

Part 6

Members' Allowance Scheme

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Members' Allowance Scheme

1. Definitions

1.1 In this Scheme:

'the regulations' means the Local Authorities (Members' Allowances) (England) Regulations 2003;

'member' means a member of Staffordshire Moorlands District Council who is a councillor;

'year' means the period beginning on the first day of any municipal year and ending with the last day of that municipal year;

'municipal year' means a period of one year commencing with the annual meeting of the Council and ending the day before the annual meeting in the following year.

2. Basic Allowance

2.1 Subject to paragraph 8, for each year or part thereof, the Basic Allowance specified in Schedule 1 of this Scheme shall be paid to each member.

3. Special Responsibility Allowance

3.1 For each year a Special Responsibility Allowance shall be paid to those members who hold the special responsibilities specified in Schedule 1.

3.2 Subject to paragraph 8, the amount of each such allowance shall be as specified in Schedule 1.

3.3 For the purpose of this section 'Group Leader' means the elected leader of a political group having at least 10% of the total number of members on the Council.

4. Child Care and Dependent Carer's Allowance

4.1 A Child Care and Dependent Carer's Allowance shall be payable as set out in Schedule 1.

5. Travel and Subsistence Allowances

5.1 Travel allowances are payable for duties set out in Schedule 2 and shall be as follows:

- i. Public transport - reimbursement of actual costs incurred.
- ii. Private transport - see Schedule 3.

5.2 Subsistence shall be payable as specified in Schedule 3. If an overnight stay is required, a member or co-optee can claim the actual reasonable cost of any accommodation.

6. Co-optees

- 6.1 Any co-optees, as permitted by the Council's Constitution, shall be paid Travel and Subsistence and Child Care and Dependent Carer's Allowances as specified in Schedules 2 and 3 to this Scheme.

7. Annual Index

- 7.1 The Staffordshire Moorlands District Council Members Allowances are indexed as follows:

- Basic Allowance, SRAs, Co-optees' and Subsistence Allowances:
 - Indexed to the annual percentage salary increase for local government staff set at SCP 43 to be applied for the same year that applies to staff
- Travel Allowance – Mileage Rates:
 - Indexed to HMRC approved mileage rates for motor, hybrid and electric vehicles, motor cycles and bicycles
- Dependants' Carers' Allowance – Maximum Rates:
 - Childcare element:
 - indexed to the 'national living wage' hourly rate
 - Elderly or Other Dependant Relatives element:
 - indexed to median hourly rate charged for a Home Care Assistant by Staffordshire County Council Social Services Department

The indices apply for the maximum length permitted by the 2003 Regulations namely four years and to run from start of 2023/24 municipal year until the end of the 2027/28 municipal year.

8. Renunciation

- 8.1 A member or co-optee may by notice in writing given to the Chief Executive or Executive Director and Monitoring Officer elect to forego any part of his or her entitlement to an allowance under this Scheme.

9. Entitlement to Allowances

- 9.1 A member shall be entitled to payment of the Basic Allowance and only the higher of any two or more Special Responsibility Allowances for which s/he may qualify.

10. Part Year Entitlements

- 10.1 The provisions of this paragraph shall have effect to regulate the entitlements of a member or co-optee to Basic and Special Responsibility Allowances (as appropriate) where, in the course of any year, this Scheme is amended or that member or co-optee becomes, or ceases to be, a member or co-optee or accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.

- 10.2 If an amendment to this Scheme changes the amount to which a member or co-optee is entitled by way of a Basic Allowance or Special Responsibility Allowance, then in relation to each of the periods:

- (a) beginning with the municipal 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 before that on which the next amendment takes effect, or (if there is no amendment) the end of the year

the allowance paid shall be proportional to the number of days in that period to the number of days in the year.

- 10.3 If an amendment to this Scheme changes the duties specified in Schedule 2 to this Scheme, the entitlement to Travel and Subsistence Allowance or Child Care and Dependent Carer's Allowance, shall be to the amount applicable under the Scheme when the duty is carried out.
- 10.4 Where the term of office of a member begins or ends otherwise than at the beginning or end of a municipal year, the Basic Allowance and Special Responsibility Allowance paid shall be proportional to the number of days in that period to the number of days in the year.
- 10.5 Where the Scheme is amended as mentioned in sub-paragraph 11.2, and the term of office of a member does not subsist throughout the period mentioned in sub-paragraph 11.2 (a), the Basic Allowance and Special Responsibility Allowance paid shall be proportional to the number of days in the period of office of that member to the number of days in the year.
- 10.6 Where a member or co-optee has during part of, but not throughout, a municipal year such special responsibilities as entitle him or her to a Special Responsibility Allowance, the Special Responsibility Allowance paid shall be proportional to the number of days during which that office is held to the number of days in the year.

11. Claims and Payments

- 11.1 Any claim for allowances other than the Basic and Special Responsibility Allowances shall be made on the form provided by Democratic Services, supported by receipts as appropriate.
- 11.2 The allowance claim form shall include a signed statement by the member claiming the allowance that he or she is not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under the scheme.
- 11.3 All claims should be made to Democratic Services regularly each month.

12. Payment Shall be Made

- 12.1 In respect of Basic and Special Responsibility Allowances in instalments of one-twelfth of the amount specified in this Scheme on the 15th day of each month, or the working day preceding that date.
- 12.2 In respect of other allowances, on the 15th day of each month following the receipt of a claim, providing such claim is received in time for this to be processed.
- 12.3 Where a payment of one-twelfth of the amount specified in this Scheme in respect of a Basic Allowance or a Special Responsibility Allowance would result in the member or co-optee receiving more than the amount to which, by virtue of paragraph 12, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

13. Membership of more than one Authority

- 13.1 Where a member of the Authority is also a member of another authority, as defined in the Regulations, that member shall ensure that he/she does not receive allowances from more than one authority in respect of the same duties.

BASIC ALLOWANCE

Each member shall be entitled to a Basic Allowance of £4,818.

SPECIAL RESPONSIBILITY ALLOWANCES

Leader of the Council	£14,454
Deputy Leader of the Council	£8,672
Cabinet Members	£6,504
Cabinet Support Members	£3,252
Scrutiny Panel Chairs	£4,336
Scrutiny Panel Vice-Chairs	£1,085
Scrutiny Committee Chairs	£2,891
Chair of Planning Applications Committee	£5,059
Vice-Chair of Planning Applications Committee	£1,770
Chair of Standards Committee	£1,445
Chair of Audit and Accounts Committee	£2,891
Chair of Licensing and Regulatory Committee	£3,614
Vice-Chair of Licensing and Regulatory Committee	£904
Chair of the Local Plan Steering Group	£1,445
Member Development Champion	£1,445
Co-optees' Allowance	£497
Main Opposition Group Leader	£5,059
Minority Opposition Group Leader*	£2,168
Chairman of the Council	£2,891

* For the purpose of this section 'Group Leader' means the elected leader of a political group having at least 10% of the total number of members on the Council (currently 6 members).

CHILD CARE AND DEPENDENT CARER'S ALLOWANCE

Payable as follows in respect of child or dependent relative care whilst undertaking the qualifying duties specified in Schedule 2.

- Childcare - maximum hourly rate at National Living Wage (£10.42 from 1 April 2023)
- Elderly/disabled care – maximum hourly rate at the median hourly rate charged by Staffordshire County Council Social Services Department for a Home Care Assistant

SCHEDULE 2

Approved duties for the purpose of Travel and Subsistence Allowance and Child Care and Dependent Carer's Allowance (Members cannot claim Subsistence Allowances for attending in-district duties):

1. A meeting of the District Council, Committee, Cabinet or Panel or of any Sub-Committee/Working Group whether as a member, substitute or observer.
2. Site inspections or visits to Council offices by members of the Council, Cabinet, a Committee, Panel or Sub-Committee/Working Group arranged in conjunction with the work of the particular body concerned or in pursuance of their Special Responsibility.
3. Government offices for the purposes of transacting Council business.
4. The Council's offices or other place within the Staffordshire Moorlands or its Alliance partner at the request of the Chief Executive, a Strategic Director or the Head of Service.
5. Official and courtesy visits of a civic nature within the United Kingdom where (other than in the case of the Chairman or Vice-Chairman) first approved in writing by the Chief Executive.
6. Official openings, presentations or other events within the District (other than in the case of the Chairman or Vice-Chairman) where first approved in writing by the Chief Executive.
7. A meeting of a body to which a member has been appointed by the Local Government Association or Staffordshire Local Government Association.
8. Training for Councillors arranged in accordance with the Member Development Programme.
9. Other meeting or function, whether in the United Kingdom or abroad, where attendance has been approved in advance by the Chief Executive.
10. Attendance as the Council's representative/nominee, or duly appointed substitute, at meetings of the outside bodies appointed by the Council at its Annual Meeting and revised from time to time including appointments by the Cabinet, Committee or Overview and Scrutiny Panel.

SCHEDULE 3

MILEAGE RATES PAYABLE

The following rates will be paid:

HMRC Mileages rates applicable for the following modes of transport:

- Travel by cars and vans: 45p per mile
- Travel by motorcycle: 24p per mile
- Travel by bicycle: 20p per mile
- Passenger supplement rate: 5p per passenger (maximum of 4)

The Passenger Supplement allowance should only be claimed for carrying fellow elected Members to an approved duty who would also be eligible for claiming the mileage allowance if travelling in their own vehicle.

Where a Member claims the mileage allowance by travel in a hybrid/electric vehicle the HMRC rates are also applicable.

SUBSISTENCE RATES PAYABLE

		£
Breakfast allowance absence over 4 hours (Period before 11.00 a.m.)	up to	6.00
Lunch allowance absence over 4 hours (Including the period between 12 noon - 2.00 p.m.)	up to	8.00
Tea allowance absence over 4 hours (Including the period between 3.00 p.m. - 6.00 pm.)	up to	4.00
Evening Meal allowance absence (Period ending after 7.00 p.m.)	up to	15.00
Overnight covering 24 hours	up to	90.00
Overnight in London or Conference LGA	up to	120.00

NOTE:

- (a) All expenses claimed, e.g. car parking fees, meals, taxi or bus fares, etc. must be accompanied by dated receipts and be up to the maximum amounts stated above.