

Part 6

Members' Allowance Scheme

DRAFT AUGUST 2023

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 are recommended by the Independent Remuneration Panel and agreed by the Council on a yearly basis.

The Independent Remuneration Panel are a group of independent people or live within the District and are appointed by the Chief Executive under authority given to them at Annual Council each year. The Panel meet every year to consider the Members’ Allowances and make recommendations to Full Council at there December meeting.

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

- 2.1 The Council will operate a Scheme of Allowances

3. Review Date

- 3.1 During budget formulation.

4. Amendments to the Scheme

- 4.1 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

5.1 This is set annually within the Council’s budget.

6. Payment of a Basic Allowance

6.1 Each Member is entitled to receive a basic allowance which is agreed each year as part of the budget setting process.

6.2 The Committee Team 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.

7. Payment of a Special Responsibility Allowance

7.1 Special responsibility allowance is paid to the following Members:

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

Lead Members:

Leisure

Sustainability and Climate

Community Partnerships

Public Services

Economic Development and Planning Policy, Housing

Public Health and Wellbeing, Resources

Opposition Group Leader(s)

Chairs of Committees

Chair of Planning Committee

Chair of Licensing and Chair of Regulatory Services Committee (joint role)

Chair of Audit Committee

8. Payment of Care Allowance

8.1 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 their immediate family) to provide that care.
- (iv) The sums claimed do not exceed the actual sum paid or the agreed hourly rate, whichever is the lesser.
- (v) The sums claimed in aggregate do not exceed £400 for the year.

9. Definition of Approved Duties

9.1 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(Minute PR21/98 refers).

9.2 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.

9.3 These approved duties are summarised in Appendix 1.

10. Ability to Forgo Allowances Payable under the Scheme

10.1 Members will receive as appropriate Special Responsibility and Basic Allowances unless notice is given in writing to the Committee Team that they elect to forgo one or more parts of the entitlement. Where a Member renounces their entitlement to an allowance, then that sum is returned to the General Fund.

11. **Payment of Allowances**

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

~~12. **Record**~~

~~The Committee Team 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.~~

13. **Other**

13.1 Travelling expenses and subsistence allowances are not part of this Scheme.

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TRAVEL AND SUBSISTENCE

APPROVED DUTIES

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
District Council Network
Planning Committee
East of England Local Government Association
Environmental Forum if held in person
Herts District Leaders Meetings
Herts Growth Board
Herts Local Government Association
Internal Complaints Review
Herts Development Plan
Herts 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 External or Internal Auditor
Seniors' Forum
Policy and Resources Committee
South Oxhey Community Board
West Herts Crematorium Joint Committee
Youth Council
Staff Employer Forum
Service Committees

Sub-committee meetings when held in person
South West Herts Joint Strategic Partnership
Substitute Member at a Committee meeting

APPENDIX 1

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 at set rates as agreed each year by Council as part of the budget setting process.

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.

Allowance	
<p>(a) Day Subsistence</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>(b) Overnight Subsistence</p> <p>Bed and Breakfast must be approved with the Chief Executive, or Democratic Service Director of Finance <u>or Monitoring Officer</u> 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

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 the Chief Executive, Director of Finance, Associate Director and a Chief Officer/Monitoring Officer of the Council.

3. Attendance at Conferences, Seminars, etc. (See footnote**)

Claims are made electronically online via the HR online system and authorised by the Committee and Elections Manager or ~~(Director of Finance/S151 Officer/Chief Financial Officer)~~ if the claim date is more than 8 weeks

(to remove 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.

**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 agreed by Council each year as part of the budget setting process)

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