

FAREHAM

BOROUGH COUNCIL

Minutes of the Audit and Governance Committee (to be confirmed at the next meeting)

Date: Monday, 21 November 2022

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor Ms F Burgess (Chairman)

Councillor R Bird (Vice-Chairman)

Councillors: J M Englefield, N R Gregory, D J Hamilton, S D Martin and
M R Daniells (deputising for Mrs T L Ellis)

**Also
Present:**



1. APOLOGIES

An apology of absence was received from Councillor T Ellis.

2. MINUTES

RESOLVED that the Minutes of the Audit and Governance Committee held on the 26 September 2022 be signed and agreed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcement regarding the appointment of the Council's External Auditors –

Members of the committee will be aware that the Council needs to retender for our External Audit provider to cover the core audit work from 2023/24 to 2027/28. Members approved the Council "opting into" the national tender process organised by Public Sector Audit Appointments (PSAA) which has now been concluded.

In October PSAA advised the Council that they wish to appoint Ernst and Young to carry on as the external auditor for Fareham Borough Council. As part of this appointment we have been forewarned to expect a fee increase of over 150% which would take the fee to over £201,000 a year. The fee discussions will be concluded in 2023.

Due to the timescales in which we were asked to respond to the appointment, the issue has been discussed with officers, myself as Chairman and the vice-chairman and we have agreed to accept the appointment. This was mainly on the basis that those few Councils who did not opt into the two PSAA processes have either failed to appoint or have not achieved any greater savings on their contracts.

We have, however, also agreed that the Section 151 Officer should work with a wider group of Councils to actively respond to the Public Sector Audit Appointments (PSAA) consultation on the scale fees proposed for the contract when asked.

The Leader of the Council has been made aware and this will be highlighted as a spending pressure in the Medium-Term Finance Strategy report to the Executive.

4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS

There were no declarations of interest made at the meeting.

5. DEPUTATIONS

No deputations were received at the meeting.

6. RISK MANAGEMENT MONITORING AND BUSINESS CONTINUITY UPDATE

The Committee received a report by the Head of Finance and Audit on the six-monthly Risk Management Monitoring report. The report also, included the 3-yearly update for Members on the work undertaken to maintain adequate business continuity arrangements which was presented to the Committee by the Head of Environmental Health.

Following the Chairman's announcement which provided details of the appointment of the Council's External Auditors. Members raised concerns over the significant rise in fees and how this links to the risk documented on page 14 in the report with regards to the External Audits Opinion, as this risk is due to the Statement of Accounts not being published by the statutory deadline. Members asked if this increase in fees will mean that the External Auditors will meet the deadlines under the new contract. The Deputy Chief Executive Officer advised that the expectation will be that due to the fee increases imposed on the Council, future deadlines will be met and if they are not officers will ensure that this is challenged as a breach of contract.

RESOLVED that the Committee: -

- a) reviewed the report as a source of evidence that the current Risk Management Policy is operating in practice; and
- b) note the progress to date and the ongoing work that is being undertaken in the development and implementation of the Council's business continuity arrangements.

7. TREASURY MANAGEMENT STRATEGY

The Committee received a report by the Deputy Chief Executive Officer on the Council's Treasury Management Strategy. The report set out the mid-year review of treasury management activity up to 30 September 2022 which confirms compliance with the strategy approved by Full Council on 25 February 2022.

A typo was brought to the attention of the Committee on page 33 of the agenda pack. The 'Private' Works Loan Board should in fact read 'Public' Works Loan Board.

RESOLEVD that the Audit and Governance Committee: -

- a) reviewed the contents of the report; and
- b) provided comments in terms of the effectiveness of the treasury management strategy.

8. HEAD OF AUDITS QUARTERLY REPORT

The Committee received the quarterly report from the Head of Finance and Audit.

RESOLVED that the Committee note the progress of the Internal Audit work.

9. MONITORING OFFICER REPORT

The Committee received the Monitoring Officer Report from the Monitoring Officer. The report is set out in two parts. Part One provides details of items for noting and Part Two sets out those items for approval or endorsement.

Members were asked to consider a tabled item which had been circulated prior to the meeting. An amendment to Part Two of the report is required as an update to the Council's Constitution is needed following an amendment to the Members Allowance Scheme. The Committee were asked to consider that the updated document be added to the Constitution and recommend to Council for endorsement. Officers highlighted to Members that the Committee are being asked to consider the amendment to the Constitution and not the change to the Members Allowance Scheme itself as these scale increases are permitted outside of the decision-making process.

RESOLVED that the Audit and Governance Committee:

- a) note the contents of Part One of the report; and
- b) considered the amendments to the Constitution set out in the tabled item at Part Two and recommend to Council for endorsement.

10. STATEMENT OF ACCOUNTS

The Committee received the draft Statement of Accounts report by the Deputy Chief Executive Officer. Members were requested to formally approve the unaudited Statement of Accounts for 2021/22 attached at Appendix A to the report. Following the audit, the audited Statement of Accounts will be presented to the Audit and Governance Committee along with the Audit Results Report in January 2023.

RESOLVED that the Audit and Governance Committee approve the unaudited Statement of Accounts for 2021/22, attached as Appendix A, for publication by 30 November 2022.

(The meeting started at 6.00 pm
and ended at 7.13 pm).

FAREHAM

BOROUGH COUNCIL

Report to Audit and Governance Committee

Date: 21 November 2022
Report of: Monitoring Officer
Subject: MONITORING OFFICER REPORT

Part Two: Matters for approval or endorsement

Constitution Update

1. Members are asked to consider an amendment required to Part Six of the Constitution – Members Allowance Scheme, due to the pay increase of 4.04%. From the 01 April 2022 the value of each point has increased to £64.20, therefore the Members Allowance Scheme 2022/23 has been amended to reflect this increase. A copy of the scheme is attached at Appendix B to this report.
2. Members of the Committee are asked to consider the amendment to the Constitution and recommend to Council for endorsement.



MEMBERS' ALLOWANCES

COUNCILLORS' HANDBOOK

November 2022 (updated)

MEMBERS' ALLOWANCES

The purpose of this Booklet

This booklet has been produced to provide members and officers with basic details of the Council's "scheme" of members' allowances. Whilst it is hoped that the information will help members in making claims for allowances, it does not cover every detail of what has now become a somewhat complex subject. On any point which requires clarification please contact any of the officers listed below.

Please also note that the information given in this booklet is current as at 07 November 2022 (some of the information being illustrative only) and will be subject to update from time to time.

Please direct any enquiries to:

Leigh Usher
Head of Democratic Services
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Please note:

There is now a separate claim form for conference allowances and a check-sheet to support a claim for carer's allowance – Democratic Services will supply copies on request.

Members' are reminded that all claims must be made within 3 months of the date being claimed. Claims made outside of this time frame will not be processed.

ALLOWANCES PAYABLE

The Council has agreed that the following allowances will be payable:

1. Special Responsibility Allowance (“SRA”)
2. Basic Allowance
3. Travelling Allowance
4. Subsistence Allowance
6. Carer’s Allowance

Each of the above allowances is explained more fully in the following pages of this booklet. All allowances and expenses are indexed and incrementally increased at the same rate as staff increases.

Members are, however, reminded that the details contained in this booklet are current as at 7th November 2022 and are subject to amendment from time to time.

Giving up an entitlement to an allowance

A member who wishes to forego the entitlement to any allowance should give notice, in writing, to the Chief Executive Officer.

SPECIAL RESPONSIBILITY ALLOWANCE 2022/23

The Special Responsibility Allowance (or "SRA" for short) is paid to recognise certain councillors' significant levels of responsibility (see Note 4 overleaf).

A points system operates for the payment of SRA. For the year commencing 1 April 2022, the points which were allocated to each relevant duty are as set out below. The current value of a point is £64.20.

Duty Individual Points

Executive Leader	360
Executive Member (excluding Leader)	200
Chairman of Scrutiny Panels	125
Vice-Chairman of Scrutiny Panels	15
Leader of Minority Group:	
(i) 1 to 9 members	60
(ii) 10 or more members	120
Chairman of Planning Committee	180
Vice-Chairman of Planning Committee	15
Chairman of Licensing and Regulatory Affairs Committee	125
Vice-Chairman of Licensing and Regulatory Affairs Committee	15
Chairman of Audit and Governance Committee	75
Vice Chairman of Audit and Governance Committee	15
Minority Group Spokesmen (for each Executive Portfolio area)	5
Mayor	80
Deputy Mayor	15
*Designated Independent Person (per annum plus travel expenses)	£761.40

Notes:

(* see note (4) overleaf)

- (1) Payments are made at the end of each calendar month, in arrears, directly into a Councillor's nominated bank/building society account.
- (2) A claim is not necessary as the SRA is paid automatically.
- (3) For all the posts listed above, a maximum of one SRA is claimable (i.e. the highest) irrespective of the number of such posts any one Councillor may hold from time to time.
- *(4) Under the provisions of the Localism Act 2011, Fareham Borough Council is required to appoint at least 1 Independent Person to assist the Council in promoting and maintaining high standards of conduct amongst its elected and co-opted members.

The remuneration received by the Independent Person(s) shall be index linked annually in line with Officer's pay increases.

The Independent Person(s) will be consulted on the decision to investigate complaints and also before any decision is made. The Independent Person(s) may be consulted on other standards included by the member who is subject to an allegation.

BASIC ALLOWANCE

The Basic Allowance is intended to recognise the time commitment of all Councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes.

A points system operates for the payment of the Basic Allowance.

The general provisions covering the payment of Basic Allowance are as follows:

- (a) For 2022/23 the annual monetary value of one point is £64.20 (see note 3 below)
- (b) The number of points allocated for the Basic Allowance is 120.
- (c) Payable as a flat-rate allowance to all Councillors.

Notes:

- (1) Payments are made at the end of each calendar month, in arrears, directly into a Councillor's nominated bank/building society account.
- (2) A claim is not necessary as the Basic Allowance is paid automatically.
- (3) For each year the Basic Allowance will be increased by the same percentage as the officers pay award that will usually follow the NJC for Local Government Services staff pay award. This award has been agreed and this will apply to all Councillors and also the Designated Independent Person(s).

TRAVELLING ALLOWANCE

The Travelling Allowance is paid as a way of recompensing members (i.e. councillors and co-opted members) for expenditure necessarily incurred when performing specified approved duties. The costs may include such expenses as appropriate train, ferry, bus, air and taxi fares, fuel costs, tolls, parking fees and overnight garaging charges.

The general points covering the payment of Travelling Allowance are as follows:

(1) Amounts

See below and also Appendix D which sets out motor mileage rates and related matters in detail.

Travelling Allowances are available to all members at the same rates.

(2) Duties

Generally, Travelling Allowance is currently payable for the following duties:

- (a) Meetings of the Council, Executive (including decision making by individual Executive Members), Scrutiny Panels, Committees and Sub-Committees - see list in Appendix A.
(This includes other formal internal meetings authorised by those bodies referred to above, (or by a formally constituted joint committee of the Council and other authorities e.g. the Joint Crematorium Committee) provided that representatives of both political groups are invited – See Appendix C).
- (b) Journeys to and from meetings with officers, booked in advance and within criteria set by the Chief Executive Officer.
- (c) Meetings of all other bodies to which the Council makes nominations - see list in Appendix B.
- (d) Any other duty previously approved at a meeting of the Council, the Executive, Scrutiny Panels or appropriate Committee or Sub-Committee (or in certain circumstances, the Chief Executive Officer) as appropriate – see current list and conditions in Appendix C.
- (e) Meetings of the Local Government Association as an approved representative under arrangements in place from time to time.
- (f) Attendance at an approved conference.

(NB. The above duties are subject to amendment from time to time and, when necessary, are subject to budgetary approval, e.g. from the Council or the Executive).

(3) Starting and Ending of Journeys – Requirements

The payment of travel allowance for meetings and other relevant duties is subject to the provision that the journey should start and end inside the Borough Boundary, with travel directly to and from the duty.

There is, however, an exception which allows the Chief Executive Officer, at his discretion, to decide whether it is appropriate for the Council to reimburse members for journeys starting or ending outside the Borough. This would apply to such situations as, for instance, temporary employment commitments.

(4) Method of Transport – Authority of the Chief Executive Officer

The travelling allowance payable for any approved duty is the relevant public transport fare or the applicable motor vehicle mileage rate.

Although there is no particular restriction on the method of transport used, members need to be aware that the Chief Executive Officer has power to authorise the use of any reasonable form of transport provided that he is of the opinion that the proposed mode of transport is appropriate having regard to the overall cost benefit to the Council and justified savings in time. It is therefore essential that for long journeys, in particular, members should seek advice from Democratic Services on suitable travel arrangements.

The Chief Executive is also able to authorise, at his discretion, the use of alternative means of transport if any member cannot conveniently use a private vehicle or normal form of public transport, for appropriate valid reasons, such as health or disability. Members should seek advice from Democratic Services before incurring expenditure.

(5) Claims

Claims for Travelling Allowance must be made on the form provided within **3 months** of the date of the relevant meeting or approved duty. There is no discretion for late claims to be paid.

(6) Availability of Allowances from more than One Source

Members must not claim a Travelling Allowance for the same meeting or other approved duty, from more than one source. For example, a member attending a meeting of another organisation which pays allowances, may claim an allowance from **either** the organisation **or** the Council, but not from both.

(7) Conditions of Approval

It is particularly important to note that it remains a condition of the payment of Travelling Allowance that the duty for which it is paid must have been approved by the

Council, the Executive, or as appropriate, a Scrutiny Panel, a Committee or Sub-Committee (or, in certain circumstances, the Executive Leader, the Chief Executive Officer or other designated officer) **before** the duty is performed. It is not possible for the payment of a Travelling Allowance to be authorised after the event.

(8) Insurance

Members are reminded that the use of a private motor vehicle on any duties connected with their service as a member of the Council can be classed as business use by an insurer. Members should check that their policies include a clause which covers such use.

They should also satisfy themselves that the insurance company is aware of the nature of the duties and accepts those duties for appropriate cover under the policy.

(9) Motor Vehicle Travel - Passengers

Members are encouraged to travel together in the same vehicle or, preferably, to travel with an officer, whenever possible. Additional payments are made for the carriage of passengers and details are set out in Appendix D.

(Please also see paragraph 4 above which refers to the Chief Executive Officer's power to authorise the most appropriate form of transport).

(10) Taxis

The use of a taxi is permitted, subject to the following restrictions-

- (a) travel by taxi should only be made if there is no reasonable means of public transport available, or in a case of urgency;
- (b) the amount reimbursed will be the actual fare and also any reasonable gratuity paid;
- (c) should a taxi be used when there is reasonable means of public transport available for the same journey or if the taxi is used in non-urgent circumstances, the relevant public transport fare will be the maximum payable.

(11) Hired Vehicles

The mileage rate payable for the use of a hired vehicle (other than a taxi-cab) will not be more than the rate which would have been applicable had the vehicle belonged to the member who hires it.

(12) Rail Travel

The cost of rail travel will be reimbursed at the actual cost incurred.

Members' attention is drawn to the fact that the Council holds an account with the railway operators and rail warrants can be used for all journeys by train. Enquiries

should be made to Democratic Services in the Civic Offices at a reasonable time before any journey is undertaken. The officers will then make the necessary arrangements to supply the rail warrant. If travel takes place without a warrant, a receipt/ticket must be produced to obtain reimbursement (see paragraph 16 below).

(Please also see paragraph 4 above which refers to the Chief Executive Officer's power to authorise the most appropriate form of transport).

(13) Bus Travel

Expenditure incurred for travel by bus will be reimbursed in full, subject to the production of a receipt.

(14) Bicycle Allowance

A bicycle allowance at a rate of 20p per mile is available to all members. For the use of a bicycle, members are also reminded of the **insurance advice on business use** referred to in paragraph (8) above and should consider obtaining appropriate cover for such use.

(15) Ferry Fares and Tolls

Any member travelling to the Isle of Wight as a foot passenger can reclaim the actual cost involved. If it is considered essential that a motor vehicle should be taken to the Isle of Wight then enquiries should first be made to Democratic Services in the Civic Offices, to find out the applicable reimbursement. Other essential ferry fares or tolls (passenger and vehicle) can be reimbursed at cost.

(16) Production of Receipts

Members are required to support all of their claims for travel allowance by the production of receipts. This applies to taxi fares, parking charges, bus fares, train fares, etc. **Claims without relevant VAT receipts cannot be processed.** This condition **does not** apply to car, motorcycle or bicycle journeys where the relevant mileage is stated on the claim form.

(17) Travelling Allowance Rates – Effective Dates

The current rates for Travelling Allowances will remain effective until 31 March 2023.

(18) Air Travel

Expenditure incurred for travel by air will be reimbursed in full at the actual cost paid, but the rate will not be more than the ordinary fare or any available economy fare. (Please also see paragraph 4 above which refers to the Chief Executive Officer's power to authorise the most appropriate form of transport).

Enquiries should be made to Democratic Services in the Civic Offices if any proposals to travel by air are being considered to ensure that the proper approvals are obtained and also for advice on the necessary arrangements.

(19) Travel Abroad

Enquiries should be made to Head of Democratic Services in the Civic Offices if any proposals involving travel abroad (or to return to the UK for a special reason) are being considered. For travel to and from destinations outside the UK, the need to consider the use of the most appropriate form of transport, (also referred to in paragraph 4 above) is particularly important.

SUBSISTENCE ALLOWANCE

The Subsistence Allowance is paid as a way of recompensing members (i.e. councillors and co-opted members) for expenditure necessarily incurred when performing specified approved duties. The costs include day-time meals and refreshments and on occasions, may also include costs for an overnight stay. Expenditure on an overnight stay is most likely to arise as a result of attendance at a conference which is dealt with in another section of this booklet. Nevertheless, should it be likely that an overnight stay will be required for an ordinary approved duty then enquiries should be made to Democratic Services in the Civic Offices at a reasonable time before the duty is undertaken. The officers will then advise on the necessary arrangements.

The general points covering the payment of Subsistence Allowance are as follows:

(1) Amounts

See below and also Appendix E which sets out the day and overnight subsistence rates according to the time of day and the period of absence.
Subsistence Allowances are available to all members at the same rates.

(2) Duties

Generally, Subsistence Allowance may be payable, in appropriate circumstances, for the following duties:

- (a) Meetings of the Council, the Executive (including decision making by individual Executive Members), Scrutiny Panels, Committees and Sub-Committees - see list in Appendix A.
(This includes other formal internal meetings authorised by those bodies referred to above, (or by a formally constituted joint committee of the Council and other authorities, eg, the Joint Crematorium Committee), provided that representatives of both political groups are invited – see Appendix C).
- (b) Meetings of all other bodies to which the Council makes nominations - see list in Appendix B.
- (c) Any other duty previously approved at a meeting of the Council, the Executive, Scrutiny Panels, or appropriate Committee or Sub-Committee (or, in certain

circumstances, by the Chief Executive Officer), as appropriate – see Appendix C.

(d) Meetings of the Local Government Association as an approved representative under arrangements in place from time to time.

(d) Attendance at an approved conference.

(NB: The above duties are subject to amendment from time to time, when necessary, and are subject to budgetary approval, e.g. from the Council or the Executive).

(3) Claims

Claims for Subsistence Allowance must be made on the form provided within **3 months** of the date of the relevant meeting or approved duty. There is no discretion for late claims to be paid.

(4) Availability of Allowances from more than One Source

Members must not claim a Subsistence Allowance for the same meeting or other approved duty, from more than one source. For example, a member attending a meeting of another organisation which pays allowances may claim an allowance from **either** the organisation **or** the Council, but not from both. This would also be the case if the organisation were, for example, to provide refreshments for members attending an event. In such a case, no additional claim should be made to the Council.

(5) Conditions of Approval

It is particularly important to note that it remains a condition of the payment of Subsistence Allowance that the duty for which it is paid must have been approved by the Council, the Executive, or as appropriate, a Scrutiny Panel, a Committee or Sub-Committee, (or, in certain circumstances by the Executive Leader, the Chief Executive Officer or other designated officer), **before** the duty is performed. It is not possible for the payment of a Subsistence Allowance to be authorised after the event.

(6) Production of Receipts

Members are required to support their claims for Subsistence Allowance by the production of receipts – this applies to hotel accommodation, meals taken, etc.

Claims without relevant VAT receipts cannot be processed.

(7) Subsistence Allowance Rates – Effective Dates

The current rates for Subsistence Allowance will remain effective until 31 March 2023.

(8) Discretionary Authority of the Chief Executive Officer – Overnight Subsistence Rates

For conferences (and other duties necessitating an overnight stay) the Chief Executive Officer has authority to approve overnight absence at a cost above the standard maximum overnight limit shown in Appendix E. However, the Chief Executive Officer must be satisfied that such expenditure is fully justified. In addition, the arrangements must be made directly by the Council with a third party and not by the member concerned.

CONFERENCES

(Also generally applicable to other meetings involving an overnight stay)

The general points covering attendance at conference are:

(1) Amounts

Travelling and subsistence allowances are payable for attendance at conference at the same rates as other duties. Appendices D and E set out the various rates in detail. Dependants' carers' allowances are also available to Councillors for conferences. Details are set out in the section on such allowances. Conference attendance allowance is no longer payable and subsistence, carers and (relevant) travel claims must all now be backed by receipts.

(2) Duties

Any conference approved by the Council, the Executive, (or in certain circumstances the Chief Executive Officer or the Executive Leader) or, as appropriate, a Scrutiny Panel or any Committee or Sub-Committee, subject to the necessary budgetary provision being available (see also (5) below).

(3) Purpose of a Conference

A conference (or such similar meeting) can be approved for the payment of allowances provided it is **both** organised by any person or body who is not doing so by way of trade or by anybody whose objects are not wholly or partly political **and** where the purpose of the conference (or similar meeting) is to discuss matters which, in the Borough Council's opinion, relate to the interests of its area, or part of it, or to the inhabitants of its area, or some of them.

(4) Conferences Relating to Duties of Joint Committees or Joint Boards, etc

Special arrangements would need to be made for attendance at a conference on behalf of a body which the Council operates jointly with other local authorities (eg, the Portchester Crematorium Joint Committee). If there are proposals for a member to attend any such conference enquiries should be made to Democratic Services in the Civic Offices at a reasonable time before any such duty is undertaken to ensure that the proper authority has been obtained and that the necessary arrangements can be made.

(5) Authority to Attend a Conference

Prior authorisation for attendance at a conference must be obtained, as appropriate, from the Council, the Executive, the Executive Leader (in certain circumstances), a Scrutiny Panel, a Committee or a Sub-Committee or, if convened at short notice, by the Chief Executive Officer (reference: Delegation Scheme – Part G). *(This includes ensuring that the necessary budgetary authority has also been given, where required. For example, it is often the case that the Executive (or Council) will need to authorise the appropriate financial provision even though another body has authorised attendance).*

Notwithstanding the above, the Council's delegation scheme provides that the Chief Executive Officer, Directors and Chief Officers (after consultation with the appropriate Executive Member) have ongoing authority to select, annually, an appropriate conference for each service area for attendance by a member accompanied by an officer (reference: Delegation Scheme – Part G). In addition, the Executive Leader has authority to approve attendance of members at conferences (and external "seminars") up to a maximum total expenditure of £1,000 on fees for each conference (or "seminar").

(6) Members Eligible to Attend Conferences

Any member (i.e. councillor or co-opted member) is eligible to attend a conference on behalf of the Council provided that the appropriate authority referred to in (5) above has been first obtained.

(7) Overnight Accommodation and Subsistence

It is sometimes possible for the authority to obtain savings on the cost of a hotel booking, by making payment, in advance, via the Council. A member who is appointed to attend a conference should, in good time, discuss accommodation needs, in the first instance, with any officer who might be accompanying him or her to the event. At the same time, Democratic Services are able to advise on the most economical way of covering the cost of attendance. See also note 10 below regarding the authority of the Chief Executive Officer to authorise additional overnight subsistence costs in specific circumstances.

Members are also reminded that they cannot claim additional subsistence allowance from the Council if meals or refreshments are provided by some other source, for example, inclusively with accommodation or by conference or meeting organisers, etc.

Unless it is financially beneficial to stay overnight, or there are administrative reasons, a member should return home on a daily basis from a conference organised at a local venue.

(8) Production of Receipts

Members are required to support their claims for conference allowances by the production of receipts for accommodation, travelling and subsistence expenses, as appropriate. ***Claims without relevant VAT receipts cannot be processed.***

(9) Claim Form

A special claim form is available for conference allowances. Please ask Democratic Services, in the Civic Offices, when required.

(10) Discretionary Authority of the Chief Executive Officer – Method of Transport and Overnight Subsistence Rates (Delegation Scheme – Part G)

For full details see travelling and subsistence allowance sections but, briefly, the Chief Executive Officer has authority to:

- (i) sanction the use of any reasonable form of transport, having regard to overall cost benefit to the Council and justifiable savings in time;
- (ii) agree to the cost of overnight subsistence exceeding the maximum limit, provided that he considers it justifiable and that the arrangements are made directly by the Council and not the member;
- (iii) agree the use of alternative means of transport if public transport or a private vehicle cannot be conveniently used due to, say, possible health, disability or other valid reason; and
- (iv) decide if it is appropriate for the Council to reimburse a member for a journey starting or ending outside of the Borough, in such a situation as, for instance, a temporary employment.

DEPENDANTS' CARERS' ALLOWANCES

The Carer's Allowance is paid to assist councillors with expenditure necessarily incurred in arranging for the care of their dependants or children.

The general points covering the payment of Carer's Allowance are as follows:

(1) Amounts

- Care of Dependants – up to £7.83 per hour.
- Care of Child – up to £7.83 per hour.

Maximum - £1,769 per claimant, per annum, unless the Chief Executive Officer authorises this limit to be exceeded if, in his opinion, this is justified.

(2) Duties

Generally, Carer's Allowance is currently available to councillors for the following duties:

- (a) Meetings of the Council, Executive (including decision making by individual

Executive Members), a Scrutiny Panel, Committees and Sub-Committees - see list in Appendix A.

(This includes other formal internal meetings authorised by those bodies referred to above, (or by a formally constituted joint committee of the Council and other authorities eg, the Joint Crematorium Committee) provided that representatives of both political groups are invited – see Appendix C).

- (b) Subject, where applicable to (a) above, attendance at a formally approved and constituted internal seminar, advisory panel, working (group) party, steering (group) party, special panel, special interest group, workshop, training session, site visit or consultation meeting.
- (c) Attendance at an approved conference (see page 14).
(NB. The above duties are subject to amendment from time to time and, when necessary, are subject to budgetary approval, e.g. from the Council or the Executive).

(3) Conditions of Payment and Time Limits

Payable to all councillors at the same rates.

In connection with carers' allowances, payment periods include travelling time from leaving home until returning home for all approved duties; allowances may be rounded-up overall to the next complete hour and may be in respect of children up to and including 14 years of age and elderly or disabled dependants requiring care and not able to be left on their own, provided that they normally reside with the claimant and that the paid carer is not a member of the claimant's immediate family or household. The payment is to be subject to a written declaration, lodged with the Director of Finance and Resources, outlining the circumstances which entitle the claimant to make a claim and the fee paid, which shall be the exact sum charged up to the maximum allowed by the scheme. The Director has the final authority to make a decision on the approval of any claims.

(4) Claims

Claims for Carer's Allowance must be made on the form provided within **3 months** of the date of the relevant meeting or approved duty. There is no discretion for late claims to be paid.

(5) Production of Receipts

Councillors are required to support claims for Carer's Allowance by the production of receipts from the carer. ***Claims without relevant VAT receipts cannot be processed.***

(6) Availability of Allowances from more than One Source

Councillors must not claim a Carer's Allowance for the same meeting or other approved duty, from more than one source. For example, a member attending a

meeting of another organisation which pays allowances, may claim an allowance from **either** the organisation **or** the Council but not from both.

(7) Conditions of Approval

It is particularly important to note that it remains a condition of the payment of Carer's Allowance that the duty for which it is paid must have been approved by the Council, the Executive, or as appropriate, a Scrutiny Panel, a Committee or Sub-Committee (or, in certain circumstances by the Executive Leader, the Chief Executive Officer or other designated officer) **before** the duty is performed. It is not possible for the payment of a Carer's Allowance to be authorised after the event.

(8) Carers' Allowances – Effective Dates

The current rates for carers' allowances will remain effective until 31 March 2023.

(9) Claim Form

A special form is available to support any claim for carer's allowance. This form acts as a receipt and must be signed by the carer. Please ask Democratic Services, in the Civic Offices, when required.

APPENDIX A

EXECUTIVE ARRANGEMENTS – COUNCIL STRUCTURE

The following formal bodies are operating under the Council's executive arrangements:

Council meeting
Executive (Including decision making by individual Executive members)
Planning Committee
Licensing and Regulatory Affairs Committee (and Licensing Panels)
Audit & Governance Committee
Leisure and Community Scrutiny Panel
Planning and Development Scrutiny Panel
Health and Public Protection Scrutiny Panel
Housing Scrutiny Panel
Streetscene Scrutiny Panel
Climate Change Scrutiny Panel
Daedalus Scrutiny Panel
Community Action Teams
Licensing Trading Concession Panel
PfSH Joint Committee
PfSH Overview and Scrutiny Committee

Note: Appropriate travelling allowances (and where relevant, subsistence allowances and carers' allowances) are sometimes payable for authorised attendance at a meeting that a member is invited to attend (e.g. as an Executive Member required to attend a Scrutiny Panel to explain any matter) or has the right to attend (e.g. the mover of a motion).

If there is any doubt, please consult Democratic Services in the Civic Offices for advice.

APPENDIX B

TRAVELLING AND SUBSISTENCE ALLOWANCES

Bodies to which the Council makes nominations and for which travelling, and subsistence allowances are currently payable (in addition to those duties set out in Appendices A and C)

NOTES:

- (a) See also the general information in the sections commencing on pages 8 and 12.
- (b) Travelling and Subsistence Allowances are payable only to those members acting as representatives, trustees and deputies nominated by the Council, the Executive, and where appropriate, a Committee or a Sub-Committee or in the case of the Local Government Association, those members nominated to serve or act as deputies on LGA bodies through the agreed process in operation from time to time.
- (c) Any member appointed by the Hampshire and Isle of Wight Local Government Association to represent that Association on another body is entitled to travelling and subsistence allowances under this Council's scheme provided that the body concerned undertakes activities connected with the functions of this authority. Such an appointee does not need to be nominated directly by the Borough Council.
- (d) This list is subject to revision at any time (list correct as at 01 April 2022 and subject to amendment):

Abshot Community Association Management Committee
Burridge Community Association Management Committee
Citizens' Advice Fareham
Community Safety Partnership
Consultation with Businesses
Crofton Community Association
Earl of Southampton Trust
Fareham / Pulheim Twinning Association
Fareham / Vannes Twinning Committee
Fareham and Gosport Clinical Commissioning Group – Community Engagement Committee
Fareham North West Community Association Management Committee
Fareham Welfare Trust
Genesis Advisory Committee
Hammond Memorial Hall Trust

Hampshire and Isle of Wight Community Safety Alliance
Hampshire and Isle of Wight Local Government Association
Hampshire County Council South Area Road Safety Council
Hampshire 2050 Partnership (previously the Hampshire Partnership)
Historic Environment Champion (English Heritage)
Joint Gypsy and Traveller Panel for Hampshire
Local Government Association - General Assembly and Annual Meeting
Local Government Association - Group Leaders' Briefings
Local Government Association Coastal Issues Special Interest Group
Lockswold Community & Sports Association
North Whiteley Development Forum
One Community, Eastleigh
Parking and Traffic Regulations Outside London
Partnership Action Group (sub-group of the Community Safety Partnership)
Partnership for South Hampshire - Overview and Scrutiny Committee
Police and Crime Panel
Portchester Community Centre Ltd
Portchester Parish Hall Board of Trustees
Portsmouth City Council Health Overview & Scrutiny Panel
Priory Park Community Association Management Committee
Project Integra - Strategic Board
Public Transport Representative
Randal Cremer Trust
Ranvilles Community Association Management Committee
River Hamble Harbour Management Committee
Solent Forum (incorporating the Solent Water Quality Group / Conference)
Solent Growth Forum
Solent Local Enterprise Partnership – Joint Leaders Board
Solent Sea Rescue Organisation
South East Employer's Local Democracy and Accountability Network for Councillors
South East Employers
Standing Conference on Problems Associated with Coastline
Stubbington Study Centre Management Committee
The Louisa Seymour Charity Management Committee
The Solent Transport Joint Committee
Titchfield Community Association
Victory Hall Management Committee
Wallington Village Community Association Executive Committee
Whiteley Community Association - General and Executive Committees

William Price Charitable Trust

(NB. There are some bodies to which the Council makes nominations and which are not shown on this list as the nominees are currently not members of the Council. Such bodies are mainly Charitable Trusts).

APPENDIX C

TRAVELLING AND SUBSISTENCE ALLOWANCES

Specific duties for which travelling and subsistence allowances are currently payable (in addition to those duties set out in Appendices A and B)

NOTES:

- (a) See also general information in the sections commencing on pages 8 and 12.
- (b) Travelling and Subsistence Allowances are payable for the duties listed in this section only if members of at least **TWO** political groups have been invited and are appointed/authorised to attend. (**NB** – This provision does not apply to 6, 7, 8 and 9 below – Executive Appointments to formally constituted Joint Committees, Conferences and External Seminars, the Independent Members' Forum and Community Action Team meetings).
- (c) This list is subject to revision from time to time, especially in relation to duties authorised on an 'ad hoc' basis (eg. training sessions, workshops, site visits etc).
- (d) The Chief Executive Officer has authority to approve meetings with representatives of other local authorities for the payment of travelling and subsistence allowances provided that members of at least two political groups are appointed/authorised to attend and also to a report being subsequently made to Council for information purposes. (Delegation Scheme – Part G).
- (e) The Executive Leader has authority to approve attendance of members at conferences or external seminars up to a total maximum limit of £1000 per conference or seminar.

1. Internal Seminars

Fareham Borough Council Internal Seminars approved by the Chief Executive Officer. (Delegation Scheme – Part G) (**NB**. Up to 12 seminars each year can be approved by the Chief Executive Officer for the payment of travelling and/or subsistence allowances. Payment for more than 12 seminars in any year is subject to authorisation by the Council).

2. Member Advisory Panels, Working (Groups) Parties, Steering Groups, Special Panels and Special Interest Groups

3. Member Workshops and Training Sessions

In addition to specific training sessions approved by formal meetings, the Chief Executive Officer has authority to approve up to 12 training sessions each year for payment of travelling and/or subsistence allowances; provided that such training sessions relate to a general area of business where training is advisable and such business does not fall specifically within the remit of one of the Council's bodies.

- 4. Formal Site Visits**
- 5. Statutory Consultation Meetings**
- 6. Executive Appointments to Formally Constituted Joint Committees**
- 7. Conferences and External Seminars**
- 8. Independent Members' Forum**
- 9. Community Action Teams**

Relevant Ward Councillors

10. Deputy Mayor

Formal duties undertaken by the Deputy Mayor

APPENDIX D

TRAVELLING ALLOWANCE MOTOR MILEAGE RATES AND BICYCLE ALLOWANCE PAYABLE

- (1) The rate per mile for travel by a councillor or co-opted member's own private motor vehicle or one belonging to a member of his/her family or otherwise provided for his/her use, is as follows:

- (a) **Car Allowance** 45p
- (b) **Motor Cycle Allowance** 24p

- (2) **Passenger Supplements**

The rates referred to in (1)(a) and (b) above may be increased for the carriage of passengers to whom a travelling allowance would otherwise have been payable, by 5p a mile regardless of the number of passengers.

- (3) **Bicycle Allowance** 20p per mile

APPENDIX E

SUBSISTENCE ALLOWANCE

1. Maximum Day Subsistence Rates

- (a) Breakfast
(Payable if you leave home before 7.30am, or you have stayed away from home for business purposes overnight and breakfast is not included)
£8.42
- (b) Lunch
(Payable if lunch is not included at the venue attended)
£11.62
- (c) Tea (after 6.30pm)
(A snack and/or drink can only be claimed if NOT claiming an evening meal (except on Saturdays and Sundays) and you will be arriving home after 6.30pm)
£4.60
- (d) Evening meal (after 8.30pm)
(Payable if work continues after 8.30pm or staying away from home overnight for business purposes)
£14.39

2. Maximum Overnight Subsistence Rates (inclusive of meals/accommodation)

In the case of an absence overnight from the usual place of residence (deemed to cover a continuous period of absence of 24 hours) and commencing from the time of leaving home – Appropriate day rates to apply after a complete 24 hour period has elapsed until the return home. Please contact the Democratic Services Team for confirmation of the amount of allowance available.

NOTES

- (i) Where a suitable **meal is provided free of charge**, or is already included in a subsistence claim under (2) above, no separate allowance will be payable.
- (ii) Members should be aware that subsistence allowance for a meeting which involves an overnight stay **includes** both the cost of hotel accommodation and meals.
- (iii) For conferences (and other duties necessitating an overnight stay) the Chief Executive Officer has authority to approve overnight absence at a cost above the standard limit shown in (2) above, if in his opinion, such expenditure is justified; in such a case, the arrangements **MUST** be made directly by the Council with a third party and not by the member concerned.
- (iv) All subsistence claims must be supported by VAT receipts.

APPENDIX F

REFERENCES

The main references covering members' allowances are to be found in:

1. **Acts**
 - (a) Local Government Act 1972
 - (b) Local Government and Housing Act 1989
 - (c) Local Government Act 2000.
2. **Statutory Instruments**
 - (a) The Local Authorities (Members' Allowances) (England) Regulations 2003 (S.I.No1021 – 2003).
(As amended by S.I.No1692 – 2003).
 - (b) The Local Government Pension (Local Authority Members in England) Regulations 2003 (S.I. No.1022 – 2003)
3. **Circulars and Letters**
 - (a) Covering letters dated 7 and 11 April from the ODPM, accompanying the Statutory Instruments referred to in (2)
(a) and (b) above, respectively.
4. **Other Regulations**
 - (a) New Council Constitutions – Guidance on Consolidated Regulations for Local Authority Allowances – ODPM and Inland Revenue (July 2003).
5. **Fareham Borough Council**
 - (1) Former Policy and Resources Committee – 12 July 2001 – Minute 4
 - (2) Council – 26 July 2001 – Minute 9 (6)
 - (3) Former Political Restructuring Sub-Committee – 18 December 2001 – Minute 6
 - (4) Former Policy and Resources Committee - 24 January 2002 - Minutes 3 and 5(b)
 - (5) Council – 7 February 2002 – Minute 9 (6)(a)
 - (6) Policy, Strategy and Finance Overview Panel – 16 January 2003 – Minute 6
 - (7) Executive – 20 January 2003 – Minute 16
 - (8) Council – 30 January 2003 – Minute 15.
 - (9) Policy, Strategy and Finance Overview Panel – 15 September 2003 – Minute 5.
 - (10) Executive – 22 September 2003 – Minute 7 (17).
 - (11) Council – 25 September 2003 – Minute 17.
 - (12) Scrutiny Board – 15 January 2004 – Minute 4
 - (13) Executive – 19 January 2004 – Minute 5 (17)
 - (14) Council – 29 January 2004 – Minute 15
 - (15) Scrutiny Board – 2 December 2004 – Minute 9
 - (16) Executive – 6 December 2004 – Minute 6 (17)

- (17) Council – 16 December 2004 – Minute 15
- (18) Scrutiny Board – 29 September 2005 – Minute 11
- (19) Executive – 10 October 2005 – Minute 5 (15)
- (20) Council – 13 October 2005 – Minute 15
- (21) Scrutiny Board – 2 February 2006 – Minute 7
- (22) Executive – 6 February 2006 – Minute 6 (21)
- (23) Council – 16 February 2006 – Minute 15
- (24) Scrutiny Board – 30 March 2006 – Minute 9
- (25) Executive – 3 April 2006 – Minute 4 (16)
- (26) Council – 6 April 2006 – Minute 15
- (27) Scrutiny Board – 30 November 2006 – Minute 8
- (28) Executive – 4 December 2006 – Minute 7 (15)
- (29) Council – 14 December 2006 – Minute 16
- (30) Scrutiny Board – 1 February 2007 – Minute 15
- (31) Executive – 5 February 2007 – Minute 7 (21)
- (32) Council – 15 February 2007 – Minute 13
- (33) Scrutiny Board – 29 November 2007 – Minute 10
- (34) Executive – 3 December 2007 – Minute 5 (17)
- (35) Council – 13 December 2007 – Minute 15
- (36) Council - 20 February 2009 - Minute 15
- (37) Council - 25 February 2011 - Minute 15
- (38) Council – February 2013 - Minute 16
- (39) Scrutiny Board – 11 January 2018
- (40) Executive – 05 February 2018
- (41) Council – 23 February 2018
- (42) Council – 11 October 2018
- (43) Council – 16 June 2022