

		Executive 15th February 2012		Agenda Item No. 9	
Title			Members' Allowances Scheme		
For further information about this report please contact			Graham Leach graham.leach@warwickdc.gov.uk or 01926 456114		
Wards of the District directly affected			No		
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?			No		
Date and meeting when issue was last considered and relevant minute number					
Background Papers			None		
Contrary to the policy framework:					No
Contrary to the budgetary framework:					No
Key Decision?					Yes
Included within the Forward Plan? (If yes include reference number)					Yes No. 344
Equality & Sustainability Impact Assessment Undertaken					Yes
Officer/Councillor Approval					
Officer Approval		Date		Name	
Deputy Chief Executive & Monitoring Officer		18 th January 2012		Andrew Jones	
CMT		24 th January 2012		Chris Elliott, Bill Hunt, Andrew Jones	
Section 151 Officer		24 th January 2012		Mike Snow	
Portfolio Holder(s)		30 th January 2012		Councillor Doody	
Consultation & Community Engagement					
The review Panel received evidence from the members of the Council with regard to the time and responsibilities that they currently have as a Warwick District Councillor.					
Final Decision?					Yes
Suggested next steps (if not final decision please set out below)					
The decision of the Executive will be a recommendation to Council.					

1. SUMMARY

- 1.1 The report details the recommendations of the Council's Independent Remuneration Panel's review of the Council's Members' Allowances Scheme.

2. RECOMMENDATION

- 2.1 That the revised Members' Allowances Scheme as set out at Appendix 3 and decisions in respect of recommendations 2.4 and 2.5 (if appropriate) are recommended to Council for approval.
- 2.2 That subject to agreeing recommendation 2.1, the Executive considers whether it wishes to recommend to Council that implementation of the new scheme is linked to the Council achieving the necessary budget savings and service performance for financial year 2012/2013 as set-out by the Council's Section 151 Officer in his Budget Report (extract reproduced at Appendix 4) which is also on this Agenda.
- 2.3 That given the Remuneration Panel's proposal for the inclusion of broadband costs in the new Basic Allowance and taking account of recommendation 2.2, the Executive considers whether it wishes to remove Councillors' broadband reimbursement immediately, subject to Council approval of the new Scheme.
- 2.4 That the Executive determines the approach it would like to take with regard to Smart phones for Members taking into consideration 5.2 of this report and feedback from the Council's Scrutiny Committees.
- 2.5 That the Executive determines the approach it would like to take regarding the provision of Committee Teas taking into consideration 5.3 of this report and feedback from the Council's Scrutiny Committees.
- 2.6 That the Executive recommend to Council that the work of the Deputy Leader is recognised as a Portfolio (Sustainable Community Strategy, Fit For the Future and Partnerships) and is therefore treated as such within the Council's Constitution.

3. REASONS FOR THE RECOMMENDATION

- 3.1 The Council is required to have its allowances scheme reviewed by an Independent Remuneration Panel and pay due consideration to the Panel's recommendations when amending its allowances scheme. The proposed scheme is detailed at Appendix 3.
- 3.2 Also on the Executive Agenda is the Budget Report with recommendations to be made to Council as part of the Council Tax setting decision. It is proposed that a key element of the Council's financial strategy should be the linking of the annual officer pay increase to the achievement of the required budget savings and service performance. Executive will wish to consider whether it wishes to replicate this approach for Members' Allowances.
- 3.3 Should Executive wish to replicate the approach proposed for staff salaries and the Council achieves the necessary service and financial performance, then implementing the new scheme (with those entitled to an increased allowance being paid in arrears) would mean that Members on the Basic Allowance will

have received re-imbursement of their broadband expenses which when set against the allowance in the new scheme, will leave them "overpaid". To avoid this situation, Executive will wish to consider whether it ends the re-imbursement for broadband immediately (subject to Council approval).

- 3.4 It should be noted that if the Panel had recommended the continuation of broadband re-imbursement, this would have been a taxable benefit with annual reporting to HMRC required.
- 3.5 The Panel has made proposals in respect of Smart phones and Committee Teas. Executive is asked to consider these issues, have due regard to the views of the Scrutiny Committees and if necessary make appropriate recommendations to Council.
- 3.6 Following the elections in May 2011, the Portfolio Holder for Corporate and Community Services relinquished his role to take on responsibility for delivery of the Sustainable Community Strategy, the Council's Fit For the Future Programme and also key strategic partnership responsibilities. So as not to increase the number of Portfolio Holders, the Portfolio Holder for Environment also took on responsibility for Community Protection.
- 3.7 Due to an oversight, no amendment was made to the Council's Constitution and Members' Allowances Scheme to reflect these revised arrangements and so since May 2011, the Deputy Leader has been receiving no allowance for his portfolio of responsibilities.

4. **POLICY FRAMEWORK**

- 4.1 **Policy Framework and Fit for the Future** – This report does not affect either of these two documents.
- 4.2 The review of allowances is in line with legislation and the publication and consideration of this is in line with the Council's values of honesty and openness.

5. **BUDGETARY FRAMEWORK**

- 5.1 If the recommendations of the Panel are accepted as set out in its report, there would be a net increase of £6,900 to the Members' Allowances budget although Members will also wish to consider paragraphs 5.2 & 5.3.
- 5.2 **Mobile Phone and Smart phones for Councillors** – Each Smart phone handset will cost the authority £155 and the annual costs for each would be around £200 depending on usage.

The provision of Smart phones would be based upon operational need , however, assuming that the members of the Executive and Group Leaders are provided with phones, then 12 phones will be required at a one-off cost of £1,860 (£155*12) for which there is no budgetary provision and a recurring annual cost of around £2,400 again with no budgetary provision.

- 5.3 **Provision of refreshments at and before Committee meetings** - The provision of tea/coffee and biscuits only for committee meetings would result in a saving of around £7,100 per year. However, there could be an increased cost to the Council if Members and officers claimed for subsistence at the agreed rates.

- 5.4 **Budgetary Provision-** The proposed changes affect the following budgets:-

Estimates 20012/13	£	£	£
	Budget	Cost of new scheme	Change
Car Allowances mileage	5,100	4,000	-1,100
Committee Teas	11,100	11,100	
Data Phone Lines	6,900	0	-6,900
Mobile Phone Costs	200	0	-200
Members Allowances – Basic	217,100	213,000	-4,100
Members Allowances – Special	55,700	75,200	19,500
Co-optees allowances	3,200	2,900	-300
Total	299,300	306,200	6,900

The above table shows that by reducing the car mileage budget to reflect more accurately the amounts being claimed and ceasing the budget for Data Lines (Broadband), there would be an estimated shortfall of £6,900.

- 5.5 The change to the Council's Constitution to reflect the proposed Portfolio Holder arrangements will not have a budgetary impact, as there is provision for eight Portfolio Holders in the Council's budget.

6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1 The Executive can recommend either acceptance of the proposals on a whole or in part, provide alternative options or recommend that the entire proposal is rejected. However, in all of these instances substantial reasons would need to be given for deviating from the recommendations of the Panel and any alternatives would also need to have due regard to the views expressed by the Panel.

7. **BACKGROUND**

- 7.1 The Council is required to have its allowances scheme reviewed at least every four years. The Council's scheme, as set out at Appendix 2, was last fully reviewed in 2007 (an intermediate review occurred in 2010) and therefore needed a full review.
- 7.2 A new panel was established for the review of the allowances scheme in 2011. The regulations say that the Panel should have representative knowledge of the regulations and also the local community. The Panel appointed consisted of Mr V Allison, from Wychavon District Council; Mr C Goody, (both of whom had undertake the allowances review for Stratford District Council); Mr R Knaggs,

Kenilworth Chamber of Trade; and Mrs S Carrick, Leamington Chamber of Trade.

- 7.3 The views of the Panel and information they considered are set out at Appendix 1.

Findings of the Independent Remuneration Panel

- 1.1 The Panel has considered evidence of allowance schemes from other authorities similar to Warwick District and its neighbours. They have received information from Warwick District Councillors regarding estimated workload and time spent on various roles as a Councillor. The Panel has met on four occasions to consider this information including one session where Councillors were invited to make submissions to the Panel directly.
- 1.2 The survey of Members received 23 responses from 46 Councillors and the overall averages are set out below. The mean and median (in brackets) hours spent by Members on Council work, per month, are:
24 - Ward work (19)
25 - Committee work (20)
24 - Working parties & outside bodies (8.5)
28 - Special Responsibilities Allowance work (30)
37% of this work is carried out within normal working hours (9am – 5pm approx) (50%).

These figures were significantly higher than the evidence submitted by Councillors during the verbal submissions to the Panel.

- 1.3 **Basic Allowance** – The Panel were of the opinion that in comparison to other authorities, based on the average regional salary (less voluntary and public sector reductions) and the amount of hours worked by Councillors, that the current basic allowances was slightly too high. However, on balance they felt that it should remain at the current level because of other recommendations they wished to put forward. They did however feel the basic allowance should be rounded down to £4630 per annum.
- 1.4 **Special Responsibility Allowances (SRAs)**– The Panel felt that the SRAs should be grouped into five bands, to reflect the level of responsibility for each of these roles and to remove differences in value of the current levels which were difficult to justify for such small values. The five bands would be as follows:

Band 1

Leader

Band 2

Portfolio Holder on the Executive
Planning Committee Chairman
Deputy Leader on the Executive

Band 3

Non Portfolio Holder on the Executive
Regulatory and Scrutiny Committees Chairmen

Band 4

Chairman of Licensing Committee
Chairman Standards Committee

Band 5

All others which cannot be grouped due to their individual characteristics.

The Panel felt that there should be recognition of the additional work that is expected of the Vice-Chairman of Planning Committee, which was much greater than the other Vice-Chairman positions due to the time commitment of briefings and the responsibility when deputising. Therefore a new SRA, at Band 4, should be introduced for this.

The Panel was also of the opinion that the Role of Deputy Leader (as Band 2) should be included within the Scheme because at present the role was not recognised and carried equal responsibility to that of a Portfolio Holder (but also see recommendation 2.5 of this report).

The Panel was of the opinion that the Special Responsibility Allowance, within the current scheme, for the Chairman of both the Licensing & Regulatory Committees should be removed. This was because in their opinion this, if it was operational, constituted the payment of two Special Responsibility allowances to a Councillor which under the regulations was not permitted.

The Panel used a formula for the calculation of these figures based on the responses from members which is set out in the allowances scheme. This has resulted in some allowance increasing and others decreasing. The Panel considered that the SRA's should be calculated as a factor of the Basic Allowance and that the Basic Allowance should be rounded to £4630.00 pa

While the overall effect was a significant increase for some Special Responsibility Holders, this was because the Council's current levels were comparatively low and outside of the current economic climate, budgetary pressures and public expectations faced by authorities, there could be an argument for increasing some of the allowances further than suggested.

- 1.5 **IT Expenses** – The Panel was of the opinion that that this allowance should be removed from the scheme as it should be covered by the basic allowance and not as a separate allowance and because it was recognised that all Members would require the use of broadband in their role. The Panel also noted that the current arrangements for the payment of this allowance were about to be changed so that Members would have to submit their invoice each time they wished to claim and that under HMRC regulations this had now been defined as a taxable benefit which was to be reported each year.
- 1.6 **Mileage Allowance** – This was set at an appropriate level and the approach taken by the Council was welcomed. It was felt that clarification should be provided on claiming mileage for some meetings and therefore Schedule 2 of the scheme was amended to reflect this.
- 1.7 **Subsistence Allowances** – The District area is a relatively small area and one which can easily be commuted in a reasonable time. Therefore, the subsistence allowance should be defined so that subsistence can only be claimed for approved duties outside of the District, in line with other authorities.

- 1.8 **Dependents' Carers' Allowance** – It was felt the current provision did not need amending.
- 1.9 **Disabled Allowance** – It was felt the current provision did not need amending.
- 1.10 **Costs of Training required by Standards Committee** – The Panel was of the opinion that any sanction that required a Member or Members to undertake training, half the cost of such training should be met by the Member or Members. Therefore the scheme was amended to reflect this.
- 1.11 **Mobile Phone and Smart phones for Councillors** – The Panel felt that this was not something that should be covered by the allowances scheme and was an operational decision for the Council to determine if Councillors should be allowed mobile phones/smart phones for use on Council business along with which Councillors should be entitled to them.
- 1.12 **Provision of refreshments at and before Committee meetings** – The Panel was mindful of the concerns raised by HMRC regarding the provision of Committee teas before meetings and felt that the provision of tea/coffee and biscuits was more than satisfactory for evening meetings especially as the start time of meetings should enable the majority of people to eat before attending the meeting or after the meeting has concluded.
- 1.13 **Cost of registering as a data controller with the information commissioner** – The Panel felt that this should not be included as an additional allowance but should be one of the many aspects that is covered by the basic allowance for Councillors as it was a general requirement for all Councillors.
- 1.14 **Stationery & Car Parking** – The Panel was content with the stationery and car parking provisions for Members and while referred to in other documents they felt it was appropriate that, for transparency, these should be included within the scheme.
- 1.15 **Calculation of values** – The Panel felt it would be beneficial that the calculations of the values of allowances should be included in the scheme for the sake of openness and understanding for all. Therefore, this has been added as an additional section.

CURRENT SCHEME FOR

MEMBERS' ALLOWANCES



July 2008
(Confirmed by Council 14 July 2010)
Revised mileage rates 1st April 2011

FOREWORD

Subject only to the requirements of commercial or personal confidences which must be maintained, Warwick District Council continues to strive to be open with the public about its activities and to encourage people to communicate their views. In keeping with its strive for increasing openness, the Council is happy to make details of its Members' Allowances Scheme available to the public. Copies of this document are available from the Head of Finance, P.O. Box 2180, Riverside House, Milverton Hill, Royal Leamington Spa, CV32 5QW. Telephone 01926 456812.

Details of amounts paid to individual members are also open to public inspection and are available on the Council's website.

The Council has considered the report of the Independent Remuneration Panel of March 2008 and has implemented the recommendations of the Panel.

It is anticipated that the overall cost of the members allowances scheme will be £274,000 per annum - an average of around £6,500 per year for each member. Although this is an average, some members are paid more because of their particular responsibilities.

Mike Snow,
Head of Finance.

SCHEME FOR MEMBERS' ALLOWANCES

Warwick District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, has made the following scheme for Members' Allowances.

Definitions

1. In this scheme:-

- a) "Councillor" means a member of the Warwick District Council who is a Councillor;
- b) "Co-Optee" means a person who serves on the committees or sub-committees of an Authority but who is not a member of an Authority,
- c) "Year" means the twelve months ending with the Annual Meeting of the Council.

2. Basic Allowance

Subject to paragraph 5, for each year a basic allowance of £4631 shall be paid to each Councillor.

3. Special Responsibility Allowance

- a) For each year 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 the scheme.
- b) Subject to paragraph 5, the amount of each such allowance shall be the amount specified against that special responsibility in that scheme.
- c) Only one special responsibility allowance will be payable, and this will normally be the largest for which the Councillor is eligible.

4. Renunciation

A Councillor may by notice in writing given to the Head of Finance elect to forego any part of his/her entitlement to an allowance under this scheme.

5. Part Year Entitlements

- a) This part of the scheme deals with entitlement to allowances where during any year:- the scheme is amended; a Councillor is elected to or leaves the Council; or a Councillor takes on or gives up a position for which a special responsibility allowance is payable.
- b) Any changes affecting special responsibilities will result in pro rata payments from the date of the change.
- c) Newly elected Councillors or Councillors leaving the Council during the year will be entitled to basic allowance pro rata to the full year allowance.
- d) Councillors entitled to special responsibility allowances for part only of any year will be paid a pro-rata amount.

6. Payments

Payments shall be made of basic and special responsibility in instalments of one-twelfth of the amount specified each month, subject to the amount due being adjusted in accordance with paragraph 5.

7. **Uprating**

The allowances identified in paragraphs 2 and 3 above and 11 below shall be increased by the annual local government pay percentage increase as agreed each April (linked to spinal column point 49 of the NJC scheme) to be implemented the following May in that year from the date of the Council Annual Meeting.

8. **Travel and Subsistence Allowances**

- a) Councillors shall be entitled to claim allowances for the cost of certain travel and subsistence, as prescribed in Schedule 3 to this scheme.
- b) These allowances will be the same rates as applicable to employees except in the case of the car, bicycle and motorcycle mileage which will be the allowance to the rates prescribed by HMRC.

9. **I.T. Expenses**

All Councillors, upon production of receipts, can claim for reimbursement for broadband supplied to their homes, up to a maximum monthly sum currently paid for the Council-supplied broadband, or actual reimbursement if less.

10. **Vice Chairman's Expenses**

For those occasions where the Vice Chairman of the Council is required to attend official functions but does not have use of the civic car, it will be appropriate for the Vice Chairman to be reimbursed any car travel expenses incurred, in accordance with the rates set out in Schedule 3.

11. **Dependants' Carers' Allowance**

- a) A dependants' carers' allowance is payable to members who incur expenditure on the care of children or dependants on approved duties only.
- b) The event requires the member to provide care for a person who normally lives with the member as part of his/her family and who is:
 - i) a child under 14
 - ii) an elderly or disabled dependant requiring care.
- c) In the case of (i) Member must register that they have a dependent child living with them under the age of 14. A signed statement is to be produced which declares that childcare has been provided by a childminder or member of the immediate family not normally resident at the Member's home address.
- d) In the case of (ii) Members must make a written declaration to be lodged with the Standards Committee (and the Legal and Democratic Services Manager). A receipt for actual expenditure incurred has to be produced. As care for elderly and/or disabled dependants would

be provided by professional carers they would be in a position to provide formal receipts in a way that many child carers would not.
e) Payment will be made as follows:

- i) the child care element should be paid at the maximum rate of minimum wage relevant to the age of the carer as long as they are over 18 years of age or less for actual reimbursement.
- ii) the medical/social care element should be paid at the average hourly rate charged by Warwickshire Social Services for social/medical care of dependants or less for actual reimbursement and only upon production of receipts.

12. **Disabled Allowance**

Payment of an allowance to disabled members to assist them in carrying out their duties. This would be at the same level of support that would be offered to disabled officers. Decisions to provide support and at what level to be taken by the Head of Organisation and Performance Improvement and Head of Finance jointly.

13. **Suspension of Allowances**

If a member of the Council or a co-opted member of the Council is suspended from the Council after being found of a breach of the Code of Conduct their allowances be suspended for the duration of that suspension.

SCHEDULE 1

SPECIAL RESPONSIBILITY ALLOWANCES

The following are specified as the special responsibilities in respect of which special responsibility allowances of the amounts shown are payable:-

Leader of the Executive	£8371 per annum
Portfolio Holders on Executive	£3961 per annum
Non-Portfolio Holders on Executive	£3181 per annum
Chairmen of Overview and Scrutiny Committees	£2511 per annum
Chairmen of Planning Committee	£3865 per annum
Chairmen of Licensing Committee	£1115 per annum
Independent Chairmen of Standards Committee	£1115 per annum
Chairman of Regulatory Committee	£2622 per annum
Chairman of both the Licensing & Regulatory Committee	£3181 per annum
Chairman of the Warwick District Towns Conservation Area	£1115 per annum
Advisory Forum	
Chairman of Employment Committee	£1115 per annum
Leader of an Opposition Group (minimum of 4 members)	£822.00 per annum Plus £103 per group member
Co-optee Allowance	£281 per annum
Appeals panels	£135 per day or £67.50 per half day

SCHEDULE 2

MEETINGS QUALIFYING FOR TRAVEL & SUBSISTENCE ALLOWANCE

Travelling and Subsistence allowances may be claimed as follows:-

- (i) Attendance at a meeting of the Council, the Executive, or any of its Committees or Sub-Committees, including training seminars arranged for members.
- (ii) All meetings held as pre agreed briefings as part of the Council's Committee timetable between any Committee, Policy or Scrutiny Chair, or Portfolio Holder and appropriate briefing officer of the Council.
- (iii) Attendance at any meeting which may be arranged to discuss matters affecting the work of the Council, provided such meeting is recognised in advance by the Head of Finance and Group Leaders.
- (iv) Attendance at Council, Committee and Sub-Committee meetings of the Association of District Councils and the Local Government Association.
- (v) Attendance at Council, Committee and Sub-Committee meetings of the West Midlands Provincial Council or carrying out Provincial Council duties.
- (vi) Attendance at meetings of a Working Party and Forum or Study Group formally appointed by the Council or one of its Committees.
- (vii) Attendance as an appointed representative of the Council at meetings with, or delegations to, local authorities or public bodies.

- (viii) Attendance as an appointed representative of the Council at meetings of a Study Group or Working Party appointed by another local authority or public body.
- (ix) Attendance as an official Council representative at meetings of bodies or organisations on the list retained by the Monitoring Officer.

SCHEDULE 3

MEMBERS TRAVELLING and SUBSISTENCE ALLOWANCES

GENERAL

All references in this schedule to travel and subsistence allowances are subject to the overriding requirement that they relate to a duty under Schedule 2.

A. TRAVEL

Within the District on approved duties:

Casual Car user Rate:

Following the decision by the Council on 29 June 2009 that the Inland Revenue rates on mileage will be applied to all Councillors from the 1 July 2009 whatever the type and engine size of vehicle, **this currently stands at 45p per mile from 1st April 2011.**

Bicycle Allowance
20p per mile

Motorcycles
24p per mile

Out of District on approved duties:

The most cost-effective method of transport should be used. (This is usually public transport). Receipts must be supplied for all public transport journeys

Travel by car to be at the Casual Car User Rate shown above.

Travel by train to be at standard class.

Exceptional circumstances requiring first class travel require the prior approval of the Chief Executive

Other types of journeys requiring different modes of travel require the prior approval of the Chief Executive

Requirement for Business Use Insurance

Members are reminded that if you use your own vehicle on Council business, then you should ensure that the vehicle is insured for business use and for third party claims e. g. passengers. The mileage allowance includes an element to cover you for these costs.

B. SUBSISTENCE

Within the District on approved duties:

Except where food is provided at Council meeting the NJC rates of subsistence apply for approved duties

Breakfast

£6.61

Lunch	£9.10
Tea	£3.59
Dinner	£11.28

Out of District on approved duties:

Wherever possible meals and accommodation should be pre booked and pre paid in advance through the Council.

If this is not possible then they should conform to the above rates.

For meals that cannot be pre-booked and paid and are in excess of the current rates payable, then reasonable costs will be reimbursed on production of receipts up to a limit of £40 per day.

NEW SCHEME FOR MEMBERS' ALLOWANCES



FOREWORD

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Details of amounts paid to individual members are also open to public inspection and are available on the Council's website.

The Council has considered the report of the Independent Remuneration Panel of ??? and has implemented the recommendations of the Panel.

It is anticipated that the overall cost of the members allowances scheme will be ??? per annum - an average of around ??? per year for each member. Although this is an average, some members are paid more because of their particular responsibilities.

Mike Snow,
Head of Finance.

SCHEME FOR MEMBERS' ALLOWANCES

Warwick District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, has made the following scheme for Members' Allowances.

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1. In this scheme:-

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- b) "Co-Optee" means a person who serves on the committees or sub-committees of an Authority but who is not a member of an Authority,
- c) "Year" means the twelve months ending with the Annual Meeting of the Council.

2. Basic Allowance

Subject to paragraphs 5 and 12, for each year a basic allowance of £4,630 shall be paid to each Councillor.

The basic allowance is established to recognise the time and responsibility a Councillor holds with regard to their work as a Ward Councillor, community leadership, their work on the Council, its Committees, working parties etc, appointments to outside bodies, and training and development they undertake while on the Council.

3. Special Responsibility Allowance

- a) For each year a special responsibility allowance shall be paid to those Councillors who hold special responsibilities in relation to the authority, specified in Schedule 1 to the scheme.
- b) Subject to paragraph 5, the amount of each such allowance shall be the amount specified against that special responsibility in that scheme.
- c) Only one special responsibility allowance will be payable, and this will normally be the largest for which the Councillor is eligible.

4. Renunciation

A Councillor may, by notice in writing to the Head of Finance, elect to forego any part of their entitlement to an allowance under this scheme.

5. Part Year Entitlements

- a) This part of the scheme deals with entitlement to allowances where during any year:- the scheme is amended; a Councillor is elected to or leaves the Council; or a Councillor takes on or gives up a position for which a special responsibility allowance is payable.
- b) Any changes affecting special responsibilities will result in pro rata payments from the date of the change.
- c) Newly elected Councillors or Councillors leaving the Council during the year will be entitled to basic allowance pro rata to the full year allowance.

- d) Councillors entitled to special responsibility allowances for part only of any year will be paid a pro-rata amount.

6. **Payments**

Payments shall be made of basic and special responsibility in instalments of one-twelfth of the amount specified each month, subject to the amount due being adjusted in accordance with paragraphs 5 and 12.

7. **Up-rating**

The allowances identified in paragraphs 2 and 3 above and 11 below shall be increased by the annual local government pay percentage increase as agreed each April (linked to spinal column point 49 of the NJC scheme) to be implemented the following May in that year from the date of the Council Annual Meeting.

8. **Travel and Subsistence Allowances**

- a) Councillors shall be entitled to claim allowances for the cost of certain travel and subsistence, as prescribed in Schedule 3 to this scheme.
- b) These allowances will be the rates prescribed by HMRC.

9. **Vice Chairman's Expenses**

For those occasions where the Vice Chairman of the Council is required to attend official functions but does not have use of the civic car, it will be appropriate for the Vice Chairman to be reimbursed any car travel expenses incurred, in accordance with the rates set out in Schedule 3.

10. **Dependants' Carers' Allowance**

- a) A dependants' carers' allowance is payable to members who incur expenditure on the care of children or dependants on approved duties only.
- b) The event requires the member to provide care for a person who normally lives with the member as part of their family and who is:
 - i) a child under 14
 - ii) an elderly or disabled dependant requiring care.
- c) In the case of (i) Member must register that they have a dependent child living with them under the age of 14. A signed statement is to be produced which declares that childcare has been provided by a childminder or member of the immediate family not normally resident at the Member's home address.
- d) In the case of (ii) Members must make a written declaration to be lodged with the Standards Committee (and the Legal and Democratic Services Manager). A receipt for actual expenditure incurred has to be produced. As care for elderly and/or disabled dependants would be provided by professional carers they would be in a position to provide formal receipts in a way that many child carers would not.
- e) Payment will be made as follows:

- iii) the child care element should be paid at the maximum rate of minimum wage relevant to the age of the carer as long as they are over 18 years of age or less for actual reimbursement.
- iv) the medical/social care element should be paid at the average hourly rate charged by Warwickshire Social Services for social/medical care of dependants or less for actual reimbursement and only upon production of receipts.

11. **Disabled Allowance**

Payment of an allowance to disabled members to assist them in carrying out their duties. This would be at the same level of support that would be offered to disabled officers. Decisions to provide support and at what level to be taken by the Monitoring Officer and Section 151 jointly in consultation with other appropriate officers.

12. **Suspension of Allowances & Training Costs**

If a member of the Council or a co-opted member of the Council is suspended from the Council after being found of a breach of the Code of Conduct their allowances will be suspended for the duration of that suspension.

In addition, if a sanction requires a member or members to undertake training those members will be required to pay for half of the value of that training.

13. **Provision of Stationery**

Councillors will be entitled to replacement cartridges, for their printer, letter headed paper, compliment slips, plain printing paper and business cards as well as other reasonable requests for stationery such as writing pads and pens. The request for these should be made via Civic & Committee Services.

14. **Car parking**

A Councillor is only entitled to one car park pass. Each eligible Councillor can register up to three vehicle registration numbers per pass, however all vehicles must be authorised for Council use.

The car parking pass must be clearly displayed on the windscreen at all times when the vehicle is parked in any of the car parks identified below. Failure to display a car park pass may result in the issue of a Penalty Charge Notice.

Applications and/or alterations for a councillor car park pass can only be made to Parking Services by the receipt of an e-mail from Civic & Committee Services.

A councillor car park pass is only valid if that member of staff or councillor is undertaking council business.

The pass is valid for use 7 days a week only in the off-street car parks as detailed below.

If Councillor car users have a particular Council business task which requires them to park in one of the car parks not listed below then they should make a request to Car Park Services on ext 4009, before parking in that car park.

Leamington	Warwick	Kenilworth
Riverside House Adelaide Bridge St Peter's multi-storey Covent Garden multi-storey Rosefield Street Packington Place Bath Place Court Street	Linen Street St Mary's Lands Area 2 St Mary's Lands Area 4 St Nicholas Park West Rock Priory Road	Abbey End Square West

Please adhere to the regulations regarding where staff can park at Riverside House and Adelaide Road. Using your pass in unauthorised areas, car parks or contravening the Council's Parking Orders may result in the issue of a penalty charge notice. **This charge will not be cancelled just because you are a councillor.**

The pass must be returned to Car Park Services for cancellation in the following instances:-

- (a) if you dispose of the vehicle;
- (b) if you change your vehicle;
- (c) if you leave the Council's employment

Councillors should note that the pass is **NOT** valid on-street. Councillors who park their vehicle on-street are subject to the same on-street regulations, including on-street charging where appropriate, as any other member of the public even if the member is undertaking Council business.

Councillors are reminded that if they contravene the on and off-street parking regulations they are likely to be issued with a PCN.

15. **Calculation of Allowances**

The basic allowance was calculated by taking the average salary for the West Midlands region and reducing this by a proportion to allow for post being recognised as public sector & voluntary work and the average hours spent on Council work.

The Special responsibility allowances were calculated as a multiple of the basic allowance based on time and level of responsibility evidenced from the responses of Councillors.

SCHEDULE 1
SPECIAL RESPONSIBILITY ALLOWANCES

The following are specified as the special responsibilities in respect of which special responsibility allowances of the amounts shown are payable:-

Band 1 - £9260 per annum = to twice the basic allowance
Leader of the Executive

Band 2 £4630 per annum = to basic allowance
Deputy Leader & Portfolio Holders on Executive
Chairmen of Planning Committee

Band 3 £2315 per annum = to half basic allowance
Chairmen of Overview and Scrutiny Committees
Chairman of Regulatory Committee
Non-Portfolio Holders on Executive

Band 4 £ 1157.50 = to a quarter of the basic allowance
Chairmen of Licensing Committee
Independent Chairmen of Standards Committee
Chairman of the Warwick District Towns Conservation Area
Advisory Forum
Chairman of Employment Committee
Vice-Chairman of Planning Committee

Band 5

Leader of an Opposition Group (minimum of 4 members)	£822.00 per annum Plus £103 per group member
Co-optee Allowance	£281 per annum
Appeals panels	£135 per day or £67.50 per half day

SCHEDULE 2
MEETINGS QUALIFYING FOR
TRAVEL & SUBSISTENCE ALLOWANCE

Travelling and Subsistence allowances may be claimed as follows:-

- (i) Attendance at; a meeting of the Council, the Executive, or any of its Committees or Sub-Committees (when attending as a member of the meeting or specifically invited to attend the meeting and not when casually observing) including training seminars arranged for members.
- (ii) All meetings held as pre agreed briefings as part of the Council's Committee timetable between any Committee Chair, Portfolio Holder and Vice Chair of Planning Committee and appropriate briefing officer of the Council.
- (iii) Attendance at any meeting which may be arranged to discuss matters affecting the work of the Council, provided such meeting is recognised in advance by the Head of Finance and Group Leaders.
- (iv) Attendance at Council, Committee and Sub-Committee meetings of the Association of District Councils and the Local Government Association.
- (v) Attendance at Council, Committee and Sub-Committee meetings of the West Midlands Provincial Council or carrying out Provincial Council duties.
- (vi) Attendance at meetings of a Working Party and Forum or Study Group formally appointed by the Council, Executive or Committees on the list retained by the Monitoring Officer.
- (vii) Attendance as an appointed representative of the Council at meetings with, or delegations to, local authorities or public bodies.
- (viii) Attendance as an appointed representative of the Council at meetings of a Study Group or Working Party appointed by another local authority or public body.
- (ix) Attendance as an official Council representative at meetings of bodies or organisations on the list retained by the Monitoring Officer.

SCHEDULE 3

MEMBERS TRAVELLING and SUBSISTENCE ALLOWANCES

GENERAL

All references in this schedule to travel and subsistence allowances are subject to the overriding requirement that they relate to a duty under Schedule 2.

A. TRAVEL

Within the District on approved duties:

Casual Car user Rate:

Following the decision by the Council on 29 June 2009 that the Inland Revenue rates on mileage will be applied to all Councillors from the 1 July 2009 whatever the type and engine size of vehicle, **this currently stands at 45p per mile from 1 April 2011.**

Bicycle Allowance
20p per mile

Motorcycles
24p per mile

Out of District on approved duties:

The most cost-effective method of transport should be used. (This is usually public transport). Receipts must be supplied for all public transport journeys

Travel by car to be at the Casual Car User Rate shown above.

Travel by train to be at standard class.

Exceptional circumstances requiring first class travel require the prior approval of the Chief Executive.

Other types of journeys requiring different modes of travel require the prior approval of the Chief Executive.

Requirement for Business Use Insurance

Members are reminded that if you use your own vehicle on Council business, then you should ensure that the vehicle is insured for business use and for third party claims e.g. passengers. The mileage allowance includes an element to cover you for these costs.

B. SUBSISTENCE

Will only be paid for duties outside Warwick District and in these cases the NJC rates of subsistence apply for approved duties:

Breakfast	£6.61
Lunch	£9.10
Tea	£3.59
Dinner	£11.28

Wherever possible meals and accommodation should be pre booked and pre paid in advance through the Council.

If this is not possible then they should conform to the above rates.

APPENDIX 4

9.8 Staff Pay

- 9.8.1 2012/13 will be the second year of the Government's pay freeze for the public sector. However, the local government pay increases are agreed independently from Central Government. As local government did not have a pay award in 2010/11, 2012/13 will be the third consecutive year officers have had no pay rise. For 2013/14 and 2014/15, the government is seeking to limit public sector pay rises to 1%. No pay allowance has been included within the 2012/13 Estimates.
- 9.8.2 As an alternative approach to pay, a Local Pay Agreement is proposed for consideration with the staff and the unions. It is proposed that if the authority achieves the required level of savings and service performance each year, all staff will receive a one-off payment as a percentage of their basic pay in place of a possible annual negotiated increase. If this policy is agreed up to 2016/17, it would enable over £1m to be removed from base budgets. Under this approach it is intended that officers will receive an element of a pay award, whilst at the same time providing the organisation with the incentive to ensure the savings required are achieved.
- 9.8.3 It is recommended that the Chief Executive should consider the details for this local scheme and enter in discussions with staff and the unions so as to report back to a future Executive.
- 9.8.4 Alongside this report to the Executive, there is the report on Members' Allowances, with the recommendations of the Independent Remuneration Panel. The Executive will wish to consider whether it wishes to replicate the approach outlined above for Members' Allowances.