

# Part 6 – Members’ Allowances Schemes

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# MEMBERS' ALLOWANCE SCHEME

## 1. Introduction

- 1.1. The Scheme for Members' Allowances (referred to in this document as "the Scheme") is made under the provisions of the Local Authorities (Members' Allowance) (England) Regulations 2003.
- 1.2. The Scheme forms part of the Council's Constitution. As such, the scheme is approved by the full Council and may only be amended by the full Council.
- 1.3. The Scheme contains general clauses describing the overall arrangements for members' allowances together with detailed appendices which show the actual entitlements as agreed by the Council each year.
- 1.4. In accordance with the provisions of the above Regulations, the Scheme, including its detailed Schedules, is made by the Council having first considered recommendations from an independent remuneration panel.

## 2. Interpretation

- 2.1. The term "councillor" in this Scheme means an elected councillor of North Somerset Council and (exceptionally and where shown in the text) the Chair of the Standards Sub-Committee who, by law, must be an independent person and not a councillor.
- 2.2. Use of the term "the Regulations" within this Scheme is a reference to the Local Authorities (Members' Allowances) (England) Regulations 2003.

Where there is an issue over the interpretation of the Scheme, the view of the Director of Corporate Services shall be final.

## 3. The Basic Allowance

- 3.1 The Regulations provide that a Basic Allowance is payable to each member of the Council. The amount of the Basic Allowance must be the same for each member of the Council.
- 3.2 The Council has determined that a Basic Allowance shall recognise the following activities and expectations of councillors.
  - 3.2.1 Time and effort in conducting the local representation role, including meetings with constituents
  - 3.2.2 Use of home as an office

- 3.2.3 Travel withing the electoral ward
- 3.2.4 Recompense in part for the direct impact of the councillor role on the family
- 3.2.5 Serving on such outside bodies to which the member may be appointed.
- 3.2.6 Serving as a member of the full council and reasonable attendance at council meetings
- 3.2.7 Membership of a reasonable number of formal and less formal committees, working parties etc. and a reasonable level of attendance at such meetings
- 3.2.8 Performing a chairing role at such meetings where the time and effort involved does not equate to a chairing role for which a special responsibility allowance is justified
- 3.2.9 Making a contribution towards the effective governance, administration and performance of the Council as a whole
- 3.2.10 Attendance at reasonable training and person development events and
- 3.2.11 The direct purchase, for all councillor roles, of certain basis stationary and IT and other office equipment of choice.
- 3.3 One twelfth of the annual value of the Basic Allowance is paid monthly in arrears.
- 3.4 The level of Basic Allowance for the current Council Year is shown in Schedule 1 of this scheme.

## 4. Special Responsibility Allowance

- 4.1 The Regulations provide that there may be Special Responsibility Allowances paid to some councillors for significant additional duties over and above those listed above and covered by the Basic Allowance. Such allowances may (exceptionally) be paid to independent members.
- 4.2 One twelfth of the annual value of Special Responsibility Allowances is paid monthly in arrears to relevant councillors and independent members.
- 4.3 No councillor or independent member shall receive more than 2 x Special Responsibility Allowances.
- 4.4 The Council may make arrangements through an appropriate body/person to monitor activities of those councillors and others in receipt of Special Responsibility Allowances, to ensure that:
  - 4.4.1 Value for money is being achieved and
  - 4.4.2 There is capacity to deliver the responsibilities of the positions held.
- 4.5 The positions for which the Scheme provides a Special Responsibility Allowance, and the current values are shown in Schedule 2 of this Scheme.

## 5. Renunciation of Entitlement

A councillor or independent member may, by giving notice in writing to the Director of Corporate Services elect to forego any part of his or her entitlement to an allowance under this Scheme.

## 6. Member of Another Authority

Where a councillor is also a member of another local authority, that councillor may not receive allowances from more than one authority in respect of the performance of the same duties.

## 7. Part Year Entitlements

- 7.1 This part of the Scheme regulates the entitlement of a councillor to Basic and Special Responsibility Allowances where, in the course of the Council Year:
  - 7.1.1 This Scheme is amended: or
  - 7.1.2 That the councillor becomes or ceases to be a councillor: or
  - 7.1.3 That councillor accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
- 7.2 If this Scheme is amended by the Council in a way which affects the payment of Basic or Special Responsibility Allowances, the change represented by the amendment shall take effect on the date on which the amendment was approved by the Council, or such other date as the Council resolution shall specify.
- 7.3 Such changes shall apply for the period beginning with the day the amendment takes effect and ending with the day before that on which the Council Year ends unless there is a further amendment to the Scheme.
- 7.4 In respect of the Basic Allowance, where the term of office of a councillor begins or ends otherwise than at the beginning or end of a Council Year, the entitlement shall be to payment of such part of the Basic Allowance as bears to the whole the same proportion as the number of days during which the term of office as a councillor subsists bears to the number of days in that year.

- 7.5 Where a councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a Special Responsibility Allowance, that councillor's entitlement shall be to a payment of such part of that Allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.

## 8. Suspension of a Member

Where a councillor is suspended or partially suspended from their duties in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, or Part 10 of the Local Government Public Involvement in Health Act, 2007, any allowance payable to that councillor under this Scheme in respect of the responsibilities or duties from which they are suspended or partially suspended may be withheld by the Council.

## 9. Meanings

A councillor or independent member who wishes for all or part of an allowance to which they are entitled to be donated instead to a third party, shall make his or her own arrangements for this. Officers of the Council shall not be involved in administering such arrangements.

## 10. Function of the Full Council

- 10.1 Travel and subsistence rules and allowances for councillors and independent/co-opted members shall be the same as those relevant rules and allowances negotiated for officers of the Council.
- 10.2 The current Travel and Subsistence Rules and Allowances for Officers are shown as Schedule 3 of this Scheme.
- 10.3 Reference in Schedule 3 to "the Director" in the context of approving additional or exceptional expenditure shall, for councillors' claims, refer to the Assistant Director Legal and Governance or his/her nominated representative.
- 10.4 For the purpose of making mileage claims, councillors are
- 10.4.1 Assumed to have two place of work – their home and the Council Headquarters at the Town Hall, Weston-super-Mare.

10.4.2 Permitted to claim for “allowable journeys” only – a list/definition of “allowable journeys” and relevant approved duties is shown as Schedule 4 to this Scheme.

## 11. Dependent Carers’ Allowance

- 11.1 Councillors and independent members may claim for the reimbursement of actual expenditure incurred on child and dependent adult care.
- 11.2 The allowance will not be paid to a member of the claimant’s own household, except where that person would otherwise be in existing paid employment during the hours of caring.
- 11.3 The allowance will not be paid to a councillor who is already in receipt of an allowance or other assistance from any other source for the same purpose on the occasion for which the allowance is being claimed.

## 12. Payment of Allowances

- 12.1 The responsibility for the accuracy, integrity and correctness of the claim rests with the claimant. Where in the opinion of the Assistant Director Legal and Governance a claim cannot for some reason be met within the rules of this Scheme, the claim will not be paid and the claimant will be informed in writing of the reason.
- 12.2 Travel and subsistence and dependent carers’ allowances are to be claimed promptly and must not be allowed to accumulate before claim. Councillors are to submit such claims monthly, within the normal accountancy deadlines announced by the Director of Corporate Services.
- 12.3 Backdated claims for a period longer than two months may be accepted at the discretion of the Director of Corporate Services.
- 12.4 Claims made after 31 March in respect of expenditure within the financial year ending on that date, shall be accepted only up to the deadline announced by the Director of Corporate Services, which will normally be 30 April. The Director shall have discretion to deal with exceptional circumstances.
- 12.5 It is the responsibility of the councillor or independent member to notify the Council of any material change in the information held by the Council and relevant to the processing of claims (e.g. change of address or vehicle details).



## 13. Co-opted Members

- 13.1 Co-opted Members are not entitled to Basic Allowance or Special Responsibility Allowance but may claim travel and subsistence allowances in relation to approved duties at the same rate as councillors.
- 13.2 A Financial Loss Allowance may be paid to Co-opted Members for loss of earnings and expenses incurred by them in the performance of any approved duty. Claims for loss of earnings are to be supported by a certificate supplied by the employer or such other evidence as to enable the loss of earnings to be determined.

## 14. Local Government Pension Scheme

Councillors are not able to join the Local Government Pension Scheme.

## 15. Tax and National Insurance

The Basic Allowance, Special Responsibility Allowance and the Dependent Carers' Allowance are taxable and are subject to National Insurance.

## 16. Update of Allowances and Review of the Scheme

- 16.1 The Basic Allowance and Special Responsibility Allowances will be uplifted annually by an amount equivalent to the negotiated APT&C salary award for Officers.
- 16.2 The Independent Remuneration Panel that is required to be established under the Regulations, will undertake a fundamental review of the Scheme every four years and may report annually to the Council if the need arises.
- 16.3 The Panel will also undertake a review within that four-year period when requested to do so by the Council, usually following a planned change of circumstances that would require an amendment to the Scheme.
- 16.4 This Scheme may be amended at any time by the Council but may only be revoked with effect from the beginning of a year.
- 16.5 Before the Council makes a new Scheme or amends this Scheme it shall have regard to the recommendations made in relation to it by its Independent Remuneration Panel.



## SCHEDULE 1 – BASIC ALLOWANCE

The Basic Allowance for the Council Year 2025/2026 shall be £11,285.25

## SCHEDULE 2 – SPECIAL RESPONSIBILITY ALLOWANCES

Leader of the Council	£32,475.81
Deputy Leader of the Council (70% of Leader's SRA)	£22,733.07
Cabinet Members (60% of Leader's SRA)	£19,485.41
Chairperson of the Council (30% of Leader's SRA)	£9,742.74
Chairs – Policy & Scrutiny Committees (25% of Leader's SRA)	£8,118.94
Chair – Planning & Regulatory (25% of Leader's SRA)	£8,118.94
Chair – Licensing (25% of Leader's SRA)	£8,118.94
Chair of Audit Committee (15% of Leader's SRA)	£4,871.29
Chair – Employment	No Allowance
Vice Chairs of Committees & Vice Chair of the Council	No Allowance
Leader or Other Groups (5% of Leader's SRA + 1% per group member)	£1,623.79+£324.76 per group member

## SCHEDULE 3 – TRAVEL & SUBSISTENCE RULES AND ALLOWANCES

### All Fuel types and Engine sizes

Mileage rates:	Up to 10,000 miles	45.0p
	Over 10,000 miles	25.0p

### Subsistence

Subsistence cannot be claimed for visits to other North Somerset establishments during normal working hours including schools. All claims should be submitted on a regular monthly basis in the month following when the expenses were incurred. Claims not received by the advertised deadline date will be paid the following period. Amounts that can be claimed will be found on the Councils intranet.

Claims for meals and overnight accommodation should not normally apply when staying on a residential course or residential conference. **ALL CLAIMS MUST BE ACCOMPANIED BY A RECEIPT.** Claims for lunch cannot be made where lunch is part of a training course, seminar, site visit etc.

The maximum amounts you can claim are in line with HMRC rates for UK travel:

Minimum time away	Maximum meal allowance
5 hours	£5
10 hours	£10
15 hours (and ongoing at 8pm)	£25

**Any claims which exceed the above limits will be capped.** In exceptional circumstances subject to prior approval being obtained and subsequent production of receipts unless discretion is exercised, a Director may approve additional expenses.

## SCHEDULE 4 – “APPROVED DUTIES” AND “ALLOWABLE JOURNEYS” FOR CLAIM PURPOSES

### Part A

The following is a list of approved duties within the terms of the Regulations and approved by the Council for which travel and subsistence and dependent carer claims may be made.

1. Attendance at:

- 1.1. A meeting or (a) the authority: (b) the Cabinet or any committee or sub-committee of the Cabinet or (c) any committee or sub-committee of the authority

**\*\* Note:** in this particular context the term “attendance” is to mean attendance

- 1.2. As a member of the body concerned,

- 1.3. in exercise of member’s constituency responsibilities as ward councillor

- 1.4. in an observer capacity pursuant to any legitimate role as a councillor, including the exercise of a special responsibility granted to the member by the Council
  - 1.5. in order to exercise a statutory or constitutional power, right or duty.
2. A meeting of anybody to which the authority makes appointments or nominations (or of any committee or sub-committee of such body) but only as, or on behalf of, the appointed or nominated person:
  3. Any other meeting the holding of which is authorised by the authority, or by a committee or sub-committee of the authority, or a Joint Committee of the authority and one or more other authorities or a sub-committee of such a joint Committee, provided that:
    - 3.1 Where the authority is divided into two or more political groups it's a meeting to which members of at least two political groups have been invited or
    - 3.2 if the authority is not so divided it is a meeting to which at least two members of the authority have been invited
  4. any meeting of an association of authorities of which the authority is a member but only as the authority's appointed representative
  5. A meeting or event at the invitation of a Cabinet Member or an Officer
  6. A meeting instigated by the councillor, where that councillor is a Cabinet member and the meeting is in pursuance of a matter relevant to the councillor's Cabinet portfolio or to the effective working of the Cabinet function
  7. a pre-agenda briefing, if acting in the capacity of chair or vice chair of the meeting
  8. any training or personal development event authorised under the agreed members' training programme
  9. the Council offices for the purpose of conducting any legitimate councillor role as identified in paragraph 9 above
  10. a parish or town council meeting within a councillor's ward for the sole purpose of representing the Council
  11. any event related to an overview and scrutiny review carried out by a panel of which the councillor is a member or when the councillor is invited to attend in pursuance of a special responsibility role carried by the councillor

## Part B

12. An "allowable journey" shall comprise the following

- 12.1 travel from the councillor's home address (as notified to the Council) to the location of any of the meetings/events referred to in Part A above and the return journey:
- 12.2 travel from the Town Hall, Weston-super-Mare to the location of any of the meetings/events referred to in Part A above and the return journey:
- 12.3 travel between the councillors notified home address and the Town Hall and the return journey for the purpose of (a) performing the functions of a councillor or (b) conducting the business of the Council (this on the basis that a councillor's place of work is deemed to be both the Town Hall, Weston-super-Mare and their notified home address).