

PART 7

EASTBOURNE BOROUGH COUNCIL

Members' Allowances Scheme

Introduction

Eastbourne Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) and the Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003, hereby make the following Scheme:

1. Title and Effective Date

- 1.1 This scheme may be cited as the Eastbourne Borough Council Members' Allowances Scheme and shall have effect from 1 April 2020 to 31 March 2022.

Notes: (1) Authority for this Scheme was given by the Council at its meeting on 18 November 2020 following consideration of a report by the Council's Independent Remuneration Panel.

(2) Paragraph 13 (Pensions) has been amended to reflect changes approved by Parliament and effective 1 April 2014.

2. Basic Allowance

- 2.1 Subject to paragraphs 9, 10, 11 and 12 below, for each year a basic allowance of an amount as specified in Schedule 1 to this Scheme shall be paid to each Councillor.
- 2.2 This allowance is intended to recognise the time commitment of all Councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings, but also to reflect an element of voluntary public service. It is also intended to cover incidental costs such as the use of their homes. Travel and subsistence allowances are not payable in respect of qualifying duties undertaken within the Borough nor is assistance given to Councillors towards telephone costs. These are all expected to be met out of the Councillors basic and special responsibility allowances. An information technology allowance is however payable to eligible Councillors.

3. Special Responsibility Allowances

- 3.1 Subject to paragraphs 9, 10 11 and 12 below, for each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the Council and in the amounts that are

specified in Schedule 1 to this Scheme. No one Councillor shall receive more than one Special Responsibility Allowance.

- 3.2 These allowances are intended to recognise the time devoted by those Councillors who have significant extra responsibilities, but also to reflect an element of voluntary public service.
- 3.3 The special responsibility allowance is available to the Chair of the Licensing Committee, and therefore is not entitled to receive an allowance in respect of membership of a Licensing Sub-Committee (whether acting as the Chairman or as an Ordinary Member of the Sub-Committee).
- 3.4 The special responsibility allowances paid to the Chairman and members of each Licensing Sub-Committee are also subject to the following provisions:
- (a) An allowance is payable to the Chairman of each separately established Licensing Sub-Committee.
 - (b) An allowance is payable to the two other Members of each separately established Licensing Sub-Committee.
 - (c) That the maximum amount that any Member (whether acting as Chairman or as an Ordinary Member) of a Licensing Sub-Committee shall be entitled to receive in any year shall not exceed two-thirds of the amount of the special responsibility allowance payable to the Chairman of the Licensing Committees.

4. Co-optees Allowances

- 4.1 There is currently no provision for the payment of allowances to co-opted members.

5. Child Care and Dependant Carers' Allowance

- 5.1 Subject to paragraphs 9 and 10 below, the Council will pay allowances in respect of the costs necessarily incurred by councillors in making arrangements for the care of children or other dependants living with them, to enable them to perform any of the duties listed in Part A of Schedule 2 to this scheme
- 5.2 Councillors must sign a certificate verifying that they have incurred the costs claimed and where possible provide receipts. Payment will not be made where the carer is a member of the councillor's family.

6. Travel Allowances

- 6.1 Subject to paragraphs 9 and 10 below, travel allowances shall be paid in accordance with the rates set out in Schedule 3 and in respect of the duties set out in Part B of Schedule 2 to this Scheme. When the cost of travel is

met by the Council direct the accountable spending officer may use the provisions and rates in this Scheme as a guide when selecting travel arrangements. Due regard should also be taken of the Council's financial procedure and hospitality spending rules.

Cost effectiveness and environmental responsibility

- 6.2 The member should seek to choose a mode of transport that is both cost-effective and environmentally responsible. An appropriate balance should be struck between the cost and convenience of the mode of travel selected. Members shall normally be expected to make use of public transport as a first choice of travel.
- 6.3 Whenever possible and reasonable to do so, members should seek to carry passengers, whether other members or council staff, who might otherwise have an entitlement to claim allowances. Alternatively, members should seek to travel as a passenger with another member or officer.
- 6.4 Where the member has used a private motor vehicle in place of public transport the Head of Democratic Services shall be authorised to substitute the cost of public transport for the mileage rate (including taxi fare if appropriate in any claim (or part of a claim) unless the member is able to demonstrate to the satisfaction of the Head of Democratic Services that either:
- a) the use of a private motor vehicle was cost-effective (for example because passengers were carried);
 - b) the availability and timing of public transport would not have permitted the journey to have been made within a reasonable period of time or would otherwise have prevented the member from meeting other work, personal or council duty commitments;
 - c) the member had a medical condition or disability which necessitated the use of a private motor vehicle; or
 - d) the member had need to convey heavy or bulky luggage or other equipment and that the use of public transport in these circumstances would not be reasonable.

Public transport

- 6.5 Bus, train, tram, ferry etc. fares can be claimed when public transport is used to carry out qualifying duties. For rail travel, second class or any available cheap day fare may be claimed. Members holding rail cards should claim the reduced fare available to them. First class travel is only authorised where a Councillor has a disability and/or special mobility needs.

Travel by taxi

- 6.6 Taxi fares and any reasonable gratuity paid, may be claimed in the following circumstances:
- a) in cases of urgency;
 - b) where no public transport is reasonably available;

- c) where luggage or equipment has to be carried (for example to and from a conference hotel or a cross London rail connection); or
- d) where the member has a medical condition or disability which necessitates the use of taxi.

6.7 In any other case where taxi is used, the amount which may be claimed shall be the amount of the fare for travel by appropriate public transport.

Hired motor vehicle

6.8 The rate for travel by a hired motor vehicle other than a taxi shall not exceed the rate which would have been applicable had the vehicle belonged to the member who hired it.

Parking and toll charges

6.9 The cost of parking and toll charges may be claimed provided these were necessarily incurred and the public transport rate has not been substituted under the provisions of paragraph 6.2 above.

Travel outside the United Kingdom

6.10 Travelling expenses for journeys outside the United Kingdom will normally fall to be met by the relevant service department and members should ensure that they have the agreement of the Senior Head of Service that the costs will be paid/reimbursed. Such expenses will only be paid from the Members' Allowances budget where the duty has been specifically approved by the Council or the Cabinet.

Travel by air

6.11 The rate of travel by air shall not exceed the rate applicable to travel by appropriate alternative means of transport together with an amount equivalent to any saving in the cost of meals or accommodation consequent on travel by air. Where 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.

Start and finish points for a journey

6.12 The starting and finishing point for any journey made by a member shall normally be the member's home unless the member lives at a distance more than 20 miles from the Town Hall, Grove Road, Eastbourne. If the member starts and/or finishes their journey from a place other than their home the claim shall be in respect of the lesser of the cost of either the journey to/from that other place or to/from their home.

- 6.13 If a member's home is more than 20 miles from the Town Hall, the amount that may be claimed for a journey shall be the lesser cost of either the journey to/from their home or to/from the Town Hall.

7. Subsistence Allowances

- 7.1 Subject to paragraphs 9 and 10 below, subsistence allowances shall be paid in accordance with the rates set out in Schedule 3 and in respect of the duties set out in Part B of Schedule 2 to this scheme. Subsistence allowances are a way of reimbursing expenditure which has been necessarily incurred when performing a qualifying duty. No claim may be made for a meal in circumstances where the Council has already paid for a meal as part of a conference, seminar or other pre-booking and the member has chosen to take the meal elsewhere. When the cost of meals and accommodation is met by the Council direct, the accountable spending officer may use the provisions and rates of this Scheme as a guide. Due regard should also be taken of the Council's financial procedure and hospitality spending rules.

Overnight stays and conferences

- 7.2 Where the absence from home requires an overnight stay the amount that may be claimed for bed and breakfast shall be agreed by the Head of Democratic Services shall take account of the location of the accommodation, availability and the needs of the member concerned. Normally the type of accommodation selected should be within the "budget" class whilst offering en-suite facilities with shower.
- 7.3 A higher maximum rate of evening meal subsistence allowance is payable when the meal is taken as part of an overnight stay.

Non-inclusive charges and alcohol

- 7.4 The member is responsible for the costs of any non-inclusive charges (such as gratuities, newspapers, mini-bar, etc.). A member shall not claim in respect of the cost of any alcohol that he/she has incurred.

8. Allowances towards the costs of information technology expenses

- 8.1 All councillors are entitled to receive an allowance to offset their information technology (IT) costs. This is intended to help meet the costs of broadband and printing costs.
- 8.2 Subject to paragraphs 9, 10, 11 and 12 below, for each year an information technology allowance of an amount as specified in Schedule 1 to this Scheme shall be paid to all Councillors.

9. Payments and Claims

- 9.1 Basic, special responsibility and information technology allowances will be paid on the 25th day of the month to which they relate. Claims for travel and

subsistence allowances, if submitted by the 9th day of the month together with any necessary supporting receipts, will be paid on the 25th day of that month.

9.2 The special responsibility allowances for the Chairs and members of Licensing Sub-Committees shall be paid monthly in arrears and the Head of Democratic Services shall advise the payroll manager as to the number of Sub-Committees established and the membership thereof.

9.3 Claims for child and dependant care, travelling and subsistence allowances shall be submitted to the Head of Democratic Services within two months of the duty for which the allowance has been claimed. Claims received after the expiry of this period will only be paid in exceptional circumstances at the discretion of the Head of Democratic Services.

9.4 No claim may be made under this Scheme if reimbursement of expenses has been claimed or made from another public body or person in relation to those expenses.

Receipts and checks

9.5 Receipts or other proof that expenditure has been incurred should always be provided in support of any claim. It is the member's responsibility to ensure that they are entitled to receive reimbursement under this scheme and they should not expect their claim to be checked prior to payment.

9.6 The Head of Democratic Services will normally forward all claims received to the Payroll Manager for payment. However he may refuse or adjust any claim if, in his opinion, sufficient information has not been given to justify the claim, or it appears to him that the claim is not in accordance with the provisions of paragraphs 5, 6 and 7 above.

Higher amounts in exceptional circumstances

9.7 Where the amounts actually paid by a member exceed the allowances limits, the Head of Democratic Services may in exceptional circumstances, and, at his discretion, and after consultation with the Chief Finance Officer, approve the payment of a higher amount. Exceptional circumstances could include a situation in which a member would experience financial hardship or where it is evident that the member was unable to avoid the additional expense and that no alternative was available to the member.

Part-year adjustment

9.8 If a member becomes or ceases to be eligible for a basic, special responsibility or co-optees allowance during the course of a year the entitlement will be adjusted by reference to the number of days for which entitlement existed relative to the number of days in that year.

10. Annual Adjustment

- 10.1 There shall be no annual uplift of the allowances in this Scheme. This will be reviewed again in February 2023, ahead of the May 2023 elections.

11. Forgoing Allowances

- 11.1 Members who do not wish to receive payment of allowances (either in part or in full) shall notify the Head of Democratic Services in writing. Any entitlement up to and including the day before the election is received will be paid in accordance with the details under paragraph 9 (Payments and Claims) above.

12. Withholding Allowances

- 12.1 There are no provisions within this scheme that allow for the withholding of any allowance or part thereof from any member to which they are entitled by virtue of their election or appointment.

13. Parental Leave

- 13.1 A parental leave policy has been adopted with effect from 1 April 2020. This provides that:
- All Councillors shall continue to receive their Basic Allowance in full for a period up to six months in the case of absence from their Councillor duties due to leave relate to maternity, paternity, adoption shared parental leave or sickness absence;
 - Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of six months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence; and
 - Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a Councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972; and
 - If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.

14. Records

- 14.1 Records of all payments made under this scheme shall be kept by the Payroll Manager in accordance with the requirements of the 2003 Regulations.

15. Publicity

- 15.1 This scheme shall be publicised in accordance with the 2003 Regulations.
- 15.2 A copy of this Scheme shall be published on the Council's website.
- 15.3 As soon as reasonably practicable after the end of a year to which a scheme relates the Head of Local Democratic Services shall publish the total sum paid to each member in respect of basic, special responsibility, information technology, travelling and subsistence, co-optees and child care and dependant carers' allowances.
- 15.4 In the event that this Scheme is amended, a notice shall be published, in accordance with the 2003 Regulations.

16. Review of Scheme

- 16.1 The Council may request that this scheme be reviewed at any time. The Council has agreed that it will consider again the report of the Independent Remuneration Panel in February 2023, ahead of the May 2023 local elections, to consider if any further changes are required to the scheme.
- 16.2 The scheme shall be reviewed not less than four years after the date first made in any event. The review shall be conducted by an Independent Remuneration Panel in accordance with the 2003 Regulations.

The following budgets do not form part of the Allowances Scheme and are included here for information only.

Mayor's Hospitality Budget

A Civic Dignitaries Allowance* is not paid by the Borough Council to its Mayor and Deputy Mayor. Instead, a hospitality budget is held by the Head of Democratic Services. It is to be used solely for the purpose of offsetting the cost of refreshments, gifts, etc. associated with civic receptions and visits by dignitaries. Payment of such costs will be managed and authorised by the Head of Democratic Services in consultation with the Mayor. (* payable under S.3(5) and S.5(4) of the Local Government Act 1972)

Corporate Hospitality Budget

This budget is held by the Head of Democratic Services and is used solely for the purpose of meeting the costs of refreshments and other hospitality costs associated with receptions, visits and meeting hosted by the Leader or other Cabinet members authorised by the Leader in furtherance of approved Council objectives and plans. Payment of such costs will be managed and authorised by the Head of Democratic Services in consultation with the Leader.

Independent Persons Payments

The Council appoints two Independent Persons (shared with Lewes District Council) whose views must be sought before any decision is taken on allegations of a failure to comply with the Code of Conduct by an elected or co-opted member of the Council, or a member or co-opted member of a Town/Parish Council within Lewes District, which the Council has decided shall be investigated.

The Independent Persons are not appointed as a members of the Council. The Council is obliged by law¹ to consult an Independent Person on such allegations and their time is compensated with an annual fee and hourly rate set by the Council.

¹ Localism Act 2011

Schedule 1

AMOUNTS OF BASIC, SPECIAL RESPONSIBILITY, CO-OPTEEES, CHILD CARE AND DEPENDANT CARERS' ALLOWANCES

(Applicable for the period 1 April 2020 until 31 March 2023)

Basic allowance (payable to all 27 Councillors) - **£2,808**

(Total full year amount £75,816)

Special responsibility allowances:	£	No	Full Year Total £
Mayor	2,808	1	2,808
Deputy Mayor	1,404	1	1,404
Leader of the Council	4,212	1	4,212
Deputy Leader of the Council	2,808	1	2,808
Other Cabinet Member	2,808	5	14,040
Chair of Planning Committee	2,106	1	2,106
Member of Planning Committee	1,404	7	9,828
Reserve Member of Planning Committee	702	4	2,808
Chair of Licensing Committees	1,404	1	1,404
Chair of Scrutiny Committee	1,404	1	1,404
Leader of the Largest Opposition Group	2,106	1	2,106
Deputy Leader of the Largest Opposition Group	1,404	1	1,404
Total:		25	46,332

Special responsibility allowances:	£	No	Full Year Total £
Chair of a Licensing Sub-Committee	93	*	*
Ordinary Member of a Licensing Sub-Committee	62	*	*

** The number and total amount will be dependant on the number of Sub-Committees that are established in the course of the year. See paragraph 3.4 of the Scheme for special rules relating to the payment of these allowances. This allowance is not payable to the Chair of the Licensing Committee.*

Co-optees allowances:-

None.

Child care and dependant carers' allowances:-

The Dependants Carers' Allowance is based on two criteria, general childcare and specialist care. Rate one for childcare will be paid at the market rate, reimbursed upon production of receipts, with no monthly maximum claim. Rate two will be paid for specialist care based at cost upon production of receipts and requiring medical evidence that this type of care is required. There is no monthly maximum claim.

Information technology allowance:-
£429 per annum.

Schedule 2

A. DUTIES QUALIFYING FOR CHILD CARE AND DEPENDANT CARERS ALLOWANCES

1. Any duty approved by the Council.
2. Any duty for the purpose of or in connection with the discharge of the functions of the Cabinet.
3. Attendance at meetings of the Full Council, Cabinet, committees of the Council, sub-committees and other formal and informal bodies (including panels, task groups, fora, review teams and project management boards) as provided for in Section B of Part 3 of the Council's Constitution.
4. Attendance at meetings of the bodies, or any committee or sub-committee meeting of those bodies, listed in Part 7 of the Council's Constitution (list of representatives on outside and other bodies).
5. Attendance at a meeting of a local authority association of which the Council is a member or of a meeting or event organised by that association to which the member representative is entitled to attend.
6. Attendance at the opening of tenders.
7. Attendance at training sessions organised by or on behalf of the Council as part of the Members' Training Programme provided that members of more than one political party have been invited to attend.
8. Attendance at a conference or seminar convened by an organisation other than the Borough Council providing attendance has been authorised in advance by the Council, Cabinet, committee, sub-committee or panel. Where, by reason of urgency, it is not possible to obtain prior authorisation, the Head of Democratic Services, after consultation with the Group Leaders, may authorise attendance subject to the availability of funding.
9. Interviews or fact finding being undertaken as a member of a task group established by the Scrutiny Committee or as part of an agreed programme and in accordance with the scrutiny procedure rules.
10. Interviews or fact finding being undertaken as a member of a task group, review team or project board established by the Cabinet or as part of an agreed programme.
11. Visits to sites, establishments or exhibitions where the Council, Cabinet, committee, sub-committee or panel resolves in advance that a visit is necessary to enable a decision to be made on a current issue. Where,

by reason of urgency, it is not possible to obtain prior authorisation, the Head of Democratic Services, after consultation with the Group Leaders, may authorise attendance subject to the availability of funding.

12. Meetings with officers, convened by the officer(s), to discuss a matter relating to a Borough Council service or in which the Borough Council has an interest as part of its community leadership role.
13. The following members may claim travel for consultations with persons or organisations outside the Borough Council and any other duty for or on behalf of the Borough Council:-
 - Mayor and Deputy Mayor
 - Chairman and Deputy Chairman of a committee, sub-committee or panel or members of the Cabinet or a substitute nominated by them.
 - Nominated committee or sub-committee spokespersons of minority parties or members of the Shadow Cabinet or a substitute nominated by them.

B. DUTIES QUALIFYING FOR TRAVELLING AND SUBSISTENCE ALLOWANCES

Travelling and subsistence allowances may be claimed for any of the duties listed above in Part A of this Schedule (Duties Qualifying for Child Care and Dependant Carers' Allowances) which take place **outside** the Borough of the Eastbourne.

Schedule 3

AMOUNTS OF TRAVEL AND SUBSISTENCE ALLOWANCES (Applicable for the period 1 April 2020 until 31 March 2023)

NOTE: Travel and subsistence allowances are only payable in respect of qualifying duties undertaken outside the Borough.

Travel By:	Amount
Car	45p per mile
Supplement for passengers	5p per mile for each passenger up to 4 in total who are either Eastbourne Borough Council members or employees.
Motorcycle	24p per mile
Bicycle	20p per mile

DAY SUBSISTENCE:

Meal	Restrictions	An amount not exceeding
Breakfast	4 hours or more away from home, starting before 7.30 am	£7.13
Lunch	4 hours or more away from home, including the period 12 noon to 2 pm	£9.78
Tea	4 hours or more away from home, ending after 6.30 pm	£4.44
Evening meal (option 1)	4 hours or more away from home, ending after 8.30 pm.	£17.80
Evening meal (option 2)	When taken as part of an overnight stay	£41.52

OVERNIGHT SUBSISTENCE:

(for bed and breakfast)

Amount to be agreed by the Head of Democratic Services and shall take account of the location of the accommodation, availability and the needs of the member concerned. Normally the type of accommodation selected should be within the "budget" class whilst offering en-suite facilities with shower.

Receipts or other proof that expenditure has been incurred should always be provided in support of any claims.