

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

25TH JUNE 2007

1. CONSTITUTION OF COMMITTEES AND PANELS, TERMS OF REFERENCE AND MEMBER PORTFOLIOS 2007/2008

Report of the Clerk.

RECOMMENDED

- 1.1 THAT the Authority approve the constitution and terms of reference of committees and panels, and Member portfolios for 2007/2008 as set out in Appendices 1 and 2;
- 1.2 THAT the calendar of meetings for 2007/2008 as set out in Appendix 3 be approved;
- 1.3 THAT the application of the existing Members' Allowances Scheme, as set out as Appendix 4, be re-affirmed for 2007/2008.

2. PURPOSE OF REPORT

- 2.1 This report is submitted for the Authority to consider the constitution and terms of reference of committees and panels for 2007/2008, the adoption of Member portfolios and a programme of meetings for 2007/2008; and to confirm the Members' Allowances Scheme.

3. BACKGROUND

- 3.1 In line with its commitment to the principles of the Government's modernisation agenda, this Authority has updated and streamlined its committee structure and political governance arrangements to ensure adherence to the following principles:

- to be best placed to respond to a range of internal and external issues and to deliver on its commitment to modernisation and other key objectives in the Authority's Best Value Performance Plan and Business Plan.
- decision-making processes that are open, transparent, accountable and inclusive in line with Government expectations on strengthening local democracy.

Member Portfolios

- 3.2 In 2004/05 the Authority established portfolios for the Chair and Vice-Chair, and for the Lead Members for Equality and Diversity and Performance Management, as part of the modernisation process. The adoption of "portfolios" is consistent with the approach taken in local authorities generally under the modernisation of decision-making structures as required by the Local Government Act 2000.
- 3.3 Not all of the provisions of the Local Government Act 2000 apply to this Authority. Individual Members do not have delegated powers to act on behalf of the Authority. However, the adoption of Member portfolios helps to define the role of key positions held by Members of the Authority and assists in any future reviews of remuneration. Lead members have a key role to "champion" issues at the Policy Planning Forum, the Executive Committee and Authority meetings. Lead Members also meet with officers on a regular basis to discuss progress within their portfolio area and take part in task and finish groups with officers on issues identified for attention. Both Lead Members are supported by deputies.
- 3.4 Portfolios for the Chair and Vice-Chair of the Authority; the Lead Members for Equality and Diversity and Performance Management; and the Principal Member on the Joint Consultative Committee are set out in Appendix 2.
- 3.5 The Lead Members with portfolio responsibilities for Performance Management and Equality and Diversity are currently members of the Executive Committee. This ensures that these key issues are properly represented in the mainstream decision making processes and governance arrangements of the Authority. It is recommended that this practice continues.

Appointments Committee

3.6 The existing arrangements for the Appointments Committee are satisfactory. The membership of 9 elected members provides for appropriate levels of representation from across the 7 West Midlands District Councils.

3.7 It has been the practice for the Appointments Committee to shortlist and interview candidates for appointment as independent members of the Standards Committee, and to make a recommendation to the Authority as to the person/s to be appointed. The independent members appointments are reviewed every three years. It is recommended that this function be included formally in the terms of reference for the Committee.

Appeals Committee

3.8 The Appeals Committee operates as a quasi-judicial body in determining appeals on various employment related matters. No changes are recommended to the existing arrangements.

Executive Committee

3.9 The Executive Committee arrangements are working effectively. The Executive Committee has provided for speedy decision making to deal with key issues. All Members of the Authority are entitled to attend the Executive Committee and are involved in the discussion of key issues to be considered by the Executive Committee via the Policy Planning Forum.

3.10 The Audit Commission Comprehensive Performance Assessment Use of Resources Model requires local authorities to have an audit committee in order to achieve a level four rating for the internal control Key Line of Enquiry. This has been discussed with the Authority's external auditors, KPMG, and it is understood that Fire Authorities will not be subject to this requirement. KPMG advised that the Authority does need to ensure that audit functions are monitored by elected members. The full Authority receives the annual external audit report, and at the 2006 Annual Meeting additional audit functions were delegated to the Executive Committee. It has also been the practice during 2006/07 to make presentations on internal audit reports to the Policy Planning Forum.

3.11 The Executive Committee at its meeting on 23rd October 2006 reviewed the audit process and agreed that the quarterly Internal Audit Summary would be submitted to both the Policy Planning Forum and the Executive Committee. As part of that review the Committee considered whether it would be preferable to monitor audit activity through an Audit Committee. The Committee felt that the process it had put in place gave more members the opportunity to involve themselves with the overview of audit but agreed that the arrangement would be reviewed at the Annual Meeting. Discussions are taking place with the Authority's External Auditors to seek their current views on this matter.

3.12 In 2006/07 the Executive Committee comprised 7 Members as follows:-

Chair of the Authority

Vice-Chair of the Authority

Lead Member for Performance Management

Lead Member for Equality and Diversity

3 Additional Members (in accordance with proportionality) to include the Leader of the Main Opposition Group if not covered above.

It is recommended that this arrangement continues.

Policy Planning Forum

3.13 The Policy Planning Forum has been a successful feature of the Authority's governance arrangements over the past few years. It is recognised as a particularly effective way of engaging Members and Officers in key discussions on major issues faced by the Authority. The Forum operates in a less formal setting than full Authority meetings. The Forum is not a decision making body.

3.14 All Members of the Authority are involved in the Policy Planning Forum and it is recommended that the existing arrangements should continue.

Joint Consultative Panel

- 3.15 Following a review, the Executive Committee on 24th October 2005 approved a revised constitution and membership for the Joint Consultative Panel (JCP) which is set out at Appendix 1. Since that time, further consultation has been carried out with trade unions on a framework for future consultation and supporting policies and agreements, including the role of the Joint Consultative Panel and how it would fit into the wider consultation framework. A further report will be presented on this matter in due course. The Joint Consultative Panel will be consulted on the proposals.

Standards Committee

- 3.16 Under the provisions of the Local Government Act, 2000, the Authority has established a Standards Committee.
- 3.17 The Standards Board for England has adopted a policy of referring more cases of misconduct for local investigation. During the course of this year it is also expected that the Local Government and Public Health Bill will be enacted. This will give the Standards Board for England a more strategic role and local Standards Committees will take over the responsibility for dealing with the majority of allegations of misconduct. It is recommended that the Committee's terms of reference be widened in anticipation of this change as indicated in the attached Appendix. A clause relating to the granting of dispensations has also been included for completeness.

Programme of Meetings

- 3.18 A proposed programme of meetings for 2007/2008 is attached as Appendix 3. No provision has been made for meetings of the Joint Consultative Panel (JCP) in the calendar at this time. It is anticipated that a meeting of the Panel will be convened in the near future to look at the proposals for the future of the consultative process referred to in 3.15 above.

Standing Orders of the Authority

- 3.19 The Authority's Standing Orders were revised and approved at the Annual Meeting on 26th July 2004. No changes are proposed in

respect of Standing Orders.

Scheme of Members Allowances

3.20 The current Members' Allowances Scheme was approved in December 2004, and has been amended subsequently to reallocate special responsibility allowances, to allow for the annual uplift of allowances and to make provision for the payment of carer's allowance. The Authority is requested to re-affirm the application of the scheme as now submitted in Appendix 3 for the 2007/2008 Municipal Year.

3.21 The scheme is due for review by the Independent Remuneration Panel.

4. EQUALITY IMPACT ASSESSMENT

4.1 The adoption of a portfolio for the Lead Member for Equality and Diversity will allow the Authority to continue to pursue its commitment to this area of work. The Lead Member will ensure that equality and diversity issues are properly considered in the mainstream decision-making processes of the Authority.

4.2 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

5. LEGAL IMPLICATIONS

5.1 This report invites the Authority to determine its political organisation for the coming year taking into account the requirements of the Local Government Act, 1972, and the Local Government and Housing Act 1989 with regard to proportionality.

5.2 The Authority's Standing Orders prescribe the issues the Authority should address at its Annual Meeting in terms of the appointment of a Chair and Vice-Chair, and the appointment of committees and their Chairs and Vice Chairs.

6. FINANCIAL IMPLICATIONS

6.1 Provision is made in the Authority's budget to meet costs associated with the operation of the Authority's decision-making structures and

the payment of Members' Allowances.

Background Papers

None

SUSAN PHELPS
CLERK

West Midlands Fire and Rescue Authority

Constitution and Terms of Reference 2007/2008

Executive Committee

To deal with all matters of an urgent nature which cannot reasonably be delayed until the next ordinary meeting of the Authority or appropriate committee.

To consider and monitor the Authority's budget as necessary and to make appropriate recommendations.

To award contracts in circumstances where it is recommended to accept other than the lowest tender received.

To open and accept tenders for contracts where the estimated value exceeds £100,000.

To deal with matters that can be dealt with locally as part of the modernisation agenda.

To consider recommendations arising from meetings of the West Midlands Regional Management Board.

To deal with matters relating to the Members Allowances Scheme.

To consider and make recommendations to the Authority on the conditions of service and salary of the posts of Chief Fire Officer, Deputy Chief Fire Officer and Assistant Chief Officers.

To approve arrangements for partnership working, funding and/or goods, works or services provided freely from external sources, including external funding agreements, above £20,000 in value.

To consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements.

To be satisfied that the authority's assurance statements, including the Statement on Internal Control, properly reflect the risk environment and any actions required to improve it.

To review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary.

To monitor management action in response to the issues raised by external audit.

To deal with any other matters referred to it by the Authority.

To submit its minutes to the Authority.

Appointments Committee

To make the appointments of the Chief Fire Officer, Deputy Chief Fire Officer and Assistant Chief Officers.

To shortlist and interview candidates for appointment as independent members of the Standards Committee, and to make a recommendation to the Authority as to the person/s to be appointed.

To submit its minutes to the Authority.

Appeals Committee

To hear and decide upon:-

Disputes under the national conditions of service for uniformed and non-uniformed personnel.

Appeals under the Firemen's Pension Scheme Order.

Appeals under the Local Government Superannuation Regulations.

To submit its minutes to the Authority.

Policy Planning Forum

To provide for the consideration of key policy areas affecting the Authority and service delivery.

To submit its notes to the Authority.

Standards Committee

To promote and maintain high standards of conduct by members of the Authority.

To assist Members of the Authority to observe the Authority's Code of Conduct, specifically:-

To advise the Authority on the adoption or revision of a Code of Conduct.

To monitor the operation of the Authority's Code of Conduct.

To advise, train or arrange for training for Members of the Authority on matters relating to the Authority's Code of Conduct.

~~To consider and make a determination on reports referred to the Committee by the Monitoring Officer with regard to alleged breaches of the Authority's Code of Conduct that have been referred for investigation by an ethical standards officer of the Standards Board for England.~~

To consider and determine any allegations of misconduct against Members of the Authority, being a breach of the National Code of Conduct or a code of conduct or protocol approved by the Authority as amended from time to time, and for this purpose to resolve upon or recommend to the Authority any sanction which it sees fit as a consequence of a finding of misconduct.

The granting of dispensations to members from requirements relating to interests set out in the Code of Conduct for Members.

To exercise any functions which the Authority may consider appropriate from time to time.

To submit its minutes to the Authority.

Joint Consultative Panel

To establish regular methods of consultation between the Authority and its employees and to consider and make recommendations on any problems which may arise.

To consider and make recommendations to the Authority on any relevant matter referred to it by the Authority or by the relevant employee organisations.

To consider and make recommendations to the Authority on the application of the terms and conditions of service for employees.

To discharge such other functions as are specifically assigned to it.

In appropriate circumstances, to refer any question coming before it to the National Joint Council for consideration and advice where such action is deemed advisable; to inform the National Joint Council or any other appropriate body concerned of any recommendations of the Panel which appear to be of more than local interest provided that any such action shall be by way of a recommendation to the Authority prior to its submission.

To submit its notes to the Authority.

MEMBER PORTFOLIOS 2007/2008

Chair of the Authority

To provide overall political leadership and strategic policy direction to the Authority.

To ensure continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair the Executive and Appointments Committees and any other meetings as required by the Authority;

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as may be required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take overall political responsibility within the Authority for:

- Business Planning and the Best Value Performance Plan;
- Comprehensive Performance Assessment;
- Policy and budgetary strategy formulation;
- Modernisation issues;
- Local, regional, national and international issues;
- Health and Safety;
- Implementing E-Governance (IEG) and the Freedom of Information Act 2000;
- **Corporate** Risk Management and the Integrated Risk Management Plan;
- Procurement;
- Press and media relations and the promotion of the image of the Authority;
- Civic and ceremonial issues;
- Equality and Diversity;
- Sustainability;

- Any other initiatives as from time to time may be adopted by or imposed on the Authority.

To oversee the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To ensure the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations arising from those Committees.

To ensure the involvement of local people and communities in the decision making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols which may be adopted by the Authority from time to time.

Vice-Chair of the Authority

To support and assist the Chair of the Authority to provide overall political leadership and strategic policy direction to the Authority.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To Chair the Authority, relevant Committees or other meetings as may be required, in the absence or inability to act of the Chair of the Authority;

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To support and assist the Chair of the Authority to fulfil his/her overall political management responsibilities within the Authority for:

- Business Planning and the Best Value Performance Plan;
- Comprehensive Performance Assessment;
- Policy and budgetary strategy formulation;
- Modernisation issues;
- Local, regional, national and international issues;
- Health and Safety;
- Implementing E-Governance (IEG) and the Freedom of Information Act 2000;
- Risk Management and the Integrated Risk Management Plan;
- Procurement;
- Press and media relations and the promotion of the image of the Authority;
- Civic and ceremonial issues;
- Equality and Diversity;
- Sustainability;
- Any other initiatives as from time to time may be adopted by or imposed on the Authority.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To assist and support the Chair in the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations arising from those Committees.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols which may be adopted by the Authority from time to time.

Lead Member for Equality and Diversity

To take a leading role within the Authority for:-

- standards and targets being achieved in relation to equality and diversity.
- the development and maintenance of a positive approach in relation to equality and diversity with regard to employment and service delivery and to celebrate diversity within the West Midlands Fire and Rescue Authority.
- The Race Equality Scheme.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair and participate in any other meetings as may be required from time to time by the Authority.

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To chair task and finish groups as required from time to time and take the lead on all aspects relating to Equality and Diversity.

To assist and support the efficient and effective conduct of business within the Authority and to work with other elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols adopted by the Authority from time to time.

Lead Member for Performance Management

To take a leading role within the Authority for ensuring:-

- that existing service provision has been fully and appropriately challenged and that viable alternatives have been considered.
- that appropriate comparisons have been made with other organisations in the setting of performance measures, performance targets and benchmarking.
- that full and appropriate consultation has taken place regarding the outcomes of Best Value Reviews.
- that full consideration has been given to and appropriate use has been made of competition in the process of service provision.
- that issues relating to performance management and the Comprehensive Performance Assessment are considered.

To represent the Authority on matters related to all aspects of CPA including Service Assessment, Use of Resources and Direction of Travel.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair and participate in any other meetings as may be required from time to time by the Authority.

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To chair task and finish groups as required from time to time and take the lead on all aspects relating to Performance Management and Measurement.

To assist and support the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols adopted by the Authority from time to time.

Principal Elected Member on the Joint Consultative Panel

To take a leading role within the Authority for ensuring:-

- that there is regular consultation between the Authority and its recognised representative bodies

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair and participate in any other meetings as may be required from time to time by the Authority.

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees and Panels.

To assist and support the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees and Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols adopted by the Authority from time to time.

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

CALENDAR OF MEETINGS 2007/08

Date	Time	Meeting
2007		
Monday 25th June	11.30 am	Authority [Annual Meeting] [political groups at 10 am]
Monday 9th July	9.30 am 12 noon	Executive Committee Member induction session
Monday 23rd July	10.00 am 12 noon	Policy Planning Forum Executive Committee
Monday 10th September	10.00 am 12 noon To follow	Policy Planning Forum Executive Committee Chair's agenda meeting
Monday 24th September	11 am	Authority [political groups at 10 am]
Monday 22nd October	10.00 am 12 noon	Policy Planning Forum Executive Committee
Monday 12th November	10.00 am 12 noon To follow	Policy Planning Forum Executive Committee Chair's agenda meeting
Monday 3rd December	11 am	Authority [political groups at 10 am]
Monday 17th December	10.00 am 12 noon	Policy Planning Forum Executive Committee
2008		
Monday 14th January	10.00 am 12 noon	Policy Planning Forum Executive Committee
Monday 28th January	10.00 am 12 noon To follow	Policy Planning Forum Executive Committee Chair's agenda meeting
Monday 11th February	11 am	Authority [budget and precept setting] [political groups at 10 am]

Date	Time	Meeting
2008 contd.		
Monday 21st April	11.00 am	Authority [political groups at 10 am]
Monday 19th May	10.00 am 12 noon	Policy Planning Forum Executive Committee
Monday 9th June	10.00 am 12 noon To follow	Policy Planning Forum Executive Committee Chair's agenda meeting
Monday 23rd June	11.30 am	Authority [Annual Meeting] [political groups at 10 am]

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 26th July, 2004 until 31st March, 2005 and in subsequent years from 1st April to 31st 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 31st 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. **Dependants' Carers' Allowance**

- 5.1 A dependants' Carers' Allowance is payable to those elected Members who

incur expenditure for the care of their children or other dependants whilst undertaking particular approved duties as set out in paragraph 3 of this Scheme.

- 5.2 The amount of the dependants' carers' allowances payable in respect of approved duties will be the actual costs incurred up to a total annual maximum amount of 10% of elected members' basic allowance.

6. **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.

7. **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.

8. **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

9. **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.

10. **Indexation of Allowances**

The rates of allowances will be increased with effect from 1st April, 2005, 2006 and 2007 in line with the agreed pay awards to NJC Local Government Services.

11. **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.

12. **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 25th 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 25th 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.

Responsibility	Amount Per Annum (£)
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 27th 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.