



# **ST AUSTELL TOWN COUNCIL**

# **MEMBERS' ALLOWANCES SCHEME**

**2019/2020**

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**REMUNERATION SCHEME**

The St Austell Town Council, in exercise of the powers contained in the Local Authorities (Members' Allowances) (England) Regulations 2003 and having considered the report of the Cornwall County Council Independent Remuneration Panel dated June 2004, hereby makes the following scheme:

**1. Citation and Operation**

St Austell Town Council Members Remuneration Scheme and shall come into operation on 1 April 2009.

**2. Meaning of Councillor**

"Councillor" means an elected (not co-opted) member of St Austell Town Council.

**3. Parish Basic Allowance**

A Parish Basic Allowance shall be paid to each councillor. This sum in the year ending 31 March 2020 will be £0.

**4. Forgoing Allowances**

A councillor may by notice in writing to the Town Clerk elect to forgo all or any part of their entitlement to an allowance under this scheme. This right must be exercised prior to 1 April in any year and will apply for the whole of the ensuing year ending 31 March.

**5. Part-Year Entitlements and Withdrawal of Allowances**

(1) Where the term of office begins or ends otherwise than at the beginning or end of a year (which, for the purposes of this scheme, is the period commencing on 1 April in any year and ending on 31 March in the following year) the entitlement of that councillor to a Parish Basic Allowance shall be an entitlement to the payment of such proportion of the Parish Basic Allowance accrued on the basis of whole days completed or remaining in the year.

(2) Where a councillor is suspended or partially suspended from his or her responsibilities or duties as a councillor in accordance with Part III of the Local Government Act 2000 or regulations made under that Part or any subsequent re-enactment of it the proportion of the Parish Basic Allowance payable may be withheld by the Council.

(3) Where payment of the Parish Basic Allowance has been made in respect of any period during which the councillor is:

- (a) suspended or partially suspended from their responsibilities or duties as a member of the Council under Part III of the Local Government Act 2000 or any subsequent re-enactment of it;
- (b) ceases to be a councillor; or
- (c) is in any other way not entitled to receive the Parish Basic Allowance in respect of that period the Council may require that such part of the Allowance as relates to the period concerned be repaid to the Council.

## 6. Parish Travelling and Subsistence Allowance

(1) Where it is necessary for Councillors to travel outside of the Parish area, the Council will pay to councillors allowances in respect of travelling and subsistence undertaken or incurred in connection with the performance of any duty within one or more of the following categories:

- (a) attendance at a meeting of the Council or of any committee, sub-committee, working group or panel of it or of any other body to which the Council makes appointments or nominations or of any committee, sub-committee, working group or panel of such a body;
- (b) attendance at a meeting of any association of authorities of which the Council is a member;
- (c) the performance of any duty in pursuance of any standing order made by the Council under Section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (d) the performance of any duty in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises; and
- (e) the carrying out of any other duty approved in advance by the Council, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Council or of any of its committees, sub-committees, working groups or panels.
- (f) attendance on behalf of the Town Council at Planning Committees of Cornwall Council and Planning Appeals Inquiries to represent the views of the Town Council shall be deemed an approved duty.
- (g) attendance at civic events by the Mayor and/or the Deputy Mayor organised by other Councils in Cornwall.

(2) Where a councillor is suspended or partially suspended from his or her responsibilities or duties as a councillor in accordance with Part III of the Local Government Act 2000 or regulations made under that Part or any subsequent re-enactment of it any Parish Travelling and Subsistence Allowance payable to him or her in respect of the responsibilities or duties from which he or she is suspended may be withheld by the Council.

(3) Where payment of Parish Travelling and Subsistence Allowance has already been made in respect of any period during which the councillor is:

- (a) suspended or partially suspended from their responsibilities or duties as a member of the Council under Part III of the Local Government Act 2000 or any subsequent re-enactment of it;
- (b) ceases to be a councillor; or
- (c) is in any other way not entitled to receive the Parish Basic Allowance in respect of that period the Council may require that such part of the Allowance as relates to the period concerned be repaid to the Council;

such part of the Allowance as relates to any such period shall be repaid to the Council.

(4) The rates for Parish Travelling and Subsistence Allowance are as set out in the Appendix to this Scheme.

## **7. Claims and Payments**

(1) Payments of the Parish Basic Allowance shall be made through the monthly payroll process, payable on the last day of the month following the month to which the Allowance relates. Income Tax at the basic rate and employees National Insurance contributions will be deducted at source.

(2) Claims for payments of Parish Travelling and Subsistence Allowance shall be submitted monthly and paid through the payroll system.

(3) A councillor who is also a member of another council may not claim or receive payments from more than one council in respect of the same duties.

## **8. Review**

(1) The Parish Basic Allowance will be reviewed in February or March each year and may be increased in line with changes to the Retail Price Index.

(2) The Parish Travelling and Subsistence Allowance will be reviewed annually.

(3) This Scheme shall be reviewed in its entirety quadrennially by the Finance and General Purposes Committee.

## **9. Amendment and Revocation of Scheme**

(1) This Scheme may be amended at any time by a simple majority of those present and voting at a meeting of the full Council. For the avoidance of doubt the annual review of the amounts payable under the scheme in accordance with Clause 8 above shall not be construed as amendments for the purpose of this Clause.

(2) The Scheme may only be revoked in its entirety with effect from the beginning of a Council Year.

## **10. Records of Allowances**

(1) In accordance with Regulation 31 of the Local Authorities (Members' Allowances) (England) Regulations 2003 the Council will maintain records of the payments made by it to each councillor of the amounts paid to him or her in respect of Parish Basic Allowance and Parish Travelling and Subsistence Allowance.

(2) These records will be available for inspection by any local government elector for St Austell who will be provided with a copy of such record or records as they request.

(3) By 30 April of each year the Council will publish a notice stating the sums paid to each councillor in respect of Parish Basic Allowance and Parish Travelling and Subsistence Allowance.

## PARISH TRAVELLING AND SUBSISTENCE ALLOWANCE

### **Application**

Notwithstanding anything within the Regulations the Parish Travelling and Subsistence Allowance shall only be payable in respect of attendances at approved duties outside the town boundary.

### **Travelling Allowances**

- (1) The rate for travel by a councillor's own private motor vehicle, or one belonging to a member of his or her family or otherwise provided for his or her use shall be paid at the rate of:
 

(a) for the use of a motor car of all cylinder capacities	45.0p per mile
(b) for the use of a motor cycle of all cylinder capacities	24.0p per mile
- (2) The rate for travel by taxi shall not exceed the actual fare paid and must be supported by a receipt.
- (3) Bus fares, rail fares (Standard Class only), ferry fares, tolls and parking fees will be reimbursed at actual cost and should be supported by a receipt.

### **Subsistence Allowances**

#### ***Meals***

- (1) Subsistence allowances for meals will only be paid when a councillor is required to undertake an approved duty more than five miles from St Austell. Breakfast can only be claimed for if a councillor needs to leave St Austell prior to 7.00am; thereafter up to three meals per day can be claimed at intervals of five hours or more if meals are not otherwise provided. Receipts must be provided to support any claim.
- (2) The amount which may be claimed for a particular meal is the lower of the actual cost and the following maximum allowances:

Breakfast	£5.00
Lunch	£5.00
Dinner	£10.00
Dinner (in London)	£10.00

#### ***Accommodation***

- (1) A councillor who necessarily stays overnight in a hotel will, on production of a receipt, be able to claim the reasonable cost of bed and breakfast accommodation. If the cost exceeds £100.00 per night written justification of the costs involved will be required. Such justification might include personal safety if cheaper hotels are located in areas regarded as less safe than town centres or proximity to a meeting location.