

## MEMBERS' ALLOWANCES SCHEME 2016/17

### 1. Definitions

In this scheme:

"Council" means North Hertfordshire District Council;

"Councillor" means a Member of the Council who is a Councillor;

"year" means the 12 months ended 31 March;

\*figures shown in brackets represent allowances for 2014/15.

### 2. Commencement and Duration

This scheme shall have effect for the year commencing 1 April 2016 and for subsequent years, save that the Council may amend the scheme at any time subject to the provisions of paragraph 8 hereunder.

### 3. Basic Allowance

Subject to paragraph 8, a basic allowance of £4,500(£4,500)\* shall be paid to each Councillor (x49) for each year.

### 4. Special Responsibility Allowance

For each year a special responsibility allowance in the amounts indicated below shall be paid to those Councillors who hold the following special responsibilities:-

Leader of the Council	£12,600 (£12,600)*
Deputy Leader of the Council	£1,260 (£1,260)
Cabinet Portfolio Members (x7)	£6,930 (£6,930)
Chairmen - Area Committees (x 5)	£2,205 (£4,410)
Chairman of Finance, Audit and Risk Cttee	£2,700 (£4,410)
Chairman – Overview and Scrutiny Cttee	£3,420 (£4,410)
Chairman - Planning Control Cttee	£5,670 (£5,670)
Leader of largest Opposition Group	£3,188** (£3,188)
Leader of 2 <sup>nd</sup> largest Opposition Group	£580** (£580)

\*current allowance \*\*variable

Such allowances shall be subject to the requirements of Paragraph 8 hereunder.

### 5. Travelling and Subsistence Allowances

Travelling and subsistence allowances are payable at the recommended HMRC approved amounts of 45 pence per mile for cars for the first 10,000 miles and 25 pence per mile thereafter, replacing the following National Joint Council recommended rates for local government staff.

#### Car Users

<i>Engine Size (cc)</i>	<i>Mileage rate (per mile)</i>
451 – 999	46.9p (46.9p)
1000 – 1199	52.2p (52.2p)
1200 – 1450+	65.0p (65.0p)

**Cyclists** 20.0p (20.0p)

## **Car Sharing**

An additional allowance of 5p (HMRC approved amount) per passenger per mile be paid when a Member takes other Members whilst carrying out approved duties and in the following circumstances

- (a) the Chairman and Vice-Chairman of the Council when engaged on official Council business;
- (b) the Chairman and Vice-Chairman of any Committee or Sub-Committee for attending pre-agenda and briefing meetings and opening tenders;
- (c) Cabinet Portfolio Members for attending meetings with officers in connection with their official duties as Spokesman;
- (d) attendance by Councillors at a meeting of the Council or any Committee or Sub Committee appointed thereby in accordance with the provisions of Section 102(1)(a) and (c) of the Local Government Act 1972 (including informal meetings of such bodies which have been arranged at the behest of the appropriate Chairman and to which all Members therefore have been invited to attend), of which he/she is a Member, or has been specifically requested to attend by the Chairman and such is recorded in the minutes of the meeting;
- (e) attendance by Councillors at a meeting of any Working Party or Panel to which he/she has been appointed by any of the bodies referred to in (d) above and comprising representatives of more than one political group;
- (f) attendance by Councillors at Seminars and other similar meetings arranged formally for the purpose of informing and/or training to which representatives of more than one political group have been invited;
- (g) attendance at meetings of external bodies to which the Councillor claiming is the Council's appointed representative;
- (h) attendance by Councillors at conferences, courses, seminars, etc;

(No such allowance shall be payable in respect of attendance at any conference or meeting in relation to which the Councillor is entitled to a payment in the nature of an allowance under Section 175 of the Local Government Act 1972.

No such allowance shall be payable if such a payment would be contrary to a provision made by or under any enactment.)

## **6. Renunciation**

A Councillor may by notice in writing given to the Democratic Services Manager elect to forego any part of his/her entitlement to an allowance under this scheme.

## **7. Childcare and dependent Carers' Allowance**

A care allowance will be paid to any Member who incurs expenditure on the care of young children and or dependent relatives in order to perform their duties as a Councillor, subject to:

- (a) the duty being one for which Travelling and Subsistence Allowance is payable under this Scheme of Members' Allowances; and

- (b) that each individual claim shall not exceed the actual sum paid or £6.70 (£6.50) per hour, whichever is the lesser.
- (c) Consideration being given to an additional allowance for specialist care for a dependent, where this is known to be more expensive.

**8. Part-Year Entitlements**

If during the course of the year the Council amends the amounts payable in respect of basic or special responsibility allowance, then the entitlement to such allowance shall be adjusted pro-rata to the proportion of the year that such allowance is payable.

Where a Councillor (a) is not a Councillor for the whole of the year; or (b) during the course of the year takes up or relinquishes a position in respect of which a special responsibility allowance is payable, then the entitlement to basic or special responsibility allowance shall be adjusted pro-rata to the proportion of the year during which he/she was a Councillor or held such position.

**9. Claims**

A claim for travelling and/or subsistence allowance under this Scheme shall:

- a) be made in writing within three months of the end of the month in which the meeting/activity in respect of which the entitlement to the allowances arises;
- b) include or be accompanied by, a statement by the Councillor claiming the allowance that he or she is not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under the Scheme;
- c) be accompanied by receipts itemising VAT as appropriate.

A claim in respect of annual registration as Data Controller will be paid when accompanied by a receipt for payment of the fee.

Claims submitted later than three months after the relevant date shall be paid only in such exceptional circumstances as are approved by the Strategic Director of Finance, Policy and Governance.

The Panel was advised of the personal responsibility of every councillor accessing the personal data of others, to register with the Data Commissioner as a data controller and of the £35 registration fee.

**10. Payments**

Subject to the provisions of paragraph 8 payments of basic and special responsibility allowances shall be made in monthly instalments.

Payments in respect of travelling and subsistence allowance shall be made as soon as is practicable after submission of a claim.

**11. External Conferences, Seminars, etc.**

Travelling and subsistence Allowance at the same rate as that applying under the Members' Allowances Scheme are payable to those Members attending conferences, seminars, courses, etc., falling within the criteria specified in Section 175 of the Local Government Act, 1972 where such attendance has been previously approved by the Council.

**12. Pensions**

All elected Members under the age of 75 are entitled to pensions in accordance with a Scheme made under S99 of the Local Government Act 2000 and Regulations issued in 2003 (SI 2003/1022) as amended. Both BA and SRA will be treated as amounts in respect of which such pensions are payable.