

Part 6

Members' Allowances Scheme

The Darlington Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) , hereby makes the following scheme :-

Introduction

- This scheme may be cited as the Darlington Borough Council Members' Allowances Scheme, and shall have effect for the period commencing and shall continue in force thereafter until amended
- The previous Darlington Borough Council Members' Allowances Scheme is revoked with effect from 26th May, 2005.

- In this scheme,

‘the Authority’ means Darlington Borough Council;

‘Councillor’ means a Member of the Darlington Borough Council who is a Councillor; and

‘Year’ means :

- (a) the period beginning 26th May, 2006 and ending 31st March, 2007
- (b) any period of 12 months ending with 31st March in any year

Basic Allowance

- For each year a basic allowance (‘Basic Allowance’) set out in Schedule 1 shall be paid to each Councillor
- Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, his/her 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 his/her term of office as Councillor subsists bears to the number of days in that year
- Where a Councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, the part of basic allowance payable to him/her in respect of the period for which he/she is suspended or partially suspended may be withheld by the Authority. Travelling and Subsistence Allowances may also be withheld.

Special Responsibility Allowances

- For each year for which this scheme relates a Special Responsibility Allowance ('Special Responsibility Allowance') shall be paid to those Councillors who have the special responsibilities in relation to the Authority that are specified in Schedule 2.
- The amount of each Special Responsibility Allowance shall be the amount specified against that special responsibility in Schedule 2
- Where a Councillor does not have throughout the whole of the year any such special responsibilities as entitle him/her to a Special Responsibility Allowance, his/her entitlement shall be to payment of such part of the Special Responsibility Allowance as bears to whole of the same proportion as the number of days during which he/she has such Special Responsibilities bears to the number of days in that year.
- Where a Councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, the part of Special Responsibility Allowance payable to him/her in respect of the responsibilities or duties from which he/she is suspended or partially suspended may be withheld by the Authority. Travelling and Subsistence Allowances may also be withheld.
- Any Councillor who will be entitled to claim more than one special responsibility allowance in accordance with Schedule 2, shall only be entitled to receive one such allowance (and where the allowances are of different amounts, the entitlement shall be to the highest amount), unless otherwise provided in Schedule 2.

Dependent Carers' Allowance

- An Allowance ('the Dependent Carers' Allowance') will be paid to each Councillor who needs to incur the expenses of arranging for the care of their children or dependants whilst undertaking the duties as specified in Schedule 3.
- The Dependents' Carers' Allowance will be payable in respect of actual expenditure up to the amount specified in Schedule 3.

Travel and Subsistence Allowances

- No allowance will be made to any Councillor for any travelling or subsistence incurred whilst performing Council duties within the Borough Council boundary.
- Travelling and Subsistence Allowances will be paid at the same rate as employees of Darlington Borough Council who are covered by National Joint Council for Local Government Services (Green Book) when Councillors incur travelling and subsistence expenditure outside the Borough boundary on approved Council business

Co-optees Allowance

- For each year an allowance shall be paid to a co-optee as specified in Schedule 4 in respect of the Independent Members serving on the Council's Standards Committee. The amount of each co-optee's allowance shall be the amount specified in Schedule 4.
- Where the appointment of co-optee begins or ends otherwise than at the beginning or end of a year, his/her entitlement shall be to payment as such part of the co-optees allowance as bears to the whole the same proportion as the number of days during which his/her term of office as co-optee subsists bears to the number of days in that year.
- Where a Co-optee is suspended or partially suspended from his/her responsibilities or duties as a co-optee of the Authority in accordance with the Part III of the Local Government Act 2000 or Regulations made under that Part, any co-optee's allowance payable to him/her in respect of the responsibilities or duties from which he/she is suspended or partially suspended may be withheld by the Authority. Travelling and Subsistence payments may also be withheld.

Amendments and Repayment of Part of Allowances

- This scheme may be amended at any time.
- Where an amendment is to be made which affects an allowance payable for the year in which the amendment is made, the entitlement to such allowance may apply with effect from the beginning of the year in which the amendment is made.
- Where payment of any allowance already being made in respect of any period during which the Councillor or co-optee concerned :-
 - is suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or Regulations made under that part;
 - ceases to be a Councillor or a co-optee;
 - is in any other way not entitled to receive the allowance in respect of that period;

The Authority may require that such part of the allowances relates to any such period be repaid to the Authority.

- Where a Councillor is also a Member of another Authority (as defined in the Regulations) that Councillor may not receive allowances from more than one Authority in respect of the same duties.

Pensions

- All Councillors shall be entitled to Pensions in accordance with the Scheme made under Section 7 of the Superannuation Act 1972.
- Both basic allowance and special responsibility allowance shall be treated as amounts in respect of which such pensions are payable in accordance with the scheme made under Section 7 of the Superannuation Act 1972.

Election to Forego Allowances

- A person may, by notice in writing given to the Director of Corporate Services, elect to forego all or part of his/her entitlement to any allowances under this scheme.

Payments

- Payments shall be made in respect of basic and special responsibility allowances, in instalments of one-twelfth of the amount specified in this scheme.
- Where a payment of one-twelfth of the amount specified in this scheme in respect of the basic allowance or a special responsibility will result in the Councillor receiving more than the amount to which, by virtue of the basic and special responsibility allowance, he/she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he/she is entitled.

Publicity

- The Council is required to make arrangements for the publication of this Scheme within the Council's area as soon as practicable after it is made.
- The Council is also required to publish after the end of the year the total sum paid to each Councillor during the year.

Basic Allowance 2006/07

The amount of the Basic Allowance payable to each Member of the Council is £7,606.

Special Responsibility Allowance 2006/07

The following are specified as special responsibility allowances in respect of which special responsibility allowances are payable, and the amounts of those allowances, subject to the provisions contained in this scheme are :

	£
Leader	21,780.00
Deputy Leader (60 per cent of Leader)	13,068.00
Cabinet Member (50 per cent of Leader)	10,890.00
Scrutiny - Chair (40 per cent of Leader)	8,712.00
Scrutiny - Vice-Chair (40 per cent of Scrutiny Chair)	3,485.00
Chair - Planning (35 per cent of Leader)	7,623.00
Vice-Chair - Planning (40 per cent of Chair of Planning)	3,049.00
Chair - Licensing (35 per cent of Leader)	7,623.00
Vice-Chair - Licensing (40 per cent of Chair of Licensing)	3,049.00
Leader of Opposition (40 per cent of Leader)	8,712.00
Deputy Leader of Opposition (5 per cent of Leader)	1,089.00
Leader of Minority Group (5 per cent of Leader)	1,089.00
Chair Audit Committee	500.00

Darlington Borough Council

Dependent Carers' Allowance Scheme

A Councillor may claim a Carers' Allowance in accordance with this scheme when they incur additional expenditure for the care of children or dependent relatives whilst undertaking the following 'approved duties' :-

- a meeting of Council
- a meeting of Cabinet
- a meeting of a Scrutiny Committee or a Task and Finish Group
- a meeting of Planning Applications Committee
- a meeting of Licensing Committee
- a meeting of the Audit Committee
- a meeting of a Subsidiary Body appointed by the Council
- a Training and Development Session
- a meeting of an outside body

Childcare

To claim a childcare allowance a Member must :-

- Register in writing with the Director of Corporate Services that they have a dependent child (or children) living with them under the age of 14 years.
- Claim for childcare for the above 'approved duties' only when childcare has been provided for a Member to attend that duty and the childcare must be over and above the normal childcare provision for the child (children).
- Claim the allowance on the production of a signed statement, which declares that the childcare has been provided by a Registered Childminder (registered as an OFSTED Registered Provider).

Childcare payments will be reimbursed, if the above criteria is met and on the production of a receipt, at a rate which is actual expenditure incurred up to a maximum of £4.70 per hour. Only one payment is claimable in respect of the household of each Member.

Dependent Relative

To claim a dependent carer's allowance a Member must :-

- Register in writing with the Director of Corporate Services that they have a dependent relative living with them who is elderly, sick or disabled and that they are the next of kin/main carer for that person.

- Claim for care for the dependent for the above ‘approved duties’ only when the Member pays another carer, who is included on Darlington Borough Council’s Social Services list of Domiciliary Care Providers, to provide that care.
- Claim the allowance on the production of a signed statement, which declares that a Carer who is included on Darlington Borough Council’s Social Services Department’s List of Domiciliary Care Providers, has provided the dependent’s care.

Dependent Carers payments will be reimbursed if the above criteria is met; if the care provided is not deemed to be part of a care package currently provided by Darlington Borough Council’s Social Services Department; and on the production of a receipt at a rate which is actual expenditure incurred up to a maximum of £8.50 per hour. Only one payment is claimable in respect of the household of each Member.

SCHEDULE 4

Co-optees Allowance

Chair of Standards Committee (if an Independent Member)	£500
--	-------------

Independent Member	£250
---------------------------	-------------