

## **West Yorkshire Combined Authority Members' Allowances Scheme Municipal Year 2019/20**

**The West Yorkshire Combined Authority, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations"), hereby makes the following scheme:**

- 1** This scheme may be cited as the West Yorkshire Combined Authority Members' Allowances Scheme, and shall have effect for the municipal year 2019/20. It shall continue in force, as amended from time to time, until revoked or amended.
  
- 2** In this scheme:  
  

**"Member of the Combined Authority"** means a member of the Combined Authority appointed in accordance with Schedule 1, paragraph 1 of the Combined Authority Order 2014.

**"Co-opted Member"** means a person who is not a member of the Combined Authority but who is co-opted to any committee or sub-committee of the Combined Authority<sup>1</sup>.

**"Member"** means a Member of the Combined Authority or a Co-opted Member as defined above.

**"annual meeting"** means the Combined Authority's annual meeting held each year.
  
- 3** Any Member of the Combined Authority (as distinct from a Co-opted Member) is entitled only to travel and subsistence expenses and no other allowances under this Scheme.

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<sup>1</sup> For the purposes of claiming travel and subsistence expenses and dependants carers' allowances only, any reference to a Co-opted Member shall be taken to include any public representative appointed by the Combined Authority in respect of attendance at any meeting of a relevant District Consultation Sub-Committee.

4 The basic and special responsibility allowances shall be paid to the Co-opted Members of those committees set out in Schedule 1.

**5 1-Special Responsibility Allowance (SRA) only rule**

A Co-opted Member can only receive one SRA from the Combined Authority.

**6 Travel and Subsistence Expenses – Approved Duties**

A Member of the Combined Authority or Co-opted Member may reclaim any costs they incur provided the costs are incurred whilst engaged on Approved Duties set out in Schedule 2 and within the limits specified in Schedule 3.

**7 Dependants Carers' Allowance**

The Combined Authority pays a dependants carers' allowance subject to the following terms and conditions:-

**Childcare element**

- maximum rate payable = £7.65 per hour
- care must be provided by a registered child minder

**Other Dependants element**

- maximum rate payable = the hourly cost of a Home Help carer payable by Leeds City Council

For both types of care, there is a monthly cap of £100, regardless of type or number of dependants. Receipts are required. The approved duties for which the dependants carers' allowance may be claimed are set out in Schedule 2.

**8 Implementation and backdating of recommendations**

The allowances are implemented from the date of the annual meeting and paragraph 11 applies.

**9 Renunciation of entitlement to allowances or expenses**

Any Member of the Combined Authority or Co-opted Member may by notice in writing given to the Head of Legal and Governance Services elect to forego all or any part of their entitlement to an allowance or other expenses under this scheme.

**10 Part year Entitlements**

- (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Co-opted Member to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that member becomes, or ceases to be, a Co-opted Member, or

accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

- (2) If an amendment to this scheme changes the amount to which a Co-opted Member 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 year 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 year.

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of days in the period bears to the number of days in the year.

- (3) Where the term of office of a Co-opted Member begins or ends otherwise than at the beginning or end of a year, the entitlement of that member to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which their term of office subsists bears to the number of days in that year.
- (4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Co-opted Member does not subsist throughout the whole, or any period mentioned in sub-paragraph (2)(a), the entitlement of any such member 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 their term of office as a member subsists bears to the number of days in that period.
- (5) Where a Co-opted Member has during part of, but not throughout, a year such special responsibilities as entitle them to a special responsibility allowance, that member'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 they had such special responsibilities bears to the number of days in that year.
- (6) Where this scheme is amended as mentioned in sub-paragraph (2), and a Co-opted Member has during part, but does not have throughout the whole, or any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as to entitle them to a special responsibility allowance, that member's entitlement shall be to payment of such part of the 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 in that period during which he or she has such special responsibilities bears to the number of days in that period.

## 11 Claims and Payments

- (1) A claim for travelling and subsistence allowances under this scheme shall be made in writing **within three months** of the date of the duty in respect of which the entitlement to the allowance arises.
- (2) A claim for all allowances under this scheme or any allowance under any other provisions shall include, or be accompanied by, a **statement signed by the claimant** that they have incurred the actual expenditure shown on the claim, and have not made and will not make any other claim either to this or any other organisation in respect of the matter to which their claim relates, subject to:
  - in the case of **travelling expenses**, the amount being in line with the Combined Authority's policy to reimburse the lower of standard class bus or rail fares or the appropriate car allowance rates, and
  - in the case of **subsistence expenses**, the amount not exceeding the maximum authorised by the Combined Authority in Schedule 3 of the scheme.
- (3) Subject to any external timing constraints, payments shall be made:-
  - (a) in respect of **basic and special responsibility allowances**, subject to sub paragraph (2), in installments of one-twelfth of the amount specified in this scheme on the last Thursday of each month;
  - (b) in respect of **travelling and subsistence expenses**, on the last Thursday in each month for all fully completed claims received by the end of the previous week; and
  - (c) in respect of a large expense claim, suitable arrangements will be made where specially requested by the Member concerned.
- (4) Where a payment of one-twelfth of the amount specified in this scheme in respect of basic allowance or a special responsibility allowance would result in the Co-opted Member receiving more than the amount to which, by virtue of paragraph 8, they are entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which they are entitled.

## **12 Duplication of allowances and expenses claims**

No Member may receive an allowance or expenses from more than one authority in respect of the same duties<sup>2</sup>.

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<sup>2</sup> The Combined Authority will withhold a SRA allowance under this provision where an authority has confirmed that a Co-opted Member is carrying out duties for the Combined Authority in a capacity for which they are receiving an allowance from that authority.

## SCHEDULE 1

	<b>BASIC (per annum)</b>	<b>SRA (per annum)</b>	<b>Total per Co-opted Member</b>
<b>Transport Committee</b>			
Chair	£4,500	£24,800	<b>£29,300</b>
Deputy Chair (majority group)	£4,500	£9,920	<b>£14,420</b>
Chair of each District Consultation Sub-Committee	£4,500	£1,575	<b>£6,075</b>
Leader of main opposition group	£4,500	£7,440	<b>£11,940</b>
Members	£4,500	-	<b>£4,500</b>
<b>Overview &amp; Scrutiny Committee</b>			
Chair	£1,350	£7,848	<b>£9,198</b>
Members	£1,350	-	<b>£1,350</b>

## SCHEDULE 2

### APPROVED DUTIES

The following are specified as an approved duty for purpose of the payment of travelling and subsistence expenses and dependants carers' allowances:

- (i) A meeting of the Combined Authority, any committee or sub-committee of the Combined Authority or of any other body to which the Combined Authority makes appointments or nominations, or of any committee or sub-committee of such body.
- (ii) Any other meeting the holding of which is authorised by the Combined Authority, provided that it is a meeting to which members of at least two political groups have been invited.
- (iii) Meetings of a non-commercial, non-political and non-party political nature, (including with Ministers, Members of Parliament, European Members of Parliament, representatives of Government Departments and representatives of major companies who have an involvement in any matter relevant to functions of the Combined Authority) attended by
  - a) a Member of the Combined Authority, or
  - b) any Co-opted Member who is the Chair or Vice Chair<sup>3</sup> of a relevant committee (including an advisory panel), or
  - c) any Co-opted Member who is a nominee of (a) or (b) above

in their capacity as a representative of the Combined Authority, for the purpose of discussing matters which relate to the functions of the Combined Authority or of a constituent or non-constituent council of the Combined Authority, or any other council in which the Combined Authority has an interest in the particular function involved.
- (iv) Conferences, seminars and study courses, only where the Head of Legal and Governance Services is satisfied that they represent value for money and are being held for the purpose of discussing non-political matters which relate to the functions of the Combined Authority or any functions of the local authorities in which the Combined Authority has an interest<sup>4</sup>.
- (v) At representative functions, official functions, responding to invitations to meet and/or address voluntary and other organisations, site visits and meetings with officers subject to the prior agreement of the Head of Legal and Governance Services.

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<sup>3</sup> Or the leader of the opposition on Transport Committee

<sup>4</sup> By law, this provision does **not** extend to payment to any Member in respect of attendance at conferences convened by any body "the objects of which are wholly or partly political" (Section 175 Local Government Act 1972).

# SCHEDULE 3

## TRAVELLING AND SUBSISTENCE EXPENSES

### Travelling Expenses

Normally Members are expected to travel by bus or standard class rail. Claims for car expenses will therefore only be paid where there is no suitable alternative public transport available or there are special circumstances.

Standard class travel should be booked in advance for all rail travel on behalf of all Members, unless in the view of the Monitoring Officer there are special circumstances that require first class travel, for example to enable confidential conferences to be held on the train or to avoid disadvantaging members when travelling with other organisations.

### **MCard/Metrocards**

In view of legal and auditors advice, only Co-opted Members of the Transport Committee would properly be entitled to a MCard/Metrocard. Other Members would be permitted to apply but would be required to contribute a proper proportion to the cost to the Combined Authority of the card, in relation to the element of personal usage that could be made of it.

Where a Member holds a MCard/Metrocard, they should use this where reasonably practicable rather than other forms of transport.

When a Co-opted Member ceases to be a member of the Transport Committee they must give back their MCard/Metrocard.

### **Car Mileage Rates - the HMRC mileage rates from time to time in force**

<b>Approved mileage rates</b>		
	<b>First 10,000 business miles in the tax year</b>	<b>Each business mile over 10,000 in the tax year</b>
<b>Cars and vans</b>	45p	25p
<b>Motor cycles</b>	24p	24p
<b>Bicycles</b>	20p	20p



## **Passenger Rates**

Where a Member carries a passenger they can claim the HMRC approved passenger mileage rate of 5p per passenger mile, in addition to the applicable mileage rates for motor cars.

## **Motor Cycle Mileage Rates**

24p per mile (indexed to HM Revenue and Customs approved rates).

## **Bicycle Mileage Rate**

20p per mile (indexed to HM Revenue and Customs approved rates).

## **General Travel Expenses**

To reduce costs to the Combined Authority, a Member should not travel independently where it would be possible to travel with another Member or officer.

A Member may claim specific reimbursement for expenditure incurred on tolls, ferries or parking fees as these are deemed to be additional to the basic car allowance rates.

In rare circumstances, it is not possible to utilise public transport and a taxi has to be used. In such circumstances a Member must obtain receipts before reimbursement will be available. In exceptional circumstances, where it is not reasonable to use public transport, a taxi may be used, subject to agreement in advance by the Monitoring Officer, where reasonably practicable.

## **Subsistence Expenses**

In each instance only the actual cost incurred may be claimed with the following being the maximum rates claimable:<sup>5</sup>

### **Day Subsistence Rates**

<b>Breakfast allowance</b>	<b>£8.28</b>
<b>Lunch allowance</b>	<b>£11.28</b>
<b>Tea allowance</b>	<b>£4.54</b>
<b>Evening meal allowance</b>	<b>£14.09</b>

**Note:** The current total daily maximum subsistence claimable (£38.19) should not be disaggregated and applied to specific meals but a 24 hour maximum claimable to be spent upon subsistence as required.

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<sup>5</sup> These figures are reviewed annually in line with the rates applicable to, and published by, the Passenger Transport Forum for Non-Manual Employees of Passenger Transport Executives.

## **Overnight Subsistence**

All overnight accommodation should be booked through the Combined Authority which will seek out the most reasonably priced accommodation available, to be paid for directly by the Combined Authority thus avoiding any claims for reimbursement.

## **Overseas Travel**

Members are entitled to claim reasonable expenses in relation to their journey and stay, reimbursable upon production of receipts.

It is expected that the necessary travel and accommodation arrangements would be booked through the Combined Authority.

## **Meals Provided Free Of Charge**

Members are required to deduct an appropriate amount from the subsistence expenses in respect of any meals provided free of charge by an authority or body during the period to which the claim relates. Expenses cannot be claimed where a free meal has been provided.

## **Meals Taken On Trains**

Where main meals are taken on trains during the period for which there is an entitlement to subsistence expenses, the reasonable cost of meals (including VAT) shall be reimbursable in full. This will then replace the specific meal allowances set out above.

**Note:** In the case of travel abroad there are sometimes difficulties in obtaining receipts. However, for the reasons given above, reimbursement will only be available where receipts are provided.