

PART 5

Councillors' Allowances Scheme

1.0 INTRODUCTION

- 1.1 The scheme outlined in this document was adopted following a full review by the Independent Remuneration Panel (IRP) in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003. The Panel carried out the review in 2022 and the Panel's recommendations were accepted by Council on 25th January 2023.
- 1.2 The next full review by the IRP will be carried out before the scheduled elections in 2027 for implementation no later than 1st May 2027.

2.0 BASIC ALLOWANCE

- 2.1 A basic allowance is to be paid to all Councillors, and is intended to recognise a time commitment expected of all Councillors, including such inevitable calls on their time as meetings with Officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of homes, private telephones and internet connections.
- 2.2 Each Councillor is entitled to **£4,200** per annum, which will be paid monthly. The basic allowance will be increased year on year, in line with any Employee Pay Awards, unless the IRP recommends otherwise. Should the IRP recommend otherwise, it's recommendation will be put to the Council at the appropriate time.
- 2.3 In addition to the Basic Allowance, all Councillors will be offered a council laptop or similar device to enable them to access the Council network.
- 2.4 In order to comply with the requirements of Data Protection legislation, the Council pay for the registration of each Councillor under the Data Protection Act.

3.0 SPECIAL RESPONSIBILITY ALLOWANCE

- 1.1 A special responsibility allowance will be paid in addition to any entitlement to basic allowance for those Councillors who have significant responsibilities.
- 1.2 The Councillors receiving special responsibility allowance and the allowances payable are as follows:-

Lancaster City Council
CONSTITUTION

Leader of the Council and Chair of the Cabinet	£11,281.20
Deputy Leader of the Council	£6,660.60
Cabinet Members	£5,640.60
Overview and Scrutiny Committee Chair	£4,227.90
Budget and Performance Panel Chair	£3,381.30
Planning Regulatory Committee Chair	£4,370.70
Licensing Committee Chair	£4,370.70
Licensing Sub-Committee Chairs	£443.70
Personnel Committee Chair	£3,335.40
Audit Committee Chair	£2,325.60
Appeals Committee Chair	£295.80
Standards Committee Chair	£1,234.20
Council Business Committee Chair	£1,428.00
Leader(s) of Opposition Group(s) (to be allocated to leaders of groups who are “in opposition”, i.e who are not represented on Cabinet. The sum specified is to be divided between the leaders of any such groups which have four or more Councillors, in proportion to the size of their respective groups.)	£5,640.60
£1000 (maximum) allowance to be divided equally between serving ‘Champions’ to a cap of £250 each Champion per annum. At time of introduction of this allowance there were two Champions (Veterans’ Champion and Champion for Disabilities)	£1,000 max

- 3.3 No Councillor is entitled to more than one payment from the Scales identified above.
- 3.4 It will be for individual Councillors who would qualify for more than one special responsibility allowance to inform the Head of Democratic Services as to which allowance they would wish to be allocated, otherwise it will be assumed that the highest allowance is to be paid.

4.0 CARERS’ ALLOWANCE

The Council will make reasonable payments for the reimbursement of the care of dependent relatives living with the Councillor. Full details of the Carers’ Allowance Scheme are attached at **Appendix A**.

5.0 PART PAYMENTS

In the case of basic and special responsibility allowances, payment will only be made for the period during which a person performs the duties for which these allowances are payable. Where a Councillor (or co-optee) 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 thereunder, the part of basic allowance or 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 Council.

6.0 REPAYMENTS

Where payment of any allowance has already been made in respect of any period during which the Councillor concerned 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 thereunder, or ceases to be a member of the Council or is in any other way not entitled to

receive the allowance in respect of that period, the Councillor (or co-optee) shall repay to the Council on demand such part of the allowance as relates to any such period.

7.0 REVOCATION

Basic and special responsibility allowances will be paid automatically unless notice is received in writing from the Councillor concerned revoking the entitlement. All such notices should be delivered to the Head of Democratic Services who will inform payroll accordingly.

8.0 CLAIMS

- 8.1 Claims for travel and subsistence allowances should be submitted monthly after the end of the month in which the entitlement to the allowance arose and in any event no later than 3 months from that date. Claims must be made on the official claim form available from Democratic Services.
- 8.2 Completed claim forms should be forwarded to Democratic Services. Claims will be checked on receipt in Democratic Services and, when verified, forwarded to Financial Services for payment. Those received in Democratic Services by the 20th of a month will be paid on the 15th of the following month. Claims received in Democratic Services after the 20th cannot be guaranteed to be paid the following month.
- 8.3 Payments are made net of income tax, through the PAYE system used for salaried Officers. Bank details are, therefore, required for each Councillor. If a Councillor changes their bank details, the revised details should be provided to Democratic Services.

9.0 TRAVEL AND SUBSISTENCE ALLOWANCES

- 9.1 In addition to the Councillors' Allowances Scheme, travel and subsistence allowances are payable.
- 9.2 A full schedule of rates payable for travel and subsistence and eligible duties is attached at Appendix B, and the approved duties for which travel and subsistence allowances are payable are set out in **Annexes 1-2**.
- 9.3 For the purposes of the payment of travel expenses, all travel will be deemed to have commenced from the Councillor's current address or, if this is not within the administrative area of the Council, from the address through which the Councillor qualified to stand for election. However, for the purposes of attending one meeting of the Full Council only and during the summer vacation only, travel from an address within the UK mainland will be reimbursed to a Councillor who is registered as a full time student and who does not at the time of the meeting have an address within the administrative area of the Council. No subsistence or overnight allowances will be paid.

10.0 LGA ALLOWANCES

- 10.1 For those members of the Council who have accepted political appointments on the LGA the Council's policy for the payment of Carers Allowances and Travel and Subsistence Allowances is set out at **Appendix C**.

11.0 PUBLICATION

11.1 The Council is required to publish details of the Councillors' Allowances Scheme and the total amounts received by each Councillor. The Head of Democratic Services is responsible for this matter.

12.0 MAYORAL AND DEPUTY MAYORAL EXPENSES

12.1 These expenses are paid to the Mayor and Deputy Mayor to reflect the additional expenditure that arises with these positions.

12.2 The level of Mayoral allowances will be:-

Mayor	£6,720
Deputy Mayor	£1,335

13.0 REVIEW OF SCHEME

13.1 The Independent Remuneration Panel will review the Scheme as and when requested, and in any event will undertake a full review before May 2027.

13.2 The Independent Remuneration Panel will monitor the Scheme.

13.3 Minor revisions are the responsibility of the Chief Executive in consultation with the Chair of the Independent Remuneration Panel.

13.4 Any queries or matters of clarification or determination as to Councillors' entitlement to any provisions of this Scheme shall be ultimately determined by the Chief Executive

14.0 QUERIES

14.1 Any specific queries regarding the entitlement to the Scheme should, in the first instance, be addressed to the Head of Democratic Services. Queries regarding claims and payments should be addressed to the Exchequer Payments Team in Financial Services.

APPENDIX A

CARERS' ALLOWANCE SCHEME

1.0 Legality

- a. The Scheme is established by the Council under the Local Authorities (Members Allowances) (England) Regulations 2003. The Carers' Allowance is payable in respect of the approved duties set out in **Annexes 1-3 of Appendix B**. The scheme requires Councillors claiming the allowance to demonstrate and certify that carer expenses are actually and necessarily incurred in the conduct of their official duties.

2.0 Entitlement

- b. The Scheme provides for payments to be made to Councillors in respect of care for "dependent relatives" living with the Councillor. For the purposes of the scheme, "dependent relatives" are defined as:
 - (i) children aged 15 or under;
 - (ii) elderly relatives requiring full-time care; and
 - (iii) relatives with disabilities who require full-time care.
- c. The allowance is payable for care provided by carers registered by a Councillor with the Council (see paragraph 6. for details). In the case of (i) above, under no circumstances will the allowance be payable to another parent, the parent's spouse or partner. In the case of (ii) and (iii) above, under no circumstances will the allowance be payable in respect of care provided by a member of the Councillor's household.
- d. For meetings or duties within the Council's boundaries as set out in Annexes 1, 2 and 3, the allowance will be paid for the duration of the meeting or otherwise approved duty plus an allowance for up to one hour's travelling time before and after the meeting. For duties outside the Council's boundaries, the allowance will be paid for the duration of the duty plus the actual travelling time to and from the venue. In all instances, total time claimed should be rounded to the nearest half-hour.

3.0 Rates of Allowance

- e. The actual cost of care will be reimbursed, up to a maximum of the **Foundation Living Wage (currently £9.90 per hour, due to rise to £10.90 per hour in April 2023)**, irrespective of the number of dependants.
- f. Where a dependent relative requires specialist professional care, the full cost of care will be allowed, with the prior written approval of the Head of Democratic Services see paragraph 6.0 (m).

4.0 Claims Procedures

- g. Councillors wishing to apply for Carers' Allowance must submit an application form to the Head of Democratic Services, declaring that:
 - (i) claims made will only be made in respect of a named dependent relative (or

- relatives) as defined in the scheme;
- (ii) claims will only be made in respect of the entitlements set out in 2.0 above;
- (iii) receipts will be provided in support of all claims; and
- (iv) where a specialist professional carer is to be engaged, that this is a necessary expense for which full reimbursement will be claimed.

- h. Councillors are required to notify Democratic Services in the event of their entitlement to Carers' Allowance ending.
- i. All claims will be processed by Financial Services through the Council's payroll system. In exceptional circumstances, and with the approval of the Chief Finance Officer, advance payments may be made in cash and subsequently adjusted through the payroll.

5.0 Taxation and National Insurance Contributions

- j. Advice from the Council's taxation consultants is that payments made under such a scheme will be subject to Income Tax and NIC's unless an arrangement can be reached with the Inland Revenue and dispensation not to tax obtained on the basis that the payments are reimbursement of costs actually and necessarily incurred.
- k. Because of the potential taxation and NIC implications, all payments must be processed through the Council's payroll system.

6.0 Administration

- l. The scheme is an integral element of the Councillors' Allowances Scheme, and responsibility for supervising, maintaining and reviewing the scheme is assumed by the Head of Democratic Services in conjunction with the Chief Executive and the Independent Remuneration Panel.
- m. Signed applications for registration of a carer are to be submitted by Councillors for approval by the Head of Democratic Services. Approved applications will be retained by Democratic Services and a copy forwarded to Financial Services.
- n. Claims for payment of the allowance should be submitted by Councillors to Financial Services on the revised standard Councillors' Allowances Forms. All claims must be supported by a signed pro-forma receipt (in the case of care provided by a non-professional carer) or a receipted official invoice in the case of a specialist carer. Financial Services will check all claims for approval of entitlement, accuracy and reasonableness of duties and times claimed, and submission of supporting receipts and invoices.
- o. Any queries regarding entitlement to the allowance, or individual claims, will be referred in the first instance to Democratic Services. Should a dispute arise as to the eligibility of a claim, this will be referred to the Chief Executive for decision. Should agreement not be reached the matter will then be referred to the Independent Remuneration Panel for arbitration.

7.0 Audit

Internal Audit will review the systems for payment of Councillors' Allowances on a cyclical basis and include sample testing of Councillors' Allowances transactions in annual probity programmes.

APPENDIX B

TRAVEL AND SUBSISTENCE ALLOWANCES PAYABLE

Travelling Allowances

(A) Public Transport (except taxis and aircraft)

1. The rate must not exceed the ordinary standard class fare or any available saver fare, but the Council may generally or specially determine to substitute first for standard class fare.
2. Supplementary allowance may be paid for expenses actually incurred on Pullman Car or a similar supplement, reservation of seats, deposit or portage of luggage and sleeping accommodation for overnight journeys, but in this last case the maximum overnight subsistence allowance is reduced by one-third.
3. All long distance rail journeys and sea-travel bookings must be made by Democratic Support on behalf of Councillors, to seek the most cost-effective deal within current parameters.
4. For journeys by public transport the cost of any private vehicle travel to and from the point of public transport may also be reimbursed at the rate set out in B below.
5. For journeys within the Council's administrative area valid receipts must be produced.
6. For journeys outside the Council's administrative area where the journey has been undertaken by car, the equivalent of a standard class rail fare as determined by Democratic Support on receipt of the claim shall be payable, subject to this being less than the payable rate set out in (B) below.

(B) Private Vehicle – for journeys within the City Council's administrative area:

1. By motor cycle 24p per mile and by motor car - 45p per mile. (The rates payable are those recommended by the HM Revenue & Customs and will be increased in line with their guidance.)
2. Cycling/other non-motorised transport allowance (in all cases) - 20p per mile
3. For journeys outside the Council's administrative area, the lower of the above mileage allowance or the relevant standard class rail fare will be paid. However the cost of any private vehicle travel to and from the point of public transport may also be reimbursed at the rates set out above.
4. Car parking charges may be reimbursed on production of a valid receipt. However, where a Councillor chooses to purchase a Councillor Car Parking Permit, the Council will not make any reimbursement towards the cost of parking within the District.
Supplementary payments may be made for tolls and ferries actually incurred, on production of a valid receipt.

(C) Taxis and Hire Vehicles

1. Taxis: in cases of urgency or where there is no reasonably available public transport, the fare plus any reasonable gratuity paid. In other cases, the fare by appropriate public transport.

2. Hire Vehicles: the rate appropriate if the Councillor had owned the vehicles, unless the Council approves additional amounts up to the actual hiring cost.

(D) Aircraft

1. The rate applicable to travel by appropriate alternative transport plus any amount of attendance or financial loss or subsistence allowance saved by travelling by air.
2. But if the Council generally or specially resolves that the saving in time is so substantial, then:
 -
 - (a) the ordinary or available cheap fare by regular service; or
 - (b) where no such service is available or in the case of emergency, the fare actually paid.
3. The Chief Executive has discretion to authorise air travel.
4. All bookings must be made by Democratic Services on behalf of Councillors.

Subsistence Allowance

1. In case of an absence, other than an overnight absence from home, subsistence allowance is payable as follows:

Breakfast (when more than 4 hours away from normal place of residence) Councillors on approved duties who leave home before 7.00 a.m. to attend a location outside the Council's boundary, may claim breakfast expenses as follows -	
Breakfast, on production of a valid receipt	Up to £5.85
Breakfast, (in London), on production of a valid receipt	Up to £8.50
Breakfast, (in or out of London), where unable to produce a receipt	£3.20
Lunch (when more than 4 hours away from normal place of residence) Councillors on approved duties outside the Council's boundary from 11.45 a.m. to 1.30 p.m. may claim lunch expenses as follows –	
Lunch, on production of a valid receipt	Up to £5.85
Lunch, (in London), on production of a valid receipt	Up to £8.50
Lunch, (in or out of London), where unable to produce a receipt	£3.20
Evening Meal (when more than 4 hours away from normal place of residence) Councillors on approved duties who have not returned home by 7.30 p.m. may claim an evening meal as follows –	
Evening meal, on production of a valid receipt	Up to £11.45
Evening meal, (in London), on production of a valid receipt	Up to £17.00
Evening meal, (in or out of London), where unable to produce a receipt	£5.85
In the case of an overnight absence -	£90.60
For an overnight absence in Central London	£103.40

2. The value of free meals must be deducted from the allowance. Where main meals are taken on trains during which there is an entitlement to a day subsistence allowance, the reasonable cost of meals (including VAT) may be reimbursed in full. In such circumstances, reimbursement for the cost of a meal would replace the entitlement to the day subsistence allowance for the appropriate meal period.
3. All accommodation bookings should be made by Democratic Services.
4. Where pre-booked the cost of hotel meals will be paid by the Council.

Eligible Duties

When a Councillor is appointed to an outside body by Council, Cabinet or Overview and Scrutiny, attendance at those meetings is an approved duty eligible for claiming travel and subsistence allowances. Other approved duties are shown at Annexes 1 and 2.

Annex 1

Approved Duties - Meetings of the Council
Council
Committees established by Council and any sub-committees established by those Committees, currently:
Personnel Committee
Audit Committee
Appraisal Panel
Appeals Committee
Licensing Committee
Licensing Sub-Committees
Planning Regulatory Committee
Scheduled Planning Briefings
Standards Committee
Standards Sub-Committees
Council Business Committee
Cabinet
Committees established by Cabinet
Advisory Groups established by Cabinet
Scheduled Cabinet Briefings
Overview and Scrutiny Committee
Task Groups established by Overview and Scrutiny Committee
Budget and Performance Panel
Joint Committees:
Joint Committee for Revenues and Benefits

Annex 2

Approved Duties - Other Duties
Attendance at Conferences/Seminars to which the Council or Cabinet has nominated a delegate
Media Receptions
Scheduled, Formal Meetings with Chief Executive/ Chief Officers
Mayoral and other public ceremonies/launches etc approved by the Council or Committee of the Council
Scheduled, Formal Meetings with Trade Unions
Scheduled, Formal Meetings of Cabinet / Overview and Scrutiny meetings / Working Groups

Notes:

The essential criteria for these, and any other such duties that may arise, is that they must be formally structured and diarised elements of Council business. The inclusion of other duties within this definition will be at the discretion of the Head of Democratic Services.