

### **West Midlands Fire and Rescue Authority**

#### **Members' Allowances Scheme**

The West Midlands Fire and Rescue Authority, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following scheme: –

1. This scheme may be cited as the West Midlands Fire and Rescue Authority Members' Allowances Scheme, and shall have effect for the period from 26<sup>th</sup> July, 2004 until 31<sup>st</sup> March, 2005 and in subsequent years from 1<sup>st</sup> April to 31<sup>st</sup> March.

2. In this scheme: –

‘Councillor’ means a Member of the West Midlands Fire and Civil Defence Authority who is appointed by the City Councils of Birmingham, Coventry and Wolverhampton and the Metropolitan Borough Councils of Dudley, Sandwell, Solihull and Walsall;

‘Year’ means the 12 months ending with 31<sup>st</sup> March.

3. **Basic Allowance**

Subject to paragraph 5, for each year a basic allowance of £3,000.00 shall be paid to each Councillor.

4. **Special Responsibility Allowances**

- (i) For each year a Special Responsibility Allowance shall be paid to those Councillors who hold the special responsibilities in relation to the Authority that are specified in schedule 1 to this scheme;
- (ii) Subject to paragraph 5, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule;
- (iii) Where a Councillor holds more than one position for which a Special Responsibility Allowance is payable, only one such allowance shall be paid to the Councillor concerned.

5. **Renunciation**

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

6. **Part Year Entitlement**

**Basic Allowance**

Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year, his/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/her term of office as a member subsists bears to the number of days in that year.

**Special Responsibility Allowance**

Where a Member does not have throughout the whole of a year any such special responsibilities as entitle him/her to a special responsibility allowance, his/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/she has such special responsibilities bears to the number of days in that year.

**Backdating**

Where an amendment to this scheme is made which affects an allowance payable for the year in which the amendment is made, the entitlement of a Member to such allowance, as amended, may at the discretion of the Authority, be backdated to apply with effect from the beginning of the year in which the amendment is made.

7. **Subsistence Allowances**

Members of the Authority and the Independent Members of the Standards Committee may claim subsistence allowances in connection with or relating to the duties set out in Schedule 2 to this scheme. Members shall only claim allowances for actual expenditure reasonably incurred in connection with approved duties.

Members must submit receipts to substantiate all claims for subsistence allowances.

For approved duties the following rates apply:-

- (i) Breakfast allowance (more than 4 hours away from normal place of residence before 11.00 am) £4.92
- (ii) Lunch allowance (more than 4 hours away from normal place of residence including the lunchtime between 12 noon and 2.00 pm) £6.77
- (iii) Tea allowance (more than 4 hours away from normal place of residence including the period 3.00 pm to 6.00 pm) £2.67

- (iv) Evening meal allowance (more than 4 hours away from normal place of residence ending after 7.00 pm) £8.38

The rates set out above shall be reduced by an appropriate amount in respect of any meal provided free of charge by the Authority.

Members who undertake duties involving an overnight stay should, wherever possible, ensure that their accommodation is pre-booked by officers in accordance with the Authority's normal administrative arrangements. If Members book their own accommodation, this is subject to a maximum level of reimbursement as specified below:-

Allowance for absence overnight from the usual place of residence  
£79.82 per night

Allowance for such absence in London  
£91.04 per night

## 8. **Travelling Allowances**

Members of the Authority and the Independent Members of the Standards Committee may claim travelling allowances in respect of costs incurred in connection with or relating to the duties set out in Schedule 2 to this scheme.

### Motor Mileage Allowances

The rates for motor cars are as follows:-

Not exceeding 999cc – 34.6 pence per mile

1000 - 1199cc – 39.5 pence per mile

Over 1199cc – 48.5 pence per mile

Passenger Supplement - for passengers (not exceeding 4), a supplement of 3.0 pence per mile is payable for the first passenger and 2.0 pence per mile for the second and subsequent passengers.

Claims for journeys undertaken by motor car may include any reasonable car parking fees and congestion charges if applicable.

### Public Transport

The actual cost of public transport used by Members will be reimbursed by the Authority where such costs are reasonably and necessarily incurred in connection with approved duties. Receipts will be required to substantiate such claims based on the actual expenditure incurred.

Members who travel outside the West Midlands in connection with approved duties by rail, ship or air shall be required to have their travel arrangements pre-booked by officers under the Authority's normal administrative arrangements. The Clerk, in consultation with the Chair of the Authority, may authorise exceptions to this in cases where it is considered beneficial to the Authority for Members to make their own transport arrangements. Receipts

will be required to substantiate any such claims based on the actual expenditure incurred.

#### Taxis

Taxi fares (plus a reasonable gratuity) will be reimbursed only if the taxi was used in a case of urgency, or if there was no public transport reasonably available, or if taxi use was justified by the nature of the business on which the Member was engaged.

### 9. **Indexation of Allowances**

The rates of allowances will be increased with effect from 1<sup>st</sup> April, 2005, 2006 and 2007 in accordance with changes in the average wage rates for all full time employees on adult rates for all industries and services for the West Midlands Metropolitan County area.

### 10. **Withholding and Reclaiming of Allowances**

The Standards Committee of the Authority can withhold all or part of an allowance payable to a Member in respect of responsibilities or duties from which the Member is suspended or partially suspended in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part.

Where payment of any allowance has already been made in respect of any period during which a Member:-

- (a) is suspended or partially suspended from his or her responsibilities or duties as a member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations or regulations made under that part;
- (b) ceases to be a member of the Authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period;

the Standards Committee may require that such part of the allowance as relates to any such period be repaid to the Authority.

### 11. **Claims and Payments**

- (i) All claims for travelling and subsistence allowances under this scheme shall be made within two months of the date of the approved duty in respect of which the entitlement to the allowance arises. Payment of late claims may only be made if the Clerk, in consultation with the Chair of the Authority, is satisfied that the lateness of the claim is justified.

- (ii) Any claims for travelling and subsistence allowances shall be signed by the Councillor claiming the allowance and shall include a statement that where the Member is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duties.
- (iii) In certain cases, where overpayments have been made to any individual to which this Scheme relates, the Authority may require repayment of the overpayment.
- (iv) In regard to the payment of basic and special responsibility allowances, payments shall be made as follows: –
  - (a) **Basic Allowance**

In instalments of one-twelfth of annual amount due, payable on the 25<sup>th</sup> day of the month (or nearest working day);
  - (b) **Special Responsibility Allowance**

In instalments of one-twelfth of the amount specified in this scheme on the 25<sup>th</sup> day of each month (or nearest working day).

## **Schedule 1**

### **Special Responsibility Allowances**

1. The following are specified as the special responsibilities in relation to the Authority in respect of which Special Responsibility Allowances are payable. The amounts of each such allowance shall be the amount specified.

<b>Responsibility</b>	<b>Amount Per Annum (£)</b>
Chair of the Authority	15,000.00
Vice–Chair of the Authority	7,500.00
Leader of the Principal Opposition Group	6,000.00
Executive Committee Member	3,750.00
Lead Member for Equality and Diversity	4,500.00
Deputy Lead Member for Equality and Diversity	1,500.00
Lead Member for Performance Management	4,500.00
Deputy Lead Member for Performance Management	1,500.00
Chair of the Appeals Committee	4,500.00
Vice–Chair of the Appeals Committee	750.00
Principal Member Joint Consultative Panel *	1,920.00
Deputy Principal Member Joint Consultative Panel *	640.00
Regional Management Board Member	4,500.00

\* with effect from 27<sup>th</sup> June 2005

## **Schedule 2**

### **Approved Duties**

**The following are “approved duties” in connection with the payment of travelling and subsistence allowances: –**

- 1) A meeting of the Authority or of any Committee or Sub-Committee of the Authority.
- 2) A meeting of any other body to which the Authority or any Committee or Sub-Committee of the Authority makes appointments, or nominations, or any Committee or Sub-Committee of such a body.
- 3) Any other meeting, the holding of which is authorised in advance by the Authority, or a Committee or Sub-Committee of the Authority, or a joint Committee of the Authority or one or more other Committees or a Sub-Committee of such a joint Committee provided that members of at least two political groups have been invited to attend.
- 4) A meeting of any association of authorities of which the Authority is a member.
- 5) Attendance as an appointed representative of the Authority, or of a Committee or Sub-Committee, at a conference, seminar or authorised meeting or visit or at any other meeting authorised by the Authority.