

# Colchester Borough Council

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## MEMBERS' ALLOWANCES SCHEME

(Note: This scheme was approved by Colchester Borough Council on 24 February 2021)

Colchester Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 2003, hereby makes the following scheme:

This scheme may be cited as the Colchester Borough Council Members' Allowances Scheme and shall have effect from 1 January 2021 and thereafter for subsequent Municipal Years.

In this scheme;

"Councillor" means an elected Member of the Colchester Borough Council.

"Co-opted member" means a non-elected member of a Council Committee or Panel.

### 1. Allowances

Each Councillor shall be paid a Basic Allowance, and those Councillors who undertake special responsibilities shall be paid a Special Responsibility Allowance. Allowances and Co-opted members' allowances shall be increased annually with effect from the Annual General Meeting of the Council by the same percentage as that applied to the Council's officers' salary scale.

### 2. Payment

The annual allowance payable to each Councillor and Co-opted member shall be made in twelve equal instalments (as far as possible) paid on the 25<sup>th</sup> day of each month or thereabouts subject to compliance with the part-year payment provisions set out below.

### 3. Renunciation

A Councillor or a Co-opted member may by notice in writing given to the Chief Executive elect to forego any part of his/her entitlement to allowances payable under this scheme.

### 4. Part-year Entitlements

If the term of office or duties undertaken by a Councillor or Co-opted member begin or end part way through a Municipal Year, or amendment of the scheme during a Municipal Year changes the amount to which a Councillor or Co-opted member is entitled, then calculation of the allowance payable shall be on a pro-rata basis having regard to the proportion that the term of office, period of duty or relevant periods of the scheme bear to the Municipal Year in which they occur.

## **5. Suspension and Repayment of allowances**

Where payment of any allowance has already been made in respect of any period during which a Councillor either:-

- (a) ceases to be a member of the Council; or
- (b) is in any other way not entitled to receive the allowance in respect of that period,

the Council will require the Councillor to repay the allowance.

## **6. Travel and Subsistence Payments**

Travel and subsistence payments shall be made to Councillors in respect of approved duties. Duties which are approved comprise meetings of the Council, Cabinet, Panels, Committees and Sub-Committees, site inspections by members of the Planning Committee and training courses for Councillors facilitated by the Council. Other duties may be approved pursuant to the Council's Scheme of Delegation.

The rates for travel and subsistence allowances are determined annually by the Council following the determination by HMRC of the maximum rates for such allowances.

Payment of approved travel and subsistence allowances claims received no later than three working days before the 9<sup>th</sup> day of each month will be included in the next following instalment payment. Claims received after the deadline will not be paid until the instalment payment made in the following month.

## **7. Mandatory Member Development - Withholding of Allowances**

Where the Council specifies that training and development on a particular subject is mandatory for all Councillors or specified groups of Councillors, should that training and development not be undertaken the payment of the relevant Councillors allowances, including any Special Responsibility Allowance, shall be withheld until the Councillor has undertaken the required training and development.

[NB Paragraph 7 included by Full Council at its meeting on 18 July 2018]

## MEMBERS' ALLOWANCES 2021/22

**Allowances Paid to Councillors from 1 April 2020**  
(following pay award of 2.0% of March 2020)

<b>Members Allowances</b>	<b>£</b>
Basic Allowance	7,115.66
<b>Special Responsibility Allowances</b>	<b>£</b>
Leader of the Council	21,346.79
Deputy Leader of the Council	13,448.60
Cabinet Member	12,808.22
Chairman, Scrutiny Panel	7,471.45
Chairman, Planning	7,471.45
Chairman, Licensing	6,404.21
Chairman, Other Panel/Committee/Board	4,269.40
Group Leader (Conservative)	7,528.94*
Group Leader (Liberal Democrats)	5,182.94*
Group Leader (Labour)	4,713.74*
Group Leader (Highwoods)	2,836.94*
Member, Planning	1,120.73
Member, Licensing	480.31

\*amount equates to = £2133.14 and £234.60 per member

Co-opted Member Special Responsibility Allowance - £224.58

**NB. Each Councillor will qualify for only one Special Responsibility Allowance (the highest) regardless of the number of positions of responsibility.**

## TRAVEL AND SUBSISTENCE

1. The following mileage allowances for journeys in pursuance of official duties have been approved by the Council and are in line with HMRC rates.

### Travel

- (a) Travel by public transport shall not exceed the amount of the ordinary fare or any available cheap fare.
- (b) Taxi fares in cases of urgency where no public service is reasonably available, please claim the actual amount, otherwise claim the amount of fare by public transport.
- (c) Bicycle rate (Councillors own bicycle or one provided for his/her use): 20p per mile.
- (d) Motorcycle rate (Councillors own solo motorcycle or one provided for his/her use): 24p per mile.
- (e) Motor car rate (Councillors own private motor vehicle or one provided for his/her use): 45p per mile.

### Subsistence Allowance

- (a) Subsistence rates in connection with official duties- actual amounts are to be claimed. The amounts specified below are maximums.

#### Breakfast allowance

(more than 4 hours away from usual place of residence before 11am) £5.00

#### Lunch allowance

(more than 4 hours away from usual place of residence including the period between 12 noon and 2pm) £7.00

#### Tea allowance

(more than 4 hours away from usual place of residence including the period 3pm to 6pm) £3.00

#### Evening meal allowance

(more than 4 hours away from usual place of residence ending after 7pm) £10.00

#### Overnight subsistence

(absence overnight from normal place of residence) £80.00

#### London/approved conference subsistence

(absence overnight from normal place of residence in London or at an approved conference) £100.00

NB Specified rates for all allowances are maximum rates

2. Under the relevant Regulations, Councillors are required to claim within two months of meetings. Payment is therefore made for each cycle of meetings and claim forms should be forwarded to Democratic Services by the 7th of the month for payment on the 25th. Late claims will normally be held over until the next month's pay date. Failure to provide receipts for all claims except mileage may result in a deduction for income tax.
3. Travel claims for meetings of an outside body can only be made if Councillors are attending a bona fide meeting of the outside body concerned in their role as the Council's representative. Allowances and expenses involved in attending any meeting on behalf of the outside body should be met by that body.

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## **Councillors Child Care and Dependant Carers Allowance Scheme**

### **1. Introduction**

- 1.1 The dependant carers allowance is a subsidy provided by the Council to Councillors towards the cost of the provision of child or dependent care while attending Council meetings.
- 1.2 For the purpose of this allowance, a Council meeting is defined as a meeting of the Council, the Cabinet, a Panel or a Committee to which the Councillor has been appointed; in addition, a working group, commission or forum to which the Councillor has been appointed by the Council, the Cabinet, a Panel or a Committee.
- 1.3 It is not intended that the allowance will meet the full cost of carers, but it will assist towards the cost.

### **2. Eligibility - Child Care**

- 2.1 Any Councillor may qualify for the allowance and will be required to show that as a result of their attendance at Council meetings they are required to arrange paid care for children up to the age of 16 years who reside with them.
- 2.2 Any doubts as to the eligibility of an individual under the scheme will be resolved by the Assistant Director Corporate and Improvement Services.

### **3. Allowance - Child Care**

- 3.1 The allowance is intended to cover the costs involved at the current living wage rate
- 3.2 If a Councillor is required to pay a reasonable booking and/or registration fee to a registered child care agency then the Councillor may claim for the amount incurred
- 3.3 Any payment made under the scheme will be made on the basis of actual expenditure incurred up to the maximum amount referred to at 3.1 and 3.2 above.
- 3.4 Payment of the allowance will be in arrears on completion of a signed claim form.

### **4. Eligibility - Dependents**

- 4.1 Any Councillor can claim the allowance if they comply with the following criteria:

- (a) That in order to qualify for the allowance, the Councillor must show that as a result of their attendance at Council meetings they are required to arrange paid care for any dependant.
  - (b) A dependant is defined as any person (other than a child up to the age of 16 years), who resides with the Councillor and requires care and supervision.
- 4.2 Any doubts as to the eligibility of an individual under the scheme will be resolved by the Assistant Director Corporate and Improvement Services.

## **5. Allowance - Dependants**

- 5.1 The allowance is intended to cover reasonable costs based on the Living Wage rate (in line with Essex County Council Social Services Homecare Assistant Rate).
- 5.2 Any payment made under the scheme will be made on the basis that expenditure incurred is of at least the level of allowance agreed.
- 5.3 No payments will be made towards registration fees or deposits etc.
- 5.4 Payment of the allowance will be in arrears and based on receipted evidence.

## **6. Application**

- 6.1 Application for inclusion on the scheme must be made on the appropriate application form at the start of each municipal year.
- 6.2 The Assistant Director Corporate and Improvement Services must be notified immediately of any change in circumstances which might affect the eligibility to continue claiming under this scheme, this includes written confirmation of when a child reaches the age of 16 years.

## **7. Rates**

Childcare	£8.21 per hour per child
Older People	£13.06 per hour
Physical or Sensory Impairment	£12.97 per hour
Learning Disability	£13.55 per hour

## **8. General Notes**

- 8.1 This payment attracts income tax and national insurance deductions and may affect your entitlement to DWP benefits. The allowance is not superannuable.

*Note: This Scheme was approved by Full Council on 24 February 2021*