

# **Members' Allowances Scheme**

## **1 April 2016 to 31 March 2017**

### **Introduction**

Every local authority will make, or review, a scheme annually in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and will set out the nature and level of allowances payable each year to each member of the authority. The allowances are set by the Council after due consideration of any recommendations of the annual Independent Remuneration Panel (IRP).

### **Publication of Members' Claims**

Regulations (Section 228 of the Local Government Finance Act 1972) require publication of details of the total sum paid in allowances to members during each year.

A schedule of total cash payments made to each member during the preceding financial year, in respect of all allowances, is available on the Spelthorne Borough Council website.

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**The Members' Allowances Scheme operating from 1 April 2016 provides for the following:**

1. **A Basic Allowance** paid at a flat rate to all members on a monthly basis.
2. **Special Responsibility allowances** paid to certain roles, agreed by the Council, to recognise significant additional responsibilities. These are also paid on a monthly basis.

	<b>Per Annum £</b>
<b>Basic allowance</b> payable to all Members	5785
<b>Special Responsibility allowances</b>	
Leader	13306
Deputy Leader	8782
Cabinet Members (excluding Leader and Deputy Leader)	6653
Chairman of Planning Committee	5322
Chairman of Overview and Scrutiny Committee	4657
Chairman of Licensing Committee	4657
Chairman of Audit Committee	3327
Chairman of Members' Code of Conduct Committee	1000
Vice-Chairman of Members' Code of Conduct Committee	500
Opposition Group Leader	3100

- ❖ Payments will be made on a monthly basis, directly into a nominated bank or building society account.
  - ❖ Members who wish to elect to forgo their entitlement to some or all of their allowances may do so by giving notice, in writing, to the Chief Executive.
  - ❖ No one councillor shall be entitled to receive more than one Special Responsibility Allowance and
  - ❖ No more than one third of all councillors shall be in receipt of Special Responsibility Allowances at any given time.
3. **Travelling expenses** will be paid for attendance at approved meetings. The list of approved duties is set out in **Schedule 1** to the Scheme.
  4. Where the requirements of paragraph 3 are met a travelling allowance for use of a vehicle will be paid at the following rates:

<b>Cars</b>	
Up to 999cc	46.9p
1000cc– 1199cc	52.2p
1200cc and over	65p
<b>Motorcycles</b>	24p
<b>Cycles</b>	20p

5. The allowance for all cars may be increased by not more than 1.0 pence per mile in respect of each passenger, up to a maximum of four, to whom a travelling allowance would otherwise be payable.
6. Where the requirements of paragraph 3 are met a travel allowance for use of public transport may be claimed. Members can claim the ordinary fare or any available cheap fare. Receipts must be obtained and attached to the relevant claim form otherwise expenses will be liable for tax.
7. **Subsistence allowance** will be paid for attendance at approved meetings. The list of approved duties is set out in **Schedule 1** of the Scheme.
8. Where the requirements of paragraph 7 are met, a subsistence allowance will be paid for expenses actually incurred on completion of the relevant claim form, to which receipts are attached.
9. If meals are provided at a meeting, e.g. a sandwich lunch, a claim for subsistence should not normally be made for that same meal. If a member chooses to purchase a meal elsewhere when a free meal was provided, any claim made for subsistence should be reduced to reflect the value of the free meal which was available.
10. Whilst travel and subsistence claims may be made for attendance as the Council's representative at the meetings listed on Schedule 1, members should note that claims may not be made in respect of duties which an external body itself has asked the member to undertake. Any claim for expenses in these circumstances should be referred to the external body.
11. **Dependent's Carer's allowance** including child care, where a member incurs costs in arranging for care of their child or dependent relative, will be paid for attendance at approved meetings. The list of approved duties is set out in **Schedule 1** of the Scheme.
12. Where the requirements of paragraph 11. are met, a dependent's carers' and child care allowance will be paid for expenses actually incurred on completion of the relevant declaration form.
13. All claims must be made within the current financial year and for no more than three months in arrears.
14. Members' claims for travel and subsistence should be sent to Committee Services by the 6th of each month.
15. The Principal Committee Manager will check all members' claims before passing them to Payroll for payment.

### Taxation

Basic and Special Responsibility Allowances are both liable to income tax and national insurance contributions, depending on members' personal circumstances. All payments are made through the payroll.

Travel allowances for cars are not subject to tax and National Insurance for the first 45p per mile but anything above that is as per the HMRC Approved Mileage Allowance Payments.

### National Insurance Contributions

National Insurance contributions are payable on all allowances that exceed the minimum lower earnings limit.

The current minimum earnings level (2015/2016) equates to approximately £486 per month.

The exemptions are:

**a) Where individual's earnings are above the upper earnings limit**

If your gross salary in paid employment exceeds the upper earnings threshold (currently £3,532 per month) members should apply for deferment using form CA27A or CA72B for self-employed. **This must be applied for each Tax year.**

**b) When an individual is over the state retirement age**

There is no liability to pay employee's national insurance contributions if you are over the state retirement age, (for women there is a change to the pensionable age for anyone born after 6 April 1950, pensionable age will not be 60). A Certificate of Age Exception, (reference CF384), should be applied for on reaching retirement age, but if you have not received one, it can be obtained from the Department of Social Security office nearest to your home address. The Certificate should be passed to Payroll.

**c) When an individual is self-employed**

Class 1 employee deductions are not due if you are self-employed. The Department of Social Security does not issue an exemption certificate, but requires you to produce the contributions card or direct debit statement for your self-employed contributions for inspection. (If you would prefer to account to the Inland Revenue for the income tax due on your allowances, this can be arranged by asking your Tax Office to inform Payroll of your self-employed status).

**d) When a married woman has elected to pay reduced rate contributions**

Any Member currently holding a valid Married Woman's Reduced Rate Liability Card, (reference CF383), should send this to Payroll, so that the reduced rate contributions, (currently 4.85%), can be implemented. The option to make reduced rate contributions is no longer available, so this will only apply to Members already holding a valid certificate.

# Schedule 1

## Members' Allowances Scheme 2016-2017

### List of Approved Duties

When a member uses his or her own home to undertake representative duties on behalf of the Council (e.g. to see constituents), that home becomes their place of work and an allowance can be paid for travel between home and the Council Offices for approved duties, but not for ordinary visits to the Council.

#### Meetings:

The activities that shall be approved duties include:

- meetings of the Council, Cabinet and committees including Task Groups and Panels.
- deputations, delegations or other representation at meetings with a government department or another local authority.
- training seminars organised by the Council, including members' inductions.
- presentations to councillors by government departments, statutory undertakers, utility or private companies, in respect of proposals in or affecting the Borough, as well as meetings of the organisations external to the Council listed below.
- opening of tenders where Standing Orders require one or more members to be present.

To qualify as an approved duty, such meetings, seminars and presentations need to be authorised by the Council, Cabinet or a Committee and representatives of more than one political group must be invited.

#### Meetings with organisations

Meetings of the following organisations **have been approved** by the Council or Cabinet for travel/expenses claims:

- Ashford and St Peter's Hospitals NHS Foundation Trust
- Heathrow Airport Consultative Committee (HACC)
- Heathrow Local Focus Forum (BAA)
- Heathrow Airport Ltd - Annual Meeting with Spelthorne Borough Council
- Heathrow Community Noise Forum
- Local Authority Aircraft Noise Council (LAANC)
- Management Committee of Mediation North Surrey
- On-street Parking Partnership (OSPP) Joint Task Group
- Police and Crime Commissioner's Panel
- River Thames Alliance
- South East Employers (SEE)
- South West Middlesex Crematorium Board
- Spelthorne Mental Health Association Management Committee - Trustee
- Spelthorne Safer, Stronger Partnership Board
- Strategic Aviation Special Interest Group (SASIG)
- Surrey Waste Partnership

- Surrey Leaders' Group
- Surrey Museums Consultative Committee
- Surrey Traveller Community Relations Forum
- The Traffic Penalty Tribunal
- Voluntary Action in Spelthorne (VAIS) Trustee

**List of authorised conferences:**

The following have been prescribed under Section 175 of the Local Government Act 1972 for the payment of travel and expenses claims:

- Chartered Institute of Housing (CIH)
- Chartered Institute of Public Finance and Accountancy (CIPFA)
- Institute of Building Control
- Institute of Waste Management
- Local Government Association Annual Conference
- Local Government Association Annual Housing Conference
- National Housing and Town Planning Conference
- Royal Town Planning Institute (RTPI)
- South East Employers (SEE)
- Surrey Heritage Strategy Annual Conference

**List of duties not approved:**

The following is a list of those organisations external to the Council to which the Council makes appointments, but which **do not qualify** for any travel or expenses allowances:

- A2 Dominion Customer Services Committee
- Spelthorne Business Forum
- Spelthorne Citizens' Advice Bureau
- Spelthorne and Sunbury Leisure Centres Customer Forum
- Sunbury Leisure Centre and Sunbury Manor School Joint Liaison Group

The following duties have **not** been approved by the Council:

Social occasions, receptions, official openings, sporting occasions, visits by members to the Council offices to meet with staff outside of formal meetings; and ward surgeries.