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¹ Scheme initially approved 8 November 2007 – significant amendments to scheme approved 3 November 2011, 5 November 2015, 4 November 2019 and 19 May 2021

² Deletion approved 5 November 2015

MEMBERS' ALLOWANCES SCHEME

1. INTRODUCTION

1.1 This Scheme

- (a) will be known as the Fenland District Council Scheme and shall have effect from 1st April 2021³. At its meeting on 19 May 2021⁴, the Council adopted a scheme based upon the recommendations of an Independent Remuneration Panel.
- (b) has been prepared in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003.

1.2 In this Scheme

- (a) "Councillor" means an elected member of Fenland District Council.
- (b) "Leader of the Council" means the councillor appointed by the Council to fill that office.
- (c) [Deleted]⁵
- (d) "Opposition Group Leader" means the councillor notified to the Chief Executive as the councillor elected as leader of the political groups established under the provisions of the Local Government and Housing Act 1989 and subsequent regulations.
- (e) "Main Opposition Group Leader" means the Opposition Group Leader of the largest opposition group. For the purposes of this scheme no Main Opposition Group Leader Allowance will be paid to a group of less than 5 members
- (f) "Cabinet Member" or ⁶2(ii) "Portfolio Holder" means a councillor appointed by the Leader as a member of the Cabinet in accordance with the Council's Constitution ²⁽ⁱⁱ⁾
- (g) Deleted⁷
- (h) Deleted⁸

³ Approved 5 November 2015 and amended 19 May 2021

⁴ Approved 5 November 2015 and amended 19 May 2021

⁵ Approved 24 July 2014

⁶ Amendment and subsequent deletion approved 5 November 2015

⁷ Deletion approved 5 November 2015

⁸ Deletion approved 5 November 2015

(i) "Year" means the twelve months ending with 31 March.

2. **BASIC ALLOWANCE**

- 2.1 For each year a basic, flat rate allowance shall be paid to each councillor, the level of the allowance being specified in the schedule to this scheme.
- 2.2 The basic allowance is designed to contribute towards expenses occurred as a result of undertaking Council business – such as the use of a home telephone and internet access and other semi-official activities carried out by councillors. This allowance is not intended to recompense councillors for all the time that they devote to Council business. It is assumed that some elements of the work of councillors are undertaken on a voluntary basis.

3. **SPECIAL RESPONSIBILITY ALLOWANCE**

- 3.1 For each year a special responsibility allowance shall be paid to those councillors who hold special responsibilities outlined within the Schedule of Allowances.
- 3.2 The amount of each such allowance shall be that specified in the schedule to this scheme.⁹
- 3.3 A councillor may receive no more than one¹⁰ special responsibility allowance at any one time, with the exception of the new allowance to Planning Committee members.¹¹
- 3.4 In considering the Allowances for Opposition Group Leaders, the Main Opposition Group Leader Allowance will be given to the Leader of the largest group, of 5 members or more. Any other opposition group leaders will receive the Other Opposition Allowance regardless of the size of the group. In the event there are two or more equal sized opposition groups each having 5 or more members then they will all receive the Main Opposition Group Leader Allowance. In the event there are two or more Other Opposition Group Leaders then they will all receive the Other Opposition Group Leader Allowance.¹²

4. Deleted¹³

⁹ Deletion approved 5 November 2015

¹⁰ Amendment approved 5 November 2015

¹¹ Amendment approved 4 November 2019

¹² Amendment approved 4 November 2019

¹³ Deletion approved 5 November 2015

5. **DEPENDENTS' CARERS' ALLOWANCE**

5.1 **Child Care**

The scheme provides for reimbursement of expenditure incurred by councillors in providing child care arrangements to facilitate their attendance at approved duties of the Council.¹⁴

5.2 **Care of Dependants**

The reimbursement of expenditure on professional care for an elderly, sick or disabled dependent relative normally residing with the councillor and requiring constant care.¹⁵

5.3 **General Conditions**

The following conditions will apply to both types of allowance:

- payments are made on the basis of reimbursement of actual hourly rate expenditure incurred for each hour of a councillor's absence from home and are subject to the production by the councilor of satisfactory receipts
- councillors to self-certify claims confirming that they have incurred expenditure in accordance with the scheme
- that qualifying meetings be restricted to those regarded as approved duties in the Council's scheme (see 6 below).
- Individual arrangements can be made with the Council via the Leader of the Council and Monitoring Officer for flexible financial arrangements for Dependents' Carers' Allowance which would not exceed the payments made under the current criteria, reflecting the individualizing of social care packages nationally.³

6. **TRAVELLING AND SUBSISTENCE ALLOWANCES**

6.1 Subject to the provisions set out in the attached schedule, travelling and subsistence allowances shall be paid to those councillors attending meetings in respect of the following duties:

- A meeting of the Cabinet or any committee of the Cabinet

¹⁴ Amendment approved 4 November 2019

¹⁵ Amendment approved 4 November 2019

- A meeting of the Council or a committee, sub-committee or other body of the Council (for which proper notice is given)
- A meeting held under joint arrangements with another authority (for which proper notice is given)
- Training and induction courses, seminars and conferences
- Site inspection meetings (for which proper notice is given)
- Formal meetings of outside bodies as a representative of the Council
- Undertaking civic duties as Chairman or Vice-Chairman of the Council
- Any other duty which has been approved by the Chief Executive.

6.2 All claims for travel expenses and subsistence should be made on the appropriate claim form and backed by receipts as applicable.

6.3 Mileage can only be claimed from Councillors normal place of residence or at a meeting on Council business to which the Councillor travelled from home¹⁶. Mileage can only be claimed for journeys undertaken wholly and exclusively in pursuance of Council duties as set out in 6.1.

7. **CO-OPTEEES' ALLOWANCE**

7.1 The Town and Parish Council representatives¹⁷ of the Council's Conduct¹⁸ Committee shall each be paid an annual co-optees' allowance, at the rate specified in the schedule to this scheme.

7.2 Those persons in receipt of a co-optees' allowance from this Council shall be entitled to claim travelling and subsistence allowances where appropriate.

8. **INDEPENDENT PERSON AND DEPUTY INDEPENDENT PERSON¹⁹**

8.1 The Independent Person and Deputy Independent person of the Council's Conduct Committee shall be paid an annual allowance at the rate specified in the schedule to this scheme, which will be updated in line with the employees pay award.

¹⁶ Amendment approved 4 November 2019

¹⁷ Amendment approved 5 November 2015

¹⁸ Amendment approved 5 November 2015

¹⁹ Amendment approved 4 November 2019

- 8.2 Those persons in receipt of this allowance shall be entitled to claim travelling and subsistence in accordance with the terms set out in Section 6.

9. FOREGOING ALLOWANCES

- 9.1 A councillor may, by notice given in writing to the Chief Executive, elect to forgo all or any part of his/her entitlement to an allowance under this scheme.

10. WITHHOLDING ALLOWANCES

- 10.1 Where a councillor is suspended or partially suspended from his/her duties and responsibilities as a member of the Council, the relevant allowances (eg basic; special responsibility; travelling and subsistence) normally payable to him/her will be withheld by the authority for the duration of the suspension period.

11. PART YEAR ENTITLEMENTS

- 11.1 If the term of office or duty undertaken by a councillor begins or ends part way through a municipal year or amendment of the scheme during a municipal year or changes to the councillor's responsibilities during the year results in changes in the amount to which a councillor is entitled, calculation of the allowance payable shall be on a pro-rata basis having regard to the proportion that the term of office, period of duty or relevant periods of the scheme bear to the municipal year in which they occur.

12. CLAIMS AND PAYMENTS

- 12.1 Payment of the basic and special responsibility allowances and the co-optees' allowance and Independent Person/Deputy Independent Person allowance²⁰ shall be made in twelve equal monthly instalments on or around 26th day of each month, subject to the arrangements for part year payment provisions set out above.
- 12.2 Claims for dependents' carers' and travelling and subsistence allowances under this scheme will need to be submitted in writing (using the prescribed claim form) to Member Services within one month at the end of each financial quarter (June, September, December, March) to which the claim relates.

²⁰ Amendment approved 5 November 2015

- 12.3 Where a member of Fenland District Council is also a member of another local authority, (s)he shall not receive allowances from more than one authority in respect of the same duties.

13. **MEMBERS' ICT²¹**

- 13.1 That the ICT Team publish a recommended preferred standard build of personal computers/tablet devices, which best support the Council's software, to help members make an informed choice regarding future computer/tablet purchases and meaningful support is provided to members to enable them to fulfil their role including the effective use of ICT.
- 13.2 A loan scheme is provided to enable members to purchase the Council's recommended standard build IT equipment necessary to fulfil their role. The costs to be deducted direct from the Basic Allowance.
- 13.3 The ICT team provide members with the option to purchase recommended equipment directly via them to ensure members are able to purchase equipment at a preferential rate which is available as a result of economies of scale.
- 13.4 IT equipment and other consumables to enable members to fulfil their role are to be met from the Basic Allowance.

14. **UPDATING**

- 14.1 The basic allowances and Special Responsibility Allowances rates will be increased in line with employee pay awards from 1 April 2020.²²
- 14.2 The allowances specified in respect of mileage claims will be linked to changes in the approved rates issued by HM Revenue and Customs from time to time.

15. **INDEPENDENT REMUNERATION PANEL**

- 15.1 An Independent Remuneration Panel has been established in accordance with the 2003 Regulations to produce reports making recommendations in respect of this allowances scheme and the Council must have regard to the recommendations of the panel in respect of allowances to be paid to councillors.

²¹ Amendment approved 4 November 2019

²² Amendment approved 4 November 2019

15.2 The scheme will be reviewed by the Independent Remuneration Panel on a periodic basis, with the next review being no later than May 2023²³.

15.3 Deleted²⁴¹⁰

16. **PUBLICITY**

16.1 The Council, as soon as reasonably practicable after determining a scheme of allowances, will ensure that copies of the scheme are available for inspection and publicised in accordance with the 2003 Regulations.

16.2 As soon as reasonably practicable, in each year, the Council will publish in its area the total sum paid to each councillor in respect of basic, special responsibility, travelling and subsistence and dependents' carers' allowances together with the amounts of co-optees' and travelling and subsistence allowances paid to each²⁵ Member.

²³ Amendment approved 4 November 2019, amended 19 May 2021

²⁴ Deletion approved 5 November 2015

²⁵ Deletion approved 5 November 2015

SCHEDULE OF ALLOWANCES

The following allowances are applicable with effect from 1 April 2021²⁶:

1. MEMBERS' ALLOWANCES

(i) Basic Allowance

Payable to all members £4,957 p.a.²⁷.

(ii) Special Responsibility Allowance

Payable to the following post holders:

Leader of the Council	£17,350 p.a. ²⁸
Cabinet Member	£8,675p.a. ²⁹ .
Chairman of Overview and Scrutiny Panel	£6,940 p.a. ³⁰ .
Vice-Chairman of Overview and Scrutiny Panel	£0 p.a.
Chairman of Planning Committee	£6,940 p.a. ³¹
Vice-Chairman of Planning Committee	£0 p.a.
Members of Planning Committee	£514 p.a. ³²
Substitute Members of Planning Committee	£103 p.a. ³³
Chairman of Licensing Committee	£3,221 p.a. ³⁴
Chairman of Conduct Committee ³⁵	£1,735 p.a. ³⁶
Chairman of Audit and Risk Management Committee ³⁷	£1,735 p.a. ³⁸
Vice-Chairman of Audit and Risk Management Committee ³⁹	£1,735 p.a. ⁴⁰
Chairman of Council **	£4,164 p.a. ⁴¹
Leader of the Main Opposition Group	£5,948 p.a. ⁴²
Leader of other Opposition Groups	£1,986 p.a. ⁴³

²⁶ Amendment approved 4 November 2019 and 19 May 2021

²⁷ Amendment approved 19 May 2021

²⁸ Amendment approved 19 May 2021

²⁹ Amendment approved 19 May 2021

³⁰ Amendment approved 4 November 2019 and 19 May 2021

³¹ Amendment approved 4 November 2019 and 19 May 2021

³² Amendment approved 4 November 2019 and 19 May 2021

³³ Amendment approved 4 November 2019 and 19 May 2021

³⁴ Amendment approved 19 May 2021

³⁵ Amendment approved 26 July 2012

³⁶ Amendment approved 19 May 2021

³⁷ Amendment approved 14 December 2020

³⁸ Amendment approved 19 May 2021

³⁹ Amendment approved 14 December 2020

⁴⁰ Amendment approved 19 May 2021

⁴¹ Amendment approved 19 May 2021

⁴² Amendment approved 19 May 2021

⁴³ Amendment approved 19 May 2021

- ** payable in addition to the “Civic Dignitaries” allowance paid under the provisions of the Local Government Act 1972 (see (v) overleaf)

DELETION .⁴⁴

(iii) **Dependents’ Carers’ Allowance**

Payable at actual cost per hour for care of dependents whether children, elderly or people with disabilities, while a member is on Council business.

Individual arrangements can be made with the Council via the Leader of the Council and Monitoring Officer for flexible financial arrangements for Dependents’ Carers’ Allowance which would not exceed the payments under the current criteria, reflecting the individualising of social care packages nationally⁴⁵.

(iv) **Independent Persons Allowance⁴⁶**

Payable to Independent Person advising the Conduct Committee - £992* p.a.⁴⁷ and for the Deputy Independent Person £496 *p.a.⁴⁸

(v) **Co-Optees Allowance⁴⁹**

Payable to Town/Parish Council co-optees of the Conduct Committee - £140 p.a.

(vi) **Other Allowances – for information**

The following are paid pursuant to the Local Government Act 1972 (approved by the Council at each annual meeting):

*	Chairman of the Council	£4,116 p.a. (for 2021/22)
*	Vice-Chairman of the Council	£1,000 p.a. (for 2021/22). ⁵⁰

2. **SUBSISTENCE ALLOWANCES**

For approved duties both inside and outside the District the following rates apply:

⁴⁴ Deletion approved 5 November 2015

⁴⁵ Amendment approved 5 November 2015

⁴⁶ Amendment approved 26 July 2012

⁴⁷ Amendment approved 19 May 2021

⁴⁸ Amendment approved 26 July 2012 and 19 May 2021

⁴⁹ Amendment approved 4 November 2019

⁵⁰ Amendment approved 5 November 2015

- (i) Breakfast allowance
(where away from normal place of residence between 6:30am and 10am) £6.06
- (ii) Lunch allowance
(more than 4 hours away from normal place of residence including the lunchtime between 12 noon and 2.00 pm) £8.43
- (iii) Evening meal allowance
(more than 4 hours away from normal place of residence ending after 7.30 pm) £12.50

Any claim for subsistence allowance must be backed by a receipt for food or drinks consumed during the relevant meal period. No claim may be made in relation to any meal period for which the council or any other body hosting a meeting has provided refreshments.

In exceptional circumstances the Leader will consider and determine any variation from the subsistence allowances for Members. For members of opposition groups this will be in consultation with the relevant group leader. Where the Leader is concerned, the Chief Executive or Chief Finance Officer will consider any variation from the subsistence allowances.

3. **TRAVELLING ALLOWANCES**

(i) **Motor Mileage Allowance**

The rate for motor cars is 45p per mile for the first 10,000 miles of travel and thereafter in accordance with HMRC rates.⁵¹

Passenger Supplement - for passengers, not exceeding 4, a supplement of 5.0 pence per mile for each passenger carried.

(ii) **Motorcycle Allowance**

The rate for motorcycles is 24p per mile.

(iii) **Bicycle Allowance**

The rate for bicycles is 20p per mile.

(iv) **Public Transport**

For most forms of public transport and the use of taxicabs, the actual cost will be reimbursed on production of a receipt. In the case of train journeys, a "rail warrant" will normally be provided by the Council for standard (or second class) fare travel only.

⁵¹ Such rate to be implemented from and including the 18 May 2011.

First Class travel is only permitted when the price of the ticket is less than or equal to a Standard Class fare. If a Member wishes to travel First Class, the difference between a First Class and Standard Class fare can be paid by the Member at their own personal expense.

In exceptional circumstances the Leader will consider and determine any requests for first class travel expenses for Members. For members of opposition groups this will be in consultation with the relevant group leader. Where the Leader is concerned, the Chief Executive or Chief Finance Officer will consider any appropriate first class travel expenses. In the event that a councillor hires a motor vehicle (other than a taxicab) they shall only be entitled to claim the standard mileage rate for the distance travelled irrespective of the cost of hire; unless such hire has been approved in advance by the Corporate Director/Chief Finance Officer in which case the actual cost of hire and fuel may be claimed.

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 body 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 service, or
- (b) where no such service is available or in case of urgency, the fare actually paid by the member.

This rate applies if travel results in a substantial saving of the member's time or is in the interests of the body or is otherwise reasonable.

4. OVERNIGHT SUBSISTENCE

Members will be expected to book all overnight accommodation in advance through member services, however if this is not possible then the actual cost of accommodation up to the following values will be recoverable on production of receipts.

Allowance for absence overnight from the usual place of residence

£92.14

Allowance for such absence in London (within specified London Boroughs) or for attendance at the annual conference of the Local Government Association £105.09