



# THE NEWCASTLE CHARTER

## Part 6 – Members’ Allowances Scheme 2019/20

## Notes:-

This part contains the current Members' Allowances Scheme that sets out what the Council pays to councillors and co-opted members by way of basic and special responsibilities allowances, pensions, carers' allowances, and travelling and subsistence allowances.

A Handbook which explains in more detail the Council's procedures for paying such allowances is included as an Appendix.

A new Scheme was approved by City Council on 6 February 2019. It comes into force on 1 April 2019.

The Scheme will be updated at least once every year (usually in March).

The Council must have regard to a report from its Independent Remuneration Panel before making or amending a scheme.

Details of payments made are published annually. A register of payments is open to public inspection.

Contact the Service Manager Democratic Services for further information.

## Statutory Sources

Local Government and Housing Act 1989, s. 18

Local Government Act 2000, ss. 99 – 100

The Local Authorities (Members' Allowances) (England) Regulations 2003 [SI 2003 No 1021](as amended)

## **The Newcastle upon Tyne City Council Members' Allowances Scheme 2019/20**

The Council of the City of Newcastle upon Tyne HEREBY MAKES this Scheme under The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) and all other powers enabling the City Council in this behalf

### **Introduction**

1.1 This scheme may be cited as The Newcastle upon Tyne City Council Members' Allowances Scheme 2019/20 ("this Scheme") and shall have effect from 1 April 2019 and shall continue in force thereafter until revoked or amended.

1.2 The previous City of Newcastle upon Tyne Members' Allowances Scheme which took effect from 1 April 2018 is revoked with effect from 1 April 2019.

1.3 In this scheme:

"the Authority" means the Council of the City of Newcastle upon Tyne

"Co-optee" means a person who is not a Councillor but who is a co-opted member of a Committee of the Authority.

"Councillor" means an elected member of the Authority.

"the Regulations" means The Local Authorities (Members' Allowances) (England) Regulations 2003 as amended by The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003

"Year" means any period of 12 months ending on 31 March in any year.

### **Basic Allowance**

2.1 For each year a basic allowance ("basic allowance") set out in Schedule 1 shall be paid to each Councillor.

2.2 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a Year, his or 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 or her term of office as Councillor subsists bears to the number of days in that Year.

### **Special Responsibility Allowance**

3.1 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.

- 3.2 The amount of each special responsibility allowance shall be the amount specified against that special responsibility in Schedule 2.
- 3.3 Where a Councillor does not have throughout the whole of a year any such special responsibilities as entitle him or her to a special responsibility allowance, his or her entitlement shall be to payment of such part of the special responsibility allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- 3.4 Any Councillor who would be entitled to claim more than one special responsibility allowance in accordance with Schedule 2, shall only be entitled to receive the higher allowance, with the exception of members of Planning Committee, Licensing Committee and Regulatory and Appeals Committee who will receive these allowances in full.

#### **Dependants' Carers' Allowance**

- 4.1 An allowance ("the Dependants' carers' allowance") will be paid to each Councillor who needs to incur the expenses of arranging for the care of their children or dependants while undertaking the duties specified in Schedule 6.
- 4.2 The Dependants' carers' allowance will be payable in respect of actual expenditure up to the amount specified in Schedule 3 and is subject to observing the protocol on the claims procedure and eligibility criteria in the Members' Handbook. (The Members' Handbook is included as an Appendix).

#### **Travelling and Subsistence Allowance**

- 5.1 An allowance will be paid to each Councillor and Co-optee in respect of travelling and subsistence ("travelling and subsistence allowance") undertaken in connection with or relating to the duties specified in Schedule 6.
- 5.2 The travelling and subsistence allowance will comprise one or more of the options specified in Schedule 4.

#### **Co-optees' Allowance**

- 6.1 For each year an allowance shall be paid to a Co-optee as specified in Schedule 5 in respect of attendance at conferences and meetings ("Co-optees' allowance").
- 6.2 The amount of each Co-optees' allowance shall be the amount specified against that Co-optee in Schedule 5.
- 6.3 Where the appointment of a Co-optee begins or ends otherwise than at the beginning or end of a Year, his or her entitlement shall be to payment of such part of the Co-optees' allowance as bears to the whole the same proportion as the number of days during which his or her term of office as Co-optee subsists bears to the number of days in that Year.

- 6.4 Any Co-optee who would be entitled to claim more than one co-optees allowance in accordance with Schedule 5, shall be entitled to receive the higher allowance in full plus 50% of any additional co-optees allowance listed in Schedule 5.

### **Amendments and Repayment of Part of Allowances**

- 7.1 This Scheme may be amended at any time.
- 7.2 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 as amended may apply with effect from the beginning of the Year in which the amendment is made.
- 7.3 Where payment of any allowance has already been made in respect of any period during which the Councillor or Co-optee concerned.
- 7.3.1 ceases to be a Councillor or a Co-optee; or
- 7.3.2 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 allowance as relates to any such period be repaid to the Authority.
- 7.4 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**

- 8.1 Councillors must make their own pension provisions.

### **Election to forgo allowances**

- 9.1 A person may, by notice in writing given to the Service Manager Democratic Services elect to forgo all or any part of his or her entitlement to any allowances under this scheme.

### **Claims and Payments**

- 10.1 Subject to paragraph 10.2 payments of basic and special responsibility allowances shall be made in instalments of one twelfth of the amount specified in this scheme on the last working day of each month.
- 10.2 Where a payment of one twelfth of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount to which by virtue of paragraphs 2 and 3 he or 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 or she is entitled.

- 10.3 A claim for the following allowances must be made by the person to whom they are payable within a month from the date on which an entitlement to the relevant allowance arises:
- 10.3.1 Dependants' carers' allowance.
  - 10.3.2 Travelling and subsistence allowance.
  - 10.3.3 Co-optees' allowance
- 10.4 Nothing in paragraph 10.3 shall prevent the Authority from making a payment where the allowance is not claimed within the period specified in paragraph 10.3.

### **Delegations**

- 11.1 Standards Committee shall have full delegated power to make the following determinations under this Scheme-
- (a) under paragraph 7.3 (whether to require re-payment of an allowance from a councillor or co-optee in certain circumstances).
- 11.2 The Service Manager Democratic Services and Standards Committee (on a reference by the Service Manager Democratic Services) shall have delegated power to permit claims to be paid outside the period referred to in paragraph 10.3.

### **Parental Leave Policy**

- 12.1 City Council adopted the parental leave policy set out in Schedule 7 on 9 January 2019, for implementation from 1 April 2019.

**SCHEDULE 1**  
**BASIC ALLOWANCE**

Subject to paragraphs 2.2 and 2.3 of this Scheme, the amount of the basic allowance is £9,000.00.

**SCHEDULE 2**  
**SPECIAL RESPONSIBILITY ALLOWANCES**

The following are specified as the special responsibilities in respect of which special responsibility allowance is payable, and the amounts of those allowances, subject to the provisions contained in paragraphs 3.3 to 3.5 of this Scheme:

Note 1 The identification of a post holder in this Schedule is for identification purposes only and any change in the postholder does not require this Scheme to be amended.

<b>OFFICE HOLDER</b>	<b>AMOUNT OF ALLOWANCE</b>	<b>CURRENT POST HOLDER</b>
Leader of the Council	£18,000	Forbes
Deputy Leader of Council and Cabinet Member for Housing	£9,000	McCarty
Leader of the Opposition	£6,750	A Lower
Deputy Leader of the Opposition	£3,375	Taylor
Opposition Spokesperson(s)	£2,250	Stone

**Cabinet Members**

Transport and Air Quality	£6,750	Ainsley
Employment	£6,750	Bell
Education and Skills	£6,750	Casey
Resources	£6,750	Dunn
Environment	£6,750	Kemp
Health and Social Care	£6,750	Kilgour
Culture, Sport and Public Health	£6,750	McGuinness
Communities	£6,750	Rahman

**Chairs of Non Executive Committees**

Planning	£6,750	H Stephenson
Regulatory & Appeals	£4,500	Wright
Constitutional	£2,250	Allison
Licensing	£4,500	G Pattison

Standards (no SRA payable as Committee is chaired by Independent Member)	N/A
Audit (no SRA payable as Committee is chaired by Independent Member)	N/A

### **Chairs of Scrutiny Committees**

Overview and Scrutiny	£4,500	Lower
Health Scrutiny Committee	£4,500	Taylor
Finance and Budget Monitoring Sub Committee	£4,500	Hall

### **Vice Chairs of Non Executive Committees**

Planning	£3,375	Cook; Talbot
Regulatory & Appeals	£2,250	Higgins; J Robinson
Constitutional	£1,125	Powers
Licensing	£2,250	Hunter; Davis
Standards	£1,125	JP Stephenson
Audit	£2,688	Penny-Evans

### **Vice Chairs of Scrutiny Committees**

Overview and Scrutiny	£2,250	Holland
Health Scrutiny Committee	£2,250	Mendelson
Finance and Budget Monitoring Sub Committee	£2,250	Greenhough

### **Members of Northumbria Police and Crime Panel**

£450	Rahman; Webster
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### **Members of Planning Committee**

£900 (see note 2)

### **Members of Regulatory & Appeals Committee\***

£450 (see note 2)

### **Members of Licensing Committee\***

£450 (see note 2)

**Note 2** – The Chair and Vice Chair of these Committees are not entitled to any of this allowance.

\*Payment of allowance dependant on each member attending a minimum of one meeting every three weeks.

### **Lord Mayoralty**

Lord Mayor	£9,000	Down
Deputy Lord Mayor/Sheriff	£3,375	Cook



### **SCHEDULE 3**

#### **Dependants' Carers' Allowance**

£9.00 per hour

### **SCHEDULE 4**

#### **Travelling and Subsistence**

##### **TRAVEL**

##### **A. Car**

- (a) Mileage at a rate of £0.45 per mile, such rate to be increased in accordance with any increase of Inland Revenue maximum allowance.
- (b) A supplement for official passengers at a rate of £0.05 per mile per passenger.

*Note 1 The rate shall be the same whatever the type of fuel used (including petrol, diesel and LPG)*

*Note 2 Members should only use cars for longer journeys where it is reasonable or more efficient to do so. Guidance is contained in the Members' Handbook.*

- (c) Reimbursement of car parking charges subject to receipts or tickets being submitted where possible (but see Note 3)

*Note 3 Members are not reimbursed for the cost of a pass to park at the Civic Centre.*

##### **B. Train**

- (a) A standard class ticket unless there are special circumstances in which a first-class ticket would be more cost effective. Tickets should be booked via the Travel Office.

*Note 4 A Councillor or Co-optee will be reimbursed the cost of such a train ticket subject to a receipt being provided. However, unless there are special circumstances, the ticket should be booked by the Council via the Travel Office in accordance with the Members' Handbook and in line with the Council's Travel Policy which took effect on 1 July 2010.*

*Note 5 Guidance on "special circumstances" is contained in the Members' Handbook.*

##### **C. Motor cycles and bicycles**

- (a) Motorcycle                      £0.24 per mile

- (b) Bicycle £0.20 per mile
- (c) These rates shall be increased in accordance with any increase of HMRC maximum rates of allowance.

D. **Taxis**

- (a) The cost of taxi fares where public transport is not readily available.
- (b) The cost of other taxi fares where there are special circumstances or the use of taxi has been approved by the Service Manager Democratic Services.

Taxis should be booked via the Travel Office.

*Note 6 A Councillor or Co-optee will be reimbursed the cost of taxi fares subject to a receipt being provided. However, unless there are special circumstances, the taxi should be booked using the Council's account in accordance with the Members' Handbook.*

*Note 7 Guidance on "special circumstances" is contained in the Members' Handbook.*

E. **Plane**

- (a) An ordinary fare for air services provided that it is more cost efficient to fly than travel by other forms of transport. Tickets should be booked via the Travel Office.

*Note 8 A Councillor or Co-optee will be reimbursed the cost of such a fare subject to a receipt being provided. However, unless there are special circumstances, the ticket should be booked by the Council in accordance with the Members' Handbook.*

F. **Bus/Metro**

- (a) One of the following:
  - (i) an annual Network Travel Ticket within the zones between a Councillor's or Co-optee's home and the Civic Centre
  - (ii) an annual bus pass
- (b) The cost of one – off journeys on a bus/metro if a Councillor or Co-optee does not have a pass.

*Note 9 Only in special circumstances, with the agreement of the Service Manager Democratic Services, may Councillors or Co-optees with one of the travel passes referred to in paragraph (a) claim the mileage for the use of their car, motor cycle or bicycle for journeys within the area covered by the pass.*

*Note 10A Councillor or Co-optee will be reimbursed the cost referred to in paragraphs (a) or (b). However, unless there are special circumstances, the passes referred to in paragraph (a) should be purchased by the Council in accordance with the Members' Handbook.*

*Note 11 Guidance on “special circumstances” is contained in the Members’ Handbook.*

## **SUBSISTENCE**

### **A. Accommodation for overnight absence**

- (a) The cost of accommodation at a minimum 3\* hotel. Accommodation should be booked via the Travel Office.

*Note 12 A Councillor or Co-optee will be reimbursed the cost of such accommodation subject to a receipt being provided. However, unless there are special circumstances, the accommodation should be booked by the Council in accordance with the Members’ Handbook.*

*Note 13 Guidance on “special circumstances” is contained in the Members’ Handbook.*

### **B. Daily allowances:**

- (a) up to £10 per day for an absence of up to four hours away from the normal place of residence.
- (b) up to £20 per day for an absence of four to eight hours away from the normal place of residence.
- (c) up to £30 per day for an absence of more than eight hours away from the normal place of residence.

*Note 14 Reimbursement will only be made upon the production of receipts showing the expenditure that had been incurred on subsistence by the councillor or co-optee.*

### **C. Hospitality**

- (a) The cost of hospitality offered to official guests by Councillors or Co-optees acting on behalf of the Authority provided always that receipts are provided by the Councillor or Co-optee claiming reimbursement.

## **SCHEDULE 5**

### **Co-optees Allowance**

**The following are the Co-optees in respect of which the Co-optees allowance is payable and the amount of those allowances, subject to the provisions contained in paragraphs 6.3 to 6.5 of this Scheme:**

<b><u>Co-optee</u></b>	<b><u>Amount</u></b>
Independent Chair of Standards Committee	£2,250
Independent Chair of Audit Committee	£3,375

Independent Joint Vice Chair of Standards Committee	£1,125
Independent Members of Audit Committee	£450
Statutory Co-opted Members for Education Matters	£450

## **SCHEDULE 6**

### **Approved Duty for Dependants' Carers' Allowance and Travel and Subsistence Allowance**

#### **Approved duty for the purpose of the payment of Dependants' Carers' allowance and travel and subsistence allowance shall be:**

1. 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.
2. 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 at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee.

*Note 1 In relation to category 2 meetings, it must be a meeting to which members of at least two political groups have been invited.*

3. The attendance at a meeting of any association of authorities of which the Authority is a member.
4. The attendance at a meeting of the executive or a meeting of any of its committees, where the Authority is operating executive arrangements.
5. 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.
6. 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.
7. 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 of the Education Act 1996 (approval of non-maintained Special Schools).
8. 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.

*Note 2 In relation to category 8, the Council has approved the attendance at all meetings which are for the purpose of, or in connection with, the discharge of the Authority's functions or of any of its committees or sub-committees (other than political meetings), including -*

- the attendance at a meeting of a Working Group or Panel of the Authority
- the attendance at site visits and inspections
- the attendance at ward surgeries
- the attendance at meetings with tenants or community groups
- the attendance at meetings with officers.
- the attendance at meetings as invited observers officially recognised as such in the list of Committee Membership in the Newcastle Charter or in some other formal representational capacity e.g. attending hearings of Planning Committee and Licensing Committee at the specific request of local residents to represent their views.

## **Schedule 7**

### **Parental Leave Policy for Members**

**The following Parental Leave Policy was agreed by City Council on 9 January 2019**

#### **Introduction**

This Policy sets out Members' entitlement to maternity, paternity, shared parental and adoption leave, and relevant allowances as agreed by City Council on 9 January 2019 for implementation from 1 April 2019.

The objective of the policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

There is at present no legal right to parental leave of any kind for people in elected public office.

## 1. Leave Periods

- 1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.
- 1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.
- 1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52-week entitlement.
- 1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).
- 1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.
- 1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.
- 1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.
- 1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.
- 1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.
- 1.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

## **2. Basic Allowance**

- 2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

## **3. Special Responsibility Allowances**

- 3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.
- 3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.
- 3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six-month period.
- 3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.
- 3.5 Unless the Member taking leave is removed from their post at an Annual Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

## **4. Resigning from Office and Elections**

- 4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.
- 4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave, and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.