

PART 6

MEMBERS' ALLOWANCES SCHEME

The sums detailed in this Scheme apply from 18 May 2023.

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6.0 Chelmsford City Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following Scheme:

6.0.1 The Scheme may be cited as the Chelmsford City Council Members' Allowances Scheme, and shall have effect for the year commencing 1st April, 2023 to 31st March, 2024 (subject, if relevant, to the amendment of allowances linked to the local government pay award, when it is agreed).

6.0.2 Definitions

6.0.2.1 In this Scheme:

- a) "councillor" means an elected member of the Chelmsford City Council;
- b) "approved duties" means any qualifying duty listed in Appendix 1 to this Scheme.

6.0.2.2 Other duties may be approved by the Legal and Democratic Services Manager but only in advance of the event concerned taking place.

6.1 ALLOWANCES PAID TO COUNCILLORS

6.1.1 Basic Allowance

6.1.1.1 A basic allowance shall be paid to each councillor at a rate of **£6,645** for each year.

6.1.2 Special Responsibility Allowance

6.1.2.1 In addition to the payment of the Basic Allowance, councillors undertaking special responsibilities shall be paid, for the period from their appointment to those positions to the next Annual Meeting of the Council, a Special Responsibility Allowance as follows:

6.1.2.1.1	Leader of the Council	£26,076
	Deputy Leader of the Council	£17,202
	Cabinet Member	£13,035
	Cabinet Deputy	£6,519
	Chair of Planning Committee	£8,604
	Vice Chair of Planning Committee	£4,302
	Chair of Chelmsford Policy Board	£8,604
	Chair of Overview and Scrutiny Committee	£6,519
	Vice Chair of Overview and Scrutiny Committee	£3,258
	Chair of Governance Committee	£1,308
	Chair of Audit Committee	£1,308
	Chair of Licensing and Regulatory Committee	£6,519
	Leader of major opposition political group	£8,604
	Leader of smaller political group	£1,308
	Mayor	£14,061
	Deputy Mayor	£4,686

6.1.2.2 Each of the Independent Persons appointed under the Localism Act 2011 will be entitled to claim an allowance equivalent to 10% of the Basic Allowance.

6.1.2.3 Each of the Independent Persons appointed to the Audit and Risk Committee will be entitled to claim an allowance equivalent to 10% of the Basic Allowance.

6.2 PAYMENT

6.2.1 The Basic Allowance and Special Responsibility Allowance shall be paid in twelve equal instalments (as far as possible) on the last working day of each month or thereabout, subject to compliance with the part-year payment provisions set out below.

6.3 RENUNCIATION

6.3.1 A councillor may by notice in writing given to the Chief Executive elect to forego any part of their entitlement to allowances payable under this Scheme.

6.4 PART-YEAR ENTITLEMENTS

6.4.1 If the term of office or duties undertaken by a Councillor begins or ends part way through a year, or if amendment of the scheme during a year changes the amount to which a Councillor 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 period of the scheme bears to the years in which it occurs.

6.5 TRAVELLING AND SUBSISTENCE AND CARER'S ALLOWANCES

6.5.1 Travelling, subsistence and carer's allowances in respect of approved duties undertaken by councillors are payable in accordance with the Schedule to this Scheme.

6.5.2 Reimbursement of expenditure incurred by members (a) in providing child care arrangements and (b) on professional care for elderly, sick or dependant relatives to facilitate their attendance at approved duties of the Council is provided in accordance with the Schedule to this Scheme. Such payments are not covered by any special exemptions for taxation purposes. They are treated as emoluments (remuneration) of the office and will be taxed accordingly.

6.5.3 Subsistence and carer's allowances will be based on the reimbursement of receipted actual expenditure, subject to the current maximum limit.

6.5.4 Approved travelling, subsistence and carer's allowance claims received no later than the 11th day of each month will be paid with that month's

annual allowance payment. Claims must be submitted within two months of the date of the approved duty concerned.

6.6 **INDEXATION**

6.6.1 The Basic Allowance, Special Responsibility Allowances and the maximum costs for the reimbursement of expenses under the Dependent Carers Allowance shall be increased annually in line with the annual NJC agreed percentage pay increase from the national date of implementation.

6.6.2 The travelling and maximum subsistence allowances shall be increased annually in line with the local government officers' allowances.

6.7 **SUSPENDED MEMBERS**

6.7.1 Where a councillor is suspended or partially suspended from their duties or responsibilities that part of any allowance paid to them during the period of suspension may be withheld, or be subject to repayment if the allowance has already been paid.

6.8 **TRAVELLING AND SUBSISTENCE ALLOWANCES**

6.8.0 **Schedule**

6.8.1 **Subsistence Allowances**

6.8.1.1 Day Subsistence Rates for Approved Duties Undertaken Outside the City

6.8.1.2 Payable on a meals basis relating to duties of four hours or more, the four-hour period to include time travelling to and from the member's normal place of residence, and which includes the periods of the day specified below:

6.8.1.3	Breakfast	Before 11.00 am	£6.45
	Lunch	12.00 noon to 2.00 pm	£8.91
	Tea	3.00 pm to 6.00 pm	£3.52
	Evening Meal	Ending after 7.00 pm	£11.03

6.8.1.4 Overnight Absence

6.8.1.4.1 Overnight absence from the usual place of residence £79.82 (£91.04 for overnight absence in London).

6.8.1.5 Meals on Trains

6.8.1.5.1 When main meals (ie, a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT) may be reimbursed in full, within the limits specified below:

6.8.2 Travelling Allowances

6.8.2.1 Public Transport

6.8.2.1.1 The rate of travel by public transport shall not exceed the amount of the ordinary fare or any available cheap fare.

6.8.2.2 Motor Cycle Allowance

- a) for the use of a solo motor cycle of cylinder capacity not exceeding 150 cc, 8.5 pence per mile;
- b) for use of a solo motor cycle of cylinder capacity exceeding 150cc but not exceeding 500 cc, 12.3 pence per mile;
- c) for use of a solo motor cycle of cylinder capacity exceeding 500cc, 16.5 pence per mile;

6.8.2.3 Member's Motor Vehicles

6.8.2.3.1 For the use of a motor vehicle 45 pence per mile.

6.8.2.3.2 That rate may be increased:

- a) in respect of the carriage of passengers, not exceeding 4, to whom a travelling allowance would otherwise be payable under any enactment, by not more than 3.0 pence per mile for the first passenger and 2.0 pence per mile for the second and subsequent passengers.
- b) by not more than the amount of any expenditure incurred on tolls, ferries or parking fees, including overnight garaging.

6.8.2.4 Taxi Fares

6.8.2.4.1 Reimbursable in cases of urgency or where no public transport is reasonably available. In any other case the amount of the fare for travel by appropriate public transport should be claimed.

6.8.2.5 **Parking, etc**

6.8.2.5.1 Actual expenditure on parking fees for garaging where absence overnight is involved.

6.8.3 **Carer's Allowance**

6.8.3.1 **Child Care**

6.8.3.1.1 The scheme provides for the reimbursement of expenditure incurred by members in providing child care arrangements for children for whom they have a parental responsibility, to facilitate their attendance at approved duties of the Council in accordance with the following requirements:

- a) that payment is made to someone other than a partner or close relation;
- b) that payments are restricted to the care of children up to their 14th birthday who normally reside with the member;
- c) that no payments be made in respect of the care of children of compulsory school age during school hours except where the child is absent from school due to illness.

6.8.3.2 **Care of Dependents**

6.8.3.2.1 The reimbursement of expenditure on professional care for an elderly, sick or disabled dependant relative normally residing with the member and requiring constant care, to facilitate attendance at approved duties, subject to payments being restricted to agencies or persons qualified to provide the care other than close relations.

6.8.3.3 **General Conditions**

6.8.3.3.1 The following conditions will apply to both types of allowance:

- a) that payments are made on the basis of the reimbursement of actual expenditure incurred up to a maximum of
 - for child care, an hourly rate equivalent to the National Minimum

- Wage, depending on the age of the carer; and
 - for the care of a dependant relative, a rate of up to £15 per hour, adjusted annually in line with the annual pay award for officers.
- b) that claims are supported by an approved official receipt form signed by the carer and the member confirming the details of the expenditure and that it has been incurred in accordance with the scheme.

APPROVED DUTIES

Approved duties are those activities that qualify for the payment to elected members of travel, subsistence and dependant carer's allowances incurred in the course of performing those duties. They must relate to the discharge of the functions of the authority, of the Cabinet or of any of their committees or sub-committees.

Activities which qualify as approved duties	Activities not to be regarded as approved duties
<p>1. The attendance at a meeting of the Council, the Cabinet and any committee of the Cabinet, any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body, provided the member has been appointed to that body by the Council</p> <p>2. The attendance at any other meeting, the holding of which is authorised by the Council, the Cabinet or a committee or sub-committee of the authority, including meetings of panels, working groups, and task and finish groups, provided it is a meeting to which at least two political groups have been invited to send or appoint representatives</p> <p>3. The attendance of a representative appointed by the Council at a meeting of any association of authorities of which the Council is a member.</p> <p>4. The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees.</p>	<p>Ward councillor surgeries</p> <p>Attendance at parish council meetings</p> <p>Meetings of the political groups of the Council</p> <p>Attendance at Cabinet or committee meetings in a member's capacity as a ward councillor</p> <p>Attendance at meetings to which the member has not been formally appointed or authorised to attend by their Group or by a committee, Cabinet or Council</p> <p>Attendance at civic, ceremonial or social events unless they have been appointed to attend as an official representative of the Council</p>
<p><i>In the case of category 4, the activities and</i></p>	

functions which this Council regards as qualifying as approved duties are:

(a) In a member's capacity as a chair, vice chair, Cabinet Member or official Opposition Group spokesman on a committee or Cabinet function, attendance at meetings with officers to discuss matters associated with the responsibilities of the committee or the Cabinet.

(b) Attendance at a committee meeting as an officially appointed substitute for another member.

(c) Attendance at training events organised by the Council, any of its member bodies or by an officer.

(d) Attendance at conferences and seminars, where the Council has been invited to send an official representative or where a member body authorises the attendance.

(e) Attendance at interview panels or other meetings held to short-list candidates for interview.

(f) The giving of official evidence on behalf of the Council at judicial hearing or planning inquiries.

(g) The attendance of a member of a committee at a site visit in connection with the discharge of that committee's functions.

<p>(h) Attendance by any member at a meeting of the Overview and Scrutiny Committee, where that committee requires the attendance of that member.</p>	
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