



**Nottingham  
City Council**

# Part 7

# Members' Allowances Scheme

**Version 7.30**

## **Members' Allowances Scheme**

Nottingham City Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 (the 2003 regulations) and all other powers vested in it, hereby makes the following scheme:

### **1. Citation**

This scheme, made by the City Council on 16 January 2017, may be cited as Nottingham City Council Members' Allowances Scheme.

### **2. Interpretation**

In this scheme:

- "Councillor" means a member of Nottingham City Council;
- "Year" means the 12 months beginning 1 April and ending with 31 March.

### **3. Basic Allowance**

Subject to paragraphs 6 and 7, a basic allowance of £12,828.13 (indexed with effect from 1 April 2017 in line with increases in pay of employees covered by the National Joint Council for Local Government Services) shall be paid to each Councillor for each year.

### **4. Special Responsibility Allowance**

- (1) For each year, a special responsibility allowance (indexed with effect from 1 April 2017, in line with increases in pay of employees covered by the National Joint Council for Local Government Services) shall be paid to those Councillors who have the special responsibilities in relation to the authority that are specified in Schedule 1 to this scheme.
- (2) Subject to paragraphs 6 and 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
- (3) In any year a Councillor shall be paid only one special responsibility allowance (being the highest amount payable in respect of special responsibilities held). A civic office holder may, in addition, be paid the civic allowance specified in the schedule.

### **5. Waiver**

A person may, by notice in writing given to the Director of Legal and Governance, elect to forego any part of his or her entitlement to an allowance under this scheme.

### **6. Part-year Entitlements**

- (1) The provisions of this paragraph shall have effect to regulate the entitlements of a councillor to basic and special responsibility allowance

where, in the course of a year 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) 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 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 or her term of office subsists bears to the number of days in that year.
- (3) Where a councillor 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 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.
- (4)
  - (a) Basic and special responsibility allowances shall be payable in installments of 1/12<sup>th</sup> of the amount specified in this scheme and shall be paid or made available by the last working day of each month.
  - (b) Where a payment of 1/12<sup>th</sup> of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more or less than the amount to which he or she is entitled, the payment shall be such amount as will ensure that no more or no less is paid than the amount to which he or she is entitled.

## **7. Allowances in Cases of Ongoing Sickness Absence**

- (1) Where, through sickness, a Councillor has not attended any formal meetings of the Council and/ or any Boards, Committees or Panels of the Council of which he/ she is a member for a period of six months (but remains a councillor by virtue of a decision of the Chief Executive under section 85 of the Local Government Act 1972), from that date, any allowances to which he/ she was formerly entitled to shall be payable at a rate of 50% of the former allowance and only for a further period of six months.
- (2) Where the Councillor is absent for reasons relating to pregnancy or maternity, no reduction should be made to allowances.

## **8. Carers' Allowance**

- (1) Carers' Allowance shall be paid to a Councillor who, as a result of attending a qualifying meeting, incurs costs in providing for the care of a dependant relative. Carers' allowances shall be paid at an hourly rate equal to the actual cost incurred, subject to:

- (a) a maximum hourly rate mirroring the highest rate of the National Living Wage;
  - (b) an annual limit mirroring the maximum level of benefit which can be obtained by an employee of the Authority purchasing childcare vouchers (currently £933);
  - (c) production of supporting invoices/ receipts to the Chief Finance Officer.
- (2) “Qualifying meeting” means:
- (a) a meeting of the Council or of any Board, committee or sub-committee of the Council, or of any other body to which the Council makes appointments or nominations, or of any committee or sub-committee of such a body;
  - (b) any other meeting, the holding of which is authorised by the Council, or a Board or committee or sub-committee of the Council, or a joint committee of the Council and one or more local authorities within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided in each case that it is a meeting to which members of at least two political groups have been invited;
  - (c) a meeting of any association of authorities of which the Council is a member;
  - (d) the performance of any duty in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises; and
  - (e) the performance of any duty in connection with arrangements made by the Council for the attendance of pupils at schools approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996;
  - (f) the carrying out of any other duty approved by the Council, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Council or any of its committees or sub-committees.
- (3) “Dependant relative” means a person who lives with the Councillor or who is entirely dependent on the Councillor for primary care, including:
- (a) a child aged 14 or under;
  - (b) an elderly relative requiring full-time care;
  - (c) a relative with a disabled or nursing requirement who needs temporary or permanent full-time care.
- (4) This allowance shall be paid where the claimant:
- (a) is not already in receipt of allowances or payments towards care from the individual(s) being cared for; or
  - (b) where those being cared for are, themselves, ineligible for appropriate government paid allowance(s).

## **9. Travel and subsistence allowances**

Travel and subsistence allowances shall be paid to Councillors and to members of Council committees and sub-committees in connection with or relating to the duties specified in paragraph 8 (2) above provided that, except for travel by bicycle, these allowances shall be paid to Councillors only where the duties are undertaken outside the area of the City. The allowances shall be paid in accordance with Schedule 2.

#### **10. Avoidance of duplication**

Where a Councillor is also a member of another authority (within the meaning of regulation 3 of the 2003 regulations) that member may not receive allowances from more than one authority in respect of the same duties.

#### **11. Time limit for making claims**

Claims for travel and subsistence and carers' allowances, on a form provided by the Director of Finance and signed by the claimant, shall be submitted to the Director within one month from the date on which entitlement to the allowance arose.

#### **12. Withholding/ recovery of payments**

Where payment of any allowance has already been made in respect of any period during which the councillor concerned:

- ceased to be a member of the Council, or
- was in any other way not entitled to receive the allowance in respect of that period;

the Council may require that such part of the allowance as relates to any such period shall be repaid to the Council.

#### **13. Operative date**

Any allowance payable in accordance with this scheme shall be payable as if the scheme had been in force from 1 April 2017 or the date(s) of appointment, whichever is the later.

## Schedule 1 – Special Responsibility Allowances

<b>Position</b>	<b>Amount (£)</b>
Leader	<b>£38,217.14</b>
Deputy Leader	<b>£27,794.29</b>
Portfolio Holders	<b>£20,845.71</b>
Lord Mayor	<b>£13,897.14</b>
Chair of Overview and Scrutiny Committee	<b>£13,897.14</b>
Chief Whip (Majority Group)	<b>£10,422.86</b>
Chairs of Area Committees	<b>£6,948.57</b>
Executive Assistants	<b>£6,948.57</b>
Sheriff	<b>£6,948.57</b>
Vice Chairs of Overview and Scrutiny Committees	<b>£6,948.57</b>
Chair of Planning Committee	<b>£6,948.57</b>
Chair of Licensing Committee	<b>£6,948.57</b>
Leader of Minority Group	<b>£6,948.57</b>
Chair of Appointments and Conditions of Service Committee	<b>£3,474.29</b>
Vice Chair of Licensing Committee	<b>£3,474.29</b>
Chair of Audit Committee	<b>£3,474.29</b>
Adoption Panel Members	<b>£3,474.29</b>
Leader of smaller and smallest minority group	<b>£0</b>
Deputy Leader of each minority Group (6+ Members)	<b>£0</b>

## **Schedule 2 – Travel and Subsistence Allowances**

### **TRAVEL ALLOWANCE**

For journeys outside the City boundary only, councillors may claim either bus fares or mileage (using a motor cycle, car or bicycle).

Allowable mileage will be taken to be the distance from the City boundary for the journey concerned as determined by the Director of Finance using an appropriate computerised system and is based on the periodically notified HM Revenue and Customs approved mileage rates for vehicles (up to 10,000 miles).

#### Motorcycle rates

24 pence per mile

#### Motor vehicle rates

A rate of £0.45p per mile shall be paid (based on HMRC Guidance and varied as necessary)

#### Bicycle rate

20 pence per mile

### **SUBSISTENCE ALLOWANCE**

Can be claimed subject to the following:

- absence from the usual place of residence must exceed 4 hours,
- half an hour is allowed for travelling from home and to home,
- expenditure on subsistence must have been incurred,
- receipts must be produced,
- the allowance paid will be actual expenditure but subject to the maximum amounts specified below.

The allowances set out below are the maximum amount which can be claimed in respect of any expenditure. Amounts claimed will still have to be justified and approved as set out above. A receipt must be obtained and the expenditure must be necessary and additional to the colleague's ordinary expenditure on a meal at the relevant time (a deduction of £1.00 for breakfast and lunch and £2.00 for an evening meal should be made from all claims in respect of a meal taken at that time and the national agreement only allows for the reimbursement for additional costs).

### Subsistence rates

Breakfast	£5.00	(before 11 am)
Lunch	£5.00	(12 noon to 2 pm)
Evening meal	£10.00	(after 7 pm)

### Overnight subsistence

Where attendance at a conference or similar event necessitates an overnight stay, accommodation at the conference hotel, or a hotel of an equivalent standard, will be arranged and paid for by the Council. For meals taken in connection with the event, the reasonable actual cost will be reimbursed, subject to production to the Director of Finance of a receipt.

### Meals taken on trains

The reasonable cost of the meal may be reimbursed where it is incurred during a period for which there is an entitlement to a day subsistence allowance and a receipt is obtained.