

**SOLIHULL METROPOLITAN BOROUGH COUNCIL**  
**Members' Allowances Scheme 2009**  
**1<sup>st</sup> April 2009 – 31<sup>st</sup> March 2010**

**Introduction**

1. This scheme of allowance ("the Scheme") is made this 7th day of April 2009 in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and following the report of the Independent Remuneration Panel dated March 2009.
2. The Scheme applies for the payment of allowances to Members for the period from 1<sup>st</sup> April 2009 to 31<sup>st</sup> March 2010.
3. The Members' Allowances Scheme approved by the Council on 8<sup>th</sup> April 2008 is hereby revoked and ceases to exist after 31<sup>st</sup> March 2009 and shall be replaced by this scheme (Members' Allowances Scheme 2009).

**Basic Allowance**

4. A Basic Allowance at the annual rate of £7,688 will be paid to each Councillor.

**Special Responsibility Allowances**

5. Special Responsibility Allowances will be paid as follows at the annual rates shown in the table below:-

<b>(1 April 2009 to 31 March 2010)</b>	<b>£</b>
<b>Special Responsibility Allowance (annual rates)</b>	
Leader of Council	£19,200
Deputy Leader of Council	£9,216
Cabinet Members	£7,688
Chairmen, Overview & Scrutiny Boards	£6,144
Chairman, Planning & Regulatory Committee	£6,144
Vice Chairman, Planning & Regulatory Committee	£3,072
Chairman of Licensing Sub-Committee	£3,072
Member of Adoption Panel and Fostering Panel	£1,536
Group Leader (10 or more Councillors)	£7,688
Group Leader (5-9 Councillors)	£3,840
Chairman, Governance Committee	£2,304

Spokesperson of a political group (Subject to the Political Group having at least the same number of Members as there are current places in the Cabinet)	£1,536
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### **Childcare/Dependants' Carers' Allowance**

6. Allowances will be paid in respect of the expenses of a councillor in arranging for the care of their children or a dependant as are necessarily incurred for the purposes of the duties specified in Regulation 7 of the Local Authorities (Members' Allowances) (England) Regulations 2003 which for information are set out in Appendix 1 to the Scheme.
7. The allowance for childcare shall be the actual costs (supported by receipts) incurred not exceeding the hourly rate for the National Minimum Wage <sup>1</sup> and that a maximum of 3 hours be claimed in respect of any period of 24 hours.
8. The allowance for dependants' carers' shall be at the rate £9.30<sup>2</sup> per hour for the time spent (not exceeding 6 hours), to be paid only on the production of a receipt issued by a professional carer.
9. No member may claim for a childcare/dependants' carers' allowance unless details of the arrangements and their proposed cost have been notified in advance to the Chief Executive.

### **Travelling and subsistence allowance**

10. Travelling allowances for the use of vehicles and bicycles are payable for the purposes of the duties specified in Regulation 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003 which for information are set out in Appendix 1 to the Scheme.
11. The rates for travelling allowances in respect of the use of a private vehicle or cycle shall be the same as the rates which are applicable in the terms and conditions of employment of employment of the Council's staff. <sup>3</sup>
12. Members who travel by public transport should claim actual fares and are entitled to travel first class by rail. In special circumstances, claims in respect of the use of taxis may be reimbursed.
13. Where a member has undertaken an approved duty an amount reasonably and necessarily expended for the purpose of meals and refreshments may be claimed in accordance with guidelines approved by the Council from time to time.

### **Pensions**

14. Each elected Member of the Council shall be entitled to pensions in accordance with a scheme ("the Scheme") made under Section 7 of the Superannuation Act 1972.
15. The amounts in respect of which pensions shall be payable in accordance with the Scheme shall be both the basic allowance and the special responsibility allowance.

## General

16. No Member may be paid more than one special responsibility allowance.
17. A Member who is a member of another authority may not receive allowances from more than one authority in respect of the same duties.
18. Payments in respect of basic and special responsibility allowances will be paid monthly in instalments of one twelfth of the amounts referred to above, one half of the monthly payment to be paid in arrear and one half to be paid in advance.
19. Payments will be made by direct transfer to a Members' bank/building society account and will be made on the 15<sup>th</sup> of the month or on the previous Friday if the 15<sup>th</sup> falls on a Saturday or Sunday.
20. A Members entitlement to payment of the basic and special responsibility allowances will be reduced pro-rata on ceasing to hold an office carrying a special responsibility, on ceasing to be a Councillor or in the event of the Scheme being amended by the Council.

<sup>1</sup> The current hourly rate (October 2008) for a person aged above 22 years is £5.73

<sup>2</sup> This is equivalent to the Direct Payments rate paid by the Council for home care provision.

<sup>3</sup> The current car user allowance is 34 pence per mile (inside and outside the Borough).

21. A Member who does not wish to be paid all or any of the basic or special responsibility allowances must give notice, in writing, to the Chief Executive of the amount he or she wishes to forgo.
22. Where payment of any allowance has already been made in respect of any period during which a Member is:
  - (a) Suspended or partially suspended from his responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2002 or regulations made under that part;
  - (b) Ceases to be a member of the Council; or
  - (c) Is in any other way not entitled to receive the allowance in respect of that period,

the Council may require that such part of the allowance as relates to any such period to be repaid to the Council.

23. Any travelling or subsistence allowance payable in respect of the responsibilities or duties from which a member is suspended or partially suspended may be withheld by the Council.
24. Claims for payment of the dependents' carers' allowance and travel and subsistence allowance must be made within the claim periods set out in Appendix 2.

**APPROVED DUTIES FOR THE PURPOSE OF DEPENDANTS' CARERS  
AND TRAVELLING AND SUBSISTENCE ALLOWANCES <sup>4</sup>**

- (a)(i) The attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (a)(ii) Attendance of a member at meetings of working parties and advisory groups constituted by the Council, or by or on behalf of the Cabinet (including any Cabinet Member);
- (a)(iii) Attendance at seminars, training events and open days organised by or through the Council;
- (a)(iv) Attendance at a meeting on Council premises with an officer of the Council for the purpose of receiving a briefing by officers on matters on business before any decision making body (including decisions by Cabinet Members) (excluding any meeting only for the purpose of raising matters on behalf of constituents);
- (a)(v) Any specific duty on any occasion specifically approved by a Scrutiny Board, Committee, or Sub-Committee for the purpose of or in connection with the functions of that body.
- (b) The attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that -
  - (i) Where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited, or
  - (ii) If the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) The attendance at a meeting of any association of authorities of which the authority is a member;
- (d) The attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) The performance of any duty 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;
- (f) The performance of any duty 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;

- (g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996, and
- (h) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees.

<sup>4</sup> The categories of approved duties are as set out in Regulations 7 and 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003 Statutory Instrument No. 1021

## APPENDIX 2

### Claim periods for travelling, subsistence and dependents' carers' allowances

Claim Period		Claims to be in Democratic Services Office by 9.00 am	Pay Day
2009			
From	To		
23-Feb	22-Mar	Mon 23-Mar	Wed 15 April
23-Mar	26-Apr	Mon 27-Apr	Fri 15 May
27-Apr	24-May	Tue 26-May	Mon 15 June
25-May	28-Jun	Mon 29-Jun	Wed 15 July
29-Jun	26-Jul	Mon 27-Jul	Fri 14 Aug
27-Jul	23-Aug	Mon 24-Aug	Tue 15 Sept
24-Aug	27-Sep	Mon 28-Sep	Thur 15 Oct
28-Sep	25-Oct	Mon 26-Oct	Fri 13 Nov
26-Oct	22-Nov	Mon 23-Nov	Tue 15 Dec
2010			
23-Nov	27-Dec	Mon 28-Dec	Fri 15 Jan
28-Dec	24-Jan	Mon 25-Jan	Mon 15 Feb
25-Jan	28-Feb	Mon 01-Mar	Mon 15 March
01-Mar	28-Mar	Mon 29-Mar	Thur 15 April