

report



meeting **COUNTY COUNCIL**

date 29th March 2007

agenda item number

REPORT OF THE MONITORING OFFICER

MEMBERS' ALLOWANCES SCHEME – PROPOSED AMENDMENT CONCERNING THE DETERMINATION OF LATE CLAIMS

1 Purpose of the report

- 1.1 To suggest possible changes to the process by which Members' late claims for Travel and Subsistence are processed.

2. Information and Advice

- 2.1 The current Members' Allowances Scheme was approved by the County Council at its Annual Meeting on 18th May 2006. The situation concerning how late claims are dealt with is set out in paragraph 4 of the Appendix on Administrative Matters and states:-

“The Scheme requires claims to be made within two months of the duty. Late claims will be determined by the Standards Committee.”

- 2.2 In the time since May 2006 the Standards Committee has considered a number of late claims and in the course of determining these matters noted that the arrangements differ significantly from those for Officers where they make late claims and which are:-

3-6 month delay – 10% reduction
over 12 months delay – 20% reduction
more than 24 months delay - paid only at the discretion of the Chief Officer.

- 2.3 The Standards Committee noted, therefore, that these arrangements

were more generous than those for Members in allowing any late claims to be agreed. The Committee felt that such an arrangement could reasonably be made for Members and has recommended that the following amendment to this part of the Allowances Scheme be made:-

“4. Members should submit their claims for travel and subsistence as soon as is practicable. The following deductions will be applied to late claims:-

up to 3 months delay – full payment

3 – 6 months delay – 50% reduction

after 6 months delay – no payment made, except in exceptional circumstances where the matter would be referred to the Standards Committee for determination.”

2.4 The time periods proposed vary from those for Officers to reflect the fact that there is a legal requirement on the Authority to publish details of claims made by Members and to ensure that the Authority can comply with this statutory obligation there needs to be a shorter timescale attended to late payment claims.

2.5 This recommendation is made as the power to amend the Members' Allowances Scheme is reserved to Full Council.

Statutory and Policy Implications

This report has been compiled after consideration of the implications in respect of finance, equal opportunities, personnel, crime and disorder and those using the service and where such implications are material they have been described in the text of the report.

RECOMMENDATION

That the Members' Allowances Scheme be amended at paragraph 4 of the Appendix on Administrative Matters as set out below:-

“4. Members should submit their claims for travel and subsistence as soon as is practicable. The following deductions will be applied to late claims:-

up to 3 months delay – full payment

3 – 6 months delay – 50% reduction

after 6 months delay – no payment made, except in exceptional circumstances where the matter would be referred to the Standards Committee for determination.”

**ELIZABETH BENNETT
MONITORING OFFICER**

Legal Services Comments

Council has the constitutional delegation to approve the recommendation proposed [JMF 20.3.07]

Financial Comments of Strategic Director (Resources)

There are no financial implications arising from the proposals contained in the report [NS I3.3.07].

Background Papers

None.

Electoral Divisions Affected

All.