

Part 6

The Council's Members' Allowances Scheme



The Council's Members' Allowances Scheme

The Bolton Metropolitan Borough Council, having consulted with members of its Independent Remuneration Panel and in accordance with the Local Government Act 2000 and the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby make the following Scheme of Members' Allowances effective from 22nd May, 2019.

1. Interpretation

In this Scheme:

"councillor" means an elected member of the Bolton Metropolitan Borough Council.

"year" means a period of twelve months ending on 31st March.

"Regulations" means the Local Authorities (Members' Allowances) (England) Regulations 2001 or subsequent amendment to such order.

2. Taxation

Members Allowances are treated for income tax purposes as income received from employment and are chargeable to income tax. Tax will be deducted from the allowances paid to elected members under the PAYE Scheme. Tax is not deducted from travel and subsistence allowances or carers allowances provided that they are reimbursement for actual costs incurred and are supported by appropriate receipts.

3. National Insurance

For national insurance purposes, elected members are treated as employees and are liable to pay contributions where the amount of allowances received exceeds the national threshold amount.

4. Basic Allowance

- (1) Subject to section 12 below, every councillor will be entitled to receive a Basic Allowance for each year as specified in the annex to this scheme.
- (2) The Basic Allowance will be payable in equal monthly instalments on or about the fifteenth day of each month.
- (3) The amount of Basic Allowance payments may be updated annually in accordance with the arrangements set out in section 13 below.

5. Special Responsibility Allowance

- (1) A Special Responsibility Allowance will be payable to those councillors defined as having special responsibilities in relation to the Authority as specified in the annex to this scheme, save that no councillor will be entitled to claim more than one Special Responsibility Allowance.
- (2) Subject to section 12 below, the amount of such Special Responsibility Allowance for the municipal year will be the amount specified against that special responsibility in the annex to this scheme.
- (3) Any councillor who by virtue of offices held would otherwise than in accordance with section 5(1) be entitled to claim more than one Special Responsibility Allowance should specify to the Borough Solicitor in writing, the office in respect of which he/she proposes to claim Special Responsibility Allowance. In the absence of notification, the Borough Solicitor will deem that payment should be made in accordance with the office in respect of which financial entitlement is the greater.
- (4) Payments in respect of special responsibility allowance will be made in equal monthly instalments on or about the fifteenth day of each month.
- (5) The amount of Special Responsibility Allowance payments may be updated annually in accordance with the arrangements set out in section 13 below
- (6) The Special Responsibility Allowance paid to the Leader of the Council shall be set at the average of such allowance paid to GM Council Leaders.
- (7) The Special Responsibility Allowance paid to the Deputy Leader of the Council shall be set at 60% of the Special Responsibility Allowance paid to the Leader of the Council.

6. Approved Duties

The following duties are specified as approved duties for the purpose of Child Care and Dependent Carer's Allowances:-

- Any meeting of the Council, Cabinet , Executive Cabinet Member, Committee, Sub-Committee or Policy Development Group;
- Any meeting of a Working Group or Panel appointed by a Committee;
- Any formal meeting with other local authorities;
- Meetings initiated by and with Council Officers on official business;
- Training courses and seminars organised by the Council;

- All meetings where Members are appointed as representatives of the Council on outside bodies excluding School Governing Bodies;
- All meetings, seminars and events attended by the Member where the Member's attendance was organised, requested or arranged by the Council;
- Meetings of Area Forums;
- The carrying out of any other duty approved by the Monitoring Officer of 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 any of its Committees, Sub-Committees or Panels.

7. Travelling Allowances

Travelling allowances by car can be claimed for all journeys made outside the Borough on approved Council business as detailed in section 6 and are based on the engine capacity of the vehicle.

An allowance is also made for those journeys made by bicycle.

An additional allowance may be claimed for each official passenger. This additional information must be included on the Members claim forms if the allowance is to be paid giving the names of the passengers carried.

The rates shall be in accordance with those approved by the NJC for Officers and will be reviewed annually.

8. Subsistence Allowances

Subsistence allowances can be claimed for approved Council duties undertaken outside the Borough as detailed in section 6. The type of duty and period covered should be clearly specified when making the claim.

In order to qualify for subsistence allowances, the absence from home or the length(s) of meeting(s), including travelling time, must comply with the criteria set out in the annex to this scheme.

9. Dependent Carers Allowance

Dependent Carers Allowance will only be payable while a member is undertaking approved Council duties. An allowance will not be paid in respect of care provided by a member of the claimant's household.

Dependent Carers Allowance shall be paid and indexed to the following rates:-

Childcare: - at the applicable minimum wage rate

Other Dependents: - £10 per hour or the applicable rate for the hourly cost of Bolton Council's Home Help Carer, whichever is the lower.

10. Attendance Allowance

No councillor will be entitled to claim any Attendance Allowance payment from the Council except where the Council is responsible for making such payments as the agent of another Authority whose scheme incorporates such payments and where there is an agreement with such other Authority that the payment will subsequently be reimbursed to the Council.

11. Election to Forego

Any councillor may, by giving notice in writing to that effect to the Borough Solicitor, elect to forego his/her entitlement to the whole or any part of an allowance under this scheme.

12. Part-Year Entitlements

Where the term of office of a councillor or the entitlement to a special responsibility begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to the Basic Allowance or Special Responsibility Allowance will be based on the proportion of time which his/her service or special responsibility bears to the full year.

13. Annual Up-rating Of The Scheme

- (1) The amounts specified in the annex to this scheme will be up-rated annually in accordance with the Annual Pay Award agreed by the NJC for Local Government Services; such annual uprate being effective from the first day of April.
- (2) The uprating of payments in accordance with this section is deemed to be a constituent part of the scheme.
- (3) The application of the Annual Pay Awards as the mechanism by which payments are up-rated shall be effective until 1st April, 2019.

14. Publication Of Payments Under The Scheme

The Council will prepare annually a list of payments made to individual councillors under this scheme and will give public notice in accordance with the Regulations that such list is available for inspection by members of the public; such notice will normally be published as soon as may be practicable after the first day of June. A copy of the list will also be published on the Council's website.

15. Notification Fee

Elected Members must be registered individually with the Information Commissioner and must pay the annual registration fee (currently £35). The cost of the notification fee will be borne by the Council.

16. Amendments To The Scheme

- (1) Amendments to this scheme will be made only in accordance with a resolution of the full Council and following receipt by it of a report from and the recommendations of the Council's Independent Remuneration Panel.
- (2) The annual uprating of payments in accordance with the provisions of section 13 above will not constitute amendment of the scheme for the purposes of the Regulations.
- (3) Notice of any amendment made in respect of this scheme (other than uprating of amounts as provided for in section 13 above) will be published in accordance with the Regulations.
- (4) The Council's scheme allows for the payment of a basic allowance for Members on the Transport for Greater Manchester Committee and the Greater Manchester Waste Disposal Authority and the schedule below reflects this. The Schemes for both Transport for Greater Manchester and the Greater Manchester Waste Disposal Authority also allow for the payment of Special Responsibility Allowances where Members undertake such duties. The Council's scheme will be amended to reflect the appointment of a Bolton Council Member to any such positions, such amendment not requiring the approval of the Council's Independent Remuneration Panel.
- (5) The Council's scheme also allows for the payment of an allowance as a Special Responsibility Allowance to Members appointed to the board of Bolton at Home by the Council on condition that this is payable by Bolton at Home.

17. Reports and Recommendations Of The Independent Remuneration Panel

A copy of the report and recommendations of the Independent Remuneration Panel for Bolton Metropolitan Borough Council on which this scheme is based, may be inspected at Access Bolton, Town Hall, Bolton, BL1 1RU during normal office hours.

Helen Gorman
Borough Solicitor

22nd May 2019

Annex Scheme Of Members' Allowances

(Adopted: 22nd May 2019)
Basic Allowance (see Section 2)

All Members of the Council	Amount of Allowance
Basic Allowance	£11,644

Special Responsibility Allowance (see Section 3)

Office of Special Responsibility	No. of Office Holders	Amount of Allowance
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Administration / Controlling Group

The Cabinet		
Leader of the Council	1	£31,294
Deputy Leader	1	£18,775
Executive Cabinet Members	8	£7,140
Regulatory and Scrutiny		
Chair: Planning Committee	1	£8,177
Vice-Chair: Planning Committee	1	£2,813
Chair: Licensing and Environmental Regulation Committee	1	£7,740
Vice-Chair: Licensing and Environmental Regulation Committee	1	£2,521
Chair: Scrutiny Committee	4	£5,100

Majority Opposition Group

Leader	1	£10,555
Deputy Leader	1	£6,333

Minority Opposition Groups

Leader (payable only when a group has 10% of the total seats of the Council)	1	£2,940
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Others

Independent Person (standards)	1	£538
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Chair: Bolton Cares Steering Committee	1	£8,058
Bolton at Home	2	£5,500

Travelling Allowances

- (i) Rate for travel by public service shall not exceed lowest available rail fare. Rail Travel Warrants, which are provided should be used whenever possible.
- (ii) The following rates apply for motor car or tri-car where cylinder capacity:
 - (a) not exceeding 999cc 42.9p a mile
 - (b) exceeding 999cc 47.7p a mile
- (iii) Increase by 3.0p a mile for the first passenger to whom travelling expenses would otherwise be payable and 2.0p a mile for each subsequent passenger, not exceeding four.

Rates for motor cycle travel are available on request. Mileage is to be calculated by reference to the shortest practicable route unless use of a motorway results in substantial saving of time; details of which must be given.

- (iv) A cycle allowance of 20p per mile will be paid for journeys on approved duties.

Subsistence Allowances

For an absence not involving an absence overnight from the usual place of residence of four hours:-

- (a) the whole of which is before 11.00 a.m. (Breakfast Allowance) £4.48
- (b) which includes the whole of the period between 12 noon and 2.00 p.m.
(Lunch Allowance) £6.17
- (c) which includes the whole of the period between 3.00 p.m. and 6.00 p.m.
(Tea Allowance) £2.43
- (d) which extends beyond 7.00 p.m. (Evening Meal Allowance) £7.64

All rates of Subsistence Allowance are to be reduced by the appropriate amount (see above) in respect of any meal provided free of charge by the Authority or other body during the period to which the allowance relates. (Where a tea is provided the sum of £2.67 should be deducted from any claim for Evening Meal Allowance).

The rate of absence overnight from the usual place of residence covering a continuous period of 24 hours is not to exceed the sum of £79.82 with the proviso that for an absence in London or attendance at Annual Conference of the LGA (or such other body approved by the Secretary of State) the rate may be increased to £130. These rates shall be reduced by the amount shown in 3(a) above in respect of any meal provided free of charge by an authority or body during the period in which the allowance relates.