

Scheme for Payment of Members' Allowances

The West Lancashire Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1991, as amended by the Local Authorities (Members' Allowances) (Amendment) Regulations 2003 hereby makes the following scheme:

1.0 This scheme may be cited as the West Lancashire Borough Council Members' Allowances Scheme, and shall have effect for the period 1 April 2023 to 31 March 2024 and subsequent years.

2.0 In this scheme,

“Councillor” means a member of the West Lancashire Borough Council who is a councillor;

“year” means the 12 month period ending with 31 March.

3.0 Basic Allowance

3.1 Subject to paragraphs 8 and 10.1, for the year ending 31 March 2024 a Basic Allowance shall be paid to each Councillor in the sum shown at Schedule 1.

4.0 Special Responsibility Allowance

4.1 A Special Responsibility Allowance shall be paid to those Councillors who hold the special responsibilities in relation to the authority that are specified in Schedule 2 to this scheme.

4.2 Subject to paragraphs 8 and 10.2, the amount of each Special Responsibility Allowance shall be the amount specified against the special responsibility in Schedule 2 to this scheme.

5.0 Childcare and Dependent Carers' Allowance

5.1 Subject to paragraph 10.3, a Childcare and Dependent Carers' Allowance shall be paid to those Councillors incurring costs for the care of a dependent relative in the course of, or to permit, the undertaking of his or her duties as a councillor specified at Schedule 3 to this Scheme.

5.2 Other than provided at 5.5 below the amount of Childcare and Dependent Carers' Allowance payable shall be limited to the reimbursement of costs incurred up to the maximum cost set out in Schedule 3 to this scheme.

5.3 For the purposes of this scheme “dependent” relative shall be as defined in Schedule 3 to this scheme.

5.4 Where a carer is a member of the Councillors' immediate family or household, Childcare and Dependant Carer's allowance shall not be payable.

5.5 The Council will have discretion to consider payment of an amount exceeding the figure set out in Schedule 3 to this Scheme if special circumstances apply.

6.0 **Travel and Subsistence Allowance**

6.1 Subject to paragraph 10.4 below, Travel and Subsistence Allowances shall be payable in respect of those approved duties specified in Part I of Schedule 4 to this Scheme.

6.2 The rates of Travel Allowances payable are as detailed in Part II to Schedule 4 to this Scheme.

6.3 The rates of Subsistence Allowance payable are as detailed in Part III to Schedule 4 to this Scheme.

7.0 **Renunciation**

7.1 A Councillor may by notice in writing given to the Legal and Democratic Services Manager elect to forego any part of his or her entitlement to an allowance under this scheme.

8.0 **Part-year Entitlements**

8.1 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 a year, this scheme is amended or 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.

8.2 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, then in relation to each of the periods:

- (a) beginning with the year and ending with the day before that 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 on which the next amendment takes effect, or (if none) with the year,

the entitlement to such an allowance shall be to payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

8.3 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 a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

- 8.4 Where this scheme is amended as mentioned in paragraph 8.2 and the term of office of a Councillor does not subsist throughout the period mentioned in paragraph 8.2(a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a councillor subsists bears to the number of days in that period.
- 8.5 Where a Councillor has during part of, but not throughout, a year such 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 that year.
- 8.6 Where this scheme is amended as mentioned in paragraph 8.2, and a Councillor has during part, but does not have throughout the whole, of any period mentioned in paragraph 8.2(a) of that paragraph any special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

9.0 **Claims and Payments**

- 9.1 Payments shall be made in respect of Basic and Special Responsibility Allowances, subject to paragraph 8.2, in instalments of one-twelfth of the amount specified in this scheme on or about the 15th day of each month.
- 9.2 Where a payment of one-twelfth 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 than the amount to which, by virtue of paragraph 8, 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.
- 9.3 Payments shall be made in respect of Childcare and Dependent Carers' Allowance only upon completion by the Councillor of a duly completed and signed claim form stating that the claim is in respect of a named relative or relatives, including evidence that the costs incurred were not paid to a member of the Councillor's household and providing appropriate receipts for payments made to the carer or carers.

10 **Other Allowances**

- 10.1 That an allowance of £375 be paid to the Standards Committee Independent Persons and £250 each be paid to the Standards Committee Parish Council representatives.
- 10.2 The Members of the Council's Independent Remuneration Panel/Parish Remuneration Panel will each be paid an allowance of £250 for the year, in recognition of their role on that Panel.

10.3 In addition to the allowance referred to at 10.2 above the Chairman of the Council's Independent Remuneration Panel/Parish Remuneration Panel will be paid an allowance of £50 for the year, in recognition of the increased duties and responsibilities attached to the post.

11 **Annual adjustment of allowances**

The Council at its meeting on 26 February 2020 resolved to fix the Basic Allowance for a further 4 years until 31 March 2024, as set out in the Independent Remuneration Panel (IRP) Report, the Council being able to ask the IRP to consider an increase in any year and to give specific reasons for the request.

12 **Civic Dignitaries Allowance**

In accordance with Sections 3(5) and 5(4) of the Local Government Act 1972, the following Civic Dignitaries Allowances are paid:

Mayor : £9,000
Deputy Mayor: £1,780

SCHEDULE 1

BASIC ALLOWANCE

Amount of Basic Allowance

The amount of Basic Allowance payable to a Councillor under paragraph 3 shall be £4,842.

SCHEDULE 2**SPECIAL RESPONSIBILITY ALLOWANCES**

The following posts are specified as having special responsibilities in respect of which Special Responsibility Allowances are payable under Paragraph 4, in the amounts shown for each post.

Area of Special Responsibility	Basis of Allowance (as percentage of Basic Allowance)	Amount of Allowance (£)
Leader	250%	12,105
Deputy Leader	150%	7,263
Cabinet Member (up to 8)	100%	4,842
Opposition Group Leader (if Group comprises 5 or more Members)	70%	3,389
Opposition Group Deputy Leader (if Group comprises 5 or more Members)	35%	1,694
Chairman - Overview & Scrutiny Committee	50%	2,421
Chairman - Licensing & Appeals Committee	50%	2,421
Chairman – Licensing & Gambling Committee	50%	2,421
Chairman – Planning Committee	100%	4,842
Chairman – Audit and Governance Committee	50%	2,421

Note:

The Overview & Scrutiny Committees are:

- Executive Overview and Scrutiny Committee
- Corporate & Environmental Overview and Scrutiny Committee

(This note does not constitute part of the Scheme and may be amended/revised to reflect changes to the Council's Structure).

SCHEDULE 3**CHILDCARE AND DEPENDENT CARERS' ALLOWANCE**Definition:

For the purpose of Allowances payable under Paragraph 5 of this scheme, dependant relatives are defined as follows:

- children aged 14 years and under;
- elderly relatives requiring full-time care
- relatives with disabilities who require full time care.

Amount of Allowance

1. Subject to 2 below, reimbursement of expenses actually incurred in meeting the costs of providing care for a dependent relative up to a maximum of the Living Wage (currently £10.42 per hour) as a consequence of the Councillor incurring those expenses in connection with the duties set out below.
2. The Council has discretion to consider payment of an amount exceeding the amount specified at 1 above if special circumstances apply.

Duties in respect of which Childcare and Dependent Carer's Allowance is payable.

- a meeting of the Executive (Cabinet) or a Committee of that body
- a meeting of the Council or of a Council Committee
- a meeting of any other body to which the authority makes appointments or nominations (or a Committee or Sub Committee of that body)
- a meeting which has both been authorised by the Council or a Committee/Sub Committee of the Council and to which representatives of more than one political party has been invited
- a meeting of the Local Government Association
- opening of tenders
- other duties in connection with the discharge of the Council's functions which empowers or requires the inspection of premises (i.e. site visits).

SCHEDULE 4**PART I****APPROVED DUTIES FOR TRAVELLING AND SUBSISTENCE ALLOWANCES**

The following are specified as approved duties for the purpose of the payment of Travel and Subsistence Allowances under Paragraph 6:of this Scheme:

1. Briefings between the Leader and/or Portfolio Holder(s) and Senior Officers in relation to matters pertaining to the areas of responsibilities of the Leader or Portfolio Holder as the case maybe.
2. Agenda briefings between Chairmen and Vice-Chairmen of Committees and Sub-Committees and Opposition Spokesmen and the senior officers in preparation for Committee/ Cabinet/Council meetings.
3. Meetings of Chairmen, Vice-Chairmen and Opposition Spokesmen on Committees and Sub-Committees with officers. Other Members shall also be entitled to claim if they attend meetings at the request of the Chief Operating Officer or Corporate Directors, subject to a limitation of four meetings per Council cycle.
4. Meetings and Briefings of the Cabinet convened and attended by the Chief Operating Officer and/or senior officers.
5. Public meetings and inquiries of a non-political nature (subject to the proviso that these should be restricted to those members called to give evidence on behalf of the Council), public participation exercises and press conferences.
6. Seminars and courses concerned with the local government service and town twinning visits.
7. Individual site inspections authorised by the Cabinet or Committees, subject to a limit of four site inspections for each Committee in each Committee cycle (Planning Committee meets on a monthly cycle, other Committees as determined by the Council). Members are urged to make the site inspections in one visit as far as possible.
8. Individual site inspections by the Chairman, Vice-Chairman and main Opposition Spokesman of the Planning Committee subject to a limitation of four inspections per Planning Committee cycle in addition to the four individual site inspections per cycle which may be authorised by Committees as outlined in paragraph 7 above. Members are urged to make the site inspections in one visit as far as possible.
9. Opening of tenders.
10. Deputations - all meetings with Government departments, other statutory bodies, Members of Parliament and any deputation of Council members.
11. Civic functions attended by the Deputy Mayor.

12. Attendance by authorised representatives at meetings of any body concerned with the local government service to which the Council's authorised representative are appointed on the nomination of the Local Government Association or the Lancashire Branch of the Association, provided no other arrangements exist for the payment of allowances (e.g. of any type) to the members of that body.
13. Meetings of the following bodies (or their successors) which are for the purpose of, or in connection with the discharge of the functions of the Council or of its Committees or the Cabinet:
 - Community Centre Management Committees
 - Campaign to Protect Rural England
 - Groundwork Board
 - INWARD
 - Lancashire Environment Forum
 - Lancashire Waste Partnership (Waste Management Steering Group)
 - Local Government Association: General Assembly
 - One West Lancashire
 - Member Development Networks
 - North Western Local Authorities Employers Organisation
 - Ashurst One Tenants and Residents' Association
 - Clay Brow and Holland Moor Tenants and Residents' Association
 - Digmoor Tenants and Residents' Association
 - West Lancashire District Twinning Association - Executive Committee
 - West Lancashire Civic Trust
 - West Lancashire Community Leisure Trust Board
 - West Lancashire Conservation Area Advisory Panel
 - Marketing Lancashire
 - Lancashire Tourism Forum

SCHEDULE 4**PART II****TRAVEL ALLOWANCES**

The rates of Travel Allowance payable to councillors who incur expenditure on those approved duties specified in Part I of this Schedule are as follows:

Public Transport

Councillors can only claim the costs of an ordinary fare (or special, cheaper fare if available) when using public transport. For all forms of transport, Councillors should only claim the standard or second-class fare. If travelling by ship or rail there may be occasions when first class facilities are available at rates not dissimilar to standard or second-class, in which case, it may be prudent to take advantage of other non-financial benefits that first class travel brings when such benefits relate to the Council or the functions of the Council being exercised by the Member concerned.

The following additional costs can also be claimed:

- (a) Pullman or similar supplements, seat reservation costs and the costs of depositing or portering luggage; and
- (b) Sleeping accommodation supplements when travelling overnight. But, if this allowance is claimed, any subsistence allowance also claimed for that night must be reduced by one third.

Councillors' Private Motor Vehicles

Councillors can claim the following amounts for using their own transport on Council business (HMRC Business Mileage Rates):

Type of vehicle	Pence per mile
Cars	45 pence for the first 10,000 business miles in a tax year, then 25 pence for each subsequent mile.
Motor Bikes	24 pence
Cycle	20 pence

Taxi-cab

The rate for travel by taxi-cab shall not exceed:

- (a) in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid, and
- (b) in any other case, the amount of the fare for travel by appropriate public transport.

Hired Motor Vehicle

The rate for travel by a hired motor vehicle other than a taxi-cab shall not exceed the rate which would have been applicable had the vehicle belonged to the Member who hired it.

Provided that where the Council so approves the rate may be increased to an amount not exceeding the actual cost of hiring.

Air

The rate for travel by air shall not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in subsistence allowance consequent on travel by air.

Provided that where the Council resolves, either generally or specifically, that the saving in time is so substantial as to justify payment of the fare for travel by air, there may be paid an amount not exceeding:

- (a) the ordinary fare or any available cheap fare for travel by regular air services, or
- (b) where no such service is available or in case of urgency, the fare actually paid by the Member.

SCHEDULE 4**PART III****SUBSISTENCE ALLOWANCES**

The rates of Subsistence Allowance payable under Paragraph 6 to councillors who incur expenditure on those approved duties specified in Part I of this Schedule are as follows:

Day Subsistence

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| (a) | Breakfast Allowance (before 11 am) - more than 4 hours away from normal place of residence | £4.92 |
| (b) | Lunch Allowance (between 12 noon and 2 pm) - more than 4 hours away from normal place of residence | £6.77 |
| (c) | Tea Allowance (between 3 pm and 6 pm) - more than 4 hours away from normal place of residence | £2.67 |
| (d) | Evening Meal Allowance (ending after 7 pm) - more than 4 hours away from the normal place of residence | £8.38 |

Overnight Subsistence

The rate of subsistence allowance for an absence overnight from the usual place of residence is £79.82 and for such an absence in London or for attending one of the approved* conferences, the rate is £91.04. This is deemed to cover a continuous period of absence of 24 hours.

Meals provided free of charge

The rates specified for subsistence will be reduced by an appropriate amount in respect of any meal provided free of charge by an authority or body in respect of the meal or the period to which the allowance relates.

Meals on trains

When main meals (i.e. a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT) may be reimbursed in full. In such circumstances, reimbursement for the reasonable cost of a meal would replace the entitlement to the day subsistence allowance for the appropriate meal period.

* The annual conferences of the Local Government Association, the Association of British Market Authorities, and the National Association of Local Councils are approved for these purposes.

Guidance on Councillors' Allowances

The following guidelines are governed by the West Lancashire Borough Council Members' Allowances Scheme effective from 1 April 2022.

ALLOWANCES

1. **Basic Allowance** - Each councillor will receive a Basic Allowance of £4,842 per year, payable in monthly instalments of £403.50.
2. **Special Responsibility Allowance** - Those councillors who hold the posts specified in Schedule 2 to the Scheme will also receive a Special Responsibility Allowance of the amount stated. These allowances shall also be payable in monthly instalments.
3. **Childcare and Dependent Carers' Allowance** - Any councillor who is primarily responsible for providing care to a dependent relative and who suffers financial loss in the form of the making of payments to a carer as a consequence of attending meetings of the Cabinet, Council or its Committees etc, will be paid an allowance towards those costs. The person receiving payment to care for a dependent relative of a councillor must not be a relative of the councillor. The payment of this allowance shall be to reimburse expenses actually incurred, up to a maximum of the living wage (currently £9.50 per hour). In special circumstances the Council has discretion to pay a higher figure. The duties for which a Councillor may receive a Childcare and Dependent Carers' Allowance are set out in Schedule 3 to the Scheme.
4. **Travel and subsistence allowances** are a way of recompensing councillors for expenditure necessarily incurred on travel and subsistence when performing an approved duty as specified in Schedule 4 to the Scheme. The costs include train, boat, air and bus tickets, taxi fares, petrol costs, parking, meals, refreshments, hotels and hotel meals. A cycling allowance is also payable under the Scheme.
5. **Renunciation** - Councillors can, if they wish, renounce this entitlement to Basic, or Special Responsibility Allowance. They can do this by writing to the Borough Solicitor. A councillor can subsequently withdraw the renunciation or amend it - for example - to limit it to one kind of allowance only. The withdrawal or amendment cannot have retrospective effect. If allowances are renounced or not claimed, the Benefits Agency will nevertheless assume that they are being received for the purposes of calculating benefit entitlements. Renunciation, or failure to claim, can also affect a member's entitlement to claim expenses as a tax deduction. (Please refer to the booklet published by the Local Government Information Unit - "Councillors, tax and benefits - a guide to the rules").

CLAIMS AND PAYMENTS

Submission of claims

1. Allowances can only be claimed for in respect of “approved duties” as defined in Schedule 4 to the Scheme.
2. Claims for allowances under the Scheme shall be made in writing within two months of the date of the approved duty in respect of which the entitlement arises. Claims must be submitted to the Legal and Democratic Services Manager via Oracle, the Council's electronic payroll system.
3. Members should ensure that there is sufficient insurance cover for any vehicle in respect of which a claim for mileage allowance is submitted and that this insurance is valid for travel on the business of the Council.
4. All claim forms for the payment of Childcare and Dependent Carers' Allowance shall, in addition to the requirements set out elsewhere in this part of the guidance, include provision for the recipient of expenditure incurred by the councillor submitting the claim to certify that he or she has received such funds and that he or she is not a member of the councillor's household.
5. Any claim that is deficient in any respect will be referred back to the Member for rectification since Financial Procedure Rules prevent officers from adding to or amending claims in any manner except to delete items claimed incorrectly.

Payments

1. Payments shall be made:
 - (a) in respect of basic and special responsibility allowances, in instalments of one-twelfth of the amount specified in this scheme on or about the 15th day of each month;
 - (b) in respect of travel and subsistence and childcare and dependent carers allowances, on or about the 15th of each month in respect of claims received up to the 1st day of that month.
2. Where a payment of one-twelfth 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 than the amount to which, by virtue of paragraph 8 of the Scheme 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.

Miscellaneous

1. Document Carriers: Each Member is provided with a document carrier on first being elected to the Council.
2. Laptops and iPads: Each Member is offered either a Laptop or iPad on first being elected.

FURTHER INFORMATION

1. Members with any queries regarding the payment of allowances should contact Tom Lynan (01695 585013).
2. Members on approved duties travelling by coach, train, ship or hovercraft, can request these tickets in advance from Julia Brown (01695 585065).
3. Members with any queries regarding the application of the Allowances Scheme should contact Jacky Denning (01695 585384).
4. Members with any queries regarding access to the payroll system (Oracle) should contact the Karen Tootle in Human Resources on 01695 585234 or e-mail karen.tootle@westlancs.gov.uk