

## ROTHERHAM BOROUGH COUNCIL

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# **ROTHERHAM BOROUGH COUNCIL**

## **MEMBERS' ALLOWANCES SCHEME**

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

1. This scheme may be cited as the Rotherham Borough Council Members' Allowances Scheme and, except where otherwise mentioned, shall have effect from 1<sup>st</sup> April 2011, and thereafter for subsequent years commencing on 1<sup>st</sup> April until the scheme is revoked or amended.

2. In this scheme:

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

"Co-opted Member" means a Member co-opted by the Council on to one of its Boards, Committees or Scrutiny Panels.

"Year" means the twelve months ending with 31<sup>st</sup> March.

3. **Basic Allowance**

Subject to paragraphs 12 and 13, a basic allowance of £12,130 per annum shall be paid to each Councillor.

4. **Special Responsibility Allowances**

(1) Subject to paragraphs 12 and 13, a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the Authority that are specified in schedule 1 to this scheme.

(2) The amount of each such allowance per annum shall be the amount specified against that special responsibility in the schedule.

(3) No Councillor shall be entitled to more than one special responsibility allowance (except in the case of the special responsibility allowances payable to the pensions spokesperson and the pensions member).

5. **Cooptees Allowances**

A Cooptees allowance of £1,000 per annum shall be paid to each Independent Member and Parish Council Member of the Standards Committee, with an additional £2,500 and £1,500 per annum respectively to the Independent Chair and Vice Chair of the Committee

6. **Dependants Carers' Allowance**

(1) A Councillor may claim, by way of dependants carers' allowance, expenditure actually and necessarily incurred, up to a maximum of £4.65 per hour, in making arrangements for the care of his or her children or dependants whilst he or she is performing any of the duties listed at schedule 2.

(2) Dependants carers' allowance may not be claimed in respect of care provided by a member of the Councillor's family.

(3) The Strategic Director of Finance may require the Councillor to provide such evidence of the expenditure as he may specify.

7. **Travelling Allowance**

(1) For Councillors, travel within the Borough is covered by the basic allowance and no other allowance will be paid.

(2) For Councillors travelling outside the Borough and Co-opted Members travelling within and outside the Borough, regarding the performance of any of the duties listed at schedule 2, the following may be paid –

(a) Public Transport

The actual costs will be reimbursed. Rail travel must always be undertaken in the most cost effective way.

(b) Taxis

The rate of travel by taxis shall not exceed –

(i) in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid;

(ii) in any other case, the amount of the fare for travel by appropriate public transport.

(c) Mileage

Mileage should be paid at 40p per mile (for cars) or 27p per mile (for motorcycles) from the point of departure to the destination, provided that the destination is outside the Borough. There shall be a limit on mileage of 100 miles to the destination and 100 miles back, regardless of the actual length of the journey.

8. **Subsistence Allowance**

(1) For Councillors, subsistence within the Borough is covered by the basic allowance and no other allowance will be paid.

(2) Co-opted Members shall be entitled to the following subsistence allowance as reimbursement of expenses whilst on Council business in the borough.

Breakfast	£5.00
Lunch	£6.85
Tea	£2.70
Evening Meal	£8.50

(3) Outside the Borough, subsistence allowance in connection with the performance of any of the duties listed at schedule 2 shall be paid to a Councillor or Co-opted Member at the following rates –

- Absence from home or place of work up to 12 hours £11.00
- Absence from home or place of work for between 12 and 24 hours £22.00

- Absence from home or place of work for over 24 hours            £33.00

Where meals are provided at no expense to the Councillor or Co-opted Member, for example, by the person or body hosting a conference, then the subsistence allowance will be reduced by £11.00 for each meal so provided.

In addition to the above subsistence allowances, where a Councillor or Co-opted Member has to stay overnight in connection with the performance of a duty listed in schedule 2, then the following may be claimed subject to the production of a receipt –

- Outside London, hotel bill to a maximum of £80.00 (or, where the Council has attended a Conference, the cost of staying at the conference hotel if greater).
- Within London, the cost of staying at a hotel chosen from a list of approved hotels maintained by the Democratic Services Manager (or where the Councillor or Co-opted Member has attended a conference, the cost of staying at the conference hotel if greater).

(4) In exceptional circumstances only, for reasons clearly specified, the Democratic Services Manager may authorise reimbursement at a higher rate subject to the production of a receipt for the actual expenditure incurred.

(5) For approved duties overseas the following allowances are payable for incidental expenditure per day where the authority provides –

Room and breakfast only	£79.00
Room, breakfast and one main meal	£46.90
Full board	£40.50

(6) Receipts shall be provided for all expenditure on subsistence outside the Borough.

9.    **Pensions**

(1) All Councillors shall be eligible to participate in the Local Government Pension Scheme made under section 7 of the Superannuation Act 1972.

(2) This entitlement shall cease when a Councillor ceases to be a Member of the Council or during any period that a Councillor is suspended from membership of the Council.

(3) Both the basic allowance and any special responsibility allowance payable to a Councillor may be treated as amounts in respect of which pensions are payable in accordance with a scheme made under section 7 of the Superannuation Act 1972.

10. **Elections to Forego Allowance**

A Councillor or a co-opted Member may by notice, in writing given to the Strategic Director of Finance, elect to forego any part of his or her entitlement to an allowance under this scheme.

11. **Part-year entitlements**

(1) Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, his or her entitlement shall be to payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his or her term of office as Member subsists, bears to the number of days in that year.

(2) Where a Councillor has for only part of the year, such special responsibilities as entitle him or her to a special responsibility allowance, his or her entitlement shall be to payment of such part of the special responsibility allowance as bears to the whole, the same proportion as the number of days during which he or she has such responsibilities, bears to the number of days in that year.

(3) If during the course of a year, the scheme is amended so as to change the amounts to which a Councillor or Coopted member is entitled by way of basic allowance, special responsibility allowance or cooptees allowance, then the original and revised allowances shall respectively be paid pro-rata, up to and from the dates on which the amendment takes effect. The same principle will apply if the scheme is then further amended during the year.

12. **Suspension of a Councillor**

(1) Where a Councillor is suspended or partially suspended from his or her responsibilities or duties as a Member of the Council in accordance with part 3 of the Local Government Act 2000, or regulations made under that part, the part of basic allowance payable to him or her in respect of the period for which he or she is suspended or partially suspended, may be withheld by the Council.

(2) Where a Councillor is similarly suspended or partially suspended from his or her responsibilities or duties, the part of any special responsibility allowance payable to him or her in respect of the responsibility or duties from which he or she is suspended or partially suspended may be withheld by the Council.

13. **Adjustment of Allowances**

(1) The basic allowance and special responsibility allowances set out in this scheme have been reduced by 1.15%. This arrangement will be continued whilst ever a reduction of a similar percentage is applied to the remuneration of Council employees. Thereafter, the full allowances will become payable once more.

(2) Subject to (1) above, there shall be no increase in basic allowance, special responsibility allowances or cooptees allowances for a period of two years from 1<sup>st</sup> April 2011.

(3) Mileage allowance shall be increased only in the event of there being an increase in the HMRC recommended rate. Subsistence allowance shall be adjusted annually on 1<sup>st</sup> April, by reference to the retail price index.

14. **Claims and Payments**

Payments shall be made by the Strategic Director of Finance as necessary.

(1) Payments shall be made in respect of basic and special responsibility allowances and cooptees allowance in installments of one-twelfth of the amount specified in this scheme on the 18<sup>th</sup> day of each month.

(2) However, where a payment of one-twelfth of the amount specified as above would result in the Councillor or Coopted Member receiving more than the amount to which he or she is entitled because of the part year entitlement provisions contained within the scheme, 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.

(3) Claims for Dependants Carers' Allowance and travelling and subsistence allowance must be submitted to the Town Hall Manager or the Mayor's Secretary, not later than three months from the date on which entitlement to any such allowances arises.

T.C. Mumford  
Assistant Chief Executive  
(Legal and Democratic Services)

## SCHEDULE 1

### SPECIAL RESPONSIBILITY ALLOWANCES 2011/2012~~2010/2011~~

	£
Leader	32,170
Deputy Leader	21,443
Leader of the Majority Opposition	10,723
Cabinet Member	16,083
Chairman of Performance and Scrutiny Overview Committee	16,083
Chairman of Scrutiny Panel	10,723
Chairman of Planning	10,723
Chairman of Audit Committee	10,723
Chairman of Licensing	10,723
Chairman of Area Assembly	5,350
Vice-Chairman of Scrutiny Panel	1,234
Vice-Chairman of Planning	1,234
Vice-Chairman of Audit Committee	1,234
Vice-Chairman of Licensing	1,234
Pensions Spokesperson	3,729
Pensions Member	3,729
Cabinet Adviser	1,234

## SCHEDULE 2

1. For All Councillors and Co-opted Members of the Council.
  - (a) The attendance at a meeting of the Council or of any committee, sub-committee, Area Assembly or of any other body to which the Council makes appointments or nominations, or any committee or sub-committee of such a body.
  - (b) Attendance at any other meeting, the holding of which is authorised by the Council or a committee or sub-committee of the Council, or a joint committee of the Council and one or more other local authority, or a sub-committee of such a joint committee, provided that:
    - (1) where the Council is divided into two or more political groups, members of at least two such groups have been invited to the meeting; or
    - (2) if the Council is not so divided, at least two members of the Council have been invited.
  - (c) Attendance at a meeting of any association of authorities of which the Council is a member.
  - (d) Attendance at a meeting of the Cabinet or a meeting of any of the committees of the Cabinet.
  - (e) Performance of any duty requiring a member or members to be present whilst tender documents are opened.
  - (f) Performance of any duty in connection with the discharge of any function of the Council which empowers or requires the Council to inspect or authorise the inspection of premises.
  - (g) Performance of any duty in connection with arrangements made by the Council for the attendance of pupils at schools approved for the purposes of section 342 (special schools) of the Education Act 1996.
  - (h) Attendance at Council, Cabinet, Board, Panel, Area Assembly or sub-committee meetings of which the Councillor is not a member, but is invited to attend by the Chair.
  - (i) Attendance at Members' Surgeries (although this is unlikely to lead to a claim for subsistence).
  - (j) Attendance at Members training sessions/seminars.
  - (k) Attendance at Conferences/Courses specifically approved by the Council. These cannot include those organised by profit-making or political organisations.
  - (l) Attendance at meetings/conferences of outside bodies to which a member has been specifically appointed by the Council.
  - (m) Any other duty specifically approved by the Council.



## NOTE

Attendance at Panels and meetings such as Dismissals, Grievances, tenders, visits, etc. are recognised as Council Sub-Committees.

Informal discussions, meetings or visits between Members or with Officers or with other organisations are not “approved duties” and claims should not be made. These discussions and meetings form part of the Member constituent duties.

2. Cabinet Members/Chair of the Performance and Scrutiny Overview Committee.

Attendance at briefings/consultations meetings, either as a Cabinet or called by the Leader, or with relevant officers, twice a week on average.

3. Chair and Vice-Chair

Chair and Vice-Chair of Scrutiny Panels, Planning and Licensing Boards, Audit Committee, Area Assemblies or Working Groups appointed by the Council, to attend at briefings/consultation meetings with relevant officers once a week on average.

4. Cabinet Advisers

Attendance at briefings/consultation meetings, either with the Cabinet or with relevant officers, twice a week on average.