

By: Benjamin Watts, General Counsel

To: County Council – 12 July 2018

Subject: MEMBERS' ALLOWANCES SCHEME – 2018/19

Status: Unrestricted

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Summary: This report recommends a Members' Allowances Scheme for 2018/19, based on the scheme approved in July 2017, for formal adoption by the County Council.

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## **Introduction**

1. Under the Local Authorities (Members' Allowances) (England) Regulations 2003, every relevant local authority is required to review its Members' Allowances Scheme at least once every four years and formally adopt a Members' Allowances Scheme each year. In doing so, local authorities are required to establish and maintain a Member Remuneration Panel, providing the local authority with advice and recommendations on its Scheme.

2. Local authorities must include in their Members' Allowances Scheme a basic allowance, payable to all Members, and may include provision for the payment of Special Responsibility Allowances (SRAs) and a dependents' carers' allowance. In addition, the 2003 Regulations allow the inclusion of a travel and subsistence allowance and a co-optees' allowance, within the Scheme.

## **Members' Allowances Scheme – 2018/19**

3. In July 2017, Members debated at length the Members' Allowances Scheme as part of the statutory requirement to review the scheme and made a number of decisions that were reflected in the Constitution. At that time, Members formally decided that:

*“from 2018/19 onwards, an annual increase be applied to the Basic Allowance, Special Responsibility Allowances and Carer's Allowance that is index-linked to the total staff pay progression pot agreed for the previous financial year and expressed as a percentage”*

4. This report proposes an amended scheme for annual adoption in accordance with our statutory obligation and pursuant to the decision of Members in 2017. Attached as an Appendix to this report is the Members' Allowances Scheme recommended by the Member Remuneration Panel for adoption by the County for 2018/19.

**5. Recommendation:** The County Council are recommended to adopt the Members' Allowances Scheme for 2018/19 as set out in the Appendix to this report.

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## Appendix

### Members' Allowances Scheme

2018/19

*Adopted by the Council on 13 July 2017*

**BASIC ALLOWANCE** - £15,138.07 per annum (inclusive of an element for routine subsistence expenditure on KCC duties).

#### **SPECIAL RESPONSIBILITY ALLOWANCES**

	%	£
<b>Executive</b>		
Leader	100	49,781.26
Cabinet Members (maximum 9)	65	32,356.81
Deputy Cabinet Members (maximum 11)	30	14,933.55
Cabinet Committee Chairman (maximum 6)	17.5	8,709.27
<b>Council</b>		
Council Chairman	33	16,406.57
Council Vice-Chairman	17.5	8,709.27
Planning Applications Committee Chairman	22	10,956.63
Regulation Committee Chairman	22	10,956.63
Other Committee Chairmen (a)	17.5	8,709.27
Scrutiny Committee Chairman	17.5	8,709.27
Select Committee Chairmen (for period of review)	17.5	8,709.27
<b>Opposition</b>		
Leader of each Opposition Group (of at least five members)	15	7,466.78 plus £591.10 for each additional Group Member

#### **Notes**

- (a) Other Committee Chairmen: Governance & Audit, Health Overview & Scrutiny and Superannuation Fund.
- (b) No Member to receive more than one Special Responsibility Allowance.

- (c) No other allowance to be payable.

## **TRAVEL EXPENSES**

- (1) Travel by private vehicles will be reimbursed at the rates set for tax allowance purposes by the Inland Revenue for business travel. Currently, these are 45p per mile for the first 10,000 miles and 25p a mile thereafter.
- (2) Parking fees, public transport fares and any hotel expenses will be reimbursed at cost, but only on production of a valid ticket or receipt - the cheapest available fare for the time of travel should normally be purchased.
- (3) Taxi fares will only be reimbursed on production of a valid receipt and if use of public transport or the Member's own car is impracticable.
- (4) Travel expenses will be reimbursed for any journey on council duties between premises as agreed for tax purposes (normally excluding journeys to constituents' homes).
- (5) VAT receipts for fuel must always be provided to accompany Members' expense claims and any instructions issued by the General Counsel in relation to the submission of expense claims complied with.
- (6) Air travel and rail travel other than to/from London or within Kent should be booked through officers to enable use of discounting arrangements.
- (7) Journeys undertaken in accordance with the following descriptions are allowed to be claimed for:
  - (a) attendance at KCC premises to undertake KCC business, including attendance at Council, Cabinet and Committees, etc (including group meetings) and to undertake general Member responsibilities;
  - (b) representing KCC at external meetings, including Parish and Town Councils and those of voluntary organisations where the member is there on behalf of KCC;
  - (c) attendance at events organised by KCC and/or where invitations have been issued by County Officers or Members (including Chairman's events and other corporate events); and
  - (d) attendance at meetings/events where the Member is an official KCC representative (as determined by the Selection and Member Services Committee) or requested by the Leader or the relevant Cabinet Member.

## **SUBSISTENCE EXPENSES**

- (8) These are not normally reimbursed. Hotel accommodation should be booked through officers. Any other reasonably unavoidable costs related to overnight stays,

excluding normal subsistence, will be reimbursed on production of a receipt.

## **DEPENDENTS' CARERS' ALLOWANCE**

- (9) Members who incur expenses themselves in respect of care responsibilities for dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a carer while the Member is on Council duties, up to a maximum of £11.82 per hour for each dependent child or adult. Money paid to a member of the Members' household will not be reimbursed. In the case of an allowance for the care of a dependent relative, the relative must reside with the councillor, be dependent on the councillor and require constant care. Subject to the Childcare Voucher Scheme's standard terms and conditions\*, any Member may, if they wish, sacrifice a portion of their Basic Allowance for Childcare Vouchers which are not subject to tax and national insurance deductions.

\* For reference these terms and conditions include (but are not limited to):

- The childcare provider must be OFSTED registered.
- The children must be aged between 0 and 16.
- A sacrifice agreement would need to be signed.
- The amount that can be sacrificed varies depending on whether the applicant is a basic, higher or additional rate tax payer.

## **PENSIONS**

- (10) Members are not eligible for admission to the superannuation scheme.

## **CO-OPTED MEMBERS**

- (11) An allowance is payable to the Independent Person of £500 per annum plus a daily rate of £100 (pro rata for part of a day). An allowance is paid to the members of the Independent Remuneration Panel of £100 per day.

## **ELECTION TO FORGO ALLOWANCES**

- (12) In accordance with Regulation 13 of the Local Authorities (Members' Allowances) (England) Regulations 2003, any Member may elect to forgo all or any part of their entitlement to allowances, by notice in writing to the Head of Democratic Services.

## **SUBMISSION OF CLAIMS**

- (13) In accordance with Regulation 14 of the Local Authorities (Members' Allowances) (England) Regulations 2003, the time limit for the submission of claims relating to travel, subsistence, co-optees and dependent carers allowances is four months from the date the expense was incurred.

## **NO OTHER ALLOWANCES ARE PAYABLE**