

# Part 6

## MEMBERS' ALLOWANCES

**HORSHAM DISTRICT COUNCIL  
LOCAL GOVERNMENT ACT 2000  
THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND)  
REGULATIONS 2003 (AS AMENDED)  
SCHEME OF MEMBERS' ALLOWANCES**

Horsham District Council ("the Council"), in exercise of the powers conferred by Section 100 of the Local Government Act 2000 and The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended), hereby makes the following scheme:

### Citation and commencement

1. This Scheme may be cited as the Horsham District Council Members' Allowances Scheme, and shall have effect from 15<sup>th</sup> December 2004 and for subsequent years as amended by the insertion of substituted appendices and the amendment to paragraph 12(2) with effect from 5<sup>th</sup> December 2007.

### Definitions

2. In this scheme,

"Co-optee" means a non-Councillor Member of the Council's Standards Committee;

"Councillor" means a member of the Council who is an elected Councillor;

"Member" means a Councillor or a Co-optee;

"Regulations" means The Local Authorities (Members' Allowances) (England) Regulations 2003 (as may be amended) and "regulation" shall be construed accordingly;

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

### Basic Allowance

3. Subject to the provisions of this Scheme, for each year a basic allowance as set out in Appendix 1 shall be paid to each Councillor.



## Special Responsibility Allowances

4. (1) For each year a special responsibility allowance shall be paid to those Members who hold the special responsibilities in relation to the Council that are specified in Appendix 1.
- (2) Where the members of the Council are divided into different political groups and a majority belongs to one of those groups, a special responsibility allowance shall be paid to at least one member who does not belong to the group to which the majority belongs.
- (3) Subject to the provisions of this Scheme, the amount of each such allowance shall be the amount specified against that special responsibility in Appendix 1.

## Dependants' Carers' Allowance

5. A Councillor shall be entitled to be paid a dependants' carers' allowance at the rate specified in Appendix 1 to enable him or her to provide for the care of children, disabled or sick relatives whilst the Councillor is engaged on the duties set out in Appendix 3. Such an allowance shall not be paid in respect of carers who are parents, spouses, co-habitees or members of the same household as the Councillor.

## Travelling and Subsistence Allowance

6. (1) A Member shall be entitled to be paid travelling and subsistence allowance at the rates specified in Appendix 2 in respect of travelling and subsistence undertaken in connection with or relating to the duties set out in Appendix 3.
- (2) The rates for subsistence shall be reduced by a corresponding amount in respect of any meal provided free of charge by the Council or by a third party.
- (3) The rates for subsistence shall be reduced to the actual cost of the meal if less than the allowance.
- (4) The following limitations apply on reimbursement of subsistence:
  - (a) for breakfast an absence of more than four hours commencing before 0700 hrs
  - (b) for lunch an absence of more than four hours including commencing before 1100 and finishing after 1500 hrs
  - (c) for tea an absence of four hours finishing after 1830 hrs



- (d) for dinner an absence of more than four hours finishing after 2030 hours
- (e) tea and dinner allowances cannot be claimed for the same day.

### **Co-optees' allowance**

- 7. Subject to the provisions of this Scheme for each year a co-optees' allowance as set out in Appendix 1 shall be paid to Co-optees.

### **Suspension etc. of a Member**

- 8. (1) Where a Member is suspended from his or her responsibilities or duties as a Member in accordance with Part III of the Local Government Act 2000 or regulations made thereunder the part of any allowance payable to him or her in respect of the period for which he or she is suspended or partially suspended shall be withheld by the Council.
- (2) Where an allowance has already been made in respect of any period during which the Member concerned
  - (a) is suspended or partially suspended from his responsibilities as a Member in accordance with Part III of the Local Government Act 2000 or regulations made thereunder;
  - (b) ceases to be a Member; or
  - (c) is in any other way not entitled to receive an allowance in respect of that period

the Member shall repay to the Council such part of the allowance as relates to any such period.

### **Election to forgo allowances**

- 9. A Member may by notice in writing given to the Chief Executive elect to forego any part of his or her entitlement to an allowance under this scheme.

### **Part-year entitlements**

- 10. (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Member to an allowance where, in the course of a year, this Scheme is amended or that Member becomes, or ceases to be, a Member, 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 the amount to which a Member is entitled 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 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) If an amendment to this Scheme changes the duties specified in this Scheme the entitlement to an allowance shall be to the payment of the amount of the allowance under the Scheme as it has effect when the duty is carried out.
- (4) Where the term of office of a Member begins or ends otherwise than at the beginning or end of a year, the entitlement of that Member to allowances shall be to the payment to such part of the 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.
- (5) Where this Scheme is amended as mentioned in sub-paragraph (2), and the term of office of a Member does not subsist throughout the period mentioned in sub-paragraph (2)(a), the entitlement of any such Councillor to a allowance shall be to the 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 during which his term of office as a Member subsists bears to the number of days in that period.

### Claims and payments

11. (1) Payments of basic, special responsibility and co-optees' allowances shall be payable monthly in arrears through the Council's payroll.
- (2) Claims by Members in respect of dependants' carers' allowance and travelling and subsistence allowances should be made monthly and shall in any event be made by no later than 7<sup>th</sup> April next following the end of a year.



- (3) Payments shall be made to each Member monthly in arrears.
- (4) Where a payment of one-twelfth of the amount specified in this Scheme in respect of a basic allowance or a special responsibility allowance would result in the Member receiving more than the amount to which, by virtue of paragraph 10, 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.
- (5) Where a Member is also a member of another authority within the meaning of Regulation 3(1) he or she shall not be entitled to receive allowances from more than one authority in respect of the same duties.

### **Indexation**

12. (1) The levels of the basic allowance, special responsibility allowance, dependants' carers' allowance and co-optees' allowance specified in this scheme shall be varied with effect from the beginning of the year in accordance with the same average percentage change in the levels of the Council's staff's remuneration for that year.
- (2) The travelling and subsistence allowance shall be the same as that for the Council's staff and shall alter accordingly except that travelling for training purposes shall be at the non-training rate.



## APPENDIX 1

### As substitutes with effect from 10<sup>th</sup> June 2009

#### 1. Basic allowance (Paragraph 3)

The basic allowance payable to each Councillor shall from 1<sup>st</sup> April 2009 be £4665 per annum\*.

#### 2. Special Responsibility Allowances (Paragraph 4)

The amounts of special responsibility allowances and the special responsibilities for which they shall be payable shall be per annum:

The revised scheme was approved by the Council on 5<sup>th</sup> December 2007 and has effect from 1<sup>st</sup> April 2009, or 1<sup>st</sup> July 2009 as indicated and for subsequent years.

Allowance*	£ pa	Effective day
<b>Special Responsibility Allowances</b>		
Leader	11,475	1.4.09
Leader of Minority Group	3,825	
Cabinet Member	7,460	
Chairman of Council	4,755	
Chairman of Scrutiny and Overview Committee (2/3 Cabinet Member)	4,975	
Vice-Chairman of Scrutiny and Overview Committee (1/3 Chairman of SOC)	1,660	
Chairman of Accounts, Audit and Governance Committee	795	
Chairman of Development Control Committee	3,575	
Vice-Chairman of Development Control Committee (1/3 Chairman Committee)	1,195	
Chairman of Licensing Committee	3,575	
Chairman of Personnel Committee	795	
Chairman of Standards Committee	3,575	

\* index linked in accordance with Paragraph 12 (1)

#### 3. Dependants' Carers' allowance (Paragraph 5)

From 1<sup>st</sup> April 2007 the rate by way of reimbursement is a maximum of £6.35 per hour or part thereof.



#### 4, **Co-optees' allowance (paragraph 7)**

From 1<sup>st</sup> April 2009 the rate of parish council co-optees' allowance is 20% of the basic allowance - £935 per annum and the rate of independent members' allowance shall be 1/3 of that for the Chairman of the Standards Committee.



## APPENDIX 2

### 1. Travelling ( wef 1.4.09)

Cars - non training travelling

	Capacity	Rate: first 8,500 miles	Rate for after 8,500 miles
	Up to 999cm <sup>3</sup>	42.9p/mile	11.7p/mile
	1000 - 1199cm <sup>3</sup>	47.7p/mile	12.2p/mile
	1200cm <sup>3</sup> and above	60.1p/mile	14.2p/mile

Cars - travelling in connection with training, conferences and seminars

	Capacity	Rate	
	Up to 999cm <sup>3</sup>	42.9p/mile	11.7p/mile
	1000 - 1199cm <sup>3</sup>	47.7p/mile	12.2p/mile
	1200cm <sup>3</sup> and above	60.1p/mile	14.2p/mile

Motorcycles

	Capacity	Rate	
	Up to 249cm <sup>3</sup>	8p/mile	
	250cm <sup>3</sup> and above	14.07p/mile	

Cycles

		Rate	
		20p/mile	

Use of public transport will be paid at the second class rail fare and/or bus.

### 2. Subsistence

Breakfast	-	£6.45
Lunch	-	£8.91
Tea	-	£3.53
Dinner	-	£11.03

Out of pocket expenses for residential courses -



## APPENDIX 3

### 1. **STATUTORY APPROVED DUTIES (Regulation 8(1)(a)-(f))**

- (a) Attendance at a meeting of the Council or of any Committee or Sub-Committee of the Council or any other body to which the Council makes appointments or nominations or of any committee or sub-committee of such a body.
- (b) Attendance at any other meeting the holding of which is authorised by the Council or a Committee or Sub-Committee of the Council or a Joint Committee of the Council and one or more other Authorities or a Sub-Committee of such a Joint Committee, provided that where the Council is divided into two or more political groups, it is a meeting to which the Members of at least two such groups have been invited.
- (c) Attendance at a meeting of any association of authorities of which the Council is a member.
- (d) Attendance at meetings of the Cabinet and of any committees appointed by the Cabinet.
- (e) Duties in pursuance of any standing order requiring a Member or Members to be present while tender documents are opened.
- (f) Duties in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises.

### 2. **APPROVED DUTIES - OUTSIDE BODIES (Regulation 8(1)(h))**

- (a) Horsham and District Age Concern
- (b) South East England Development Agency
- (c) West Chanctonbury Recreation Association Executive Committee

### 3. **OTHER APPROVED DUTIES (Regulation 8(1)(h))**

- (a) Any duties by Cabinet Members for the purpose of or in connection with the discharge of the functions of the Cabinet.



- (b) Attendance at emergency planning courses at the Home Office Emergency Planning College.
- (c) Duties in connection with emergency planning including training and attendance at rest centres
- (d) Attendance at approved conferences.
- (e) Attendance at approved seminars and training courses.
- (f) Attendance at briefing meetings.
- (g) Attendance at the offices to receive petitions.
- (h) Attendance at meetings of advisory groups, working groups and sub-committees appointed by the Cabinet, Cabinet Members and Scrutiny and Overview Committees.
- (i) Attendance at liaison meetings with West Sussex County Council.
- (j) Attendance at meetings of West Sussex County Joint Leaders Group.
- (k) Consultation with constituents.

