



## **MEMBERS' REMUNERATION SCHEME**

*Mileage rates are those in force at 1.4.16.*

*In this scheme "he" shall be read so as to mean "s/he".*

Loughton Town Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 2003 and having considered a report of the Parish Remuneration Panel for the Epping Forest District, hereby makes the following scheme:

1. This scheme may be cited as the Loughton Town Council Members' Remuneration Scheme and shall have effect for the period from 1<sup>st</sup> April 2008 until further notice.
2. **In this scheme:**  
"Councillor" means a member of the Loughton Town Council who is an elected Councillor.
3. **Parish Basic Allowance**  
Subject to paragraph 7, with effect from 1 April 2009 a parish basic allowance of £108 per annum shall be payable to all councillors.
4. **Renunciation**  
A councillor may by notice in writing given to the Town Clerk elect to forego all or any part of his entitlement to an allowance under this scheme.
5. **Part-year Entitlements**
  - (1) The provisions of this paragraph shall have the effect of regulating the entitlements of a councillor to parish basic allowance where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor.
  - (2) If an amendment to this scheme changes the amount to which a councillor is entitled by way of a basic 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 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. The Council further reserves the right to backdate the payment of the allowance to the commencement of the year in question.

- (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 sub-paragraph (2)(a), the entitlement of any such councillor to a parish 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 member is suspended or partially suspended from his responsibilities or duties as a member of the Council, in accordance with Part III of the Local Government Act 2000 or regulations made under that part, any parish basic allowance payable in respect of the duties from which he is suspended or partially suspended, may be withheld by the Council.
- (6) Where payment of a parish basic allowance has been made in respect of any period during which the member concerned is:
  - (a) suspended or partially suspended from his or her responsibilities or duties as a member of the Council under Part III of the Local Government Act 2000
  - (b) ceases to be a member of the Council
  - (c) is in any other way not entitled to receive the allowances in respect of that period

the Council may require that such part of the allowance as relates to the period concerned be repaid to the authority.

## **6. Parish Travelling and Subsistence Allowance**

- (1) The Council will pay to its members allowances in respect of travelling and subsistence ("parish travelling and subsistence allowance"), including an allowance in respect of travel by bicycle or by any other non-motorised form of transport, undertaken or incurred in connection with the performance of any duty within one or more of the following categories -
  - (a) the attendance at a meeting of the Council or of any committee or sub-committee of the authority, or of any other body to which the Council makes appointments or nominations, or of any committee or sub-committee of such a body;
  - (b) the attendance at a meeting of any association of authorities of which the Council is a member;

- (c) the performance of any duty in pursuance of any standing order made by the Council under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
  - (d) the performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises; and
  - (e) the carrying out of any other duty approved in advance by the Council, 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 of any of its committees or sub-committees.
- (2) Where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any parish travelling and subsistence allowance payable to him in respect of the responsibilities or duties from which he is suspended or partially suspended may be withheld by the Council.
- (3) The Council may require that where payment of travelling and subsistence allowance has already been made in respect of any period during which the member concerned is -
- (a) suspended or partially suspended from his 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;
  - (b) ceases to be a member of the authority; or
  - (c) is in any other way not entitled to receive the allowance in respect of that period;
- such part of the allowance as relates to any such period shall be repaid to the authority.
- (4) The maximum rates for parish travel and subsistence allowance shall be the same as are paid by Epping Forest District Council to its councillors; current rates are as set out in Appendix 1 to this scheme.

## **7. Claims and Payments**

- (1) Parish Basic Allowance will be paid annually in arrears in March each year.
- (2)
  - (a) Claims for payment in respect of travelling and subsistence expenses shall be made quarterly (1 April – 30 June, etc) in the form prescribed by the Council.
  - (b) Claims submitted within five days of the end of the quarter to which they refer will be processed for payment within that month.
  - (c) Claims submitted more than five days after but within 28 days of the end of the quarter to which they refer will be held over and processed for payment with claims for the following quarter.
  - (d) Claims should not be submitted more than 28 days after the end of the quarter to which they refer. Claims submitted outside this time limit will be referred to the Chairman of Resources and General Services

Committee (or, in his/her absence, the Vice Chairman) and will only be authorised for payment if there are extenuating circumstances for the late submission.

- (3) The Council will deduct from the payments as necessary any amounts due in respect of income tax, National Insurance contributions, etc.
- (4) A member of the Council who is also a member of another Council may not claim or receive payments of allowances from more than one Council in respect of the same duties.

#### **8. Uprating for Inflation**

- (1) The maximum rates of allowances for travel and subsistence specified in the scheme will be increased each year in line with any increases implemented by Epping Forest District Council.
- (2) The parish basic allowance will be reviewed each year in the autumn by the Resources and General Services Committee. A recommendation for change, if any, will be made to the meeting of the Council which sets the Council's precept for the following financial year.
- (3) Any such adjustments shall only be applied for a maximum of 4 years from the date of commencement of this scheme. Continuation beyond 4 years shall be dependent upon consideration of a report of the Parish Remuneration Panel.

#### **9. Amendment and Revocation of Scheme**

- (1) This scheme may be amended at any time and uprating for inflation shall not be deemed to be an amendment.
- (2) This scheme may only be revoked with effect from the beginning of a year.
- (3) For the purpose of revoking this scheme, a year shall be deemed to be any period of 12 months ending on 31<sup>st</sup> March of any subsequent year.

## Appendix 1

### PART 1

#### Rates of Travelling Allowances and Provisions Relating Thereto

1. (1) 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, in the case of travel by ship by reference to first class fares, and in any other case by reference to second class fares unless the body determines, either generally or specifically, that first class fares shall be substituted.  
  
(2) The rate specified in the preceding sub-paragraph may be increased by supplementary allowances not exceeding expenditure actually incurred:
  - (a) on Pullman Car or similar supplements, reservation of seats and deposit or portage of luggage; and
  - (b) on sleeping accommodation engaged by the member for an overnight journey, subject, however, to reduction by one-third of any subsistence allowance payable for that night.
  
2. (1) **The amount payable shall be the lesser of the rates below or the maximum amount allowed by the Inland Revenue before the allowance becomes taxable** (currently 45p a mile).  
  
(2) The rate for **travel by a member's own solo motor cycle** or one provided for his/her use, shall not exceed:
  - (a) for the use of a solo motor cycle of cylinder capacity
    - (i) not exceeding 150cc, 8.5p a mile;
    - (ii) exceeding 150cc but not exceeding 500cc, 12.3p a mile;
    - (iii) exceeding 500cc, 16.5p per mile.
  
  - (3) The rate for **travel by a member's own private motor vehicle**, or one belonging to a member of his/her family or otherwise provided for his use, other than a solo motor cycle, shall not exceed:
    - (a) for the use of a motor car of cylinder capacity
      - (i) not exceeding 999cc, 46.9 p a mile;
      - (ii) exceeding 999cc but not exceeding 1199cc, 52.2p a mile;
      - (iii) exceeding 1199cc, 65p a mile;
  
  - (4) The rates specified in sub-paragraphs (1) and (2) may be increased
    - (a) in respect of the carriage of passengers to whom a travelling allowance would otherwise be payable under any enactment by not more than 3p a mile for the first passenger and 2p per mile for the second and subsequent passengers;

(b) by not more than the amount of any expenditure incurred on tolls, ferries or parking fees, including overnight garaging;

(5) For the purpose of this paragraph, the cylinder capacity shall be that entered in the vehicle registration book or document by the Secretary of State under the Vehicles (Excise) Act 1971.

3. The rate for **travel by taxi-cab or cab** shall not exceed:

(a) in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid; and

(b) in any other case, the amount of the fare for travel by appropriate public transport.

4. 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 body so approves the rate may be increased to an amount not exceeding the actual cost of hiring.

5. The rate for **travel by air** shall not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in attendance allowance or financial loss allowance, and subsistence allowance consequent on travel by air;

provided that where the body resolves, either generally or specifically, that the saving in time is so substantial as to justify payment of the fare for travel by air, there may be paid an amount not exceeding:

(a) the ordinary fare or any available cheap fare for travel by regular air service; or

(b) where no such service is available or in case of urgency, the fare actually paid by the member.

6. The rate for **travel by a member's own bicycle**, or one belonging to a member of his/her family or otherwise provided for his/her use, shall not exceed the lower of 55.8p per mile or the maximum amount permitted by the Inland Revenue before the allowance becomes taxable.

7. For travel outside the county of Essex (including Southend and Thurrock) the cost of travel by private motor vehicle or taxi or taxi-cab will normally only be reimbursed up to the cost of travel by public transport, unless the body determines otherwise.

## **PART 2**

### **Rates of Subsistence Allowance and Provisions Relating Thereto**

1. (1) The rate of subsistence allowance shall not exceed:

(a) in the case of an absence, not involving an absence overnight from the usual place of residence:

(i) **Breakfast** allowance (more than 4 hours or, where the authority permits, a lesser period, before 11.00 a.m.) £3;

(ii) **Lunch** allowance (more than 4 hours or, where the authority permits, a lesser period, including the lunchtime between 12 noon and 2.00 p.m.) £1.50;

(iii) **Tea** allowance (more than 4 hours or, where the authority permits, a lesser period, including the period 3.00 p.m. to 6.00 p.m.) £3.67;

(iv) **Evening meal** allowance (more than 4 hours or, where the authority permits, a lesser period, ending after 7.00 p.m.) £8.27.

(b) in the case of an **absence overnight** from the usual place of residence, £79.82 and for such an absence overnight in London or for the purposes of attendance at an annual conference (including or not including an annual meeting) of the National Association of Local Councils or such other association or body as the Secretaries of State may for the time being approve for the purpose, £91.04.

(2) For the purposes of this paragraph, London means the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

2. Any rate determined under Paragraph 1 (b) above shall be deemed to cover a continuous period of absence of 24 hours.

3. The rates specified in Paragraph 1 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.

4. When **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, the reasonable cost of meals (including V.A.T.) may be reimbursed in full within the limits set out 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.

(i) for breakfast, absence of more than 4 hours or, where the authority permits, a lesser period, before 11.00 a.m.;

(ii) for lunch, absence of more than 4 hours or, where the authority permits, a lesser period, including the lunchtime between 12 noon and 2.00 p.m.;

(iii) for dinner, an absence of more than 4 hours or, where the authority permits, a lesser period, ending after 7.00 p.m.