vice-Chairman of the Panel (2)	3,758
Members of the Panel (7)	1,879
Community Members (3)	1,879

4. The following are specified as the special responsibilities in relation to the Pension Board in respect of which Special Responsibility Allowances are payable and the amounts of those allowances:

Chairman of the Board	3,182
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Travel, subsistence and other expenses for members of the Board are the same as those for Members of the Council.

2024/25 SCHEME OF APPROVED DUTIES - Eligibility for travel and subsistence allowances

All Members of the Council are entitled to receive payment of travelling and subsistence allowances in respect of expenditure necessarily incurred by them for the purpose of enabling them to perform an **Approved Duty**.

List of Approved Duties

- (a) All meetings of the Council, the Executive.
- (b) Any Committees of the Council or of the Executive, and any Sub-Committees, Panels or Working Parties they may establish.
- (c) Meetings of the Police, Fire and Crime Panel.
- (d) Meetings of the Health and Wellbeing Board.
- (e) Visits by Executive Members, Designated Champions, Chairs and Vice-Chairs of Overview and Scrutiny Committees on Council business associated with those roles.
- (f) Meetings, outside of formal Council meetings, attended by Members with Officers, for the purpose of progressing Council business, provided that:
 - ♦ the journey is strictly necessary for the matter to be resolved in an effective way;
 - ♦ the issue could not be dealt with at the same time that other business is being undertaken, for example on the same day as a formal meeting, so as to avoid an unnecessary journey; and
 - ♦ is reasonably undertaken in pursuit of the Council's work.
- (g) Attendance of Members at training courses and seminars approved by the Chief Executive Officer.
- (h) Attendance at conferences, subject to the specific arrangements set out in the **Protocol on Members Attendance at Conferences** within the Council's Constitution.
- (i) Attendance as an authorised representative of the Council at meetings of specified outside bodies listed in Sections 1 and 2 of Schedule 5 of Part 3 to the Constitution. (Note: Expenses will not be payable where they are payable by the body appointed to, in which case, the claim should be submitted to the body concerned.) In particular it should be noted that the National Park Authorities have their own arrangements in relation to the payment of these allowances.
- (j) Attendance at Parish Council Meetings in connection with the work of the Council.
- (k) Attendance at charter trustee and mayoralty meetings.

Certain duties, specifically relating to formal meetings of the Council are covered by Regulations made under the Local Government Act 1972.

Duties for which travelling and subsistence will not be paid

It should be noted that travel/subsistence allowances are not payable to Members of the Council for the following purposes:

- ◆ Acting as Governors of primary or secondary schools
- ◆ Constituency business
- ◆ Social functions
- ◆ Political group meetings.