

## **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.

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 1<sup>st</sup> April until 31<sup>st</sup> March.

### **Basic Allowance**

3 (1) Subject to paragraph 8, 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 and Development Management 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 and Development Management 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.

### **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 paragraph 8, the amount of each such allowance shall be the amount specified against that special responsibility in that Schedule.
- (3) No Member shall be paid more than 1 Special Responsibility Allowance regardless of the number of remunerated posts they may hold, with the exception of the additional Special Responsibility Allowances paid under the 2011 Greater Manchester Combined Authority Order.
- (4) 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.

### **Dependants' Carers' Allowances**

- 5 The Authority has agreed that a dependant carers' allowance should be paid for two types of care, child care and elderly/disabled care. 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. Claims can be made where a carer is an informal babysitter as long as receipts are provided and they are not a member of the claimants household.

### **Co-optees' Allowances**

- 6 (1) Subject to paragraphs 6(2) and 8 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.

### **Annual Adjustment**

- 9 (1) That the following indices are applied to the allowances paid to Members and appointees of Trafford Council and will be used to adjust the scheme annually:

- **Basic Allowance, SRAs (including those paid in accordance with the GMCA 2011 Order), Co-optees' and Subsistence Allowances:**

Indexed to the annual percentage salary increase for local government staff (*at spinal column point 43*) as agreed each year by the National Joint Council for Local Government Services and applicable to the same year it applies to Officers but with an implementation date from the start of the municipal rather than financial year.

- **Mileage Allowance (Outwith only):**

Members' mileage allowances rates indexed to HMRC Approved Mileage Allowance Payment rates.

- **The Dependants' Carers' Allowance:**

Child care: maximum hourly rate indexed to the real living wage

Elderly/disabled care: maximum rate indexed to the hourly rate charged by Trafford Council Social Services Department for a Home Carer

- (2) The annual adjustments in 9 (1) shall take place for the years commencing 1<sup>st</sup> April 2024, 2025 and 2026 .

### **Claims and Payments**

- 10 (1) Claims for travelling and subsistence and Dependants' Carers' allowances under this Scheme shall:

- (i) be made in writing to the Chief Finance Officer 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 10 (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**

- 11 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**

- 12 The previous Members' Allowances Scheme is hereby revoked, without prejudice to a Councillor's entitlement to payments under that scheme.

## SCHEDULE 1

### MEMBERS' ALLOWANCES 2023/24

POSITION	Basic Allowance
<b>BASIC ALLOWANCE</b>	£10,076
<b>SPECIAL RESPONSIBILITY ALLOWANCES</b>	<b>SRA annual</b>
<b>EXECUTIVE</b>	
Leader	£31,236
Leader GMCA SRA	£10,237
Deputy Leader	£20,303
Other Cabinet Members	£15,618
Lead Member (no more than four Lead Members to be paid at any one time)	£7,809
<b>OVERVIEW AND SCRUTINY (O&amp;S)</b>	
Chairs Scrutiny Committees	£8,590
Vice Chairs Scrutiny Committees	£2,577
<b>REGULATORY</b>	
Chair Planning & Development Management Committee	£10,933
Vice Chair Planning & Development Management Committee	£3,280
Chair Licensing Committee	£10,933
Vice Chair Licensing Committee	£3,280
Chair Accounts & Audit Committee	£8,590
Vice Chair Account & Audit Committee	£2,577
Chair Employment Committee	£7,809
Vice Chair Employment Committee	£2,343
Chair Standards Committee	£2,343
<b>OPPOSITION POSTS</b>	
Leader Main Opposition Group	£10,933
Deputy Leader Main Opposition Group (where Group has 25% of Council membership)	£3,280
Shadow Executive Members (where Group has 25% of Council membership)	£2,187
Leader(s) Minority Opposition Groups (only payable when have at least 4 Members)	£3,142
<b>Co-optees' Allowances:</b>	
<b>Annual Allowance</b>	
Co-optees on Standards Committee	£834
Other Co-optees	£1,247

<b>Additional Travel Allowance</b>	<b>Annual Allowance</b>
Planning Development Control Travel Allowance	£480
<b>Dependant Carers' Allowance</b> (maximum of 20 hours per weekclaimable)	<b>Rate Payable</b>
Child Care	maximum hourly rate paid at real living wage (currently £10.90)
Elderly/Disabled Care	maximum rate paid at the hourly rate charged by Trafford Council Social Services Department for a Home Carer

## SCHEDULE 2

### TRAVELLING AND SUBSISTENCE ALLOWANCES

- (a) Where a Member is unable to attend an in-authority approved duty by car or public transport for medical reasons then they are exempt from the general prohibition by Members to claim in-authority travel allowances. In this case, they are able to claim travel expenses for attending in-authority approved duties if they have to travel by taxi.
- (b) Where a Member is required to attend an approved duty outwith the Council then it is expected that where possible all relevant Subsistence and overnight accommodation should be pre-booked through Democratic Services. When this is not possible then the maximum rates can be claimed (all supported by receipts) are as follows
- Meals allowance maximum of £20.72 within a 24 hour period
  - Overnight accommodation maximum of £80
  - Overnight accommodation maximum of £90 (in London or at a Conference)
- (c) Where a Member is required to attend an approved duty outwith the Council then it is expected that where possible travel should be on public transport at standards rates and should be pre-booked through Democratic Services. If travel by public transport is not possible or cost effective then the applicable mileage rates are applicable:

<b>Mode of Travel</b>	<b>First 10,000 business miles in the tax year</b>	<b>Each business mile over 10,000 miles in the tax year</b>
<b>Cars and vans (including Hybrid or Electric vehicles)</b>	<b>45p</b>	<b>25p</b>
<b>Motor cycles</b>	<b>24p</b>	<b>24p</b>
<b>Bicycles</b>	<b>20p</b>	<b>20p</b>

#### Passenger payments – cars and vans

5p per passenger per business mile for carrying fellow Member or Council employee in a car or van (including hybrid/electric vehicles) up to a maximum of 5 passengers.

## 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.