

# **HENFIELD PARISH COUNCIL**

## **Local Government Act 2000**

### **The Local Authorities (Members' Allowances) (England) Regulations 2003.**

**Councillors don't receive a salary, but they are entitled to a 'member's allowance' (which is taxable) in recognition of their time and expenses incurred while on council business. Each council sets its own rate for these allowances and Councillors are encouraged to accept this allowance.**

#### **SCHEME OF MEMBERS' ALLOWANCES**

Henfield Parish Council ('the Parish 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 hereby makes the following scheme:

#### **1. Citation and commencement**

This scheme may be cited as the Henfield Parish Council Members' Allowances Scheme and shall have effect from 1<sup>st</sup> April 2022 until the 31<sup>st</sup> March 2023 and for subsequent years thereafter.

#### **2. Definitions**

In this scheme

“year” means the 12 months ending with 31<sup>st</sup> March

#### **3. Parish basic allowance**

Only Parish Councillors who are elected at the time of a formal election qualify for the Members' allowance. The election does not need to be contested for them to qualify. Those Parish Councillors who are co-opted between elections are not eligible for a Members' Allowance.

Parish Councillors are entitled to “opt in” or “opt out” mid term

#### **4. Parish travelling and subsistence allowance**

- (1) All Parish Councillors are eligible for the allowances detailed in Appendix 2.
- (2) No claim for subsistence shall be made in respect of any meal provided free of charge by the Parish Council or by a third party.
- (3) The following limitations apply on reimbursement of subsistence for:
  - (a) breakfast an absence of more than four hours commencing before 0700 hrs.

- (b) lunch an absence of more than four hours to include commencing before 1100 and finishing after 1500 hrs.
- (c) tea an absence of more than four hours finishing after 1830 hrs.
- (d) dinner an absence of more than four hours finishing after 2030 hrs.

Tea and dinner allowances cannot be claimed on the same day.

## **5. Suspension etc. of a Parish Councillor**

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

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

## **6. Election to forgo allowances**

A Parish Councillor may by notice in writing given to the Clerk of the Parish Council elect to forego any part of his or her entitlement to an allowance under this scheme.

## **7. Part-year entitlements**

- (1) The provisions of this paragraph shall have effect to regulate the entitlements of a Parish Councillor to an allowance where, in the course of a year, this scheme is amended or that Parish Councillor becomes, or ceases to be a Parish Councillor.
- (2) If an amendment to this scheme changes the amount to which a Parish Councillor 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 Parish Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Parish Councillor 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 or her 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 Parish Councillor does not subsist throughout the period mentioned in sub-paragraph (2)(a), the entitlement of any such Parish Councillor to allowances 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 or her term of office as a Parish Councillor subsists bears to the number of days in that period.

### **Claims and payments**

8. (1) Payments of Parish basic allowance shall be payable quarterly in arrears through the Parish Council's payroll.
- (2) Claims by Parish Councillors in respect of Parish travelling and subsistence allowance should be made monthly.
- (3) In respect of sub-paragraph 8 (2) above, payments shall be made to each Councillor 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 Councillor receiving more than the amount to which, by virtue of paragraph 7 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.

## APPENDIX 1

### PARISH BASIC ALLOWANCE

The amount of the Henfield Parish basic allowance payable to each Parish Councillor shall be set at a rate of 10% of the Horsham District Council (as set by an independent remuneration panel.) basic Members Allowance.

For 2021/22 the HDC rate is £5,210. Per annum

For Henfield Parish Council the rate is £521 per annum

## APPENDIX 2

### TRAVELLING AND SUBSISTENCE ALLOWANCES

#### 1. Travelling

Motor Cars & Vans - 45p per mile

Motorcycles - 24p per mile

Cycles - 20p per mile

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

#### 2. Subsistence

Breakfast - £ 6.45p

Lunch - £ 8.91p

Tea - £ 3.53p

Dinner - £11.03p

Out of pocket expenses - £4.97p per night  
(for residential courses only)

## **APPENDIX 3**

### **STATUTORY APPROVED AND APPROVED DUTIES**

#### **1. Statutory Approved Duties**

- (a) The attendance at a meeting of the Parish Council or of any committee or sub-committee of the Parish Council or of any other body to which the Parish 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 Parish Council is a member.
- (c) The performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a Parish Councillor or Parish Councillors to be present while tender documents are opened.
- (d) The performance of any duty in connection with the discharge of any function of the Parish Council conferred by or under any enactment and empowering or requiring the Parish Council to inspect or authorise the inspection of premises.

#### **2. Approved Duties**

The carrying out of any other duty approved by the Parish Council, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Parish Council or of any of its committees or sub-committees as set out below:

- (a) Duties in connection with emergency planning including training and attendance at rest centres.
- (b) Attendance at approved conferences.
- (c) Attendance at approved seminars and training courses.
- (d) Attendance at briefing meetings.
- (e) Attendance at the offices to receive petitions.
- (f) Attendance at liaison meetings with Horsham District Council or West Sussex County Council.
- (g) Consultation with constituents.