

**RYEDALE DISTRICT COUNCIL
LOCAL GOVERNMENT AND HOUSING ACT 1989
LOCAL GOVERNMENT ACT 2000
THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND)
REGULATIONS 2003 REGULATION 16**

MEMBERS' ALLOWANCES SCHEME

1.0 INTRODUCTION:

- 1.1 This Scheme has been adopted for the purposes of the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations").
- 1.2 The Scheme shall continue in force until amended or revoked by the Council.
- 1.3 The Scheme will apply to all Members of the Council.
- 1.4 All Allowances shall be payable for the period from 1 April 2008.
- 1.5 A Member may by notice in writing to the Chief Executive elect to forego his/her entitlement or any part of his/her entitlement to Allowances.

2.0 BASIC ALLOWANCES: (Regulation 4)

- 2.1 A Basic Allowance as set out in the Annex to this Scheme as amended from time to time in accordance with Section 7 of the Scheme shall be payable to each elected Member of the Council. The Allowance shall be the same for each elected Member.
- 2.2 Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year his/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 term of office as Member subsists bears to the number of days in that year.
- 2.3 Where a Member is suspended or partially suspended from his/her responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that part, the part of the Basic Allowance payable to him/her in respect of the period for which he/she is suspended or partially suspended may be withheld by the Standards Committee.

3.0 SPECIAL RESPONSIBILITY ALLOWANCE: (Regulation 5)

- 3.1 The Special Responsibility Allowances set out in the Annex to this Scheme as amended from time to time in accordance with Section 7 of the Scheme shall be payable to the following elected Members in addition to the Basic Allowance:-

Special Responsibility Allowance
Leader of the Council
Chairman, Scrutiny Committee
Chairman, Policy & Resources Committee
Vice-Chairman, Policy & Resources Committee
Chairman, Standards Committee
Chairman, Community Services & Licensing Committee
Chairman, Planning Committee
Group Leaders (4)
Council Representatives at LGA General Assembly
Council Representative at Yorkshire & Humberside Assembly, LGA-Rural Commission

- 3.2 Where a Member does not have throughout the whole of the year any special responsibilities as entitle him/her to a Special Responsibility Allowance, his/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/she has such special responsibilities bears to the number of days in that year.
- 3.3 Where a Member is suspended or partially suspended from his/her responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that part, the part of the Special Responsibility Allowance payable to him/her in respect of the period for which he/she is suspended or partially suspended may be withheld by the Standards Committee.

4.0 DEPENDANTS' CARERS' ALLOWANCE: (Regulation 7)

- 4.1 The Dependants' Carers' Allowance set out in the Annex to this Scheme as amended from time to time by Section 7 of the Scheme shall be payable to all elected Members in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in respect of:-
- (a) the attendance at a meeting of the Council or of any Committee, or Sub-Committee or Working Party of the Council, or of any body to which the Council makes appointments or nominations, or of any Committee or Sub-Committee of such a body;

- (b) the 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 Local Authorities within the meaning of Section 270(1) of the Local Government Act 1972, or a Sub-Committee of such a Joint Committee, provided that:-
 - (i) where the Council is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited; or
 - (ii) if the Council is not so divided, it is a meeting to which at least two Members of the Council have been invited;
- (c) the attendance at a meeting of any association of Authorities of which the Council is a member;
- (d) the performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises;
- (e) attendance at:-
 - (i) meetings of Parish Councils within the Members Ward;
 - (ii) meetings of a public nature where attendance is of value in carrying out the Members' community role;
 - (iii) meetings with constituents;

where the meeting is within the Members' Ward, undertaken as part of the Members' duties and the expenses are not reimbursed from some other source;
- (f) attendance at any meeting arranged by any other body on which the Member represents the Council where that other body is not reimbursing the Member.

4.2 For the purposes of this Section, "Authority" means an Authority of any description specified in sub-paragraphs (a) to (c) of Regulation 3(1) of the Regulations.

5.0 TRAVELLING, SUBSISTENCE AND ACCOMMODATION ALLOWANCE:

5.1 The Travelling, Subsistence and Accommodation Allowance set out in the Annex of this Scheme as amended from time to time by Section 7 of the Scheme shall be payable to all Members in respect of:-

Statutory approved duties (regulation 8(1)(a)-(f))

- (a) Attendance at a meeting of the Council or of any Committee or Sub-Committee of the Council or any other body to which the Council makes appointments or nominations or of 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 Authorities or a Sub-Committee of such a Joint Committee, provided that where the Council is divided into two or more political groups, it is a meeting to which the Members of at least two such groups have been invited.
- (a) Attendance at a meeting of any association of authorities of which the Council is a member.
- (b) Duties in pursuance of any standing order requiring a Member or Members to be present while tender documents are opened.
- (c) Duties in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises.

Approved duties - outside bodies (regulation 8(1)(h))

- (a) Attendance at meetings of Outside Bodies to which a Member has been appointed to serve as the Council's representative (except where such allowances are payable by the Outside Body);
- (b) Attendance at meetings of the Local Government Association at National, Regional or County level, but not when held immediately before or after the Annual Conference;
- (c) Attendance at Provincial Council meetings;

Other approved duties (regulation 8(1)(h))

- (a) Attendance at an Away Day for Members;
- (b) Attendance at emergency planning courses at the Home Office Emergency Planning College.
- (c) Duties in connection with emergency planning including training and attendance at rest centres
- (d) Attendance at approved conferences.

- (e) Attendance at approved seminars and training courses.
- (f) Attendance at briefing meetings.
- (g) Attendance at the offices to receive petitions.
- (h) Attendance at meetings of advisory groups and working groups and sub-committees appointed by the Council Committees and Overview and Scrutiny Committees.
- (i) Attendance at liaison meetings with North Yorkshire County Council.
- (j) Consultation with constituents.
- (k) Attendance at Interview Panels and formal meetings to shortlist candidates for interviews;
- (l) The giving of official evidence on behalf of the Council at judicial proceedings and planning inquiries;
- (m) Attendance of Chairman and Vice-Chairman of Planning Committee and appropriate Ward Councillor(s) at Local Planning Inquiries and Informal Hearings, either as formal witnesses or observers;
- (n) A visit to a Government Department (previously authorised by a Committee);
- (o) Deputising for the Chairman of the Council by any Councillor in the absence of both the Chairman and Vice-Chairman of the Council;
- (p) Attendance at the Council Offices for discussion by Chairmen and Vice-Chairmen (Council and Committees) with Chief Officers or their nominated representatives on the agenda for a meeting.
- (q) Attendance at any meeting arranged by any other body on which the Member represents the Council where that other body is not reimbursing the Member.
- (r) Attendance by Members of the Overview & Scrutiny Committee at Policy Committee meetings.
- (s) Attendance at Committee meetings at the invitation of the Chairman of Committee.

- 5.2 Where a Member is suspended or partially suspended from his/her responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that part, any Travelling, Subsistence and Accommodation Allowance payable to him/her in respect of the responsibilities or duties from which he/she is suspended or partially suspended may be withheld by the Standards Committee.
- 5.3 For the purposes of this Section a Member of a Committee or Sub-Committee of the Council is to be treated as a Member of the Council.

6.0 CO-OPTEE'S ALLOWANCE: (Regulation 9)

- 6.1 A Co-optees' Allowance as set out in the Annex to this Scheme as amended from time to time in accordance with Section 7 of the Scheme shall be payable to those non-elected Members of a Council Committee or Sub-Committee.
- 6.2 Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year his/her entitlement shall be to payment of such part of the Co-optees' Allowance as bears to the whole the same proportion as the number of days during which his term of office as Member subsists bears to the number of days in that year.
- 6.3 Where a Member is suspended or partially suspended from his/her responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that part, the part of the Co-optees' Allowance payable to him/her in respect of the period for which he/she is suspended or partially suspended may be withheld by the Standards Committee.

7.0 INDEXATION OF ALLOWANCES: (Regulation 10(5))

- 7.1 The levels of the basic allowance, special responsibility allowance, dependants' carers' allowance and co-optees' allowance specified in this scheme shall be index linked annually by reference to the annual percentage award under the National Joint Council for Local Government Services for Spinal Column 34;
- 7.2 All Travelling, Subsistence and Accommodation Allowances shall be adjusted from time to time to ensure that they are the same as the equivalent allowance for officers of the Council.

8.0 CLAIMS AND PAYMENTS:

- 8.1 Claims for payment of Allowances shall be made in writing within one month of the date on which entitlement to the Allowances arises.

- 8.2 Payment for Basic, Special Responsibility and Co-optees' Allowances shall be made in equal monthly instalments on the 23rd day of the relevant month.
- 8.3 Dependants' Carers' Allowance and Travelling, Subsistence and Accommodation Allowance will be paid within two months of receipt of a valid claim.
- 8.4 Where payment of any Allowance has already been made in respect of any period during which the Member concerned is:-
- (a) suspended or partially suspended from his responsibilities or duties as a Member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
 - (b) ceases to be a Member of the Council; or
 - (c) is in any other way not entitled to receive the Allowance in respect of that period such part of the Allowance as relates to any such period shall be repaid to the Council.
- 8.5 Where a Member is also a member of another Authority that Member shall not receive Allowances under this Scheme if he/she is receiving an Allowance from the other Authority in respect of the same duties.

9.0 ACCESS TO THE SCHEME AND RECORDS: (Regulation 15)

A copy of the scheme of Members' Allowances and the record of payments made under it may be inspected during normal office hours at Ryedale District Council Offices, Ryedale House, Malton, North Yorkshire, YO17 7HH Telephone enquires can be made to 0163 600666 Ext 267.

Allowances	Proportion of Basic Allowance	Level for 2008/9 Before Indexation
Basic Allowance	N/A	£3,465.60
Leader	100%	£3,465.60
Chairman, Scrutiny Committee	50%	£1,732.80
Chairman, Policy & Resources Committee	100%	£3,465.60
Vice-Chairman, Policy & Resources Committee	25%	£866.40
Chairman, Standards Committee	33%	£1,143.60
Chairman, Community Services & Licensing Committee	50%	£1,732.80
Chairman, Planning Committee	50%	£1,732.80
Group Leaders (4)	10%	£346.56
Council Representatives at LGA General Assembly	10%	£346.56
Council Representative at Yorkshire & Humberside Assembly, LGA-Rural Commission	10% (Allowance in respect of attendance at Regional Assembly only paid if no leader of Council)	£346.56
Co-optees Allowance – Chairman of Standards Committee	33%	£1,143.60
Allowance for other Co-optees on Standards Committee	10%	£346.56
Dependent Carers Allowance		£6.35 (per hour or actual costs if lower. A maximum of 10 hours per week. Not payable to member of family)

All Members will receive the Basic Allowance. Those with special responsibilities will receive the Allowances indicated in addition to the Basic Allowance. The Special Responsibility Allowance will be a proportion of the Basic Allowance indicated for that Special Responsibility Allowance.

SUBSISTENCE RATES

	£
Breakfast	6.06
Lunch	8.37
Tea (absence after 6.30pm)	3.29
Dinner (absence after 8.30pm)	10.35

Notes: Tea or Dinner may be claimed but not both
The Allowance is irrespective of the actual cost of the meal.

ACCOMMODATION RATES

	£
Other	Up to £72
Major Cities	Up to £93
London	Up to £124
Conferences (National Conferences attended by Members and Officers)	Actual Costs

Note: Where not included in the accommodation charge, the cost of all meals will be reimbursed up to a maximum of double the subsistence rate per meal upon production of receipts. In the absence of receipts, Subsistence Rates will apply.

TRAVEL RATES

Travel by Member's own private motor vehicle

That the following Inland Revenue approved mileage payments rates (AMAP's) be payable:

Car mileage rate per mile:	First 10,000 miles	Each mile over 10,000
Cars and vans	40p	25p
Motorcycles	24p	24p
Bicycles	20p	20p