

Councillor Allowances 2022-2023

1. This Scheme, which may be cited as the Bath & North East Somerset Members' Allowances Scheme, was approved by Bath & North East Somerset Council on 5th May 2021 in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations").
2. This Scheme replaces all previous Members' Allowances Schemes.
3. The Allowances mentioned in this scheme shall (a) be implemented for the 2022/23 Council Year with effect from 1st April 2022, and (b) any uplifts or changes to Members' Allowances be implemented on the same date and by the same amount as officers' salaries are adjusted, in line with the National Joint Conditions.
4. Any other amendments to the scheme will be solely determined by the Council following receipt of recommendations from the Independent Remuneration Panel.
5. In this scheme "Councillor" means a member of the Bath & North East Somerset Council who is a Councillor; "year" means the 12 months ending with 31 March.

Part 1 - Allowance for Councillors

1. The Chief Finance Officer of Bath & North East Somerset is authorised, on receipt of verification from the Solicitor to the Council of a claim from a Member, to pay the following allowances in accordance with the payment arrangements described in this scheme.
2. **Basic Allowance:** Subject to paragraphs 10,11 and 12, for each year a Basic Allowance shall be paid to each Councillor. The allowance will be paid monthly. Schedule 1 to this scheme sets out the current rate.
3. **Special Responsibility Allowances:** Subject to paragraphs 10,11 and 12, for each year a Special Responsibility Allowance shall be paid to those Councillors who have been appointed or recognised by the Council or have been notified to the Chief Executive or Solicitor to the Council by their Group as holding the special responsibilities in relation to the Authority that are specified in Schedule 1 to this scheme.
4. Subject to paragraphs 10,11 and 12, the amount of each such allowance shall be the amount specified against that special responsibility in Schedule 1. Special Responsibility Allowances will be paid monthly.
5. Subject to paragraphs 11, 12 and 13, for each year a Special Responsibility Allowance shall be paid to the independent co-opted

members of the Avon Pension Fund Committee and its Investment Panel for the amounts(s) specified in Schedule 3 of this Scheme.

6. **Attendance Allowance:** No attendance allowance shall be payable under this scheme, either for Council duties per se, or in respect of appointments to outside bodies.
7. **Renunciation:** A Councillor may by notice in writing given to the Solicitor to the Council elect to forego any part of her/his entitlement to an allowance under this scheme.
8. **Part-year Entitlements:** In accordance with the requirements of the Regulations, pro-rata payments of Basic Allowance or Special Responsibility Allowances shall be payable to eligible Councillors in any of the following circumstances:- (a) if an amendment to this scheme changes the amount to which a Councillor is entitled by way of a Basic Allowance or a Special Responsibility Allowance. (b) where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year. (c) if a Councillor accepts or relinquishes a special responsibility.
9. **Suspension:** Where a Member is suspended or partially suspended from his/her responsibilities or duties as a Councillor in accordance with Part III of the Local Government Act 2000 or Regulations made under the Act, the part of the allowance(s) payable to him/her during the suspension period may be withheld by the Council
10. **Payment:** Payment of Basic and Special Responsibility Allowances shall be made in equal instalments. The frequency of those instalments shall be monthly on a current month basis. The Authority reserves the right to cease payment or recover any payments which may become recoverable under the provisions of paragraphs 11 and 12 above
11. **Travel and Subsistence Allowances:** Travel and subsistence allowances may be claimed by Councillors. The arrangements for these allowances are included in Part 2 of this scheme.
12. **Dependants' Carers' Allowances:** Councillors may claim up to the maximum hourly rate specified in Schedule 1 to this scheme in respect of the expenses for the care of their children or other dependants when attending meetings of the Council, its subordinate bodies or other approved duty as described in Schedule 2 to this scheme. The maximum allowed to be claimed for any care support should be the Real Living Wage, currently £9.50ph.
13. Payments will only be made when supported by a receipt.

Part 2 - Travelling and Subsistence

1. This part is in accordance with Sections 174-175 and Regulations made under the Local Government Act 1972. It applies to Councillors, Co-opted Members and Members of Education Appeals Panels.
2. **Travelling Allowances:** Travelling allowances may be claimed in respect of each occasion on which one of the persons described above carries out a duty as described in Schedule 2 to this Scheme.
3. If a claimant uses their own motor car or one belonging to a member of her/his family, or otherwise provided for their use and subject to the claimant having the appropriate insurance, the rate for travel, which is the same as for officers using their own vehicles on a casual basis, shall be as stated in Schedule 1 to this scheme.
4. The distance claimed for mileage should be the shortest most reasonable journey by road from the point of departure to the point at which the duty is performed, and similarly from the duty point to the place of return.
5. A claim for travelling and subsistence (see below) allowances shall be made in writing at the end of the month following the month in respect of which the claim relates. Claims are to be submitted to the Solicitor to the Council by the 5th day of each month.
6. **Subsistence Allowances:** Subsistence allowances may be claimed in respect of each occasion on which a person described above carries out a duty as specified in Schedule 2 to this Scheme.
7. When carrying out approved duties within the UK, but only outside of the Bath & North East Somerset area, the amounts shown in Schedule 2 to this Scheme may be claimed.
8. In order to claim subsistence allowance a claimant must have personally incurred expenditure on subsistence. The above amounts are the same as those which apply to officers and shall be updated accordingly.
9. Councillors and co-optees may aggregate daily subsistence allowances and be reimbursed for such expenditure when supported by receipts.
10. Where a meal is provided or paid for by the Council during the course of an approved duty the claimant will not be entitled to claim subsistence allowance.

Schedule 1 Special Responsibility Allowance and Amount

£

Basic Allowance

9,474

Special Responsibility Allowances

Leader of the Council	34,345
Deputy Leader of the Council	20,624
Cabinet Members	20,624
Policy Development & Scrutiny Panel Chairs	8,647
Chair Planning Committee	15,568
Vice Chair Planning Committee	3,787
Chairs of Licensing Sub-Committees	5,347
Chair Avon Pension Fund Committee	5,347
Avon Pension Fund Committee Members	4,079
Fostering Panel Member	4,079
Political Group Leaders	428 per Member
Minority Group Leaders	2,368
Chairman of the Council	10,201
Vice-Chair of the Council	2,584

Mileage Allowance

Car	45 pence for the first 10,000 business miles in a tax year, then 25 pence for each subsequent mile. (National Insurance purposes: 45 pence for all business miles)
Motor Bike	24 pence for both tax and National Insurance purposes and for all business miles
Bicycle	20 pence for both tax and National Insurance purposes and for all business miles

Subsistence

Where absence from normal place of residence is greater than 5 hours, **but only in respect of activities outside of the Council's boundaries**, subsistence claims will be met on the basis of actual expenditure subject to the following:

The expenditure is considered reasonable.

Receipts are submitted with the claim.

Claimant must be prepared to justify expenditure if asked to do so.

Carers' Allowance

Reimbursement of actual costs incurred up to the following maxima:

Childcare (including After School Clubs)	Up to £6.00 per hour/per child
Childcare for a child with a disability or special needs	Up to £8 per hour/per child
Care for an adult with a disability or ill health	Up to £8 per hour/person

Schedule 2 Approved Duties

An approved duty is an attendance by a Member of the Council at:

a formal meeting of the Council, the Cabinet, a Cabinet Advisory body, a Non-Executive, Regulatory or Area Committee or Sub-Committee, an Overview and Scrutiny Panel or in pursuance of their duties as a Member Advocate.

as a member of the body,

as a substitute,

as a ward councillor,

as a formally invited witness/speaker or

in any other capacity relevant to their community governance role.

any informal meeting, seminar or briefing called by the Cabinet, a Cabinet Member, the Chief Executive, a Director, Assistant Director or Head of Service, where the Member has received an invitation to attend from the person calling the meeting.

a meeting at which the Member is specifically authorised to attend by the Council, the Cabinet or Cabinet Member, an Overview and Scrutiny Panel or a Committee.

a meeting of an external or partnership body on which the Council or Cabinet Member has appointed the Member to serve, except those bodies which pay an allowance direct to their members.

a conference, seminar or training event to which the Member has been appointed to attend, following budgetary authority from the Solicitor to the Council.

any function attended by the Chair or Vice Chair of the Council relevant to their roles in those offices.

attendance at Political Group meetings held on Council premises, supported by the Political Group Assistant or Group Support Officer to a maximum of 15 meetings in any one financial year.

a parish council meeting attendance where appropriate.

Dependant Carers' Allowance

Councillors may claim Carer's Allowance in respect of actual expenses incurred for the care of their children or other dependant relatives when attending any of the approved duties listed above or carrying out work in their Wards within the following categories:-

community meetings (e.g. PACT, residents' associations etc); community consultation; site visits with officers/residents/businesses/voluntary organisations; advertised Ward surgeries held by the Councillor.

Every claim must be supported by a receipt signed by the carer. Every claim must be based on documentary evidence of the duties carried out being in existence and made available by the Councillor if requested.

Schedule 3 Avon Pension Fund Committee Independent Co-opted Members

Special Responsibility Allowance for Independent Co-opted Member(s) of Avon Pension Fund Committee	£343 per day for 20 days
Special Responsibility Allowance for Independent Co-opted Member(s) of Avon Pension Fund Investments Panel	£300 per day for 20 days