

## **EXECUTIVE NOTE**

### **The Local Government (Allowances and Expenses) (Scotland) Regulations 2007 SSI/2007/108**

The above instrument was made in exercise of the powers conferred by Sections 11 and 16 of the Local Governance (Scotland) Act 2004, section 50 of the Local Government (Scotland) Act 1973, and section 18 of the Local Government and Housing Act 1989. The instrument is subject to negative resolution procedure.

#### **Policy Objectives**

The Local Governance (Scotland) Act 2004 enables regulations to make provision for the payment by local authorities of allowances and reimbursement of expenses to their members. These regulations should be read with the provisions in the Local Governance (Scotland) Act 2004 (Allowances and Expenses) Regulations 2007 (draft affirmative regulations), which implement the required amendments to the Local Government (S) Act 1973 and the Local Government etc (Scotland) Act 1994, to implement these new measures.

The purpose of the instrument is to outline the various conditions and maximum amounts which apply for reimbursement of expenditure incurred by local authority members in carrying out their approved duties, and sets rates for mileage allowances. This instrument also proposes maximum annual amounts which can be paid to Civic Heads to reimburse them for any receipted expenditure they incur to enable them to carry out their civic duties, in addition to payments which may be made to them as council members for reimbursement of expenses, or travel mileage allowance. It also requires local authorities to use a standard form for claims for expenses and allowances, and to publish specified information in relation to payment of expenses to councillors on their website (by 1 June each year), to make such information available for inspection at local authority premises on request from a member of the public, and in any other such manner as the authority thinks fit.

The instrument amends the Local Authorities Etc (Allowances) (Scotland) Regulations 1995 to disapply local authorities from the provisions in those Regulations (which relate to both local authorities and other bodies) for schemes for attendance allowance, and claims for travel and subsistence allowances. These provisions are replaced by the new arrangements. .

This structure follows on the recommendations from the Scottish Local Authorities Remuneration Committee (SLARC), as part of the package of measures being introduced for the 2007 local government elections.

#### **Consultation**

The following bodies have been consulted on a draft of the instrument in accordance with the requirements of Section 11(4) of the Local Governance (Scotland) Act 2004.

The Scottish Local Authorities Remuneration Committee

The following organisations were also consulted

Convention of Scottish Local Authorities  
Society of Local Authority Chief Executives and Senior Managers  
National Association of Councillors  
Standards Commission for Scotland  
Society of Local Authority Lawyers and Administrators in Scotland  
Central Scotland Joint Police and Fire Boards  
Dumfries and Galloway Council  
Fife Council  
Grampian Joint Police Board  
Grampian Fire Board  
Highlands and Islands Fire Board  
Lothian and Borders Joint Police and Fire Boards  
Northern Joint Police Board  
Strathclyde Joint Police Board  
Strathclyde Fire and Rescue Board  
Tayside Joint Police Board  
Tayside Fire and Rescue Board

#### **Financial Effects**

The instrument will have financial saving for Local Government of approximately £0.5m.

Scottish Executive Finance and Central Services Department  
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