

Part 6 – Members’ Allowances Scheme

LOCAL GOVERNMENT AND HOUSING ACT 1989

AND

**LOCAL AUTHORITIES (MEMBERS’ ALLOWANCES)
REGULATIONS 1993 (AS AMENDED)**

**MEMBERS’ ALLOWANCES SCHEME
(including Special Responsibility Allowances)**

(Revised May 2020)

1.0 Introduction

- 1.1 This scheme is made by East Hertfordshire Council (“the Council”) pursuant to the Local Authorities (Members’ Allowances) (England) Regulations 2003. It was approved by the Council on [date to be added] after having regard to the recommendations of the Independent Remuneration Panel.
- 1.2 The scheme will apply for the civic year from the next day after the meeting of the Council to the date of the next annual meeting of the Council, unless the Council decides otherwise.

2.0 Basic Allowance

- 2.1 Subject to paragraphs 9 and 10 below, for each year a basic allowance shall be paid to each Member as set out in Schedule 1 to the scheme.
- 2.2 The basic allowance includes incidental costs such as stationery, printing, telephone and broadband.
- 2.3 The basic allowance will be paid in equal instalments on the 15th day of each month.

3.0 Special Responsibility Allowance (SRA)

- 3.1 Subject to paragraphs 9 and 10 below, for each year a SRA shall be paid to those Members who hold the special responsibilities that are set out in Schedule 1 to the scheme.
- 3.2 Members will be restricted to receiving only one SRA (that of the higher value) if they occupy two or more posts which attract SRAs.
- 3.3 The SRA is to be paid in equal instalments on the 15th day of each month, except in the case of the Chairman and Vice Chairman of the Council, whose respective civic allowances will usually be paid in a lump sum on the 15th day of the month following their taking office.

4.0 Indexation

4.1 Neither the basic allowance nor any SRA is index linked.

5.0 Travel and Subsistence Allowance

5.1 Members may claim travel allowance in respect of their travel to and from meetings covered by approved duties, as set out in Schedule 2.

5.2 Travel allowances in connection with attendance at approved duties may be claimed, subject to the following:

- (a) the claim must be for actual mileage incurred/actual public transport used; and
- (b) the base for starting and finishing all journeys will normally be the member's home address, provided that the home address is within the District or an adjacent District/Borough.

5.3 Subsistence allowances in connection with attendance at approved duties may be claimed, subject to the following. Members are able to claim subsistence allowances where they are prevented by official duties from taking a meal at home or other place where normally taken. Claims will not be permitted where refreshment has been provided by the meeting organiser.

5.4 VAT receipts for the purchase of fuel must be provided with all claims for travel expenses. Receipts must be provided for all subsistence/hotel accommodation/public transport claims and evidence of any expenditure incurred on parking fees when using a vehicle on an approved duty. (Any motoring financial penalties incurred will not be reimbursed.)

5.5 Details of the rates of travel and subsistence allowances are set out in Schedule 1. The rates are index linked to the rates payable to officers.

6.0 Child Care and Dependant Carers' Allowance

6.1 Contribution towards costs incurred for the provision of care may be claimed, at the rates set out in Schedule 1, in

respect of care costs incurred due to attendance at approved duties. Claims are subject to the following.

6.2 The principle of providing the allowance is to allow members who are carers to undertake their duties and to allow others who might otherwise be deterred from Council membership by virtue of caring responsibilities to consider standing for election. Contributions in 6.1 above will be paid towards care in respect of:

- (a) children aged 14 or under;
- (b) a dependant, that is, someone who relies on the member for care (the member's spouse, partner, child, parent, dependant relative or someone who lives in the same household as the member but who is not his or her employee, tenant, lodger or boarder);

In each case, the dependant must normally live with the Member as part of the family and be unable to be left unsupervised. The carer can be any responsible mature person who does not normally live with the claimant as part of the family. The allowance should not be payable in respect of members of the member's immediate and close family.

| 6.3 Evidence of qualifying expenditure Receipts must be provided for all carer claims.

7.0 Pensions

7.1 No Members be admitted to the Local Government Pension Scheme.

8.0 Renunciation

8.1 A Member may by notice in writing given to the Head of Legal and Democratic Services elect to forego any part of their entitlement to an allowance under this scheme.

9.0 Part Year Entitlements

- 9.1 Where a Member's term of office begins or ends, or the holding of a special responsibility begins or ends, part way in the civic year, then the entitlement to any allowances due to a Member will be in the same proportion as the number of days served in the year.
- 9.2 When an amendment to this scheme changes the amount to which a Member is entitled, then the existing rates are payable ending with the day before the amendment takes effect.
- 9.3 The s151 Officer is authorised to determine allowance entitlements in circumstances where:
- (a) the scheme of allowances is amended at any time throughout the year;
 - (b) an individual ceases to be a Member, or an individual is elected to the office of Councillor of East Hertfordshire Council;
 - (c) a new chairmanship of a Committee or Panel is created, with reference to the lowest relevant comparable allowance until review by the Panel.

11.0 Claims

- 11.1 Claims should be made using the method prescribed by the council, on a monthly basis. Claims submitted by the fifth day of the month will usually be processed for payment on the 15th day of that month. Claims received after the 5th day will be processed for payment in the following month.
- 11.2 ~~Receipts~~ evidence of expense incurred as described in paragraphs 5.4 and 6.3 above, must accompany each claim.
- 11.3 In accordance with the Council's Financial Regulations, claims for duties performed more than three months ago are not permitted.

12.0 Record of Allowances

- 12.1 The Head of Human Resources and Organisational Development shall keep a record of all payments made to all Members in accordance with the scheme and the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003. Such records shall be available for public inspection free of charge at all reasonable times during usual office hours.
- 12.2 The Head of Legal and Democratic Services will publish on the Council's website the required notice under the Regulations providing summary information on the payments made under the scheme each year.

SCHEDULE 1

Proposals for 2020/21	Current	Recommend increase of 2.5%	Proposed
Basic Allowance	5,375	134	5,509
Special Responsibility Allowances		Recommend increase of 2.5%	
Leader	19,767	494	20,261
Deputy Leader	12,226	306	12,532
Executive Member	9,781	245	10,026
Committee Chairmen			
Development Management Committee	7,336	183.4	7,519
Licensing Committee	6,051	151	6,202
Human Resources Committee	4,842	121	4,963
Overview and Scrutiny Committee	6,464	162	6,626
Performance, Audit and Governance O	6,464	162	6,626
Financial Sustainability Committee	0	0	0
Committee Vice Chairman			
Development Management Committee	2,200	55	2,255
Leader of a minority political group	A factor of 0.1 of the Basic Allowance, multiplied by the number of Members	Recommend retain this calculation	
Mileage allowance			
Vehicles	£0.45p per mile * no change		
Passenger rate for car share			£0.05p per mile
Motorcycles			£0.24p per mile
Bicycles	£0.20p per mile	no change	
* for the first 10,000 miles			
Dependants' Carers' Allowance	£10.15		£15.00 per hour **
Childcare	£9.00		£10.00 per hour **
** At the discretion of the Head of Legal and Democratic Services to agree a higher hourly payment if requested			
		Recommend increase of 2.5%	
Civic Allowances			
Chairman of the Council	6,500	162.5	6,663
Vice-Chairman of the Council	1,450	36.25	1,486
Subsistence			
The same as for staff. No change proposed, so as set out in existing scheme of allowances			

<u>Public Transport:</u> (Including the use of taxis for short journeys where public transport is not convenient)	Reimbursement of actual cost or ordinary standard fare, whichever is the lesser, upon production of <u>evidence of fare paid, a receipt</u>	
<u>Subsistence Allowance</u> in the case of an absence from the member's normal base, not involving an absence overnight from the usual place of residence:		
of more than 4 hours before 11 am Breakfast*	£7.21	
of more than 4 hours, including the period between noon and 2.30 pm Lunch*	£9.95	
of more than 4 hours ending after 7 pm Evening Meal*	£15.20	
* Not claimable where refreshments have been provided at the meeting/event attended.		
<u>Subsistence Allowance</u> in the case of an absence involving an absence overnight from the usual		

place of residence:		
The actual cost of the most cost effective overnight accommodation and where meals are not included, subsistence allowance as detailed above.		

SCHEDULE 2

APPROVED DUTIES

1. The following shall be recognised as approved duties:

- attendance by the Chairman or Vice Chairman of the Council at civic events and pre-arranged briefings with officers relating to Council meetings;
- attendance at meetings of the Council, the Executive, a Committee, Sub-Committee, Panel, Working Party or Task and Finish Group of the Authority;
- attendance at meetings of any other body to which the Authority makes appointments or nominations, or of a Committee or Sub-Committee of such a body, provided that no other arrangements for payment exist in respect of such bodies to which the Authority makes appointments or nominations;
- attendance at any other meeting which has both been authorised by the Authority (Executive, Scrutiny or Regulatory Committee) and to which representatives of more than one political group have been invited;
- the attendance at a meeting of a Local Authority Association of which the Council is a Member;
- carrying out any other duty connected with the Authority's functions approved by the Council (Executive);
- attendance at pre-arranged meetings with officers, where the purpose of the meeting does not relate to matters relating solely to the Member's ward;
- attendance by Executive Members at meetings with representatives of external organisations in pursuance of their portfolio duties;

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- the following conferences, approved for the purposes of Section 175 of the Local Government Act 1972:

- Local Government Association
- Chartered Institute of Housing - Housing Conference
- Royal Town Planning Institute - Summer School

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- any other conference not mentioned above, or a training course or seminar shall be considered as an approved duty provided that such attendance has been authorised by ~~either the Executive or~~ the Chief Executive, or Head of Legal and Democratic Services, in consultation with the Leader.
- attendance relating to site visits in respect of Development Management Committee business for members and substitutes of the Development Management Committee, and in respect of Licensing Sub Committee business for members and of Licensing Sub Committee.

~~2. — A member attending any conference, training course or seminar shall be entitled to receive the relevant allowance for travelling and subsistence.~~

23. The Chief Executive, or Head of Legal and Democratic Services, may, upon application to him/her by any Member of the Council, subject to consultation with the Leader of the Council for the time being, designate the attendance of that Member at any other meeting, training session, seminar or conference or other attendance not hereinbefore specifically referred to as an approved duty for the purpose of this scheme.

SCHEDULE 3 – OUTSIDE BODIES

~~1. —~~ Attendance at any meeting on which the Member is nominated to represent or is appointed to represent the Council.

2. ~~Attendance at any conferences, seminars or training events, the attendance at which is approved by the Council, or the Executive or a Committee of either, or the Chief Executive.~~

~~3. Attendance at any meetings of a Local Government Association or any Joint or Liaison Committee for Members of Local Authorities.~~