

Members Allowance Scheme

1) Introduction

Councillors are not paid but they are entitled to claim certain allowances and expenses for carrying out public duties

2) Subsistence and travelling allowances

The duties for which subsistence and travelling allowances can be claimed are set out in appendix 1 and will be reviewed annually in line with allowances for Members of Medway Council.

3) Subsistence allowance

Subsistence allowance can be claimed when a Councillor has had to be away from home at a mealtime as a result of carrying out an approved duty. It can be claimed when the absence from home (including travelling time) has been more than four hours and has covered certain specified times coinciding with a normal mealtime. The current levels of rates approved by the Council and the specified mealtimes are set out in appendix 2.

Overnight subsistence can be claimed if a councillor is away from home for a continuous period of 24 hours carrying out an approved duty. This allowance is to meet the cost of accommodation and meals. Overnight subsistence should normally only be claimed if the Councillor has met the cost of accommodation and meals themselves. Usually the costs of a hotel and breakfast will be paid direct by the Council.

Subsistence allowances are a way of reimbursing expenditure which has been necessarily incurred when performing an approved duty. Members will normally be expected to meet the cost of any alcohol consumption whilst performing an approved duty.

4) Travelling allowance

a) Car/motorcycle allowances

Councillors who use a private vehicle for Council business, including travelling to and from home for meetings or other duties, must ensure that their vehicle insurance provides cover for such journeys. The Council will not be liable for any claims made against a Councillor in respect of motoring incidents or parking offences.

Mileage allowances payable to Members are the same as those payable to officer casual users, subject to a maximum of 40p per mile to avoid the need to submit tax returns. The current levels of car and motorcycle allowances are set out in appendix 3. The rates are set out at a level to cover fuel consumption, vehicle wear and tear, and to contribute towards maintenance and insurance costs. If a Member is claiming such allowances s/he will have been asked to provide details of their vehicle to the Clerk and may be required to produce evidence to confirm engine size and insurance cover.

b) Hired motor vehicles

The rate of travel by a hired motor vehicle (other than a taxi cab) must not exceed the rate which would have been applicable had the vehicle belonged to the Member who hired it. The Council has agreed that the rate may be increased to an amount not exceeding the actual cost of hiring, only in circumstances where the cost to the Council of hiring a vehicle would be less than the rate payable for travel by public transport by the Member(s) concerned.

c) Public transport/taxis

Bus and train fares can be claimed when public transport is used to carry out approved duties. First class travel is only authorised where a Councillor has a disability and/or special mobility needs.

The rate of travel by taxicab or cab shall not exceed:

- (1) in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid;
- (2) in any other case, the amount of the fare for travel by appropriate public transport.

d) Journeys outside Kent or the London postal district (ie to other towns in the United Kingdom)

Where an approved duty such as a conference normally takes place away from the county of Kent or the London postal area, any claim for travelling expenses should be in accordance with one of the following:

- (1) if travel by train (second class only) then the actual cost of the train fare to be reimbursed; or
- (2) if travel by car the first 60 miles paid at 40p and 20p thereafter.

e) Travel by air

The rate of travel by air shall not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in financial loss allowance and subsistence allowance consequent on travel by air.

The Council has agreed that where the saving in time is so substantial as to justify payment of the fare for travel by air, there may be paid an amount not exceeding:

- (1) the ordinary fare or any available cheap fare for travel by regular air service,
or
- (2) where no such service is available or in case of urgency, the fare actually paid by the Member.

5) Duties for which allowances can and cannot be claimed

Subsistence and travelling allowances will only be paid for the duties specified in this guidance.

The main activities which do not qualify for allowances are party and group meetings or events and meetings with constituents.

6) How to claim travelling, subsistence and dependants' allowances

Claims for travelling and subsistence must be made on the Members' allowances claim forms. A form will can be obtained from the Clerk.

Claims for allowances should be submitted to the Clerk by the second day of each month, and must be received within two months of the date of the duty concerned.

Claims should indicate clearly the duty concerned (ie the names of the committee or body attended; and in the case of meetings with officers the names of the officers concerned and the place of the meeting). This will avoid uncertainty about the eligibility of the duty and consequent delay in processing claims.

The Clerk is able to give advice on how to complete a claim form.

APPENDIX 1 - DUTIES QUALIFYING FOR TRAVELLING AND SUBSISTENCE ALLOWANCE

1. Any duty approved by the Council.
2. Any duty for the purpose of or in connection with the discharge of the functions of the executive (ie Cabinet).
3. Attendance at meetings of the, Full Council, Committees, sub-committees and other formal working parties.
4. Site visits and other one-off meetings of Members of a Committee or sub-committee which have been formally approved by the Committee concerned, provided that such meetings comprise more than one political party.
5. Attendance as a formally appointed representative of the Council at meetings of outside bodies.
6. Attendance by Members of more than one political group with Council officers at meetings with central government, local authority associations and other strategic local and regional forums.
7. Attendances as an approved delegate at authorised conferences.
8. Attendances at ad hoc meetings (including special events and training sessions) which Members have been invited to attend by a Council officer, where the purpose of the meeting is directly relevant to the Council's functions and priorities and is a meeting to which members of more than one political group have been invited.

NOTE: Gaps of up to two hours between one approved duty ending and another beginning shall be permitted for the purposes of subsistence allowance where the Member concerned is of the opinion that it is unreasonable to expect him/her to return home during that time.

APPENDIX 2 - SUBSISTENCE ALLOWANCES

- A. In the case of an absence from the usual place of residence, not involving an absence overnight, the limits on claims for subsistence should be the lower of actual expenditure and the following:
1. **Breakfast allowance**
Four hours or more away from home
STARTING BEFORE 7.30 am £5.00
 2. **Lunch allowance**
Four hours or more away from home
INCLUDING period 12 noon to 2 pm £7.00
 3. **Tea allowance**
Four hours or more away from home
ENDING AFTER 6.30 pm £3.00
 4. **Evening meal allowance**
Four hours or more away from home
ENDING AFTER 8.30 pm £12.00
 5. **Overnight allowance**
In the case of an absence overnight from the usual place of residence, reimbursement (or payment in advance by the Council) of reasonable and actual hotel expenses by agreement in advance with the budgetary accountable officer and group whip will be made.
- B. The rates specified for day subsistence shall be reduced by an appropriate amount in respect of any meal provided free of charge by an authority or body in respect of the meal or the period for which the allowance relates.
- C. When main meals (ie a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT) may be reimbursed in full, within the limits specified below. Where the cost of meals taken on trains is reimbursed, the rate of day subsistence allowance for that period of duty shall not exceed the maximum payable if the period of absence from the usual place of residence were reduced by four hours in respect of each meal taken.

The limitations on reimbursements of actual expenditure incurred when performing an approved duty are:

- (i) Absence of more than four but not more than eight hours, the cost of one main meal.
- (ii) Absence of more than eight hours but not more than 12 hours, the cost of two main meals.
- (iii) Absence of more than 12 hours, the cost of three main meals.

D. In the case of overnight allowances, the annual conference of the following associations are approved:

The Association of British Market Authorities;
The British Resorts Association; and
The National Association of Local Councils.

APPENDIX 3 - TRAVEL ALLOWANCES

A. Travel by car

The following rates per mile for travel by a Member's own private motor vehicle, or one belonging to a member of his/her family, or otherwise provided for his/her use, or hire car over 500cc may be claimed with regard to journeys undertaken in respect of an approved duty within the County of Kent and the London postal area:

Up to 999cc	40.0p per mile first 8,500 12.1p per mile after 8,500
-------------	--

1000-1199cc	40.0p per mile first 8,500 12.1p per mile after 8,500
-------------	--

1200cc and over	40.0p per mile first 8,500 14.4p per mile after 8,500
-----------------	--

An additional 1p per mile may be claimed in respect of the carriage of each passenger, not exceeding four, to whom a travelling allowance would otherwise be payable under any enactment.

In respect of journeys outside Kent and the London postal area, the first 60 miles is paid at 40p per mile and 20p per mile thereafter.

B. Travel by motor cycle

24p per mile

C. Travel by car/motor cycle

The amount of any reasonable expenditure incurred on tolls, ferries or parking fees may be claimed.