

**NORTH WALES FIRE AUTHORITY**

**EXECUTIVE PANEL**

**18 OCTOBER 2004**

**SCHEME OF MEMBERS' ALLOWANCES**

Report by the Clerk

**Purpose of Report**

- 1 To agree recommendations to the Fire Authority on the terms of a scheme of Members' Allowances.

**Background**

- 2 The Regulations requiring a scheme to be prepared were approved by the Assembly on 28 September and came into force the following day. The Fire Authority resolved at its meeting on 20 September that it wished to apply a Scheme from 29 September. The legislation does not permit the Scheme to come into effect before that date.

**Advice**

- 3 The attached draft Scheme assumes that the Panel will recommend the maximum level of fire authority allowance, fire authority chairperson's allowance and vice-chairperson's allowance for 2004-05 and 2005-06; and that the allowances should be adjusted annually on 1 April 2006 and on 1 April in subsequent years in line with the mechanism specified in the Regulations.
- 4 The proposals for subsistence in the draft Scheme are in line with those used by Conwy County Borough Council, which have been approved by the Inland Revenue.
- 5 In respect of mileage allowances, it is not possible to adopt the local government rates used by many Councils because they exceed the rates paid to Assembly Members (45.5p a mile). To ensure no additional taxation implications for Members, it is suggested that the scheme should use the rates for mileage, passenger and bicycles that have been approved by the Inland Revenue. This would provide a mileage rate of 40p a mile.

- 6 In respect of care allowances, the draft Scheme assumes that the Fire Authority would not pay them at all. It is likely that any Member with care responsibilities would be receiving a care allowance under his or her Council's scheme, which would be a flat rate sum. Under the Regulations, dual claims for allowances are not possible and therefore it seems unnecessary for the Fire Authority also to offer care allowances.
- 7 The draft Scheme does not provide for payment of any allowances to substitutes. So far as the fire authority allowance is concerned, it is necessary to encourage continuity in membership – in any event it would not make sense to pay Councillors such an allowance for one day. The draft Scheme also prohibits payment of travel and subsistence allowances to substitutes, the costs of which would fall on Councils. Again this may assist to discourage use of substitutes. (The Panel may wish to have a wider debate on another occasion on whether it would be possible to disallow use of substitutes altogether.)

### **Financial implications**

- 8 Assuming the Panel recommends the draft Scheme, the estimated financial implications and current level of budget provision are:

	2004-05	£	2005-06	£
Fire Authority, Chairperson's and Vice-Chairperson's Allowances		24,000		48,000
Travel and subsistence		10,000		16,000
Total		34,000		64,000
Budget		60,000		60,000
(Saving)/Additional cost		(26,000)		4,000

### **Recommendation**

- 9 That the Panel formulates recommendations to the Fire Authority on the Scheme of Allowances for Members.

# NORTH WALES FIRE AUTHORITY

## SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES

The North Wales Fire Authority, in exercise of the powers conferred by The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 hereby makes the following Scheme.

1. This Scheme shall have effect from 29<sup>th</sup> September 2004.
2. No Fire Authority Allowance, Fire Authority Chairperson's or Vice-Chairperson's Allowance or travel or subsistence will be paid to substitute members.
3. In this Scheme:

"the Authority" means the North Wales Fire Authority.

"independent person" means a person, other than a Member of the Authority, appointed to serve on the Authority's Standards Committee (in accordance with Standards Committees (Wales) Regulations 2001 made under Section 53, Local Government Act 2000.

"Member" means a Member of the North Wales Fire Authority.

"Regulations" means the Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004.

"year" means the 12 months ending with 31 March.

### 3. **Fire Authority Allowance**

- 3.1 Fire Authority Allowance is payable to each Member as shown in Schedule 2. It will be paid by monthly instalments and is subject to Income Tax and National Insurance contributions, where applicable.

### 4. **Fire Authority Chairperson's and Fire Authority Vice-Chairperson's Allowances**

- 4.1 The Members holding the offices of Chairperson and Vice-Chairperson shall receive the Allowances shown in Schedule 2.
- 4.2 The Allowances will be paid by monthly instalments and are subject to Income Tax and National Insurance contributions, where applicable.

### 5. **Travel and Subsistence**

- 5.1 Payment of travel and subsistence shall be made in respect of the approved duties undertaken by a Member, as set out in Schedule 1, as amended from time to time by the Authority.

- 5.2 The amounts claimable by Members in respect of travel and subsistence shall be in accordance with the scales adopted by the Authority, from time to time, as set out in Schedule 2, as amended from time to time by the Authority.
- 5.3 Proper VAT receipts for expenses, including parking fee tickets, are needed in order for the Authority to validate claims and to reclaim VAT. Members should ask for/keep these and attach them to claim form. Failure to supply a receipt may result in non-payment of a claim.
- 5.4 The Authority will reimburse actual costs of standard class rail fares or the cheapest alternative. First class rail travel will only be allowed where the cost is reasonable value by comparison to standard class rail fare.
- 5.5 When travelling by train, Members must in the first instance contact the Member Liaison Officer who will obtain the ticket at the most economical price. If Members have to purchase their own rail tickets, they should produce their receipt or ticket when claiming reimbursement.
- 5.6 Travel by public transport is encouraged for long distance journeys, but may be undertaken by private car where this is expedient. The Authority will pay Members the appropriate car mileage rate shown in Schedule 2 not exceeding an amount equivalent to the standard class rail fare.
- 5.7 Taxi fares may be claimed where travel is URGENT or where no suitable public transport is available. Receipts should be produced.

## 6. **Carer Allowances**

- 6.1 (In the Regulations a "may provide"... Authority to confirm.)

## 7. **Independent Persons**

- 7.1 This Scheme does not provide for person(s) appointed as an independent person to be paid an annual allowance, but can claim the travelling allowance outlined in Schedule 2.

## 8. **Renunciation**

- 8.1 A Member may renounce part or all of their Fire Authority Allowance, Fire Authority Chairperson's or Vice-Chairperson's Allowance. Renouncement must be made in writing to the Clerk to the Fire Authority and must specify the date of renouncement. A notice to renounce may be revoked at any time by giving further written notice to the Clerk. Any revocation cannot be backdated earlier than the date of the further notice.

## 9. **Time Limit for Claims**

- 9.1 Members should submit completed claim forms for travel and subsistence for each calendar month, to the Member Liaison Officer at Service Headquarters by the 5<sup>th</sup> of the following month to ensure payment during month.

9.2 Claims must be submitted within three months of the end of the relevant month. The Treasurer may, having consulted the Chair of the Authority, accept a late claim for good cause and make the related payments.

## 10. Dual Claims

10.1 Where a Member of the Authority is also able to claim allowances as a Member of another Authority, that Member may not receive any allowance from more than one Authority in respect of the same duties, travel or subsistence.

## 11. Right to Withdraw Allowances or Require Repayment

11.1 Where a Member is suspended or partially suspended from his or her duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part, the Authority will withhold that part of Fire Authority Allowance and/or Fire Authority Chairperson's or Fire Authority Vice-Chairperson's Allowance and travelling allowance and subsistence claimable by him or her in respect of the period of suspension or part suspension.

11.2 In the circumstances outlined in paragraph 11.1, or if a Member ceases to be a Member of the Authority, or is in any other way not entitled to receive an allowance for any particular period, the Authority will require that such part of the allowance as relates to any such period be repaid to it.

## 12. Part-Year Entitlement

12.1 The provisions of this paragraph shall have effect to regulate the entitlements to a Fire Authority Allowance, Fire Authority Chairperson's and Fire Authority Vice-Chairperson's Allowances where, in the course of a year:

- (a) This Scheme is amended; or
- (b) That person becomes or ceases to be a Member; or
- (c) A Member becomes or ceases to be Chairperson or Vice-Chairperson.

12.2 Where paragraph 12.1 applies the entitlement to Allowances will be adjusted on a daily basis in accordance with the Regulations.

## 13. Administration

13.1 The Treasurer to the Authority shall maintain, on behalf of the Authority, a record of all payments made under this Scheme, which shall specify in relation to each payment the name of the recipient and the amount and nature of the payment. This record shall be available at all reasonable times for inspection by local government electors in the constituent Authorities at no charge. Copies will be provided on request on payment of a reasonable fee decided by the Treasurer.

13.2 Arrangements will be made annually to publish payments made in the previous financial year to Members in respect of Fire Authority Allowance, Fire Authority Chairperson's and Fire Authority Vice-Chairperson's Allowances

**14. Review of Allowances**

14.1 The Fire Authority Allowance, Fire Authority Chairperson's and Fire Authority Vice-Chairperson's Allowances payable under this scheme will be adjusted from 1<sup>st</sup> April 2006 and from 1<sup>st</sup> April in each subsequent year in accordance with Regulation 6 of the Regulations.

**15. Revision or Revocation of the Scheme**

15.1 This scheme may only be amended or revoked by the Authority in accordance with the provisions of the relevant Regulations.

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## APPROVED DUTIES

For the purposes of paragraph 5 of the Authority's Scheme for the Payment of Members' Allowances, the following shall be regarded as approved duties:

- Meetings of the Authority.
- Meetings of Committees, Panels and Working Groups of the Authority.
- Any other meeting convened by the Authority (or by the Chair or Vice-Chair in cases of urgency) to which Members are invited.
- Meetings between the Chair and/or the Vice-Chair of the Authority and the Chairs and/or Vice-Chairs of the Authority's Committees and/or officers of the Authority or the Service or other fire authorities or services to discuss Authority business, including the purpose of opening tenders.
- Attendance at NWF&RS events, at which Members' attendance is specifically requested.
- Attendance at meetings of the Welsh Local Government Association/Local Government Association (including plenary meetings and Policy Groups) by the appointed Members.
- Meetings organised by the Authority with Ministers and/or Government officials on Authority business.
- Attendance at the Welsh Local Government Association/Local Government Association Annual Fire Conference by the Chair or Vice-Chair or any other Member specifically authorised by the Authority.
- Attendance at any other meetings, groups, seminars, conferences, courses or visits on Authority matters, subject to the prior approval of the Authority (or the Chair or Vice-Chair in the case of urgency) for attendance at external or individual events.
- Meetings of bodies (other than those specified above) to which the Authority has resolved to make appointments or nominations.
- Carrying out any other duty previously approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the Authority's functions.
- Pre-arranged meetings arranged through the Member Liaison Officer by Members to fire stations, in the County or County Borough of which they are a Member.

## TRAVEL AND SUBSISTENCE

### TRAVELLING

#### Car

Mileage allowance

Passenger allowance (a passenger must have been carried to claim this)

40p

5p

#### Bicycle

Mileage allowance

20p

#### Train

Members are entitled to claim:

- Lowest reasonably available standard class fare;
- Reservation and left luggage expenses;
- Costs of getting to and from the station; and
- Special first-class fare where the cost is reasonable value by comparison to standard class rail fare.

#### Taxi

Members are entitled to claim:

- The fare and reasonable gratuity where the need to travel is URGENT or where no public transport is reasonably available; and
- The appropriate public transport fare (e.g. bus fare) in other cases.

Additional expenses can be claimed for the actual cost of parking.

### SUBSISTENCE

#### Breakfast (where no overnight stay is required)

Payable in respect of absence from home for at least 4 hours, before 11.00 am.

£

6

#### Lunch

Payable in respect of absence from home for at least 4 hours, including the whole of the period 12 noon to 2.00 pm.

8

#### Evening Meal

Payable in respect of absence from home for at least 4 hours, ending after 7.00 pm.

18



## Overnight

Claims can be made where overnight absences from the usual place of residence exceed 24 hours. The following maximum amounts are for bed and breakfast:

- Visits to London and other capital cities
- All other cases
- Out of Pocket for overnight stay (this is subject to taxation in all cases)

£
120
90
15

## FIRE AUTHORITY ALLOWANCE

The Allowance for Members of the Fire Authority is **£505** for 2004/05 and **£1,002** for 2005/06 payable by monthly instalments.

## FIRE AUTHORITY CHAIRPERSON'S AND FIRE AUTHORITY VICE CHAIRPERSON'S ALLOWANCES

The following Allowances are payable by monthly instalments:

	2004/05	2005/06
Chair of the Fire Authority	<b>£4,591</b>	<b>£9,108</b>
Vice-Chair of the Fire Authority	<b>£3,529</b>	<b>£7,000</b>

## HOW AND WHEN TO CLAIM

Claims for travelling and subsistence allowances should be submitted to the Member Liaison Officer and must relate to approved duties undertaken (see Schedule 1 for details). Claims will be paid directly to Members' bank accounts on a monthly basis.

Claims must be made on the Members' Allowances claim forms, copies of which are available from the Member Liaison Officer.

Claim forms should be completed for each calendar month in which expenses have been incurred and forwarded to the Member Liaison Officer **no later than the 5<sup>th</sup> of the following month to ensure payment that month.** Claims must be submitted within three months of the end of the relevant month. The Treasurer may, having consulted the Chair, accept a late claim for good cause and make the related payments.

The full address for completed claim forms is:

**Member Liaison Officer  
North Wales Fire and Rescue Service  
Fire and Rescue Service Headquarters  
Coast Road  
RHYL  
Denbighshire  
LL18 3PL**