



Scheme of Allowances	21/3/2017
Corporate, Policy and Resources Committee – For decision	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Leader and Champion
Outcome	Our Elected Members will provide civic leadership to our citizens, working to promote the Borough as an attractive place to live, work, invest and visit.
Lead Officer	Chief Finance Officer
Cost: (If applicable)	£828,209

1.1 Background

Causeway Coast and Glens Borough Council has established a scheme of allowances payable to Members for the current period. The scheme provides for the payment of allowances to Councillors on the basis that:

- 1 – The maximum level of basic allowance as determined by the Department for Communities (DfC) is paid
- 2 – The maximum level of carers allowances as determined by the DfC are paid
- 3 – The maximum level of mileage rates as determined by the DfC are paid
- 4 – Councillors' payments are made on the third last banking day of each month

1.2 Detail

The updated scheme of allowances takes into account a number of changes:

- 1 – new increased basic allowance
- 2 – amendments to mileage rates

- 3 – new increased rates for dependant carer's allowance
- 4 – additional clause regarding payments during periods of suspension

The first three items are in keeping with the normal periodic update of the scheme of allowances and do not warrant any further explanation.

With regards the fourth item this is a new inclusion in this scheme. A shortcoming in previous versions of Council's scheme of allowances has been the lack of authority for Council to withhold payment to a member who is suspended during the period of suspension. Previously Council's scheme was silent of the matter, as were Department regulations and legislation. Having studied the scheme's published by Local Authorities in GB a paragraph such as that included at 6.5 in the new scheme was included in their schemes. The legislation, regulation and guidance governing GB is very similar in terms of wording to the Northern Ireland versions governing Council therefore this paragraph has been included to close this loophole in our scheme of allowances. Council's legal staff has been consulted in this matter and are content with the wording and inclusion.

1.3 Application

Whilst the new scheme of allowances will be effective from 1 April 2017 having taken legal advice clause 6.5 will also come into effect from that date but only for new complaints raised after 1 April 2017. This means that for any complaint raised prior to 1 April 2017, no matter when a judgement is made, clause 6.5 will not apply.

1.4 Recommendation

It is recommended that the new scheme of allowances be approved coming into force from 1 April 2017 and that clause 6.5 will only apply to new complaints raised on or after 1 April 2017.

Causeway Coast and Glens Borough Council

Scheme of allowances payable to Councillors

This scheme is made under the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012. The scheme has been prepared in accordance with the Department of the Environment's guidance on Councillor' allowances, issued in July 2016.

1. In this scheme:

- approved duties are as listed in Schedule 1, as provided for in the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012;
- Department means the Department of the Environment;
- Guidance means the Department of the Environment's guidance on Councillors' allowances, issued in July 2016; and
- Regulations means the Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012.

2. **Basic Allowance**

- 2.1 Subject to sub-paragraph 2.3 and paragraph 6 below, for the year ending on 31 March 2018, an annual basic allowance of £14,485 shall be paid to each member.
- 2.2 Not more than one basic allowance is payable to any councillor

3. **Mayor's, Deputy Mayor's and Special Responsibility Allowance**

- 3.1 For the year ending 31 March 2018, Mayor's, Deputy Mayor's and special responsibility allowances shall be paid to councillors as follows:

Mayor	£12,000
Deputy Mayor	£5,000
Partnership Panel Representative	£1,000
Committee Chair (x4)	£3,000
Audit Committee Chair	£750
Planning Committee member	£1,200

- 3.2 Subject to paragraph 3.4 and paragraph 6 below, the amount of each such allowance shall be the amount specified in paragraph 3.1. Regulation 5 of the 2012 Regulations stipulates that a special responsibility allowance must not be paid to more than 50% of the councillors in the Council.

- 3.3 Not more than one special responsibility allowance is payable to any councillor, in the event of a Councillor qualifying for more than one allocation the higher amount shall be paid.

4. Dependants' Carer's Allowance

- 4.1 Councillors are entitled to claim a dependants' carer's allowance towards reimbursement of actual reasonable costs necessarily incurred in providing care for a dependant while carrying out an approved duty.

- 4.2 A dependant lives with a claimant and is defined as:

- a child under 16 years old;
- a child 16 years old or more, where there is medical/social work evidence that full-time care is required;
- an adult with a recognised physical/mental disability where there is medical/social work evidence that full-time care is required; or
- an elderly relative requiring full-time care.

- 4.3 A dependants' carer's allowance shall be payable based upon actual receipted costs. Payments shall be at the rates given in paragraph 4.4, which are subject to the limits determined by the Department.

- 4.4 For the year ending 31 March 2018, the hourly rate of dependants' carer's allowance for standard care shall be £7.50*, and for specialised care shall be £15.00. The monthly maximum for standard care paid to individual councillors shall be £390, and the monthly maximum for specialised care shall be £780.

* based on national living wage for age 25+

5. Travel and Subsistence Allowances

- 5.1 A councillor or committee member is entitled to claim travel and subsistence allowances where expenditure on travelling and subsistence has been necessarily incurred in connection with an approved duty as specified in Schedule 1.

- 5.2 The rates of travel allowance for travel by public transport shall not exceed the actual amount paid. Where reasonably available, the cheapest available form of public transport should be used, except in urgent cases.

- 5.3 The rates of travel allowance for travel by private vehicle shall be the amounts shown below, which are within the maxima determined by the Department.

Type of Vehicle	Rate
A pedal cycle	20.0p per mile
A motor cycle – all engine capacities	24.0p per mile
A motor car of cylinder capacity exceeding 450cc but not exceeding 999cc	46.9p per mile 13.7p per mile*
A motor car of cylinder capacity exceeding 999cc but not exceeding 1,199cc	52.2p per mile 14.4p per mile*
A motor car of cylinder capacity exceeding 1,199cc	65.0p per mile 16.4p per mile*
An electric car	45.0p per mile 25.0p per mile**
Passenger rate	5.0p per mile

* National Joint Council for Local Government Services – casual user rates after 8,500 miles.

** For mileage above 10,000 miles

5.4 The rates of subsistence shall be the amounts shown below, which are within the maxima determined by the Department.

Period/Meal	Rates (Ex VAT)	
	British Isles £	London £
An absence involving an overnight stay only , away from the normal place of residence	100.70	122.45
Breakfast Allowance (more than 4 hours away from the normal place of residence or, where approved by the council, a lesser period before 11am)	11.50	11.50
Lunch Allowance (more than 4 hours away from the normal place of residence or, where approved by the council, a lesser period including the period between 12 noon and 2pm)	13.50	13.50
Tea Allowance (more than 4 hours away from the normal place of residence or, where approved by the council, a lesser period including the period between 3pm and 6pm)	4.70	4.70
Evening Meal Allowance (more than 4 hours away from the normal place of residence or, where approved by the council, a lesser period ending after 7pm)	20.95	20.95
Sub-total for meals	50.65	50.65
Total maximum rate (absence of 24 hours)	151.35	173.10

Note: **All** claims must be supported by appropriate receipts relating to actual expenses incurred.

6. Part-Year Entitlement

- 6.1 This scheme may be revoked and amended at any time.
- 6.2 If an amendment to this scheme is made which affects the payment of a basic allowance or 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 that day on 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 day on which the next amendment takes effect, (if none) with the year,
- the entitlement to such allowance shall reflect the proportion of the year when entitlement existed.
- 6.3 Where the term of office of a councillor begins or ends other than at the beginning or end of a year, entitlement to a basic allowance shall reflect the proportion of the year when entitlement existed.
- 6.4 Where a councillor has during a part of, but not throughout, a year such special responsibilities as attract entitlement to a special responsibility allowance, that entitlement shall reflect the proportion of the year when entitlement existed.
- 6.5 Where a councillor is suspended or partially suspended from his or her responsibilities or duties as a councillor in accordance with Part 9 of the Local Government Act 2014 or regulations made under that Part or any subsequent re-enactment of it the proportion of the Basic Allowance payable will be withheld by the Council.

7. Claims and Payment

- 7.1 Payments regarding basic allowance and special responsibility allowance shall be made in *instalments of one twelfth of the amount specified in this scheme on the third last banking day of each month.*
- 7.2 Claims for dependants' carer's allowance, travelling allowance or subsistence allowance should be made in writing within three months, and should be accompanied by receipts, where appropriate.

SCHEDULE 1

In accordance with Regulations, only the following are specified as the duties in respect of which basic allowance, dependants' carers' allowances, and travel and subsistence allowances are available.

1. attendance at a meeting of the council;
2. attendance at a meeting of a committee of the council;
3. attendance at a meeting of a sub-committee of the council;
4. attendance at a meeting of a joint committee;
5. attendance at a meeting of a sub-committee of a joint committee;
6. attendance at a meeting of a group committee established under the provisions of the Local Government (Employment of Group Building Control Staff) (Northern Ireland) 1994 or the Local Government (Employment of Group Environmental Health Staff) Order (Northern Ireland) 1994; or
7. the doing of anything approved by a council or anything 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, or as the case may be, of the joint committee or any of its sub-committees.

A site visit is now included in the list of approved duties and a site visit is defined as a visit made by a councillor in connection with an application for planning permission:

- which has been referred to a council for consultation under Article 15(a) of the Planning (General Development) Order (Northern Ireland) 1993; or
- at the request of the applicant for that planning permission, or the agent of an applicant, or at the request of an objector to that application.

Regarding Point 7, specific duties approved by Council include:-

- Conferences, Courses and Seminars
- Civic Functions
- Official & Courtesy Visits
- Special Council Meetings
- Attendance at a meeting of a working group/sub-committee of the Council, or other meeting related to the functions of the Council.
- Meetings of all outside bodies to which councillors are appointed, and meetings at which representation is required by councillors as a result of sitting on various groups/committees. Membership of these bodies has been rolled forward until the end of the Council term. Any member not wishing to be on an outside body can be replaced by a party colleague or if the party does not wish to retain the position, an alternative can be nominated at an appropriate Committee meeting of Council.