

## **Part 6**

# **Members' Allowance Scheme**

## **Part 6 - Scheme for the Payment of Members' Allowances**

### **INTRODUCTION**

The Local Government and Housing Act 1989 (amended by Section 99 of the Local Government Act 2000) makes provision for Members' allowances. Under this Act the Council is required to make and annually review a local Scheme for payment of Members allowances. Accordingly, the Council's Scheme will take effect on 1 April and will operate until 31 March the following year. Within this Scheme, Members of Three Rivers District Council are entitled to receive a basic allowance, special responsibility allowance (if appropriate) and a carer's allowance (if appropriate).

### **Travel and Subsistence**

Members are also entitled to claim travel and subsistence allowances. These allowances are not part of the Council's Scheme of Members' Allowances but are attached at Appendix 2 for information. The allowances have been recommended by the Independent Panel and agreed by the Council.

### **Payment of Allowances to Co-opted Members**

Under the Local Authorities (Members' Allowances) (England) Regulations 2003, the Council has approved the payment of allowances to Co-opted Members and these are included within the Scheme.

### **Scheme of Members' Allowances**

#### **1. General**

1.1 This Scheme and any amendments to it will operate within "The Local Authority (Members' Allowances) (England) Regulations 2001".

1.2 This Scheme applies to all Councillors.

#### **2. Period of Operation**

The Council will operate a Scheme of Allowances as detailed below.

#### **3. Review Date**

During budget formulation.

#### **4. Amendments to the Scheme**

Such amendments to the Scheme as may be necessary during its currency, will be framed within the approved Regulations and approved by the Council.

#### **5. Budget for the Scheme**

This is set annually within the Council's budget.

**6. Treatment of Renounced Allowance**

Where a Member renounces his/her entitlement to an allowance, then that sum is returned to the General Fund.

**7. Payment of a Basic Allowance**

Each Member is entitled to receive a basic allowance of ££4,627

**8. Payment of a Special Responsibility Allowance**

Special responsibility allowance is paid to the following Members:

Leader of the Council and Chairman of the  
Policy and Resources Committee

Lead Members: Leisure; Community Safety  
and Partnerships; Economic Development;  
Housing, Infrastructure and Planning;  
Environmental Services; Resources and  
Shared Services

Group Leader(s)

Chairman of Planning Committee

Chairmen of Licensing /Regulatory Services  
Committee

Chairman of Audit Committee

Chairmen of Service Committees

**10. Payment of Care Allowance**

Members who incur expenditure on the care of children or dependants in order to perform their duties as Councillors are entitled to claim care allowances subject to meeting each of the following criteria:-

- (i) The event is an approved duty.
- (ii) The event requires the Member to provide care for:-
  - a child below school age; or
  - a child under 14 outside school hours; or
  - an elderly, sick or disabled dependant requiring constant care.
- (iii) The Member pays another person (not a member of his/her immediate family) to provide that care.
- (iv) The sums claimed do not exceed the actual sum paid or £12.50 per hour, whichever is the lesser.
- (v) The sums claimed in aggregate do not exceed £500 for the year.

**11. Definition of Approved Duties**

- 11.1 Council, Committees, or Sub-Committees of which the Councillor is a Member or has been specifically invited to attend by the Committee or Sub-Committee. Other ‘internal’ meetings where representation of two or more political groups are invited or attendance is required under the Council’s Procedure Rules, e.g. tender openings (Minute PR21/98 refers).
- 11.2 Representation on external bodies on which the Councillor has been appointed by the Council or Committee and the Councillor has agreed to represent the views of the Council and to report back.
- 11.3 These approved duties are summarised in Appendix 1.

**12. Ability to Forgo Allowances Payable under the Scheme**

Members will receive as appropriate Special Responsibility and Basic Allowances unless notice is given in writing to Democratic Services that s/he elects to forgo one or more parts of the entitlement.

**13. Payment of Allowances**

Payment of Basic and Special Responsibility Allowances will be made monthly in arrears.

**14. Record**

Democratic Services will maintain a register of Members' letters forgoing entitlement to allowances and a record of the amount and nature of payments made, and they will be made available for inspection.

**15. Other**

- 15.1 Travelling expenses and subsistence allowances are not part of this Scheme.
- 15.2 Financial loss allowance for non-Councillors is not part of this Scheme.

## TRAVEL AND SUBSISTENCE

### APPROVED DUTIES

(amended November 2016)

Annual Council  
Audit Committee  
Appointments Committee  
Briefings on Committee Business  
Committee Site Visit  
Community Safety Board  
Community Safety Co-ordinating Group  
Council  
Council Tax Setting Committee  
Planning Committee  
East of England Local Government Association  
Environmental Forum  
Herts District Leaders Meetings  
Herts Local Government Association  
Housing and Environment Consumer Group  
Internal Complaints Review  
Health Scrutiny Committee  
Licensing Committee  
Licensing Sub-Committee  
Local Area Forums  
Local Government Association - Committees and Sub-Committees  
Local Strategic Partnership Board  
Members’ Seminar  
Member Training  
Meetings with District Auditor  
Meeting with Parish Councils (annual)  
Opening of Tenders  
Pensioners’ Forum  
Policy and Resources Committee  
South Oxhey Scrutiny Panel  
South Oxhey Community Board  
West Herts Crematorium Joint Committee  
Youth Council  
Staff Employer Forum  
Service Committees  
Substitute Member at a Committee meeting  
Working Parties convened by the Council

**APPENDIX 2**

**TRAVEL AND SUBSISTENCE ALLOWANCES**

Travel and subsistence allowances are payable to elected Members for the purpose of enabling them to perform an approved duty.

**TRAVEL**

**Public Transport**

The rate for travel by public transport shall not exceed the amount of the ordinary fare or any available cheap fare and where more than one class of fare is available the rate shall be determined by reference to second class fares. Other expenses claimable include Pullman Car or similar supplements, reservation of seats, deposit or portage of luggage and sleeping accommodation (but this reduces by one-third any subsistence allowances payable for that night). The rate for travel by taxi-cab or cab shall not exceed, in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid.

**Hired Vehicles**

The rate for travel by a hired motor vehicle other than a taxi-cab shall not exceed the rate which would have been applicable had the vehicle belonged to the Member who hired it, provided that where the Authority so approves, the rate may be increased to an amount not exceeding the actual cost of hiring.

**Motor Cycles and Motor Cars**

Mileage rates according to cylinder capacity are payable as set out in the following tables:

<b>Motor Cycles/ Motor Vehicles</b>	<b>Maximum Rate Per Mile</b>
All cylinder capacities	52.2p

**Cycles**

A bicycle allowance for Members will be paid at a rate equivalent to that appropriate to the Councillors’ usual car mileage rate.

**Passenger Supplements**

The rates specified above for motor cycles and motor vehicles may be increased:-

- (a) In respect of the carriage of each passenger, not exceeding four, to whom a travelling allowance would otherwise be payable under this scheme, by not more than 1.00 penny a mile;
- (b) By not more than the amount of any expenditure incurred on tolls, ferries or parking fees, including overnight garaging.

**SUBSISTENCE**

Payable as set out in the following table.

<b>Allowance</b>	
<p><b>(a) Day Subsistence</b></p> <p>Breakfast allowance (more than four hours away from normal place of residence before 11.00am)</p> <p>Lunch allowance (more than four hours away from normal place of residence including the lunchtime between 12 noon and 2.00pm)</p> <p>Tea allowance (more than four hours away from normal place of residence including the period 3.00pm to 6.00pm)</p> <p>Evening meal allowance (more than four hours away from the normal place of residence ending after 7.00pm)</p>	<p>Annual rates are available under the Councillors information on the website</p>
<p><b>(b) Overnight Subsistence</b></p> <p>Bed and Breakfast must be approved with the Chief Executive or Democratic Services in advance</p>	

Note: The rates specified in paragraph (a) above shall be reduced by an appropriate amount in respect of any meal provided free of charge by an authority or body in respect of the meal or the period to which the allowance relates. Any rate determined under paragraph (b) above shall be deemed to cover a continuous period of absence of 24 hours.

**Meals on Trains**

Where main meals (i.e. a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to day subsistence allowance, the reasonable cost of the meals (including VAT), may be reimbursed in full, within the limits specified below. In such circumstances, reimbursement for the reasonable cost of a meal would replace the entitlement to the day subsistence allowance for the appropriate meal period.

The limitations on reimbursement are:-

- (i) For breakfast, an absence of more than 4 hours before 11am;
- (ii) For lunch, an absence of more than 4 hours including the period between 12 noon and 2pm;
- (iii) For dinner, an absence of more than 4 hours ending after 7pm.

**Budget for Travel and Subsistence Allowances**

This is set annually within the Council’s budget.

**List of Meetings for which Travel and Subsistence Allowances are Payable**

1. List of meetings as attached at Appendix 1.
2. Attendance through Membership or through invitation including:-
  - Meetings of Member Groups nominated by Committees
  - Chilterns Standing Conference
  - Community Council for Herts
  - Attendance at meetings in connection with Councillor duties or at the request of Officers of the Council
  - Attendance of Members representing the Council on local organisations.
  - Other Joint Member meetings with Councils and Utilities etc. sanctioned by a Chief Officer of the Council.
3. Attendance at Conferences, Seminars, etc. (See footnote\*\*)  
  
A copy of the claim form is attached, see Appendix 3.

**Note:** The following is not regarded as approved duty for the payment of Travel or Subsistence Allowances:-

- (a) Attendance at approved meetings by Councillors who are not Members of the Service Committees, Working Parties etc, unless they are specifically asked to attend by that body.

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\*\*Committees may from time to time request seminars or courses to be run "in-house", and invitations to attend will normally be to Members of that Committee. Committees may also from time to time authorise the attendance of Members at conferences, or seminars organised by an external body. In this instance, conference fees are paid out of the Members' courses budget or occasionally from Departmental budgets assuming provision has been made (e.g. regular attendance at particular conferences). Travel and subsistence allowances are paid at the rates set out above.



TRAVEL AND SUBSISTENCE CLAIM - MEMBERS

NAME: \_\_\_\_\_

PAYROLL REF. NO: \_\_\_\_\_

MONTH &

YEAR: \_\_\_\_\_

VEHICLE REGN. NO: \_\_\_\_\_

VEHICLE C.C.: \_\_\_\_\_

Date	From	To	Purpose	No. of Miles	Subsistence	Care	Rail Fares etc
<b>TOTALS</b>							

**CLAIM** £

Total miles for month \_\_\_\_\_ @ \_\_\_\_\_ p =

Subsistence, meals & others =

Care =

Rail fares etc = \_\_\_\_\_

**TOTAL** \_\_\_\_\_

I certify that these costs and journeys have been incurred in respect of my duties as a Member. I also certify that I have Insurance cover which indemnifies TRDC in the event of an accident or claim arising out of the use of the vehicle on official business.

**SIGNED:** \_\_\_\_\_ (Claimant)

Rates, additions and eligibility checked and claim authorised by:

**SIGNED:** \_\_\_\_\_ (Authorising Officer)