LONDON BOROUGH OF BARNET
MEMBERS' ALLOWANCES SCHEME
2022/23

1. The Scheme

This scheme is made by Barnet London Borough Council under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).

1.1 The scheme may be cited as the Barnet London Borough Council Members' Allowances Scheme and replaces all former Schemes.

1.2 It has effect for the period 1 April 2022 to 31 March 2023.

1.3 In this scheme,

1.3.1 "Councillor" means an elected member of the Council of the London Borough of Barnet.

1.3.2 This scheme will cover a period from 1 April 2022 to 31 March 2023;

1.3.3 “Co-optee” and “co-opted member” means a person not a councillor who is appointed by the Council to a committee discharging a statutory local authority function.

2. Basic Allowance

2.1 A basic allowance of £~~10,998~~10,809 shall be paid to each councillor.

2.2 Payment of the basic allowance is subject to the conditions set out in sections 9, 10 and 11.

3. Special Responsibility Allowance

3.1 Allowances are payable to recognise the special responsibilities attached to certain positions to which councillors may be appointed. The allowances are graded in 5 bands.

3.2 The bands, the positions concerned and the sums payable are set out in Schedule 1.

3.3 No Member may receive more than one Special Responsibility Allowance in respect of the same period of time, but the Member will receive whichever is the highest of the Special Responsibility Allowances for which they qualify.

3.4 Other conditions attached to the payment of Special Responsibility Allowance are set out in sections 9, 10 and 11.

4. Childcare and Dependent Carers’ Allowance

4.1 An allowance of £10 per hour for a maximum of 8 hours (subject to extension in special circumstances) shall be payable to any councillor or co-opted member or member of an appeals committee established under the Education Act 1996

who incurs expenditure for the care of dependent relatives or children whilst undertaking the approved duties listed in section 4.3 below.

4.2 Dependent relatives and children are defined as:-
- children aged 15 years or less
- elderly relatives requiring full-time care
- relatives with disabilities who receive full-time care

4.3 The approved duties referred to in section 4.1 above are:-

(a) The attendance at a meeting of the authority or of 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;

(b) The 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 and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that –

(ii) 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

(iii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited.

(c) The attendance at a meeting of any association of authorities of which the authority is a member;

(d) The attendance at a meeting of any of the Council's committees;

(e) The performance of any duty in pursuance of a standing order requiring a member or members to be present while tender documents are opened;

(f) 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;

(g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools; and

(h) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

4.4 The allowance or reimbursement shall be paid on the basis of that permitted under the Income Tax Regulations.

5. Travel and Subsistence Allowance

5.1 Members do not receive a travel allowance for the cost of travel within the borough.

5.2 The duties which qualify for the payment of travel outside the Borough are set out in Schedule 2 with the amounts payable set out in Schedule 3.

5.3 The duties which qualify for the payment of travel allowance to a co-opted member or member of an appeals committee established under the Education Act 1996 are set out in Schedule 2 with the amounts payable set out in Schedule 3.

5.4 The duties which qualify for the payment of subsistence allowances to a councillor, co-opted member or member of an appeals committee established under the Education Act 1996 are set out in Schedule 2 with the amounts payable set out in Schedule 3.

5.5 The payment of allowance is subject to the conditions set out in section 9.

6. Independent Members/ Persons and Co-optees' Allowance

6.1 An allowance of £127 shall be paid to the Independent and Co-opted Members and Independent Persons of Council Committees for each meeting or training that they attend.

6.2 Payment of the allowance is subject to the conditions set out in sections 9, 10 and 11.

7. Pensions

7.1 The Local Government Pension Scheme Regulations 2013, laid before Parliament 19th September 2013 came into force 1st April 2014 ceased councillors' membership of the Local Government Pension Scheme (at the end of the term of office for existing councillors up to the election on 22 May 2014). From 1st April 2014 no Councillors will be admitted to the scheme.

8. Financial Limits

8.1 Any payment under this scheme is subject to the budget provision for Members' Allowances during the year not being exceeded.

9. Renunciation

9.1 A councillor or co-opted member may decline to receive any part of his or her entitlement to an allowance under this scheme by notifying the Head of Governance in writing.

10. Part-year Entitlements

10.1 This section regulates councillors' entitlement to allowances if during the year:

- the scheme is amended
- the councillor is newly elected
- the councillor ceases to be a councillor

- the councillor accepts or gives up a position eligible for a special responsibility allowance.

10.2 If the scheme is amended so as to change the basic allowance or the special responsibility allowance then the annual amount to be paid to each councillor shall be re-calculated. The councillor will be paid a proportion of the old allowance and a proportion of the new allowance. The proportions will reflect the number of days in the year before and after (starting with the day on which the change takes effect) the change. Further amendments will be treated in the same way.

10.3 If during the year:

- a councillor is newly elected or ceases to be a councillor,
- a councillor accepts or gives up a position eligible for a special responsibility allowance, or
- a councillor becomes or ceases to be eligible to a special responsibility allowance because of an amendment to the scheme

then the annual amount to be paid to the councillor will be altered. The alteration will discount a proportion of the relevant allowance, to reflect the number of days in the year that the councillor was not a councillor, or was not eligible for the special responsibility allowance, as the case may be. If the scheme is amended during the year as set out in 10.2 above, then the alteration will be calculated separately for the periods before and after each amendment, in accordance with the Regulations.

11. <u>Claims, Payments, Repayments, Restriction to Entitlement</u>

11.1 Payments of basic allowance and Special Responsibility Allowance will be made in twelve equal monthly instalments at the end of each month.

11.2 If making a payment of one twelfth of the annual entitlement of basic allowance and special responsibility allowance for any member would result in a breach of the restrictions set by Section 10 of the scheme, then actual payments must be reduced to comply with those restrictions.

11.3 Where an allowance has already been paid for any period during which the councillor concerned:

(a) ceases to be a councillor; or

(b) is otherwise not entitled to receive the allowance for that period,

such part of the allowance as relates to any such period shall be repaid to the Council. 913

11.4 Where a member of the authority is also a member of another authority that member may not receive allowances from more than one authority in respect of the same duties.

Schedule 1

Special Responsibility Allowances 1 April 2022 to 31 March 2023

BAND	SRA (£)	POSTS COVERED
5	~~35,287~~34,680	Leader of the Council
4	~~27,952~~27,471	Deputy Leader of the Council
3	~~15,914~~15,640	**Chair~~smen~~ of:** Policy and Resources Committee Children, Education and Safeguarding Committee Adults and Safeguarding Committee Community Leadership and Libraries Committee Environment and Climate Change Committee ~~Financial Performance and Contracts Committee~~ Housing & Growth ~~Strategic Planning Committee~~ ~~Planning Committee A~~ ~~Planning Committee B~~ ~~Planning Committee C~~ ~~Audit Committee~~ Health and Well-Being Board ~~Constitution and General Purposes Committee~~ ~~Pension Fund Committee~~ Health Overview and Scrutiny Committee **Leader of:** Major Opposition Group
2	~~9,187~~9,029	**Chair~~smen~~ of:** ~~Licensing Committee~~ Finchley and Golders Green Area Committee

		Chipping Barnet Area Committee Hendon Area Committee Strategic Planning Committee Planning Committee A Planning Committee B Audit Committee Constitution and General Purposes Committee Pension Fund Committee
1	~~2,457~~2,415	**Chair~~smen~~ of:** ~~Finchley and Golders Green Residents Forum~~ ~~Hendon Residents Forum~~ ~~Chipping Barnet Residents Forum~~ Licensing Committee ~~**Vice-Chairmen of:**~~ ~~Policy and Resources Committee~~ ~~Children, Education and Safeguarding Committee~~ ~~Adults and Safeguarding Committee~~ ~~Housing & Growth Committee~~ ~~Community Leadership and Libraries Committee~~ ~~Environment Committee~~ ~~Financial Performance and Contracts Committee~~ ~~Licensing Committee~~ ~~Planning Committee~~

Schedule 2

Approved Duties

The following are approved duties for the payment of travel and subsistence allowances.

*(**For Councillors the meeting must take place takes place outside the borough of Barnet)**:*

1.

(a) The attendance at a meeting of the authority or of 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;

(b) The 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 and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that -

(ii) 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

(iii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited.

(c) The attendance at a meeting of any association of authorities of which the authority is a member;

(d) The attendance at a meeting of the executive or a meeting of any of its committees;

(e) The performance of any duty in pursuance of a standing order requiring a member or members to be present while tender documents are opened;

(f) 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;

(g) The performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools; and

(h) Attendance at training courses arranged by the Council.

(i) The carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

(The following bodies or their committees or sub-committees are specifically included in the above definition:

Welsh Harp Joint Consultative Committee
Hampstead Heath Management Committee
London government statutory bodies, joint committees, forums, consortiums, employers' associations, etc
Standing Advisory Council for Religious Education (SACRE)
Local Government Association
London Councils
Joint Negotiating Councils for Council employees

2. Subject to the Base Budget not being exceeded, duties undertaken by Members, provided that they are undertaken outside the borough of Barnet and that the Chief Executive is satisfied that the duties are for the purposes of, or connected with, the discharge of the functions of the Council.

3. Attendance as the council's duly authorised representative at meetings of the following bodies.

   (a) School admission, exclusion and reinstatement appeals panels

   (b) Statutory complaints boards or panels relating to the council's education or social services functions

4. Conferences and meetings convened by a person or body whose objects are neither wholly nor partly political, and otherwise than in the course of a trade or business, for the purpose of discussing matters which in the council's opinion will relate to the interests of Barnet or its inhabitants or of part of Barnet or the inhabitants of part of it are approved for the purposes of payment of travel and subsistence allowance. They are those conferences and meetings convened by outside bodies being conferences where it is considered that there is a direct connection with a function of this council.

Schedule 3

Travel and Subsistence Allowances

Travel

1. Members do not receive a travel allowance for the cost of travel within the borough.

2. Other travel allowance shall paid be at the same rates as those applying at the time to council staff for motorcar, motorcycle and bicycle use. For public transport actual expenditure shall be reimbursed.

Subsistence

3. For a councillor attending an approved duty that takes place inside the borough of Barnet the rate of subsistence and travel allowance shall be nil.

   Other subsistence allowance for meals taken on duty shall paid be at the same rates as those applying at the time to council staff.
   For overnight costs reasonable approved expenses shall be paid.

Other Reimbursements allowed:

1. Not more than the amount of any expenditure incurred on tolls, ferries or parking fees.

2. Where day subsistence is payable, the reasonable cost of meals taken on trains, subject to a reduction of subsistence allowance of four hours for each meal taken, and a maximum of one main meal during an absence of more than four hours, two for more than eight hours' absence and three for more than twelve hours' absence.

3. The actual cost of overnight garaging of a car or other vehicle.

Payment

4. Evidence of expenditure incurred shall be required when claims are made and any unreasonable claim shall be referred to the Chief Executive.