

PART 6

MEMBERS' ALLOWANCES SCHEME

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The Trafford Metropolitan Borough Council ("the Authority"), in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) hereby makes the following Scheme:

1 This Scheme may be cited as the Trafford Metropolitan Borough Council Members' Allowances Scheme and shall take effect on 1st July 2013.

2 In this Scheme

"councillor" means an elected member of the Trafford Metropolitan Borough Council;

"co-optee" means a person who is not an elected member of Trafford Metropolitan Borough Council but is a voting member of a committee or sub-committee of the Authority;

"year" means the period from 1st July 2013 to 31st March 2014 and each 12 month period thereafter from 1st April until 31st March.

Basic Allowance

3 (1) Subject to paragraphs 8 and 9, for each year the basic allowance specified in Schedule 1 hereto shall be paid to each councillor.

(2) The basic allowance referred to in paragraph 3 shall be inclusive of all travelling expenses, whether by public or private transport except in the following circumstances:

(a) Councillors who are members of the Planning Development Control Committee who are required to visit sites which are the subject of planning applications shall be paid the amount specified in the schedule to reflect the additional travelling expenses resulting from those visits. Substitute Members of the Planning Development Control Committee should not be eligible for an additional travelling allowance given that the basic allowance includes an element towards travelling expenses within the borough.

(b) Councillors and co-optees who are required to travel on Council business outside the boundaries of the Borough shall be paid travelling and subsistence allowances as set out in Schedule 2 hereto. All car allowance will be paid at the minimum rate.

(c) Councillors who are registered disabled shall be reimbursed taxi fares or have the fares otherwise paid for provided that

(i) public transport is not reasonably available; and

- (ii) the journey is necessary in order to attend or return from an approved duty which includes duties necessarily undertaken as part of any special responsibility.

Special Responsibility Allowances

- 4
- (1) For each year a special responsibility allowance shall be paid to those councillors who hold special responsibilities in relation to the Authority that are specified in Schedule 1 to this scheme.
 - (2) Subject to paragraphs 8 and 9, the amount of each such allowance shall be the amount specified against that special responsibility in that Schedule.
 - (3) If any councillor is entitled to receive more than one special responsibility allowance payment shall be restricted to the highest of the relevant special responsibility allowances to which the councillor is entitled and one half of the second highest. This restriction shall not apply to the Transport for Greater Manchester Committee allowance, Greater Manchester Waste Disposal Authority allowance and Social Services Visits allowance which shall be paid in addition to any other special responsibility allowance to which a councillor may be entitled.
 - (4) To be eligible for special responsibility payments, the Main Opposition Leader, Deputy Opposition Leader and Shadow Cabinet Members must represent a group holding at least 25% of the seats on the Council. Shadow Executive arrangements should reflect the composition of the Council's Executive and as such the special responsibility allowance for the Deputy Opposition Leader should only be applicable to a shadow executive member appointed as Deputy Opposition Leader.
 - (5) To be eligible for the special responsibility allowance for Social Services Visits a nominated councillor must meet the following conditions:-
 - (i) be cleared under the CRB checking procedure
 - (ii) carry out the monthly visits as assigned by the Social Services Central Support Unit and adhere to any agreed procedures relating to visits to social services establishments

If a councillor, without good cause, fails to carry out any of his/her assigned visits for a period of two consecutive months that councillor shall cease to be eligible to receive the allowance and shall repay any instalments of the allowance paid for any month when he/she failed to carry out the assigned visits.

If a councillor is unable, for any reason, to carry out visits for a period of time that councillor will, for that period of time, cease to be eligible to receive the allowance.

- (6) A special responsibility allowance is allocated to Licensing Sub-Committee Chairmen on a pro-rata basis in accordance with the number of meetings chaired and is to be paid 12 months in arrears. The Chairman of the Licensing Committee has responsibility to ensure that the chairing of Licensing Sub-Committee meetings is shared equally amongst the Licensing Sub-Committee Chairmen.

Childcare and Dependants' Carers' Allowances

- 5 The Authority has agreed that a childcare and dependant carers' allowance should be paid. This allowance will be paid based on actual costs incurred, on production of receipts, up to a maximum as detailed in Schedule 1 of this Scheme, for attendance on approved duties as set out in Schedule 3 hereto. This allowance cannot be claimed where the carer is another member of the councillor's household.

Co-optees' Allowances

- 6 (1) Subject to paragraphs 6(2), 8 and 9, for each year the relevant allowances specified in Schedule 1 hereto shall be paid to each relevant co-optee.
- (2) Allowances shall not be paid to co-optees under 6(1) if they are already being paid by any employer or other organisation to attend the committee or sub-committee on which they are a co-optee.
- (3) The amount of any allowance paid to a co-optee who chairs an Overview and Scrutiny Committee shall not be less than the minimum amount of any Special Responsibility Allowance payable under the Council's Scheme to a person who chairs any other committees or sub-committees of the Council.

Renunciation

- 7 A councillor or co-optee 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.

Part Year Entitlements

- 8 (1) the provisions of this paragraph shall have effect to regulate the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- (2) If an amendment to this scheme changes the amount to which a councillor is entitled by way of basic allowance or a special responsibility allowance, then in relation to each of the periods

- (a) beginning with the year ending with the day before that on which the first amendment in that year takes effect, or
- (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the year.

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- (3) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to basic allowance shall be to the payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his or her term of office subsists bears to the number of days in that year.
- (4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a councillor does not subsist throughout the period mentioned in sub-paragraph (2)(a), the part entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his or her term of office as a councillor subsists bears to the number of days in that period.
- (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 the 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.
- (6) Where this scheme is amended as mentioned in sub-paragraph (2), and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.
- (7) this paragraph also applies to co-optees in respect of the allowances to which they are entitled.

Withholding Repayment of Allowances

- 9 (1) In the following circumstances the specified allowances will be withheld:
- (i) where a councillor is fully or partially suspended from their duties, their basic allowance may be fully or partially withheld.
 - (ii) where a councillor is fully or partially suspended from any duties or responsibilities which attach special responsibility allowance, those allowances may be withheld.
 - (iii) travel and subsistence allowances may be withheld where a councillor has been suspended from duties or responsibilities which attract these allowances.
 - (iv) co-optees' allowances may be withheld where a co-optee is partially or fully suspended from their duties.
- (2) If any of the above allowances have already been paid to a councillor or co-optee in respect of a period during which they have been suspended then the councillor or co-optee shall repay that part of the allowance.

Annual Adjustment

- 10 (1) The Members' Allowance scheme, including the Dependants' Carers' Allowance, will be adjusted annually before the start of each year and the allowances (excluding travelling and subsistence allowance) will be increased by the amount of the annual pay award by the National Joint Council for Local Government Service
- (2) The annual adjustment in 10(1) shall take place for the years commencing 1st April 2014, 2015 and 2016.

Claims and Payments

- 11 (1) Claims for travelling and subsistence and Dependants' Carers' allowances under this Scheme shall:
- (i) be made in writing to the Director of Finance within two months of the date of the approved duty in respect of which the entitlement to the allowance arises; and
 - (ii) specify the duty in respect of which the claim is submitted and shall be accompanied by any receipt for the expenditure incurred.
- (2) Payments shall be made in respect of basic, special responsibility and other allowances (except as set out in 11(1) in instalments of one-

twelfth of the amount specified in this scheme on the fifteenth day of each month and shall be subject to taxation and national insurance contributions.

Other Authorities

- 12 If a councillor or co-optee is also a member of another authority, that councillor or co-optee must not receive allowances from more than one authority in respect of the same duties.

Revocation of Previous Allowances Scheme

- 13 The previous Members' Allowances Scheme is hereby revoked, without prejudice to a Councillor's entitlement to payments under that scheme becoming due and payable on or before 31st May 2007.

Pensions

- 14 (1) All qualifying councillors are entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972.
- (2) Both the basic allowance and any special responsibility allowances received by a councillor are to be treated as amounts in respect of which such pensions are payable.

SCHEDULE 1

MEMBERS' ALLOWANCES 2013/14

(The allowances (excluding travelling and subsistence allowance) will be increased by the amount of the annual pay award by the National Joint Council for Local Government Service when this is agreed

	Annual Allowance £
Basic Allowance	6,352
Special Responsibilities	
Leader of the Council	25,409
Deputy Leader of the Council	17,785
Main Opposition Leader	12,704
Minority Opposition Leader	2,539
Cabinet members (except Deputy Leader)	12,704
Shadow Cabinet members (including Deputy Opposition Leader)	2,539
Planning Development Control Committee Chairman	10,164
Licensing Committee Chairman	10,164
Committee Chairmen	7,621
Committee Vice-Chairmen	3,811
Scrutiny Topic Group Chairmen #	5,716
Chairman of Standards Committee #	2,246
Opposition Spokespersons (Planning Development Control and Licensing)	2,539
*Transport for Greater Manchester Committee (TfGMC): Trafford Members	
§ TfGMC Members Allowance (Paid to all those not holding other remunerated TfGMC post)	*3,825
§ Responsibility Allowances:	
• The Chair of TfGMC	*28,250
• 3 Vice Chairs of TfGMC / Chairs of the Sub-Committees	*14,125
• 3 Deputy Chairs of the Sub-Committees	*5,050

****Greater Manchester Waste Disposal Authority**

(GMWDA): Trafford Members

§ TfGMC Members Allowance (Paid to all those not holding other remunerated TfGMC post)

**2,100

§ Responsibility Allowances:

- The Chair of GMWDA
- 3 Vice Chairs of GMWDA
- 3 Deputy Chairs of GMWDA

**12,000

**5,400

**2,600

Neighbourhood Forum Chairmen

1,556

Licensing Sub-Committee Chairmen

3,176

(pro rata to Number of meetings chaired)

Co-optees' Allowances:

Other co-optees

1,123

Standards Committee #

750

Other Allowances:

Social Services Visits (subject to confirmation)

420

Planning Development Control Travel Allowance

381

Childcare/Dependant Carers' Allowance

Up to £81 per week

Independent Person *

£1000

An additional rate of £30 per hour should be paid for any work that is required in excess of five days input.

* Amended by Council on 24th May 2011

** Amended by Council on 13th July 2011

Amended by Council on 19th September 2012

SCHEDULE 2

TRAVELLING AND SUBSISTENCE ALLOWANCES

Car Allowance

46.9p per mile (if used outside the Borough)

Bicycle Allowance

30p per day (if used outside the Borough)

Subsistence Rates

Breakfast	£4.48
Lunch	£6.17
Tea	£2.43
Evening Meal	£7.64

Out of Pocket Allowances (Residential Training Courses)

Per night	£3.63
Per week	£14.55

SCHEDULE 3

APPROVED DUTIES

1. A meeting of the Executive
2. A meeting of a Committee of the Executive
3. A meeting of the Authority
4. A meeting of a Committee or Sub-Committee of the Authority
5. A meeting of any other body to which the Authority makes appointments or nominations
6. A meeting of a committee or Sub-committee or any other body to which the Authority makes appointments or nominations
7. A meeting which has both been authorised by the Authority, 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 a Joint Committee and to which representatives of more than one political group have been invited (if the Authority is divided into political groups) or to which two or more Councillors have been invited (if the Authority is not divided into political groups).
8. A meeting of the Local Authority Association of which the Authority is a member.
9. Duties undertaken on behalf of the Authority in pursuance of any standing order made under Section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened.
10. Duties undertaken on behalf of the Authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises.
11. Duties undertaken on behalf of the Authority in connection with arrangements made by the Authority for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996.
12. Panels and Working Parties
13. Joint Briefings
14. Visiting teams/Committee visits.

15. Any other duty approved by the Council for the purposes of, or in connection with, the discharge of the functions of the Council, or of any of its Committees or Sub-Committees.
16. Any duty for the purpose of, or in connection with, the discharge of the functions of the Executive.
17. Mayoral duties undertaken by the Mayor and Deputy Mayor of Trafford.