

# Members' Allowances Scheme

## **THE MAIDSTONE BOROUGH COUNCIL**

### **MEMBERS' ALLOWANCES SCHEME**

The Maidstone Borough Council has adopted the following Members' Allowances Scheme:-

#### *Citation*

1. This scheme may be cited as the Maidstone Borough Council Members' Allowance Scheme and the scheme shall come into operation on the following dates and be operative for subsequent years
  - a) Basic Allowance – 19 May 2018
  - b) Special Responsibility Allowance – 19 May 2018

#### *Interpretation*

2. In this scheme, "Councillor" means a Member of the Maidstone Borough Council who is a Councillor; "Co-opted Member" means a person who is not a Councillor (as above) but has been appointed to join a Committee of this Council; "year" means the 12 months ending with 31 March.

#### *Indexation*

3. Indexation rises should be applied annually to these allowances, at the same rate that staff salary cost of living rises are agreed.

#### *Basic Allowance*

4. A Basic Allowance is paid to all Councillors in recognition of their commitment to attend formal meetings of the Council as well as meetings with officers and constituents. The Basic Allowance is intended to cover any incidental costs which may arise, such as use of private telephones.
5. Subject to paragraph 9, for each year a basic allowance of £5,065.00 shall be paid to each Councillor (with effect from 19 May 2018).

A formula has been applied to work out the basic allowance which is as follows:-

$12$  (average hours spent on Council Work)  $\times$   $\pounds 14.76$  (NOMIS hourly rate by place of residence for Maidstone 2017)  $\times$  52 weeks (minus Public Service Discount of 45%).

#### *Mayor and Deputy Mayor's Allowances*

6. The Mayor's Allowance is  $\pounds 2,601.42$  per annum.

The Deputy Mayor's Allowance is  $\pounds 1,040.66$  per annum.

#### *Special Responsibility Allowance*

7. (1) For each year a special responsibility allowance shall be paid in addition to the Basic Allowance to those Councillors or Co-opted Members who have the special responsibilities and additional Council

duties in relation to the authority that are specified in schedule 1 to this scheme.

- (2) Subject to paragraph 6, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
- (3) No more than one special responsibility allowance can be paid to any single Councillor or Co-opted Member at one time and that the allowance to be paid be the highest that the Councillor or Co-opted Member is entitled, with the exception it will not preclude any person who receives a special responsibility allowance from being paid such an allowance for attendance at Licensing Panel Hearings.
- (4) There should be no special responsibility allowance for Vice Chairmen. However, in the event that the Chairman is absent for a significant period of time (6 months or more) then the Vice-Chairman should be given the Chairman's allowance.

#### *Renunciation*

8. A Councillor or Co-opted Member may by notice in writing given to the Head of Policy, Communications and Governance elect to forego any part of his entitlement to an allowance under this scheme.

#### *Part-year Entitlement*

9. (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

- (2) If an amendment to this scheme is made which affects payment of a basic allowance or a special responsibility allowance in the year in which the amendment is made, then in relation to each of the periods

- (a) beginning with the year and ending with the day before on that which the first amendment in that year takes effect, or

- (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days as the period bears to the number of days in the year.

- (3) Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the 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 subsists bears to the number of days in that year.

- (4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Councillor does not subsist throughout a period mentioned in sub-paragraph (2) the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Councillor subsists in that period bears to the number of days in that period.
- (5) Where a Councillor or Co-opted Member has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's or Co-opted Member's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.
- (6) Where this scheme is amended as mentioned in sub-paragraph (2), and a Councillor or Co-opted Member has during part, but does not have throughout the whole of any period mentioned in sub-paragraph (2) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's or Co-opted Member's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

#### *Payments*

10. (1) Payments shall be made in respect of basic and special responsibility allowances, subject to sub-paragraph (2) in instalments of one-twelfth of the amount specified in this scheme on the (last working) day of each month;
- (2) Where a payment of one-twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor or Co-opted Member receiving more or less than the amount to which, by virtue of paragraph 7, he or she is entitled, the payment be such amount as will ensure that no more or no less is paid than the amount to which he or she is entitled.

#### *Dependent Carers Allowance*

11. Each Councillor shall be entitled to claim a Dependent Carers Allowance when they attend meetings outlined in the list of approved duties contained in Schedule 3 of the allowances scheme or in relation to specified outside bodies (see Schedule 2) and any approved conference, training or site visits at the following rates on production of a completed form and required receipts:-

Child-Care Provider - To pay a reasonable amount but it must not exceed market rates and only upon presentation of receipts.

Specialist Carer Provider - £15.50 -£20.20 per hour but must not exceed Market Rates and only upon presentation of receipts. Reasonable travelling time can also be claimed.

### *Travel Allowance*

11. Councillors and Co-opted Members are entitled to claim travel costs when they attend meetings outlined in the list of approved duties contained in Schedule 3 of the allowances scheme including meetings of certain specified outside bodies (see Schedule 2) and any approved conferences or site visits. Councillors and Co-opted Members must indicate on the claim form the purpose of all meetings attended. Travelling allowances are paid per mile as set out in the table below.

<i>TRAVEL ALLOWANCES</i>	
<b><i>Cars and Vans</i></b>	<b><i>45p per mile</i></b>
Motorcycles	24p per mile
Bicycles	20p per mile

Councillors or Co-opted Members may claim an additional 5p per mile if another passenger travels in their vehicle. This again must be detailed on the Travelling and Subsistence Claim Form.

If a Councillor or Co-opted Member travels to and from meetings by public transport they are entitled to claim this back in full but receipts or tickets must be attached to their Travelling and Subsistence Claim Form.

In addition, claims can also be made for the cost of toll, parking or garage fees, again by completing the appropriate section on the Travelling and Subsistence Claim Form.

### *Subsistence Allowance*

12. Councillors and Co-opted Members are entitled to claim a subsistence allowance when, in attending meetings which relate to functions of the Council, they are kept away from their normal place of residence for significant periods of time at certain times of day. Subsistence will only be paid upon the production of a receipt for the purchase of a required meal.

If Councillors or Co-opted Members are attending a meeting or function where a meal is provided for them they are not entitled to claim a subsistence allowance.

If a Councillor or Co-opted Member attends an approved Conference which includes an overnight stay away from his/her usual place of residence the Councillor or Co-opted Member can claim the cost of an evening meal up to a maximum of £20 per head, provided they submit a receipt with the Travelling and Subsistence Claim Form.

**Members and Co-opted Members are reminded that any Travelling and Subsistence Claim Form should be submitted within two months of the approved duty for which they are claiming.**

## **SCHEDULE 1**

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable, and the amounts of those allowances:-

<u>POST</u>	<u>SPECIAL RESPONSIBILITY ALLOWANCE</u> (w.e.f19.5.18)
Leader/Chairman of Policy & Resources Committee	£19,610.52
Chairman of Strategic Planning, Sustainability and Transport Committee (40% of Leader's Allowance)	£7843.80
Chairman of Communities, Housing and Environment Committee (40% of Leader's Allowance)	£7843.80
Chairman of Heritage, Culture and Leisure Committee (40% of Leader's Allowance)	£7843.80
Chairman of Planning Committee (40% of Leader's Allowance)	£7843.80
Chairman of Audit, Governance and Standards Committee (20% of Leader's Allowance)	£3921.90
Chairman of Licensing Committee (20% of Leader's Allowance)	£3921.90
Group Leader's Allowance (based on the actual per Member composition of each party) (excluding the Leader's party)	£394.74per Member
Co-opted Members of Audit, Governance and Standards Committee	£344.40
Independent Person	£735.42
Chairman of Licensing Panel Hearings	£80.12 per session
Licensing Panel Hearing Members	£60.35 per session

## **SCHEDULE 2**

### **LIST OF OUTSIDE BODIES**

Appointed by Policy and Resources Committee

1. Kent and Medway Civilian-Military Partnership Board – *Chairman automatically appointed or Chairman can delegate to another member*
2. Local Government Association General Assembly – *to appoint non-voting member (Leader automatically appointed as voting member)*
3. One Maidstone – *to appoint one Member*
4. Rochester Bridge Trust
5. Upper Medway Internal Drainage Board

Appointed by Strategic Planning Sustainability and Transportation Committee

6. Kent Downs AONB Joint Advisory Committee
7. Kent Community Railway Partnership
8. Maidstone Cycling Forum
9. Maidstone Quality bus Partnership
10. Medway Valley Line Steering Group
11. Parking and Traffic Regulations Outside London Adjudication Joint Committee (“PATROLAJC”)
12. South East Rail Passenger Group

Appointed by Communities Housing and Environment Committee

13. Action with Communities in Rural Kent
14. Age UK
15. Citizens Advice Bureau
16. Cutbush and Corral Charity
17. KCC Health Overview & Scrutiny – *Chairman automatically appointed or Chairman can delegate to another member*
18. Maidstone Mediation Scheme
19. Relate West and Mid Kent
20. Vinters Valley Park Trust – *appoint a Ward Member*

Appointed by Heritage Culture and Leisure Committee

21. Brenchley Charity
22. Collis Millennium Green Trust – *one High Street Ward Member*
23. Maidstone Area Arts Partnership
24. Maidstone/Beauvais Twinning Association
25. Maidstone Sea Cadets

Appointed by Employment Committee

26. South East Employers

Appointed by Democracy Committee

27. Allington Millennium Green Trust – *Allington Ward Member*
28. Headcorn Aerodrome Consultative Committee – *Headcorn Ward Member*
29. Howard de Walden Centre – *East and North Ward Members*

30. Hayle Park Nature Reserve – *South Ward Member*
31. Maidstone Street Pastors Management Committee – *High Street Ward Member*
32. Relief in Need Charities
33. Kent and Medway Police and Crime Panel – *Leader automatically appointed or Leader to delegate to another member*
34. Kent and Medway Economic Partnership – *Leader automatically appointed or Leader to delegate to another member*
35. West Kent Improvement Board– *Leader automatically appointed or Leader to delegate to another member*

## **Schedule 3**

### **Approved duties for which travel expenses may be claimed**

1. Attendance at all meetings of the Council, Committees or Sub Committees which the Councillor is attending as a member or substitute member of the Committee.
2. Attendance at meetings of Committees, Sub-Committees, Forums, Groups or Boards which a member has been appointed to by Council, a Committee, Sub-Committee or delegated by another member (if allowed by the Constitution).
3. Attendance at a meeting of an Outside Body listed on the Council's list of Outside Bodies.
4. Meetings to exercise any joint decision making arrangements entered into with another authority.
5. Meetings of external organisations Councillors are required to attend as the Council's representative by virtue of being elected a Chairman of a Committee or appointed as a Vice Chairman of a Committee.
6. Meetings of the Local Government Association or its Committees and Sub-Committees including its annual conference.
7. Chairman's briefings, agenda setting meetings and other pre-arranged meetings in order for a member to carry out their role as a Chairman or Vice Chairman of a Committee.
8. Attendance at Learning and Development Events (including induction procedures) and Member Briefing Sessions organised by the Council's Corporate Leadership Team.
9. Attendance at conferences that have been paid for by the Council.
10. Attendance at pre-arranged meetings organised by Officers of the Council and at which an Officer of the Council is present.
11. Attendance at pre-arranged meetings organised by Officers of Kent County Council, and at which an Officer of Kent County Council is present – provided the meeting relates to a function of the Council and the name and contact details of the Kent County Council officer are provided along with the expense claim.
12. Attendance at Group Leaders' meetings.
13. Attendance at formally constituted working parties, if appointed and formally constituted by decision of Council or a Committee.

14. Councillors are not entitled to claim for political group meetings, meetings of parish councils or meetings with residents.

15. Site visits by members of the Planning Committee to sites with a planning application currently under consideration by the Committee, where the Head of Planning and Development has agreed that a site visit is necessary or by resolution of the Planning Committee. Members of the Planning Committee are encouraged to car share on site visits where possible.