

**LONDON BOROUGH OF BARNET**  
**MEMBERS' ALLOWANCES SCHEME**  
**2009/2010**

**1. The Scheme**

This scheme is made by Barnet London Borough Council under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) and the Local Government Pension Scheme and Discretionary Compensation (Local Authority (Members in England) Regulations 2003 ("the Regulations").

- 1.1 The scheme may be cited as the Barnet London Borough Council Members' Allowances Scheme and replaces the Scheme previously approved by the Council for 2009/2010.
- 1.2 It has effect for the period 1 April 2009 to 31 March 2010.
- 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 "year" means the twelve months ending with 31 March.
  - 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 £9, 974 shall be paid to each councillor.
- 2.2 Payment of the basic allowance is subject to the conditions set out in sections 9, 10, 12 and 13.

**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 bands which are multiples of the basic allowance excluding the travel allowance.
- 3.2 The bands, the multiples of the basic allowance which they represent, the positions concerned and the sums payable are set out in Schedule 1. During that period a councillor may receive more than one special responsibility allowance.

3.3 Other conditions attached to the payment of special responsibility allowance are set out in sections 9, 10, 12 and 13.

#### **4. Childcare and Dependent Carers' Allowance**

4.1 An allowance of £7 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 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) 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 A lump sum annual allowance of £500 shall be paid to each councillor to recognise the cost of all travel within the Borough. 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.
- 5.2 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.
- 5.3 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.
- 5.4 The payment of allowance is subject to the conditions set out in sections 9 and 10.

## **6. Co-optees' Allowance**

- 6.1 An allowance of £269 per annum shall be paid to co-opted members for attendance at committee meetings.
- 6.2 Payment of the allowance is subject to the conditions set out in sections 9, 10, 12 and 13.

## **7. Annual Adjustment**

The basic allowance, childcare and dependants' allowance, in-borough travel allowance and co-optees' allowance shall be reviewed annually in direct relation to the local government pay settlement.

## **8. Pensions**

With effect from 1 September 2003 all councillors are eligible to join the Local Government Pension Scheme and both basic allowance and special responsibility allowance shall be pensionable.

**9. Financial Limits**

Any payment under this scheme is subject to the budget provision for members' allowances during the year not being exceeded.

**10. Suspension**

Allowances shall be withdrawn where a councillor or co-opted member has been wholly or partially suspended because of a breach of the Local Code of Conduct.

**11. Renunciation**

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 Chief Finance Officer in writing.

**12. Part-year Entitlements**

12.1 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.

12.2 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.

12.3 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 12.2 above, then the alteration will be calculated separately for the periods before and after each amendment, in accordance with the Regulations.

**13. Claims, Payments, Repayments, Restriction to entitlement**

13.1 Payments of basic allowance and special responsibility allowance will be made in twelve equal monthly instalments at the end of each month.

13.2 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 12 of the scheme, then actual payments must be reduced to comply with those restrictions.

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

- (a) is suspended or partially suspended for a breach of the Local Code of Conduct;
- (b) ceases to be a councillor; or
- (c) 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.

13.4 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.

**Special Responsibility Allowances 1 April 2009 to 31 March 2010**

Scale	Multiple of basic allowance	Responsibilities
1	3.5	Leader
2	1.75	Cabinet Members Leader of major opposition group
3	<i>Combine scales 3 and 4 to form new Scale 3, with the multiple of the basic allowance being 1</i>  <i>Delete 2008/09 scale 4. Now to form part of 2009/10 Scale 3</i>	Deputy Leader Leader of smaller opposition Group Chairmen of Overview and Scrutiny Committees Chairman of Audit Committee Chairman of Planning & Environment Committee Chairmen of Area Planning Sub-Committees Chairman of Pension Fund Committee
4	<i>nce being 0.6</i>	Chairman of General Functions Committee, Chairman Area Environment Sub Committees, Group Secretaries Member of Panel of Licensing Committee Chairmen Chairmen of Residents Forums Chairman of Licensing Committee Chairman of Standards Committee Group Whip (majority party) Chairman of new amalgamated CJNCC

Scale	Multiple of basic allowance	Responsibilities
5	<i>Combine with 2008/09 Scale 7 to form a new Scale 5 with the multiple of the basic allowance being 0.25</i>	<p>Group Whips (minority groups)</p> <p>Vice Chairman of Cabinet Overview &amp; Scrutiny Committee</p> <p>Vice-Chairman of Planning &amp; Environment Committee</p> <p>Vice-Chairmen of Area Planning and Area Environment Sub-Committees</p> <p>Shadow Cabinet Members (main opposition group)</p> <p>Licensing Committee members</p> <p>Pension Fund Committee members</p> <p>Vice-Chairmen of Residents Forums</p>

**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  
 Association of London Government  
 Joint Negotiating Councils for Council employees  
 Local Government Management Board)

2. Subject to the Base Budget not being exceeded, duties undertaken by members in receipt of Special Responsibility Allowances who are members of the Executive, 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.

The IRP will review uptake of allowances in connection with attendance at such conferences and meetings annually to ascertain whether any recommendations need to be made to the council in this respect.

**Travel and Subsistence Allowances**

**Travel**

1. An allowance of £500 per annum shall be payable to each councillor to recognise the cost of all 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.

NOTE:

The Council has agreed that an allowance of £43 for any period of 24 hours (for which purpose a period of 24 hours shall begin at 3am) and £21 for a 12 hour period may be paid to reimburse financial loss incurred by external witnesses giving evidence at any of the Council's overview and scrutiny committees and by external members of the Independent Remuneration Panel for members' allowances.