



Part 6

Scheme for Payment of Members' Allowances

REVISED 1 APRIL 2019

BOSTON BOROUGH COUNCIL

SCHEME FOR PAYMENT OF MEMBERS' ALLOWANCES

The Boston Borough Council, in exercise of its powers conferred by the Local Authorities (Members' Allowances) Regulations, 2003, hereby make the following Scheme which shall be cited as the Boston Borough Council Members' Allowances Scheme.

1. CITATION

This scheme may be cited as Boston Borough Council Members' Allowances Scheme and shall have effect from 1 April 2018.

Interpretation

In this scheme;

“Councillor” means a Member of Boston Borough Council

“year” means the 12 months ending with 31 March.

2. BASIC ALLOWANCE

- (a) A Basic Allowance in the sum of £4400 shall be payable in respect of the financial year 2018-19 to each Member of the Authority.
- (b) This allowance shall be paid on a pro-rata monthly basis.
- (c) If the term of office or duties undertaken by a Councillor begin or end part way through a Municipal Year, or amendment to the scheme during a Municipal Year changes the amount to which a Councillor is entitled, then 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.
- (d) This allowance is subject to Income Tax and National Insurance.

3. SPECIAL RESPONSIBILITY ALLOWANCE

- (a) For each year a Special Responsibility Allowance shall be paid to those Members who hold the special responsibilities in relation to the authority that are specified in Schedule 1 to this Scheme.
- (b) Where a Member takes up or relinquishes any of the posts mentioned in Schedule 1, otherwise than at the beginning or end of a financial year, the entitlement to Special Responsibility Allowance shall be pro-rata to the period served in that office.
- (c) This allowance shall be paid monthly and is liable for Income Tax and National Insurance.

- (d) **A maximum of two special responsibility allowances may be claimed, with the exception of the Leader and Deputy Leader who may not claim a Cabinet Members Allowance in addition to the Leader and Deputy Leader Allowance.**

4. ANNUAL ADJUSTMENT OF ALLOWANCES

- (a) For the period 2019-20 to 2022-23 the allowances will be linked to staff pay awards.

5. INCOME TAX AND NATIONAL INSURANCE

- (a) Basic Allowance and Special Responsibility Allowances are liable for Income Tax and National Insurance deductions.
- (b) Allowances must be treated as earned income and should be declared as such on all necessary forms.
- (c) Travel Allowances have been set at rates below the threshold for Income Tax deductions.
- (d) Members who suffer tax deductions on their allowances may be eligible to claim tax relief in respect of expenses incurred. A series of 'Agreed Expenses Allowances' are negotiated with the Inland Revenue each year. Details are available from the Democratic Services Manager.
- (e) A Member wishing to claim tax relief should consult the Inland Revenue.

6. DEPENDENT CARER'S ALLOWANCE

- (a) Child Care

Members may claim for reimbursement of actual expenditure incurred in providing child care arrangements to facilitate their attendance at approved duties of the Council in accordance with the following restrictions:-

- That payment be made to someone other than a close relative, as defined in the Boston Member Code of Conduct;
- That payments for the care of children under the age of 8 be restricted to payments to registered child-minders and other statutorily approved child care providers;
- That payments be restricted to the care of children up to their 14th birthday who normally reside with the Member;
- That no payments be made in respect of care of children of compulsory age during school hours.

- (b) Care of Dependants

Members may claim for reimbursement of actual expenditure on professional care for an elderly, sick or disabled dependant relative normally residing with the Member and requiring constant care subject to payment being restricted

to agencies or persons qualified to provide the care other than close relations, as defined in the Boston Member Code of Conduct.

- (c) The following conditions apply to the allowances for both Child Care and Care of Dependents: _
- That payments be made on the basis of reimbursement of actual expenditure incurred, subject to the production of satisfactory receipts by a Member;
 - That Members self-certify claims confirming they have incurred expenditure in accordance with the scheme;
 - That qualifying meetings be restricted to a meeting of the Cabinet, a meeting of a Committee of the Cabinet, a meeting of the authority, a meeting of a Board/Committee, Sub-Committee or Panel of the authority;
 - That payment be made only for the duration of the meeting for which the claim is made plus a maximum of one hour for travelling time.

7. TRAVEL AND SUBSISTENCE EXPENSES

- (a) Travel and subsistence expenses shall be made to Members in respect of approved duties, as specified in Schedule 2 to this Scheme.
- (b) In order to claim subsistence allowance a claimant must have personally incurred expenditure on subsistence and provide evidence of such expenditure in the form of receipts.
- (b) The amount paid will be the amount incurred and shown on the receipt up to the maximum limit set out in Schedule 4 to this scheme.
- (c) Claims for travel and subsistence expenses should be submitted promptly on the appropriate form by no later than the 4th day of the month following the month to which the claim relates.
- (d) Travel and subsistence expenses are not subject to Income Tax or National Insurance.

8. RATES OF EXPENSES PAYABLE

- (a) Schedule 4 sets out the current rates and conditions relating to travelling and subsistence expenses.
- (b) The Section 151 Officer shall have delegated authority within the Scheme to increase travel and subsistence expenses in line with the limits prescribed by the Secretary of State, or the Inland Revenue.

9. DISABILITY DISCRIMINATION ACT

The Council acknowledges its obligations under the Disability Discrimination Act and will make reasonable adjustments to accommodate Elected Members with disabilities to enable them to carry out their duties effectively.

10. WARD SURGERIES

Accommodation costs associated with the provision of Ward Surgeries will be reimbursed to a maximum of £50 per Member in any one financial year, upon production of an appropriate receipt.

11. METHOD OF PAYMENT

Payment of Members' Allowances shall be made by Credit Transfer to a bank account specified by the Member. Payment will be made on 22nd of each month. However, if the 22nd falls on a Saturday, payment will be made on the 21st and if the 22nd falls on a Sunday, payment will be made on the 23rd of the month.

12. LATE CLAIMS

Claims must be made within two months of the date on which the duty in respect of which the entitlement to the allowance arises is carried out. Claims submitted out of time will require specific approval from the Section 151 Officer.

13. FINANCIAL RESTRICTIONS

Any payment under the Scheme is conditional on the aggregate of the amount which the authority has paid out or is already liable to pay out under the Scheme not exceeding the budget provision.

14. WITHHOLDING ALLOWANCES

Members will continue to receive allowances if suspended pending an investigation, but will be required to repay them from the date of suspension where the alleged offence is subsequently proven.

Payments will be withheld during any periods of suspension following a proven case or when a Member ceases to be a Member or is in any other way not entitled to receive allowances.

15. RENUNCIATION

Any Member may by notice in writing given to the Chief Executive elect to forgo any part of his/her entitlement to an allowance under this Scheme.

SCHEDULE 1

The following are specified as the special responsibilities in respect of which Special Responsibility Allowances are payable and the amounts of those allowances payable in respect of a full financial year:-

Responsibility	Amount
• Leader of the Council	£13,464
• Deputy Leader of the Council	£ 6,732
• Cabinet Members	£ 5,610
• Chairmen of Overview & Scrutiny Committees	£ 1,224
• Chairman of Audit & Governance Committee	£ 1,224
• Chairman of Planning Committee	£ 4,488
• Vice-Chairman of Planning Committee	£ 2,244
• Member of the Planning Committee	£ 612
• Chairman, Licensing/Regulatory & Appeals Committee	£ 1,224
• Licensing Hearing Panels (per Hearing/day)	£ 51
• The Mayor	£ 3,366
• Deputy Mayor	£ 841
• Opposition Group Leaders (per member of each Group excluding the Leader of the Group)	£ 100

SCHEDULE 2

The following are approved duties for which Members may, if they wish, claim travelling and subsistence expenses:

1. The attendance by a Councillor at meetings of the Council, and Cabinet, Boards, Committees, Panels, Sub-Committees or Working Groups to which they have been formally appointed by the Council, or where they are acting as substitutes.
2. The attendance by a Councillor at a site visit organised by the Cabinet, or Board, Committee, Panel, Sub Committee or Working Group to which they have been formally appointed by the Council.
3. The attendance of a specified delegation of Councillors at consultation meetings for the purpose of, or in connection with, the discharge of the Council's functions.
4. The attendance of a Member of the Cabinet or a Chairman of a Board, Committee, Panel, Sub Committee or Working Group, or, in his/her absence his/her Vice-Chairman at any meeting of another Board, Committee, Panel, Sub-Committee, or Working Group of the Council pursuant to a resolution specifically requesting him/her to attend.
5. Duties which are undertaken in connection with being a Cabinet Member or Chairman/Vice-Chairman of Boards/Committees/Panels such as briefing meetings, opening of tenders, press conferences and meetings with officers, government departments and community groups.
6. The attendance by a Councillor at an approved conference, seminar, presentation, or workshop.
7. The attendance of a Councillor at a meeting of any organisation to which that Councillor has been appointed as a representative by the Council (see schedule 3), provided no allowance is paid by the body concerned and the meeting is scheduled outside the Councillor's ward.

NON-APPROVED DUTIES

For the avoidance of doubt, the attendance by a Councillor at any of the following are not approved duties:-

1. Civic and social events (excluding civic Council meetings i.e. AGM)
2. Meetings of the Cabinet, Boards, Committees, Panels, Sub Committees or Working Groups of the Council to which they are not formally appointed, unless acting as a substitute for another Member.
3. Meetings of and with Parish Councils.

SCHEDULE 3

Approved Appointments and Nominations to External Organisations

Outside Bodies:-

Age Concern (Boston and South Holland Division)
Bicker Trust
Black Sluice Internal Drainage Board
Boston Area Partnership Forums:
 Boston Health and Wellbeing Partnership
 Boston Strategic Health Group
 East Lincolnshire Community Safety Partnership
Boston Citizens' Advice Bureau Management Committee
Boston Grammar School Foundation
Boston In Bloom Partnership
Boston Municipal Non-Educational Charities
Boston Preservation Trust
Boston Woods Trust
Boston Woods Trust
Centrepont Outreach
Community Lincs
Council for Protection of Rural England (Lincs Branch)
East Midlands Councils
Health Overview and Scrutiny Committee (Lincolnshire County Council)
Heritage Lincolnshire
John Butler Charity
Lincolnshire County Council Flood and Water Management Scrutiny Committee
Lincolnshire Police and Crime Panel
Local Community Framework Investment Panel (Empower Community
 Foundation/Lincolnshire Housing Partnership)
Local Government Association General Assembly
NACRO Services in Lincolnshire
Rural Services Network (SPARSE Rural, Rural Services Partnership, RSN Community
Group)
Sir Thomas Meddlecott and Others' Charity Trust
South Lincolnshire Blind Society
St. Leonard's Hospital Trust
Swineshead Poor Charity
Thomas Sanderson Charity
Tritton Knoll Offshore Wind Farm – Local Liaison Committee
Wash and North Norfolk Coast Special Area of Conservation (SAC) Members Group
Welland and Deepings Internal Drainage Board
William Henry Harlock Charity
Witham Fourth District Internal Drainage Board

SCHEDULE 4

TRAVELLING AND SUBSISTENCE EXPENSES

Travelling Allowances

1. Public Transport

- (1) The rate for travel by public transport shall be determined by reference to first class fares provided that in no case shall the rate exceed that which is actually paid by the Member.
- (2) The rate specified in the preceding paragraph may be increased by supplementary allowances not exceeding expenditure actually incurred:-
 - (i) On Pullman Car or similar supplements, reservation of seats and deposit of luggage; and
 - (ii) On sleeping accommodation engaged by the Member for an overnight journey but subject to reduction by one-third of any subsistence allowance payable for that night.

2. Motor Mileage Allowances - Private Vehicles

- (1) The rate for travel by a Member's own private motor car, motorcycle or bicycle or one belonging to a member of his family or otherwise provided for his use shall be:-
 - (a) Motor car – 45 pence per mile;
 - (b) Motorcycle – 24 pence per mile;
 - (c) Bicycle – 20 pence per mile.
- (2) The above rate for a motor car may be increased in respect of the carriage of each passenger, not exceeding 4, to whom a travelling allowance would otherwise be payable under any enactment by not more than 3.0 pence a mile.
- (3) The motor mileage allowance may be increased by not more than the amount of any expenditure incurred on tolls, ferries or parking fees, including overnight garaging.

3. Taxis and Hired Motor Vehicles

- (1) The Rate of Travel by Taxi-Cab or 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.
- (2) 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 had hired it, provided that where the Council so approves the rate may be increased to an amount not exceeding the actual cost of hiring.

Subsistence Expenses

4. Day Subsistence

- (1) The Council will pay up to the following subsistence rates, subject to all of the following conditions:-
- The Councillor must be away from his/her usual place of residence for a minimum of four hours (this time period applying only to the time spent in travel to and from, and attendance at, the approved duty).
 - There must be no meal provided at the approved duty, either by the Council or any other organiser for the event.
 - Receipts being submitted with the expenses claim form to show that a meal was purchased (and the amount paid will be the amount incurred and shown on the receipt up to the maximum limit shown below).

Subsistence Type	Details	Payment Amount
Breakfast Allowance	From before 7 a.m.	£4.48
Lunch Allowance	Covers the period from 12 noon to 2 p.m.	£6.17
Evening Meal Allowance	For a period of absence ending after 7 p.m.	£7.64
Absence Overnight	To cover Hotel and associated expenses – but note in these cases the Council will book and pay for hotel accommodation directly	*£79.82

*Increased to a maximum of £91.04 in certain circumstances, e.g. for meetings in London and for LGA Conference.

If a meal is taken on a train, this is taken to relate to the subsistence allowance which it most closely equates to (i.e. lunch or evening). The above conditions still apply.