

APPENDIX 1

PART 6

MEMBERS' ALLOWANCES SCHEME

SCHEME OF MEMBERS' ALLOWANCES

STATEMENT ON IMPLEMENTATION 2005/6

**The following scheme has been agreed for the period
1 April 2005 to 31 March 2006
(subject to annual review)**

The Council decided at its meeting on 15 February 2005 to implement only 80% of the amount of Basic Allowance set out in the scheme (i.e. a sum of £2,520 per annum per Councillor)

The full amounts set out in the scheme in respect of Special Responsibility Allowance (SRA) have been implemented at the 40% level as follows.

DUTY	ANNUAL AMOUNT OF SRA
Leader	£2,520
Deputy Leader	£315
Cabinet members (9)	£2,520 p.a. each
Chairman, District Development Control Committee	£1,260 p.a.
Chairman of Area Plans Sub Committees "A", "B", "C" and "D"	£945 p.a. each
Chairman of Overview and Scrutiny Co-ordinating Committee	£2,520 p.a.
Chairman of Complaints, Licensing, Staff Appeals, Housing Appeals	£630 p.a. each

Panels

Leader of each political group (as defined in the Local Government and Housing Act 1989) on the Council	A sum equivalent to £21.11 for each member of the political group concerned.
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A copy of the full scheme is available on request from the Democratic Services Department, Civic Offices, Epping.

EPHING FOREST DISTRICT COUNCIL – REMUNERATION AND EXPENSES SCHEME

The Epping Forest District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1990 and the Local Authorities (Members' Allowances) (England) Regulations 2001, hereby makes the following scheme:

1. This scheme may be cited as the Epping Forest District Council Members' Allowance Scheme and shall have effect for the period 1 April 2004 to 31 March 2006.

2. **In this scheme:**

"Councillor" means a member of the Epping Forest District Council who is a Councillor;

"independent member" means (a) a member of the Standards Committee who is not an elected councillor or (b) a co-opted member of an Overview and Scrutiny Committee who is not an elected councillor;

"year" means the 12 months ending with 31 March.

3. **Basic Allowance**

Subject to paragraph 7, £3150 shall be paid to each Councillor.

4. **Special Responsibility Allowances**

(1) For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the allowances specified in schedule 1 to this scheme. Special responsibility allowances shall be calculated as multipliers of the Basic Allowance except in the case of political group leaders. There is no restrictions on the number of separate SRA's which are payable to an individual member.

(2) Subject to paragraph 7, the amount of each allowance shall be the amount specified against that special responsibility in schedule 1 for the year.

5. **Travelling and Subsistence**

(1) These expenses may be claimed by members of the Council in connection with the carrying out of approved duties specified in Schedule 2, 3 and 4 of this scheme.

(2) Payments may be claimed up to the maximum set by the Local Government Allowances regulations set by the Secretary of State with effect from 1 April 2000 and shown on the reverse of the claim form.

6. **Dependant Carers' Allowance**

(1) The maximum rate for this allowance shall be set at a rate equivalent to the National Minimum Wage for the time being (£4.20 per hour in October 2002).

(2) A member of the Council shall be eligible to claim up to four hours of the allowance for the performance of approved duties under this scheme and for the purpose of contributing to the cost of providing personal care to immediate dependants who are in need of care and supervision.

(3) The rate applicable shall be subject to automatic increases on an annual basis in line with uprating of the National Minimum Wage.

(4) All claims shall be subject to Audit checks and no claim in excess of the maximum level will be payable, whatever the circumstances.

7. Renunciation

A councillor or independent member may by notice in writing given to the Head of the Policy Unit elect to forego any part of his entitlement to an allowance under this scheme.

8. Part-year Entitlements

(1) The provisions of this paragraph shall have the effect of regulating the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable:

(2) If an amendment to this scheme changes and the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:

(a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or

(b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the end of the year;

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

(3) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

(4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Councillor does not subsist throughout the period mentioned in such-paragraph (2)(a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole of the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.

(5) Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole of the same proportion as the number of days during which he/she has such special responsibilities, bears to the number of days in that year.

(6) Where this scheme is amended as mentioned in sub-paragraph (2), and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

9. Claims and Payments

(1) Payments shall be made in respect of basic and special responsibility allowances, subject to subparagraph (2), in instalments of one quarter of the amount specified in this scheme on the last working day of each third month;

(2) Where a payment of one-quarter of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the Councillor receiving more than the amount to which by virtue of paragraph 8(1), he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

(3) Claims must be made within a period of one year of the duty being carried out. Payments after that period will only be made in exceptional circumstances.

10. Up-rating for Inflation

There will be no inflationary adjustment to the allowances set out in this scheme.

11. Co-optees' Allowance

Co-optees' allowance will be payable to independent members as set out in Schedule 5 to this scheme.

12. Withholding/Recovery of Payments

12.1 If any councillor or independent member is wholly suspended or partially suspended under Part III of the Local Government Act 2000, or regulations made under that part, the Council shall be entitled to withhold any payments of Basic and Special Responsibility or Travelling and Subsistence Allowances in respect of that period of suspension or partial suspension.

12.2 Where any councillor or independent member has already received a payment in respect of any period during which they have been:

(a) suspended or partially suspended from their responsibilities or duties as a member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or

(b) ceased to be a member of the Authority; or

(c) not entitled in any other way to receive the allowance in respect of that period, the Council may require that such part of the allowance as relates to the period in question shall be repaid to the Authority.

13. PENSIONABLE STATUS

- 13.1 Remuneration payable to councillors of the Epping Forest District Council under this scheme shall be entitled to pensionable status in accordance with a scheme made under Section 7 of the Superannuation Act 1972, if they opt in to the Essex Superannuation Scheme.
- 31.2 For the purposes of a Paragraph 13.1 above basic allowance and special responsibility allowance will be treated as amounts in respect of which such pensions are payable in accordance with a scheme under that Act.

SCHEDULE 1

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances.

DUTY	ANNUAL AMOUNT OF SRA
Leader of Council	£6300
Deputy Leader of Council	£787.50
Cabinet members (10)	£6300 (each)
Chairmen, District Development Control Committee	£3150
Chairmen of Area Plans Sub Committees "A", "B", "C" and "D"	£2362.50 p.a. (each)
Chairmen of Overview and Scrutiny Committees 1, 2 and 3	£6300 (each)
Chairmen of Joint Consultative Committee	£2362
Chairmen of Complaints, Licensing, Staff Appeals, Housing Appeals	£1575 (each)
Chairmen of Policy Working Groups (3)	£1575 (each)

2. The following additional special responsibilities are also specified for the purpose of paying special responsibility allowances:

DUTY	ANNUAL AMOUNT OF S.R.A.
Leader of each political group (as defined in the Local Government and Housing Act 1989) as set out opposite): namely 2 or more members.	£315 for each five members of the Group.

SCHEDULE 2 APPROVED DUTIES

1. The following are specified as an approved duty for the purpose of the payment travelling and subsistence expenses, attendance at any of the following:
 - (a) a meeting of the authority or as a member of the Cabinet, a Cabinet Committee or of any committee or sub-committee, working group, special committee or Board of the authority together with the Standards Committee and the Independent Remuneration Panel.
 - (b) any other meeting held by the Authority provided that:
 - (i) where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited; or
 - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
 - (c) duties relating to the supervision of tender opening as required by the Council's Standing Orders;
 - (d) attendance as representative of the Council at any conferences or meeting of the outside organisations set out in Schedules 3 and 4;
 - (e) attendance at any meeting or other official function at the request of the Chief Executive, a Corporate Director or the Finance Director or the appropriate Head of Service including meetings between group representatives for a particular Committee and officers;
 - (f) any other duty approved by the Council or the Cabinet or any other committee, sub-committee, special committee or Board or Panel or any duty of a class so approved, for the purpose of, or in connection with, the discharge of functions or the body, or of any of its committees or sub-committees;
 - (g) attendance by a Councillor at a meeting of which he or she is not a member for the purpose of explaining a motion referred from the Council;
 - (h) attendance as a Councillor at the invitation of the Local Government Commissioner for Administration for the purpose of investigating a complaint against this Council of maladministration;
 - (i) attendance as an appointed representative of Epping Forest District Council at any meeting of Essex County Council or any of its committees or sub-committees for the purpose of formal consultations on any matter affecting the powers or duties of this Council or the district or any part thereof;

(j) attendance as Leader on behalf of the Council or the Cabinet or as a Chairman on behalf of a Committee at an official function.

2. There is specified as an approved duty for the purpose of paying travelling and subsistence expenses attendance at any of the outside organisations shown in Schedule 4.

3. Attendance by members of the Council at meetings of outside organisations not shown in Schedule 4 shall NOT qualify for payment of travelling and subsistence expenses.

SCHEDULE 3 CONFERENCE AND MEETINGS

Conference and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by the Council, Committee, Sub-Committee or Board and which does not involve an absence overnight from the councillors normal place of residence.

Appropriate subsistence and travelling expenses (first class ordinary return rail fare or car mileage at the appropriate rate whichever is the less if travel outside the Epping Forest District is required).

Conferences and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by the Council, Committee, Sub-Committee or Board and which involves an absence from the Councillors normal place of residence of one or more nights

Appropriate subsistence and travelling expenses (first class rail fare or car mileage, whichever is the less if travelling outside the Epping Forest District is required).

SCHEDULE 4 OUTSIDE ORGANISATIONS

Attendance as appointed representative of the Council on any outside organisations, such attendances being deemed approved duty for the purpose of paying subsistence and travelling expenses.

SCHEDULE 5 CO-OPTEE'S ALLOWANCE

Chairman of the EFD Standards Committee:	£700 per annum
Independent Members of the EFD Standards Committee:	£350 per annum
Co-opted independent members of an Overview and Scrutiny Committee	£350 per annum

**EPPING FOREST DISTRICT COUNCIL
GUIDANCE NOTE ON ALLOWANCES AND EXPENSES FOR MEMBERS**

1. INTRODUCTION

- 1.1 A Councillor is eligible for the payment of attendance allowances and for reimbursement of travel and subsistence expenses in respect of approved duties carried out on behalf of the Council. An approved duty is one which has been authorised by the Council or any of its Committees and Sub-Committees in advance.
- 1.2 The Council has a formal scheme for allowances which is updated from time to time. A copy of the scheme is set out elsewhere in the procedures manual. This note is of a more informal nature and is designed to assist members in dealing with their claims and explaining the arrangements to the public.

2. BASIC ALLOWANCE

- 2.1 This is a flat rate allowance payable to all members of the Council. This annual amount is paid in quarterly instalments. Members do not have to claim this amount.

3. SPECIAL RESPONSIBILITY ALLOWANCE

- 3.1 This is a special allowance payable to the Leader and Deputy, Cabinet members certain Chairmen and to Group Leaders. It is designed to reflect the additional responsibilities of these office holders. This amount is paid in quarterly instalments during the year and does not have to be claimed.

4. TRAVEL EXPENSES

- 4.1 Members may re-claim reasonable travel expenses (including public transport tickets, taxi fares, parking costs where appropriate subject to submission of evidence of expenditure) in respect of approved duties.

4.2 Car Travel

The normal rates for car travel are the maximum fixed by the Secretary of State which must not be exceeded. Claims must be fixed on the rates applicable at the time of the journey. These rates are set out on the reverse of the claim form and are regularly updated by the government in line with inflation.

4.3 Shortest Distance

Claims for car travel should be by reference to the shortest distance from home to the Council offices or other venue for the approved duty concerned. No claim for additional expenses will be entertained unless there is a valid reason for incurring the additional mileage.

4.4 Travel Direct from Workplace etc

For claims involving direct travel from a Councillor's place of work (or other departure point) for an approved duty, the distance claims shall be limited to the home to meeting venue element of the journey. All such claims must be endorsed "CLAIM LIMITED" on the form.

4.5 Travel Outside the District – Limit on Amount Claimable

For journeys to approved meetings outside the District or by members resident outside the district, claims irrespective of mode of travel must not exceed the lower of:

- (a) first class return rail fare plus underground and other fares from station to destination at each end of the journey; or
- (b) the appropriate car mileage.

This is subject to consideration of any special circumstances as set out in 5.6 below.

4.6 Travel over Long Distances – Special Circumstances

If, for any reason, a councillor undertakes travel over long distances or from outside the District, members are advised to contact the Head of the Policy Unit in advance for advice on what would constitute a reasonable claim in the circumstances.

4.7 Use of Public Transport within Epping Forest District

The rate for travel by public transport must not exceed the ordinary fare (or any available cheap fare). Where more than one class of fare is available, the first class fares may be claimed. A member may not claim travelling expenses in respect of a single duty from more than one body. In all such claims evidence of expenditure i.e. tickets or other receipts) MUST be provided. No claim will be allowed without such evidence.

5. SUBSISTENCE EXPENSES

- 5.1 Subsistence expenses (covering refreshments and meals etc paid for by a member) are claimable by councillor in respect of making attendances connected with approved duties on behalf of the Council. The rates for such expenses are set out (by reference to meal time and periods of absence) on the reverse of the form which is supplied to members on a quarterly basis. These rates may not be exceeded. Periods of absence will be calculated on the basis of departure from home or place of work if it is not possible to return home in the time available.
- 5.2 All claims for subsistence must be accompanied by receipts in respect of meals etc as evidence of expenditure actually having been incurred. No claims will be allowed in the absence of such evidence.
- 5.3 Special arrangements exist in respect of subsistence expenses in respect of duties involving an absence overnight from a councillor's normal place of residence. These are outlined under Section 7 relating to conferences.
- 5.4 A Councillor may not claim subsistence expenses in respect of a single duty from more than one body.

6. CONFERENCES

- 6.1 The following conferences adopted by the Council on 11 July 1995 constitute the approved list of members' conferences:

Conference/Organisation (Relevant Committee)	Approved No of Representative(s)
Local Government Association (Annual Conference)	3 Members
Chartered Institute of Public Finance and Accountancy	1 Member
Rating and Valuation Association	1 Member
Institute of Environmental Health Officers	1 Member
National Society for Clean Air	1 Member
Institute of Waste Management	1 Member
Institute of Civil Engineers (Municipal Engineering Conference)	1 Member
Institute of Leisure and Amenity Management	1 Member
National Sports Council (Recreation Conference)	1 Member
Institute of Housing	1 Member
Royal Town Planning Institute (Summer School and Annual Conference)	1 Member
Town and Country Planning Association (Annual Conference)	1 Member

- 6.2 Appointments for these conferences are made by the appropriate committee or by urgent action.
- 6.3 Attendance at Conferences and payment of allowances and expenses other than those listed above are subject to prior approval by the appropriate committee in all cases.
- 6.4 All conferences deemed to be approved duties shall, in accordance with statutory requirements, be relevant to the District and not wholly or partly commercial or political in their objectives.

Allowances for Attendance at Conferences (Involving An Absence from Home)

Subsistence – Nights Away from Home

- 6.5 For conferences involving one or more night's absence, subsistence rates are subject to the overall maximum set for each 24-hour period. These vary accordingly to the following categories:

- (a) conferences held in London or which are convened by a local authority association – these attract a higher maximum amount;
- (b) other conferences – where the maximum 24-hour rate is set at a lower level.

These maxima are set by the Secretary of State and may not be exceeded. They are updated on a regular basis in line with inflation.

Claims for Subsistence

- 6.6 These claims should cover such items as hotel bills, refreshments, meals (other than free meals which should be discounted) and similar items. No claims will be allowed unless evidence is provided of all expenditure being claimed. All relevant bills and receipts should be forwarded to the Chief Executive with claims.

Travel Claims

- 6.7 The guidance outlined under paragraph 4.5 will apply to all conferences .

7. TAXATION AND NATIONAL INSURANCE IMPLICATIONS

- 7.1 Details of the tax and national insurance implications of allowance payments and expenses claimed are available from the Finance Director.

8. ALTERATION OF CLAIMS

- 8.1 All claim forms submitted by members are checked by Committee and members' Services Section. The Head of Policy Unit (or the Committee and Member Services' Manager acting on his behalf) is authorised to reduce incorrect claims in the following circumstances:

- (a) where a member does not attend at a claimed meeting;
- (b) where a claimed meeting is not approved;
- (c) where an incorrect amount of allowance is claimed; and
- (d) where a correct date has not been claimed.

- 8.2 Any changes under paragraph 9.1 will be notified to members after the claim form has been processed. Any other problems with members' claims will be referred back for the claimant and processing of the claim will not take place until the query has been clarified.

9. INTERPRETATION

- 9.1 These guidelines are subject to the overall interpretation of the Chief Executive as to what constitutes a reasonable claim in any individual circumstances.