

## WEST OXFORDSHIRE DISTRICT COUNCIL

### MEMBERS' ALLOWANCES SCHEME – FINANCIAL YEAR 2019/2020

The West Oxfordshire District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following scheme:

#### 1. Name and Duration

- 1.1. This scheme may be cited as the West Oxfordshire District Council Members' Allowances Scheme.
- 1.2. This scheme shall have effect for the period 1 April 2019 to 31 March 2020.

#### 2. Basic and Special Responsibility Allowances

- 2.1. Subject to Section 7 of this Scheme, a **basic allowance** at a rate of £4,800 per annum shall be paid to each Councillor.
- 2.2. Subject to Section 7 of this Scheme, a **special responsibility allowance** shall be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified in the following Table, and the annual rate of each such allowance shall be the amount specified against that special responsibility in that Table:

<b>Position</b>	<b>Special Responsibility Allowance</b>
Chairman of Council	£4,800
Leader of Council	£21,600
Deputy Leader of Council	£14,400
Cabinet Members	£12,000
Chairmen of Area Planning Sub-Committees	£6,000
Chairmen of Overview and Scrutiny Committees	£4,800
Chairman of Licensing Committee	£1,200
Chairman of Development Control Committee	£1,200
Chairman of Audit & General Purposes Committee	£1,200
Chairman of Miscellaneous Licensing Sub-Committee	£600
Opposition Group Leaders	£1,200 for two to five members, and a further £1,200 for each additional five or part of five

- 2.3. Members of the Cabinet are restricted to receiving one special responsibility allowance, but remaining Members of the Council may receive more than one special responsibility allowance, subject to a maximum special responsibility allowance limit of £11,750 per annum.

### 3. Dependant Carers' Allowance

3.1. Subject to paragraph 8.5, a Councillor may, in respect of the duties and activities specified in paragraph 3.2, claim for the actual cost of care necessarily incurred in respect of children and other dependents. Payments to a partner or spouse are not permissible. Claims will only be allowed where no other statutory allowance is available. The maximum rates are as follows:

- Childcare - £10 per hour per child
- Dependent care - £15 per hour
- Maximum amount recoverable in any one week - £150

3.2. The duties and activities in respect of which the allowance will be payable, are:

- (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that it is a meeting to which members of at least two political groups of the Council have been invited;
- (c) the attendance at a meeting of any association of authorities of which the authority is a member;
- (d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) the performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- (g) attendance at briefing meetings in respect of the Council, and its Committees and Sub-Committees, and the Executive;
- (h) attendance at training events and information seminars either organised by the Council or where attendance has been authorised; and
- (i) the carrying out of any other duty approved by 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 or sub-committees.

3.3. The Section 151 officer has the authority to approve additional duties falling within 3.2(i) above.

### 4. Travel, Subsistence and other Expenses

4.1. Subject to paragraph 7, a Councillor may be reimbursed for travel, subsistence and other expenses incurred in connection with or relating to the duties specified in 3.2 above.

4.2. Notwithstanding 4.1 above, the following shall be excluded from the scheme in relation to travel, subsistence and other expenses:

- attendance at meetings of outside bodies as the local ward councillor where the issues considered by that body are local ones
  - attendance at social events unless this is attendance at such functions as the Chairman of the Council deems it proper for him/her to attend as representative of the Council
  - attendance at a meeting of an outside body for which travel, subsistence and other expenses are paid for by that body
- 4.3. The Section 151 Officer has the authority to approve additional duties falling within 3.2(i) above.
- 4.4. The rates of the allowances in respect of travel shall be as follows:
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| All Vehicles | Inland Revenue non profit making rate<br>(currently 45p per mile) |
| Pedal Cycles | 14.9p per mile  |
- 4.5. Taxis should be used, and payment will be made, only where travel by other forms of public transport or by car is not possible.
- 4.6. Standard class fares only will be reimbursed.
- 4.7. Where Member(s) travel by car to a meeting, conference or for other approved purposes, together with an officer who may claim mileage at the Council's lease car rate, normally the officer should drive so that only the lower mileage amount is payable.
- 4.8. For longer journeys, where mileage claims could be very high, an amount not higher than the standard rail fare will be reimbursed, as determined by the Section 151 Officer. Members should consider this before undertaking the journey or making a claim, and seek advice in advance where possible.
- 4.9. Expenses should be claimed, and will be reimbursed, only for travel undertaken solely as necessitated for attendance at the meeting or approved event/duty.
- 4.10. Subsistence rates shall be at the following maximum amounts:
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| <b>Breakfast</b> – more than 4 hours before 11 am                                | £6.69  |
| <b>Lunch</b> -more than 4 hours including lunch time<br>between 12 noon and 2 pm | £9.24  |
| <b>Tea</b> - more than 4 hours including period between<br>3 – 6 pm              | £3.66  |
| <b>Evening meal</b> – more than 4 hours ending after 7 pm                        | £11.44 |
- 4.11. In respect of all the matters covered in this section, it is expected that members exercise economy and efficiency, to minimise claims. Overnight stays should be avoided where possible, and every effort should be made to ensure that bookings are made at the cheapest possible rate.

## 5. Co-optees' Allowance

- 5.1. Co-opted members of the Council's Committees or Sub-Committees may claim a co-optees' allowance of £75 for up to four hours and £150 for more than four hours but less than 24 hours, in respect of attendance at any meeting of the Committee or Sub-Committee of which they are a co-opted member, or at a conference or training event, where attendance is on behalf of, or authorised by, the Council.
- 5.2. All co-opted members of the Council's Committees or Sub-Committees shall be entitled to travel, subsistence and other expenses in accordance with the scheme applicable to Councillors, as set out in Section 4 of this Scheme.

## 6. Renunciation, and the Repayment and Withholding of Allowances

- 6.1. A Councillor may, by notice in writing given to the Section 151 Officer, elect to forego, assign or transfer all or part of his/her entitlement to an allowance under this scheme. The Section 151 Officer can arrange for another Councillor to benefit from that allowance or for charitable donations to be made.
- 6.2. Where payment of any allowance has already been made in respect of any period as specified below, such part of the allowance as relates to any such period shall be repaid to the authority. The periods are those during which the member concerned:
  - ceases to be a member of the authority; or
  - is in any other way not entitled to receive the allowance in respect of that period
- 6.3. Where a member is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.

## 7. Part-year Entitlements

- 7.1. The provisions of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility allowances where, in the course of the 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.
- 7.2. Where the term of office of a Councillor begins or ends in the period between 1 April 2019 and 31 March 2020, the entitlement of that Councillor to a 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/her term of office subsists bears to the number of days in the year.
- 7.3. Where a Councillor has during part of, but not throughout, the period 1 April 2019 and 31 March 2020 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 has such special responsibilities bears to the number of days in the year.

## 8. Claims and Payments

- 8.1. A claim for travel, subsistence or other expenses under this scheme shall be made in writing within two months of the date of the meeting, function or event in respect of which the entitlement to the expenses arises.
- 8.2. A claim for travel, subsistence, or the reimbursement of expenses shall include details of the duty/activity in respect of which the claim has arisen, and a travel claim shall specify the total number of miles travelled.
- 8.3. A claim for subsistence, or for the reimbursement of expenses, shall be supported by a VAT receipt, and subsistence shall be paid for the expenditure incurred, subject to the maxima set out in paragraph 4.10 above. The requirement for a VAT receipt shall include claims for the reimbursement of mileage expenses, and a claim for payment shall not be authorised in the absence of a receipt being supplied.
- 8.4. To facilitate the administration of the scheme and the payment of correct amounts, any Member making a claim for mileage expenses shall have provided the Council with the figures for the number of miles from their home address to the Council Offices and, where applicable, from their home to their principal place of work, and from that place of work to the Council Offices.

- 8.5. A claim for expenses in respect of the carers' allowance under this scheme shall be supported by a receipt from the carer detailing expenditure actually incurred.
- 8.6. Payments shall be made
- 8.6.1. in respect of basic and special responsibility allowances, in instalments of one-twelfth of the amount specified in this scheme on the last working day of each month;
- 8.6.2. in respect of travel, subsistence or other expenses, on the last working day of each month in respect of claims received up to the day 14 days before that date.
- 8.7. Where a payment of one-twelfth of the amount specified in this scheme in respect of special responsibility allowances would result in the Councillor receiving more than the amount to which, by virtue of paragraph 2.3 above, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- 8.8. Where a payment of one-twelfth of the amount specified in this scheme in respect of the basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount to which, by virtue of Section 7 above, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.
- 8.9. A claim for the reimbursement of expenses shall not be approved if it does not comply with the requirements of the Scheme, other than with the express approval of the Section 151 Officer.

Jenny Poole  
Section 151 Officer

April, 2019