1. General

1.1 This Scheme is made under the terms of the Local Authorities (Members' Allowances) (England) Regulations 2003.

1.2 At the meeting of the Council on 8 March 2005, it was agreed that the Council would adopt this Scheme after taking into account the recommendations made by the Independent Remuneration Panel in 2003.

1.3 In line with agreed National Joint Council staff pay awards, the amounts specified by the Independent Remuneration Panel have been increased by 3% for 2004 and 2.95% for 2005.

1.4 Milton Keynes Council currently has 51 councillors, who serve a 4 year term of office and all of whom are entitled to receive the allowances under this scheme.

2. Basic Allowance

2.1 All councillors receive a Basic Allowance of £8,907 per annum. This is paid in 12 equal, monthly instalments and is subject to both tax and National Insurance contributions where applicable.

2.2 If a councillor ceases to be a councillor before the end of his or her term of office, payment of the allowance ceases and a pro rata calculation is made to ensure that the councillor receives the right amount of allowance. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Basic Allowance.

2.3 The Basic Allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs, such as the use of their homes for council business.
3. **Special Responsibility Allowance**

3.1 The Council also pays Special Responsibility Allowances to those councillors it considers to have significant, additional responsibilities over and above the generally accepted duties of a councillor. These special responsibilities are related to the discharge of the Council's functions.

3.2 Milton Keynes Council currently pays Special Responsibility Allowances for the following roles at the rates stated:

<table>
<thead>
<tr>
<th>Role</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leader of the Council</td>
<td>£27,039</td>
</tr>
<tr>
<td>Main Opposition Group Leader</td>
<td>£9,120</td>
</tr>
<tr>
<td>Smaller Opposition Group Leader</td>
<td>£4,560</td>
</tr>
<tr>
<td>Cabinet Member (x 6)</td>
<td>£11,133</td>
</tr>
<tr>
<td>Chair of Overview &amp; Scrutiny Committee (x 7)</td>
<td>£4,947</td>
</tr>
<tr>
<td>Chair of Development Control Committee</td>
<td>£7,422</td>
</tr>
<tr>
<td>Chair of Licensing &amp; Regulation Committee*</td>
<td>£7,422</td>
</tr>
<tr>
<td>Chair of Business Management Group</td>
<td>£2,974</td>
</tr>
<tr>
<td>Overview &amp; Scrutiny Representatives (x 14)</td>
<td>£1,236</td>
</tr>
</tbody>
</table>

3.3 Special Responsibility Allowance is paid in 12 equal, monthly instalments. Special Responsibility Allowances are liable for tax and National Insurance.

3.4 In the event of a councillor ceasing to hold an office which entitled him or her to receive a Special Responsibility Allowance before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of Special Responsibility Allowance.

3.5 Under the terms of Milton Keynes Council's Scheme of Allowances no councillor is allowed to receive more than one Special Responsibility Allowance, even if they fulfil more than one role.

3.6 In the event of a councillor already in receipt of a Special Responsibility Allowance being appointed to an office with a different level of Special Responsibility Allowance, a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Special Responsibility Allowance.
4. **Chair of the Standards Committee**

4.1 The Independent Chair of the Council's Standards Committee shall receive an allowance of £1,062, paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.

4.2 If the person appointed as Chair of the Standards Committee ceases to hold the office during the year in question payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

5. **Co-opted Members of Committees**

5.1 Persons co-opted to serve on Committees, Sub-Committees or Panels shall receive an allowance of £531 calculated pro-rata to the term of co-option. This is to be paid in 12 equal, monthly instalments and will be liable for tax and National Insurance.

5.2 If the co-opted person ceases to serve as a co-opted member before the end of his or her term of co-option, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of this allowance.

6. **Civic Allowances**

6.1 The Mayor of Milton Keynes receives a civic allowance of £11,133 per annum, paid in two equal instalments of £5,567.50 in May and November.

6.2 The Deputy Mayor of Milton Keynes to receive a civic allowance of £5,567.50 per annum, payable in two equal instalments of £2,783.75 in May and November.

6.3 As part of a local agreement with HM Inspector of Taxes for Milton Keynes, the above civic allowances are not liable for tax or National Insurance contributions.

6.4 In the event of a Mayor or Deputy Mayor ceasing to hold office before the term of office is completed, payment of the Allowance ceases, and a calculation based on the number of days in the Council year concerned will be made to determine the entitlement. If necessary, an adjustment for under or overpayment may have to be made to ensure that the correct final payment is made, and the Council reserves the right to recover any overpayments of the Civic Allowance.
7. **Dependent Carers' Allowance**

7.1 All councillors and co-opted members of council committees can claim, on production of appropriate receipts, the Dependent Carers' Allowance. This is paid at a rate of up to a maximum of £5.00 per hour, up to a maximum of 5 hours in any 24 hour period and covers care provided for a councillor's/co-opted member's dependent(s) whilst the councillor/co-opted member is carrying out any 'Approved Duties'. This includes travel time associated with the Approved Duties. The list of Approved Duties forms part of this scheme and is included as paragraph 14.

7.2 As there is no profit element in the payment of the Dependent Carers' Allowance, it is not subject to tax or National Insurance contributions.

8. **Travel and Subsistence**

8.1 Re-imbursement to councillors for travel and subsistence will be paid at the current rates agreed by the National Joint Council (NJC) for the re-imbursement of Council officers. (The current mileage rate paid to officers is £0.527 per mile).

8.2 In some instances mileage claims may be liable for tax and National Insurance contributions.

8.3 Councillors will be re-imbursted the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt, (bus ticket etc) is produced to substantiate the claim.

8.4 The above also applies to members of Education Appeals Panels who can also claim the full cost of travelling by the most appropriate means of transport at standard class rates whilst carrying out Approved Duties, provided a valid receipt, (bus ticket etc) is produced to substantiate the claim.

8.5 All reasonable claims for subsistence expenses whilst carrying out Approved Duties will be paid, provided they are supported by valid receipts. As there is no profit element in the payment of subsistence claims, this allowance is not subject to tax or National Insurance contributions.

9. **Claimable Allowances**

9.1 There is a 3 month time limit for submitting claims for the claimable allowances above ie Child Care and Dependent Carers' Allowance and Travel and Subsistence Allowances. Any claims made outside of this time limit will only be paid in exceptional circumstances with the approval of the Head of Democratic Services and the Head of Audit & Risk Management.
10. **Pensions**

10.1 All councillors who are eligible may join the Local Government Pension Scheme. Both Basic Allowance and Special Responsibility Allowance will be taken into account when calculating pensions entitlement.

11. **Dual Authority Roles**

11.1 Councillors cannot receive an allowance from more than one authority (eg Fire Authority) for the same duties.

12. **Forgoing Allowances**

12.1 A councillor may forgo all or part of any allowances to which he or she is entitled, provided he or she has given notice in writing to the Head of Democratic Services.

13. **Suspensions and Withholding Allowances**

13.1 In the event of a councillor being suspended from duty following an investigation by the Council's Standards Committee or the Standards Board for England, allowances will not be paid to the councillor concerned during the period of suspension.

13.2 If necessary, a pro-rata calculation will be made based on the number of days in the Council year concerned to determine if an adjustment for under or overpayment needs to be made to ensure that the correct amount is withheld during the suspension period. The Council reserves the right to recover any overpayments.

14. **Approved Duties**

14.1 The list of "Approved Duties" under the regulations for which the Travel and Subsistence Allowances and Child Care and Dependents' Carers' Allowance is payable is as follows:

- a meeting of the Council;
- a meeting of the Cabinet;
- a meeting of a committee of the Cabinet;
- a meeting of a committee or sub-committee of a committee of the Council;
- a meeting of some other body to which the Council makes appointments or nominations (ie Outside Bodies);
- a meeting of a committee or sub-committee of a body to which the Council makes appointments or nominations;
- a meeting of a local authority association of which the Council is a member (eg Local Government Association, Association of Councils of the Thames Valley Region);
• duties undertaken on behalf of the Council in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;

• duties undertaken on behalf of the Council in pursuance of any Procedure Rule requiring a councillor or councillors to be present while tender documents are opened;

• duties undertaken on behalf of the Council in connection with arrangements made by the Council for the attendance of pupils at a school approved for the purposes of Section 342 of the Education Act 1996;

• a meeting which has been:
  ❖ both authorised by the Council, a committee, or a sub-committee of the Council 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 or to which two or more Councillors have been invited;

• any other duty approved by the Council in connection with discharging the duties of the authority or its committees or sub-committees.

15. Indexing

15.1 As the basis of indexation, councillors' allowances will be upgraded annually in line with the current NJC staff pay award, operative from the 1 April each year.

16. Duration

16.1 The above Scheme of Allowances is operative from 1 April 2005 until 31 March 2006 or such other time as agreed by the Council.