

LOCAL GOVERNMENT ACT 2000

The Local Authorities (Members' Allowances) (Wales) Regulations 2007.

Councillors' Allowances

Torfaen County Borough Council gives notice that it has amended its Scheme of Allowances from the 1 April 2010 in accordance with the recommendations of the report of the Independent Remuneration Panel for Wales dated December 2009.

A copy of this Scheme now called The Scheme of Members' Remuneration may be inspected at the Civic Centre or County Hall receptions during normal office hours (8.30 am to 5.00 pm Mondays to Thursdays and 8.30 am to 4.30 pm on Fridays) or by contacting Lynda Willis, Chief Legal Officer & Monitoring Officer, Civic Centre, Pontypool, Torfaen NP4 6YB or lynda.willis@torfaen.gov.uk

Copies may be purchased upon payment of £1.00.

Dated this **4th** day of **August 2010**.

APPENDIX 3 - THE SCHEME OF MEMBERS' REMUNERATION

The following pages set out the scheme of remuneration which sets out the allowances and expenses which may be claimed. First they explain the entitlement to allowances and expenses and what they cover. Then they set out the current levels of allowances, expenses and maximum limits. Finally they set out the definition of "approved duties". Councillors can only claim expenses for approved duties.

This Scheme is operational as from 1 April 2010.

ALLOWANCES AND EXPENSES (FOR CURRENT RATES SEE BELOW)

ALLOWANCES

TYPE OF ALLOWANCE	DESCRIPTION OF ALLOWANCE	ENTITLEMENT - WHAT YOU CAN CLAIM
<p>BASIC ALLOWANCE</p> <p>The Council will provide without charge as much support as is necessary (for example laptops, telephones, postal costs) to enable Members to fulfil their duties.</p>	<p>This is paid to all Members. The Basic Allowance does not incorporate a sum to meet a Councillor's IT and office costs. The maximum level of the Basic Allowance is set by the Independent Remuneration Panel for Wales ('the Panel').</p> <p>Note: To assist members to carry out constituency business a free phone line is provided into the Council switchboard to make contact with Council officers.</p> <p>The Council meets the costs of accommodation for Councillor surgeries where these are unavoidable and provides stationery solely for Council and constituency business.</p>	<p>No Member can claim more than one Basic Allowance</p> <p>Basic Allowance is paid pro rata for Members elected mid-term based on the number of days of the financial year for which they are an elected member</p>
<p>SPECIAL RESPONSIBILITY ALLOWANCE</p>	<p>These are paid to individual Members who undertake specific duties for which the Authority has resolved that Special Responsibility Allowance will be paid (see the list below). It also includes the Leader of the Largest Opposition Party (not sitting on Cabinet). The maximum amounts of Special Responsibility Allowances are set by the Panel. The Deputy Leader may receive a maximum Special Responsibility Allowance (SRA) which when added to the Basic Allowance makes the allowance equal to 70% of the equivalent payment to the Leader. In those instances where there is more than one Deputy Leader each such post holder may receive an SRA proportionate to the SRA a single such post holder would receive.</p>	<p>No claim is required; payment is automatic every month.</p> <p>No Member can claim more than one Special Responsibility Allowance</p> <p>Special Responsibility Allowances are paid pro rata if a member does not have a particular special responsibility throughout a financial year based on the number of days during which they have that responsibility.</p>

CARE
ALLOWANCE

Members are entitled to claim a Care Allowance if they have dependent children under the age of 15 or they have a dependant aged 15 or over who requires supervision and for whom they have caring responsibilities. Members must necessarily incur expenditure to enable them to perform their duties and must satisfy the Council that it is reasonable and appropriate. The maximum rate of allowance is determined by the Panel and currently is set at £403 per month. The Care Allowance will not be paid to more than one Member of the authority in relation to the same dependent.

More than one Care Allowance will not be paid to any member, unless it can be clearly demonstrated that that member needs to make separate arrangements for the care of different dependants, and needs to pay for that care. Members must disclose any financial support provided under this allowance when applying for other care services offered by the Local Authority

A claim with receipts for expenditure incurred must be submitted on a monthly basis. Receipts are required for both informal and formal care arrangements.

**CO-OPTTEES
ALLOWANCE**

The Co-optees Allowance is available for co-optees with voting rights. A co-opted Member refers to someone who is appointed to a Council Committee or sub committee but is not a Torfaen County Borough Councillor. They are also entitled to receive travel and subsistence allowances on the same basis as Councillors. For co-optees who chair the Council Standards committees the allowance is set at £2,230 per year. For other co-optees the allowance is £1,200 per year. Co-optees who are employed [full time] within the public sector will not receive the allowance.

**Mayoral
Allowance**

This is paid to the Mayor and Deputy Mayor. Mayoral Allowances are outside the Members' Remuneration Scheme, which only applies to the political management arrangements of the Council. The Council agrees to pay an appropriate allowance to the Mayor and Deputy Mayor for their terms of office, equal to the level of Special Responsibility Allowance paid to a Chair of an Overview and Scrutiny Committee and an agreed pro-rata respectively. All costs incurred in carrying out these offices (excluding travel and subsistence expenses for both Office holders and Consorts which are reimbursed in the normal way) are contained within the Mayoral Allowance.

No claim is required and payment is automatic each month. The Mayoral Allowance will be paid pro rata to the period of time in office

**Suspension of
Allowances**

If a member is suspended or partially suspended from that member's responsibilities or duties as a member of the Council, the following allowances will be withheld, and if overpaid, can be recovered:-

Basic Allowance, Special Responsibility Allowance, Deputy Allowance, National Park Allowance, Care Allowance and Travel and Subsistence Allowances.

**Member's
Entitlement**

A Member may forgo any part of that Member's entitlement to an allowance under this Scheme, by writing to the Monitoring Officer.

TRAVEL

A Member is entitled to travel by road, rail, air or sea when carrying out “Approved duties” and by any reasonable route. Members are expected to travel by the cost effective means, taking into account the actual cost of the travel and cost of any overnight stay expenses. A Member who, in the opinion of the Monitoring Officer does not travel by the most cost effective means may have the amount of his/her claim adjusted by an appropriate amount. For example if a Member chooses to use a car/taxi when the journey could reasonably and more economically be made by public transport the cost of the public transport will be payable unless an explanation is included with the claim demonstrating why public transport was not appropriate.

All claims for travel such as bus/taxi fares should be accompanied by appropriate receipts showing the actual expense and any claim for payment by way of travel or subsistence expenses shall include a statement signed by the Member that the Member has not made and will not make any other claim in respect of the matter to which the claim relates.

Members are encouraged to claim their travel expenses monthly and must claim at least quarterly. The annual accounts must include details of member’s entitlement to expenses for the previous financial year. For that reason, a member will lose his or her entitlement to claim travel expenses for any year if he or she has not claimed those expenses by 30th April following the year-end unless there are exceptional reasons why it was not possible to claim before this date.

TYPE OF EXPENSE	DESCRIPTION OF EXPENSE	ENTITLEMENT – WHAT YOU CAN CLAIM
MILEAGE	The maximum rates payable are those set by HM Revenue & Customs (HMRC)	<p>A Member may undertake travel by car/motor vehicle/bicycle and claim a mileage allowance based on actual mileage travelled.</p> <p>The claim should be based on the shortest route and should not be a private journey. Where a business journey includes a detour for private purposes this must be deducted from the claim.</p> <p>Claims must be based on the personal use of a vehicle by the Member at his/her personal expense.</p> <p>A Member may also claim for other assisted travel expenses necessarily incurred such as parking fees, tolls etc based on actual expenditure incurred, supported by relevant receipts.</p> <p>The Council allows Members to claim the journey between their house and Council Offices as a business journey.</p> <p>Where a Member uses a vehicle for travel from their home to the nearest suitable railway station/bus station/airport etc the cost of the return journey may be claimed if undertaken by another person</p> <p>REMEMBER</p> <p>Members are reminded to make sure that insurance covers them for their business journeys.</p> <p>If a Member changes a vehicle during the month then a separate claim form should be completed for each vehicle used in the period relating to the claim.</p>

TYPE OF EXPENSE	DESCRIPTION OF EXPENSE	ENTITLEMENT – WHAT YOU CAN CLAIM
TAXI FARES	A business journey necessarily undertaken by taxi, where other modes of transport are unavailable or not appropriate to the circumstances	<p>Subject to the expectation that Members will travel by the most cost effective means, there may be occasions when a Member will need to travel by taxi, in cases of urgency, or where suitable public transport is not available or appropriate</p> <p>Normally the reimbursement would not exceed the mileage allowance that would have been payable if the journey had been undertaken by car. If it was not reasonably practicable for the Member to travel other than by taxi, they shall be entitled to claim the actual level of expense incurred by them).</p> <p>Claims must be supported by the submission of relevant receipts.</p>
RAIL FARES / FERRY CROSSINGS	For Business Travel as appropriate	<p>Rail fares and ferry crossings can be claimed at standard class. If a Member chooses to travel first class, that Member will meet the difference in cost.</p> <p>Air fares can be claimed at either the standard class or available cheap fare rate, depending on a Member's personal preference and availability</p> <p>A member may also claim for other related expenses necessarily incurred, such as booking fees, reservation fees, based on actual expenditure incurred</p> <p>Claims must be supported by the submission of relevant receipts.</p> <p><u>REMEMBER</u></p> <p>Tickets purchased through Member Services make use of specially negotiated discount facilities with approved suppliers</p> <p>The cost of railcards / bus cards will be met if it can be demonstrated that, by providing a Member with a railcard, the Council will save money.</p>
Mobile telephones	All Members	Costs of line rental and business related call costs will be met by the Council. Personal calls costs will be met by the member.

SUBSISTENCE

A Member is entitled to receive payments by way of subsistence allowance where expenditure is actually and necessarily incurred in the performance of an “approved duty”. The allowances in the Appendices are the amounts for 2010-11 commencing on 1 April 2010. Maximum allowance rates are set by the Panel.

Members are encouraged to claim their subsistence monthly and must claim at least quarterly. The annual accounts must include details of member’s entitlement to expenses for the previous financial year. For that reason, a member will lose his or her entitlement to claim subsistence for any year if he or she has not claimed those expenses by 30th April following the year-end unless there are exceptional reasons why it was not possible to claim before this date.

CATEGORY OF SUBSISTENCE	PROVISIONS RELATING TO THESE CATEGORIES	ENTITLEMENT – WHAT YOU CLAIM
Day Allowance	Where the main expenses of attending a course, conference or specific function /event are met directly by the Council, host organisation or a third party then a day allowance will be payable to cover incidental expenses. A day subsistence rate of a maximum of £28 per day (including breakfast when not provided as part of overnight accommodation).	Allowances provided are maximum sums that can be paid and reimbursement will be on the basis of actual expenditure incurred up to these amounts, supported by relevant receipts. Claims are for specific courses, conferences, events or functions where incidental expenses arise. Claims are not permissible where incidental expenses are incurred as part of a Member’s normal working day (eg lunch at County Hall or the Civic Centre).
Overnight Subsistence Allowance	An absence overnight from the normal place of residence shall be deemed to cover a continuous period of absence of 24 hours as far as the maximum rate payable is concerned and this sum will cover all expenses incurred including incidental expenses such as newspapers, laundry and telephone calls home. Expenses cannot be claimed under this allowance if a day allowance is claimed (see above). This Allowance is set at a maximum of £150 for London, £120 for Cardiff and £95 elsewhere. London means the City of London, and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and	Allowances provided are maximum sums that can be paid and reimbursed will be on the basis of actual expenditure incurred up to these amounts, supported by relevant receipts. Councillors must book through central booking arrangements set up by the Council and which may be varied from time to time.

	Westminster.	
Overnight stay with friends/relatives	A maximum of £25 is available for an overnight stay with friends or relatives whilst on approved duty.	

MEMBERS' REMUNERATION

LEVEL OF ALLOWANCES FROM 1 APRIL 2010 UNTIL 31 MARCH 2011

ALLOWANCES

ALLOWANCE TYPE	AMOUNT £
Leader of the Council	32,360
Deputy Leader	18,492
Executive Member	13,869
Chairs of Planning, Licensing Audit and Chairs of Overview and Scrutiny Committees	9,708
Chair of Pensions Committee	6466#
Basic Allowance	13,868
Mayor's Allowance	9,708
Deputy Mayor's Allowance	6466#
Care Allowance*	Up to a maximum of £403 per month
Leader of the largest Opposition Group	9,708

* Payable for actual and receipted costs. # 66.6% of Chair's rate under Band 3.

MILEAGE RATES

Rates as set by HMRC which are currently all vehicle sizes of private motor vehicle

<u>Up to 10,000 miles</u>	<u>40p per mile</u>
<u>Over 10,000 miles</u>	<u>25p per mile</u>
<u>Private motor cycles</u>	<u>24p per mile</u>
<u>Pedal cycles</u>	<u>20p per mile</u>
<u>Passenger supplement</u>	<u>5p per passenger per mile</u>

SUBSISTENCE EXPENSES

Councillors are entitled to claim expenses where expenditure is necessarily incurred when undertaking “approved duties”.

Approved duties are defined as follows:

- (a) Attendance at a meeting of the authority or of any committee of the authority or of any body to which the authority makes appointments or nominations or of any committee of such a body;
- (b) Attendance at a meeting of any association of authorities of which the authority is a member;
- (c) Attendance at any other meeting the holding of which is authorised by the authority or by a committee of the authority or by a joint committee of the authority and one or more other authorities;
- (d) A duty undertaken for the purpose of or in connection with the discharge of the functions of an executive where the authority is operating executive arrangements within the meaning of Part II of the 2000 Act;
- (e) A duty undertaken in pursuance of a standing order which required a member or members to be present when tender documents are opened;
- (f) A duty undertaken in connection with the discharge of any function of the authority which empowers or requires the authority to inspect or authorise the inspection of premises;
- (g) Attendance at any training or developmental event approved by the authority or its executive or board;
- (h) Any other duty approved by the authority, or any other duty of a class so approved, undertaken for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees;
- (i) Attendance at a Civic function when invited to attend as the representative of the authority; and
- (j) Attendance at a meeting with officers of the authority where attendance by the member is necessary to progress the essential business of the authority.

PENSIONS

All current and future elected Members of Torfaen County Borough Council are entitled to join the Local Government Pension Scheme (LGPS) and their Basic and (where appropriate) Special Responsibility Allowance is pensionable. All Torfaen County Borough Councillors can join the LGPS.