

Appendix to the Constitution One - Members' Allowance Scheme

1 The Scheme

This scheme applies from 1 April 2024

In this scheme,

“Member” means a councillor of North East Derbyshire District Council

"Year" means the 12 months ending with 31 March

2 Basic Allowance

Subject to paragraph 4, for each year a flat rate basic allowance of £5,488.39 per annum shall be paid to each Councillor. The allowance will be increased with effect from each subsequent 1 April by the same percentage increase as applied to staff salaries. Where the employee pay scales are increased by a flat rate amount, the increase will be the same as the increase in percentage in scale point 43 of the employee pay scales resulting from the flat rate increase. This allowance is designed to cover the time commitment of all Councillors in meetings with *Officers* and constituents and attendance at political group meetings. It is also intended to cover incidental costs.

3 Special Responsibility Allowances

Subject to paragraph 4, for each year a special responsibility allowance shall be paid to those *Councillors* who perform the special responsibilities in relation to the Authority that are specified in Schedule 1 to this scheme. These allowances will be increased with effect from 1 April each year by the same percentage increase as applied to staff salaries. Where the employee pay scales are increased by a flat rate amount, the increase will be the same as the increase in percentage in scale point 43 of the employee pay scales resulting from the flat rate increase.

4 Renunciation

A Councillor may, by notice in writing given to the Section 151 Officer, elect to forego any part of his or her entitlement to an allowance under this scheme.

5 Part-Year Entitlements

5.1 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 responsibility in respect of which a special responsibility allowance is payable.

5.2 If an amendment to this scheme changes the amount to which a Councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods –

- (a) beginning with the 1 April and 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 31 March;

the entitlement to an allowance shall be in the same proportion of the total allowance as the number of days for which the allowance is payable bears to the total number of days in the year.

- 5.3 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 a 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.
- 5.4 Where this scheme is amended, as mentioned in paragraph 5.2, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 5.2(a), the 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 terms of office as a *Councillor* subsists bears to the number of days in that period.
- 5.5 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 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.
- 5.6 Where this scheme is amended, as mentioned in paragraph 5.2, and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 5.2(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 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.

6 Childcare and Dependent Carers Allowance

Subject to paragraph 4, for each year a childcare and dependent carers allowance shall be paid to those Councillors who incur expenditure as referred to in Schedule 2 to this scheme. An amount shall be paid equivalent to the national minimum hourly rate for adults (£8.21 per hour).

7 Co-optees' Allowance

A co-optees' allowance of £547.75 per annum shall be paid to co-opted members.

- 8 Any changes in the allowances shall be backdated in accordance with Regulation 10(6) of Statutory Instrument No. 1021-2003 to 1 April of the year in which the changes occur.
- 9 The future level of allowances included in the Members Allowance Scheme shall be subject to index linking for the maximum period of four years with effect from 1 April 2023 at an amount equivalent to the annual pay award for employees.

Members' Allowance Scheme – Schedule 1

Special Responsibility Allowances as at 1 April 2024

Post		No	Relative Responsibility £
Cabinet	Leader	1	21,317.77
	Deputy Leader	1	15,318.55
	Other Cabinet Members	4	9770.33
Scrutiny Committee	Chairman	4	4664.59
	Vice Chairman	4	1553.86
Audit Committee	Chairman	1	4664.59
	Vice Chairman	1	1553.86
Standards Committee	Chairman	1	4664.59
	Vice Chairman	1	1553.86
General Licensing Committee and Licensing and Gambling Acts Committee	Chairman	1	4664.59
			1553.86
Planning Committee	Chairman	1	9329.12
	Vice-Chairman	1	1553.86
Council	Chairman	1	5893.83
	Vice-Chairman	1	942.30
Main Opposition Group	Leader	1	5893.83

Table last updated April 2024

NB If, at any point in the future, the two main opposition groups have the same number of members, the special responsibility allowance for Leader of the Main Opposition Group shall be divided equally between the leaders of those groups.

No member should be in receipt of more than one special responsibility allowance at any one time. Where a member is entitled to two or more special responsibility allowances then only the highest will be payable.

Members' Allowance Scheme – Schedule 2

Childcare and Dependent Carers' Allowances

The scheme of allowances includes the payment of a childcare and dependent carers' allowance to those Councillors who incur expenditure for the care of children or dependent relatives whilst undertaking particular duties. These duties are specified in the Regulations and are as follows:

- a meeting of the Cabinet
- a meeting of a committee of the Cabinet
- a Council Meeting
- a meeting of a committee or sub-committee of the Council
- a meeting of any other body to which the Council makes appointments or nominations, or
- a meeting of a committee or sub-committee of any other body to which the Council makes appointments or nominations
- a meeting which has both been authorised by the Council, a committee or sub-committee of the Council 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 several political groups) or to which two or more Councillors have been invited (if the authority is not divided into political groups)
- a meeting of a local authority association of which the Council is a member
- duties undertaken on behalf of the Council 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
- 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 Council to inspect or authorise the inspection of premises
- duties undertaken on behalf of the Council 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.