

Constitution of Hertsmere Borough Council

Scheme of Member Allowances for Financial Year 2019-20 commencing 1 April 2019 to 31 March 2020

1 Background

This Scheme applies for the year commencing 1 April 2019 to 31 March 2020.

2 Basic Allowance

A Basic Allowance of £5,926 is payable to each elected Member of Hertsmere Council.

3 Special Responsibility Allowances

Special Responsibility Allowances	
Where an individual Member holds more than one of the offices listed below, only the Allowance attracting the higher or highest payment will be paid.	
Office held	Allowance 2019-20
Leader of the Council	£24,615
Each other Member of Executive (7)	£13,108
Minority Group Leader (2 to 9 members)	£1,170
Operations Review Committee Chair	£7,233
Policy Review Committee Chair	£3,463
Licensing Committee Chair	£1,732
Personnel Committee Chair	£1,732
Planning Committee Chair	£ 5,425
Audit Committee Chair	£1,732
Standards Committee Chair	£558

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4 Dependants' Carers' Allowance (including childcare)

A Dependants' Carers' Allowance of £8.21¹ per hour shall be paid to defray the expenses incurred by a Member in providing care for children or dependants in order to carry out any of the Approved Duties listed in Paragraph 6 below.

Special Rules relating to Dependants' Carers' Allowances

1. No Member can make a claim where the carer is a member of the claimant's household.
2. No more than 200 hours per annum can be claimed by any Member.
3. Claims will only be payable on submission of a signed receipt from the carer bearing their name, signature and address, showing the period worked, the date and the amount received by the carer.

5 Travel and Subsistence Allowance

Travel and Subsistence Allowances shall be payable to Members in respect of carrying out any of the Approved Duties listed in Paragraph 6 below at the rates shown in table below.

Travel	Subsistence
Public Transport - Actual expenditure necessarily incurred based on bus fare or standard class rail fare.	Breakfast - £6.88 Lunch - £9.50
Car Mileage – 45p per mile (plus 3p per mile for one passenger and 2p per mile for subsequent passengers.	Tea - £3.76 Evening Meal - £11.77
Motorcycles - 24p per mile.	Meeting Outside the Borough involving an overnight stay - £100.
Non-Motorised Transport – 20p per mile.	

Special Rules relating to Travel and Subsistence Allowances

1. Subsistence Allowances are only payable when the performance of an Approved Duty means that more than four hours are spent away from a Member's normal place of residence.
2. Subsistence may not be claimed where food has been provided at Hertsmere Borough Council's expense.
3. Where a Member has no access to a car to carry out Approved Duties, they may submit a declaration to this effect to the Payroll Manager on a six monthly basis to enable them to claim the cost of a taxi or the equivalent of the mileage allowance payable to Members for those occasions where it is

¹ National Living Wage for Workers aged 25 and over.

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not practicable to use public transport or to obtain a lift from a colleague.

6 Approved Duties

Members of the Council are entitled to claim Dependants' Carers' and Travel and Subsistence Allowances only for the following duties:

- attendance at a meeting of the Authority or any committee or sub-committee of the Authority, or of any other body to which the Authority makes appointments or nominations, or of any committee or sub-committee of such a body.
- attendance at any other meeting, the holding of which is authorised by the Authority, or a committee or sub-committee of the Authority, or a joint committee of the Authority or a sub-committee of such a joint committee, provided that it is a meeting to which Members of at least two such groups have been invited.
- attendance at a meeting of any association of authorities of which the Authority is a member (eg LGA).
- attendance at a meeting of the Executive or meetings of any of its committees.
- attendance where required for a tender opening.
- the performance of any duty in connection with the Authority's legal powers and duties relating to the inspection of premises the carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Authority or any of its committees or sub-committees.

Note: Executive Members, when meeting in that capacity, may only claim travel expenses for any of these duties outside the Borough.

7 Co-opted Members

In accordance with Section 28(7) of the Localism Act 2011, Hertsmere Borough Council has appointed an Independent Person to advise and guide Members on compliance with the Members Code of Conduct and the promotion and maintenance of high standards of ethical conduct.

The Independent Person is also a member of the Council's Standards Assessment Panel and must be consulted by the Standards Committee (i) before it makes a determination on whether or not there has been a failure on the part of a Member to comply with the requirements of the Members Code of Conduct and (ii) before it imposes any sanction on a Member.

The Independent Person shall receive a Co-optees Allowance of £300 per annum and shall be entitled to claim Travel and Subsistence Allowances in

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connection with attendance of meetings of the Standards Committee and Standards Assessment Panel.

8 Indexing of Allowances

An inflationary increase will be made to the Basic Allowance, Special Responsibility Allowance and Co-opted Members Allowance for the financial years 2018-19, 2019-20 and 2020-21 in accordance with the headline pay increase negotiated through the National Joint Committee for Local Government Employees (or equivalent). Thereafter the Independent Remuneration Panel will meet again to review allowances for the financial year 2021-22.

9 Time limit for claiming Dependants' Carers' Allowance, Travelling and Subsistence Allowance and Co-optees' Allowance

Two months from the date of entitlement.

10 Pension provision for Members

None.

11 Right to Forego Entitlement to an Allowance

A Member may, by notice in writing to the Payroll Manager, elect to forego their entitlement or any part of their entitlement to allowances.

12 Receipt of Allowances from more than one Authority

No person may claim Allowances from more than one local authority in respect of the same duties.

13 Withholding, repayment and payment of Allowances

Where payment of any Allowance is due or has already been made in respect of any period during which the Councillor concerned:

- (a) ceases to be a Member of the Authority; or
- (b) is in any other way not entitled to receive the Allowance in respect of that period,

the Authority may withhold the payment of an Allowance for that period or, as the case may be, require that such part of the Allowance already paid as relates to any such period, be repaid to the Authority.

The total Allowance for the year for Basic and Special Responsibility Allowances are payable **pro rata**, on a daily basis, where entitlement does not extend throughout the year.

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14 Taxation

The Basic Allowance and Special Responsibility Allowances are taxable and tax is deducted at source. Subsistence, Carers' Allowances and Travelling expenses are not taxable.

15 State Benefits

Members are asked to note that entitlement to Allowances should be declared in any application for income support, housing benefit and other means-tested benefits.

Note on the Basic Allowance

The Basic Allowance is intended to cover:

- attendance at all meetings.
- time spent at meetings with constituents.
- cost Members incur when using their private telephone on Council business etc. The one exception is that Executive Members may claim £25 per month for use of a mobile phone whose number is available to the public.
- cost of Member registration for Data Protection or a Special Parking Permit.

Where a Member is provided with an iPad, Hertsmere Council will fund its use to support their role. Any costs in excess of this limited provision will be met by Members themselves. Other communication costs (eg phone calls) will be met by Members from their Basic Allowance.