

APPENDIX 1

MAXIMUM RATES OF TRAVELLING ALLOWANCE FROM 01 APRIL 2009

1. The maximum rates of travelling allowance for travel in the circumstances specified in paragraph 6(2) of Schedule 1 to the Local Government (Travelling and Subsistence Allowances to Councillors) (No 2) Regulations (Northern Ireland) 1973, as amended, shall be the rates in Column 2 of the following table in respect of the type of vehicle of the cc cylinder capacity indicated in Column 1.

TYPE OF VEHICLE		RATES
COLUMN 1		COLUMN 2
(i)	A pedal cycle.	20.0p per mile
(ii)	A solo motorcycle of cylinder capacity not exceeding 149cc.	10.5p per mile
(iii)	A solo motorcycle of cylinder capacity exceeding 149cc but not exceeding 499cc.	15.1p per mile
(iv)	A solo motorcycle exceeding 499cc cylinder capacity or a motorcycle with a side car.	20.2p per mile
(v)	A motor car or tri-car of cylinder capacity not exceeding 450cc.	20.2p per mile
(vi)	A motor car or tri-car of cylinder capacity exceeding 450cc but not exceeding 999cc.	42.9p per mile 11.7p per mile*
(vii)	A motor car or tri-car of cylinder capacity exceeding 999cc but not exceeding 1,199cc.	47.7p per mile 12.2p per mile*
(viii)	A motor car or tri-car of cylinder capacity exceeding 1,199cc.	60.1p per mile 14.2p per mile*

* National Joint Council for Local Government Services – Casual Users rates after 8,500 miles.

2. The additional rates by which the rates per mile for travel by a Councillor's private motor vehicle may be increased under paragraph 6(3)(a) of Schedule 1 to the Local Government (Travelling and Subsistence Allowances to Councillors) (No 2) Regulations (Northern Ireland) 1973, as amended, shall be not more than 5p per mile for each passenger where the motor vehicle is being used in the circumstances specified in paragraph 6(2) of Schedule 1 of the above mentioned regulations.

3. In the case of an absence overnight from the usual place of residence, the total travelling allowance may be increased under paragraph 6(3)(c) of Schedule 1 to the Local Government (Travelling and Subsistence Allowances to Councillors) (No 2) Regulations (Northern Ireland) 1973, as amended, by any reasonable cost incurred for the overnight garaging of a motor vehicle, where the motor vehicle is being used in circumstances specified in paragraph 6(2) of Schedule 1 to the above-mentioned regulations.

Local Government Policy Division

Clerk and Chief Executive of each District Council
Finance Officer of each District Council
Mr L Hannaway, Honorary Secretary, Society of Local Authority Chief Executives
Ms H Moorhead, Chief Executive, Northern Ireland Local Government Association
Mrs M Henebery, Secretary, Association of Local Government Finance Officers
Mr R Ferguson, Secretary, National Association of Councillors
Mr A Kerr, Chief Executive, Local Government Staff Commission
Mr D Morrice, Secretary, Northern Ireland Local Government Officers' Superannuation Committee
Mr J Quinn, Chief Executive, Arc 21
Mr G Craig, Finance Director Arc 21
Mr J Buchanan, Chief Local Government Auditor
Other Interested Bodies

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44 - 58 May Street
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Your Reference:
Our Reference: LGD 1/35/04

Date: 21 May 2009

Circular No. LG 10 / 09

Dear Sir / Madam

TRAVELLING ALLOWANCE

1. I refer to the following Regulations:

- Local Government (Travelling and Subsistence Allowances to Councillors) (No. 2) Regulations (Northern Ireland) 1973
- Councillors (Travelling and Subsistence Allowances) (Amendment) Regulations (Northern Ireland) 1979
- Local Government (Travelling and Subsistence Allowances to Councillors) (Amendment) Regulations (Northern Ireland) 1981
- Councillors (Travelling and Subsistence Allowances) (Amendment) Regulations (Northern Ireland) 1997 and
- Councillors (Travelling and Subsistence Allowances) (Amendment) Regulations (Northern Ireland) 2003

2. The Department of the Environment, following consultation with the Northern Ireland Joint Council for Local Government Services, has revised the levels of travelling allowance payable to members of district Councils, where expenditure has necessarily been incurred in the performance of an approved duty. The Department has now determined maximum rates of travelling allowance for Councillors, effective from 01 April 2009, which are broadly in line with those of officers of Councils.
3. The Northern Ireland Joint Council for Local Government Services is currently reviewing the levels of subsistence allowance for Councillors and I will issue the new rates as soon as they are available.
4. A copy of the formal determination and the appendix (which details the revised maximum rates of travelling allowance) are attached for your information. Updated Guidance Notes are enclosed.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M. Finnegan', with a small mark above the 'i'.

M F T FINNEGAN (MISS)

Encs.

LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972

**LOCAL GOVERNMENT (TRAVELLING AND SUBSISTENCE ALLOWANCES
TO COUNCILLORS) (No 2) REGULATIONS (NORTHERN IRELAND) 1973**

DETERMINATION OF MAXIMUM RATES OF ALLOWANCES

The Department of the Environment in exercise of the powers conferred by Section 36 of the Local Government Act (Northern Ireland) 1972 ^(a) as amended by Article 9 of the Financial Provisions (Northern Ireland) Order 1978 ^(b) and now vested in it ^(c) hereby determines that with effect from 1 April 2009 the payments in respect of travelling allowance under the Local Government (Travelling and Subsistence Allowances to Councillors) (No 2) Regulations (Northern Ireland) 1973 ^(d), as amended, shall not exceed the rates specified in Appendix 1.

Dated this 21st day of May 2009.

John Maye

A senior officer of the Department of the Environment

^(a) 1972 c.9 (N.I.)

^(b) S.I. 1978/1041 (N.I. 11)

^(c) S.R. & O (N.I.) 1973 No. 504 Art. 7 (1); S.I. 1976/424 (N.I. 6)

^(d) S.R. & O (N.I.) 1973 No. 366 as amended by S.R. 1979 No. 25, S.R. 1981 No. 114, S.R. 1997 No. 431 and S.R. 2003 No.125



GUIDANCE NOTE

TRAVELLING ALLOWANCE

1. The Department has determined the revised maximum rates for travelling allowance paid to Councillors with effect from 01 April 2009.

2. TRAVEL BY PUBLIC TRANSPORT

- a. The rate paid for travel by public transport must not exceed the actual amount paid by the Councillor, nor should it exceed the amount of any ordinary first class fare or available cheap first class fare.
- b. The rate specified in 2 (a) may be increased by supplementary allowances not exceeding expenditure actually incurred:
 - i. on special supplements, reservation of seats and deposits or portage of luggage and
 - ii. on sleeping accommodation engaged by a Councillor for an overnight journey subject, however, to reduction by one-third of any subsistence allowance payable for that night

3. TRAVEL BY PEDAL CYCLE

The rate of travel by pedal cycle shall not exceed 20 pence.

4. TRAVEL BY MOTORCYCLE

- a. The rate for travel by a Councillor's own solo motorcycle, or one provided for official use, shall not exceed:
 - i. for the use of a solo motorcycle of cylinder capacity not exceeding 149cc, 10.5 pence per mile
 - ii. for the use of a solo motorcycle of cylinder capacity exceeding 149cc, but not exceeding 499cc, 15.1 pence per mile and

- iii. for the use of a solo motorcycle of cylinder capacity exceeding 499cc, or a motorcycle with sidecar, 20.2 pence per mile
- b. For the purposes of 4 (a), the cubic centimetre cylinder capacity shall be calculated in the manner prescribed by paragraph 43 of the Road Vehicles (Registration and Licensing) Regulations 2002.

5. TRAVEL BY MOTOR CAR OR TRI-CAR

- a. The rate for travel by a Councillor's own private motor car, or tri-car, or one belonging to a family member or otherwise provided for official use, shall not exceed:
 - i. for the use of a motor car or tri-car of cylinder capacity not exceeding 450cc, 20.2 pence per mile
 - ii. for the use of a motor car or tri-car of cylinder capacity exceeding 450cc but not exceeding 999cc, 42.9 pence per mile
 - iii. for the use of a motor car or tri-car of cylinder capacity exceeding 999cc but not exceeding 1199cc, 47.7 pence per mile and
 - iv. for the use of a motor car or tri-car of cylinder capacity exceeding 1199cc, 60.1 pence per mile
- b. The rates specified in 5 (a) may be increased:
 - i. in respect of the carriage of each passenger, not exceeding four, to whom a travelling allowance would otherwise be payable under any enactment, by not more than 5p per mile for each passenger carried and
 - ii. by not more than the amount of any expenditure incurred on tolls, ferries or parking fees, including overnight garaging
- c. The rates paid under 5 (a) shall not exceed the rates applicable to travel by appropriate alternative means of transport; for example, by public transport, ordinary airfare or any available cheap fare for travel by regular air service.
- d. For the purposes of 5 (a), the cubic centimetre cylinder capacity shall be calculated in the manner prescribed by paragraph 43 of the Road Vehicles (Registration and Licensing) Regulations 2002.

6. TRAVEL BY TAXI-CAB / HIRED MOTOR CAR

- a. The rate of travel by taxi-cab shall not exceed:
 - i. in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid and
 - ii. in any other case, the amount of the fare for travel by appropriate public transport
- b. The rate of travel by a hired motor car other than a taxi-cab shall not exceed the rate which would have been applicable had the vehicle belonged to the Councillor who hired it:
 - i. provided that where the Council so approves, the rate may be increased to an amount not exceeding the actual cost of hiring

7. TRAVEL BY AIR

- a. The rate of travel by air shall not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in subsistence allowance consequent on travel by air.
- b. Provided that where a Council resolves, either generally or specifically, that the saving in time is so substantial as to justify payment of the fare for travel by air, there may be paid an amount not exceeding:
 - i. the ordinary fare or any available cheap fare for travel by regular air service or
 - ii. where no such service is available or in case of urgency, the fare actually paid by the Councillor

8. CLAIMING AND RECORDING OF TRAVELLING ALLOWANCE

- a. In accordance with paragraph 6 of the Local Government (Travelling and Subsistence Allowances to Councillors) (No 2) Regulations (Northern Ireland) 1973, as amended, a Councillor, when claiming for travelling allowance, must make a declaration that:

- i. he / she has not and will not make any claim for allowances from any other body in respect of the approved duty to which the claim refers
 - ii. the amounts claimed are strictly in accordance with the regulations
 - iii. he / she has actually paid for any fares or other expenditure claimed and
 - iv. he / she has necessarily incurred expenditure on travelling for the purpose of enabling performance of the approved duty
- b. In accordance with paragraph 8 of the Local Government (Travelling and Subsistence Allowances to Councillors) (No 2) Regulations (Northern Ireland) 1973, as amended, a Council must keep detailed records of all payments made to Councillors and these records are open to inspection by any local elector for the district.
 - c. Regulation 4 of the Councillors (Travelling and Subsistence Allowances) (Amendment) Regulations (Northern Ireland) 2003 introduces a requirement for all claims to be supported by appropriate receipts relating to actual expenses incurred.
 - d. Regulation 4 also requires that no claim should be submitted more than three months after the date on which the expenditure was incurred.
9. Any further queries about travelling allowance should be directed to Mrs Lynne McCann on (028) 9025 6077.

Local Government Policy Division
May 2009

