



# Epping Forest District Council

## **MEMBER REMUNERATION PANEL** **Thursday, 31st October, 2019**

**Place:** Committee Room 1, Civic Offices, High Street, Epping

**Time:** 6.30 pm

**Democratic Services Officer:** S. Tautz Tel: (01992) 564180  
Email: democraticservices@eppingforestdc.gov.uk

**Members:**

T Finn, D Jackman and S Lye

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### **1. ELECTION OF CHAIRMAN**

To elect a Chairman of the Panel for the duration of the meeting. There is no appointed Chairman of the Panel, as the appointment of a Chairman is agreed at each meeting.

### **2. APOLOGIES FOR ABSENCE**

### **3. DECLARATIONS OF INTEREST**

To declare interests in any item on the agenda for the meeting, pursuant to the Council's Code of Member Conduct.

### **4. TERMS OF REFERENCE**

To note the following terms of reference of the Remuneration Panel:

'To assess the level of allowances, special responsibility allowances and other payments for members of the Council carrying out the following functions and report to the Council for determination:

- the Chairman and Vice-Chairman of the Council;
- the Leader and Deputy Leader of the Council;
- Portfolio Holders;
- the Chairman and Vice-Chairman of the Overview and Scrutiny Committee;
- the Chairmen and Vice-Chairman of Regulatory, Area and other Committees and Working Groups; and
- other Members of Council.'

**5. MINUTES OF PREVIOUS MEETING (Pages 3 - 8)**

To confirm the minutes of the meeting of the Panel held on 29 November 2018.

**6. MEMBERS' ALLOWANCES SCHEME - ANNUAL REVIEW 2020/21 (Pages 9 - 30)**

To consider the attached report.

**7. ANY OTHER BUSINESS**

To consider any additional items of business for the meeting.

**8. DATE OF NEXT MEETING**

To consider arrangements for future meetings of the Panel, if required.

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

<b>Committee:</b>	Member Remuneration Panel	<b>Date:</b>	Thursday, 29 November 2018
<b>Place:</b>	Conference Room, Civic Offices, High Street, Epping	<b>Time:</b>	6.30 - 8.00 pm
<b>Members Present:</b>	Mrs. T Finn, Mr. D Jackman, Mr. S Lye		
<b>Officers Present:</b>	S Hill (Service Director (Governance & Member Services)), S Tautz (Democratic Services Manager)		

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### 13. REMUNERATION PANEL - APPOINTMENT OF MEMBER

The Panel welcomed Tina Finn to the meeting as a new member of the Remuneration Panel. The Democratic Services Manager reported that the Council had formally ratified the appointment of Mrs. Finn at its meeting on 1 November 2018 and members and officers of the Panel introduced themselves to Mrs. Finn.

The Democratic Services Manager and Service Director (Governance and Member Services) provided an induction presentation on the role and responsibilities of the Remuneration Panel.

### 14. ELECTION OF CHAIRMAN

The Democratic Services Manager reminded members that there was no appointed chairman of the Panel, as the appointment of a chairman was agreed at each meeting.

#### RESOLVED:

That S. Lye be elected as Chairman of the Panel for the duration of the meeting.

### 15. DECLARATIONS OF INTEREST

No interests in any item on the agenda for the meeting were declared by members of the Panel, pursuant to the Council's Code of Member Conduct.

### 16. TERMS OF REFERENCE

### 17. MINUTES OF PREVIOUS MEETING

#### RESOLVED:

That the minutes of the meeting of the Panel held on 30 October 2017 be taken as read and signed by the Chairman as a correct record.

### 18. MEMBERS' ALLOWANCES SCHEME - ANNUAL REVIEW 2019/20

The Democratic Services Manager reminded the Panel that the annual review of the Council's Member Allowances Scheme commenced in September each year, in order to ensure that recommendations for revision to elements of the Scheme could be considered by the time that the authority's budget was approved for the following financial year.

Members noted that, to commence the review process for 2019/20, a general invitation had been extended to all elected and co-opted members of the Council on behalf of the Panel, to express any suggestions or concerns with regard to the current operation of the allowances scheme. The Democratic Services Manager reported that one representation had been received as a result of such invitation.

### **Members' Allowances Scheme**

The Panel was reminded that, at its meeting on 15 December 2016, the Council had agreed the implementation of 100% of the amount of Basic Allowance for each member with effect from the commencement of the 2016/17 municipal year, in line with the recommendations of the Panel over a number of years..

### **Basic Allowance**

The Democratic Services Manager reported that, in considering the recommendations of the Panel in December 2016, the Council had agreed that no change be made to the payment of the full amount of Basic Allowance of £4,300.00 per member per annum to be included in the Members' Allowances Scheme, following an increase in the implementation rate of the Basic Allowance from 2016/17 in line with the recommendations of the Panel that the authority should implement 100% of the amount of Basic Allowance for each member, rather than the level of 80% previously applied.

The Panel did not consider it necessary to recommend any further changes to the application of Basic Allowance for 2019/20. However, members' considered that it would be appropriate to continue to revisit the application of Basic Allowance as part of the annual review of the Members' Allowances Scheme, notwithstanding that the implementation of any increase would be a matter for the Council to determine and that there remained a continued need for restraint in the setting of the authority's annual budget. The panel requested that a benchmarking exercise be undertaken amongst comparable local authorities as part of it's review of the Members' Allowances Scheme in 2019, in order to assess whether an inflationary increase in the level of Basic Allowance, linked to recent local government pay awards, should be considered.

### **Special Responsibility Allowance**

The Panel did not consider that it was necessary to make any changes to the Special Responsibility Allowance (SRA) applied to various member positions for 2018/19, as there had been no change in such responsibilities since the review of the Members' Allowances Scheme for the current year. However, the Panel wished to encourage the Council to increase the implementation level of the relevant allowances identified in the Members' Allowances Scheme, in order to achieve the full amount of each allowance as soon as possible.

The Panel was advised that the Council would shortly be considering options for the review of the existing framework of its overview and scrutiny select committees. Members considered that any reduction in the number of select committees would have the effect of generating savings to the current budget provision for members'

allowances and could present opportunities to progress the application of the full level of SRA previously agreed by the Council. The Panel therefore requested that it be kept apprised of the Council's intentions with regard to any restructure proposals that directly affected the application of SRA for specific member roles and responsibilities reflected in the Members' Allowances Scheme.

### **Group Leaders - Special Responsibility Allowance**

The Panel considered a proposal of Councillor R. Brookes in relation to the application of Special Responsibility Allowance (SRA) to the leaders of the constituted political groups on the Council, to recognise the time commitment required of Group Leaders. In support of her submission, Councillor Brookes suggested that Group Leaders had given a lot of extra time on panels and local plan workshops etc. over the last year and had rarely missed meetings.

The Panel was advised that Group Leader appointments were made by the constituted political groups and not by the Council and that Group Leaders had no formal role or responsibility within the authority. The Democratic Services Manager reported that, whilst formal meetings of Group Leaders as a consultative body were held during the period in which the Council had no overall political control, these were not currently held on a routine or programmed basis. The Panel was advised that Group Leaders (and Deputy Group Leaders) were members of the Appointments Panel, which made recommendations to the Council each year on nominations for appointment to committees etc. from the political groups and non-affiliated members. The Democratic Services Manager reported that such councillors could claim normal travelling expenses for attendance at meetings of the Panel, which were usually held on a maximum of two occasions in each municipal year.

The Panel was reminded that it had previously considered similar proposals for the application of SRA to councillors attending a specified number of meetings. However, it continued to be of the view that this approach not be pursued, in view of the difficulty involved in drawing up a workable scheme that could be monitored efficiently. The Panel considered benchmarking information that established that some local authorities awarded annual SRA to Group Leaders, including the leaders of majority political groups, although such application of SRA was not universal across comparable authorities. The Panel did not consider that this approach was appropriate at the present time, as no justification had been made to support the allocation of significant additional responsibility to Group Leaders. The panel indicated however, that it would be willing to give further consideration to this issue as part of its next review of the Members' Allowances Scheme, should it have misunderstood the role of Group Leaders or on the submission of additional evidence to highlight the role of Group Leaders in the formal operation of the business of the Council.

### **Staff Appeals Panel - Special Responsibility Allowance**

The Panel was advised that, at its meeting in September 2018, the Council had adopted a new Staff Appeals Procedure Policy, which had resulted in the cessation of the operation of the Staff Appeals Panel. The Democratic Services Manager reported that the Members' Allowances Scheme currently provided for the award of Special Responsibility Allowance of £110.00 to be made to the Chairman of the Staff Appeals Panel for any meeting held during each municipal year and that, as a result of the cessation of the operation of the Staff Appeals Panel, such SRA should be removed from the Members' Allowances Scheme from 2019/20.

**RESOLVED:**

- (1) That the following recommendations be made to the Council at its meeting on 20 December 2018, in connection with the review of the Members' Allowances Scheme for 2019/20:

**Members' Allowances Scheme**

**Basic Allowance**

- (a) That, for the 2019/20 municipal year, no change be made to the level of Basic Allowance of £4,300.00 per member per annum, currently included in the Council's Members' Allowances Scheme;

**Special Responsibility Allowance**

- (b) That the award of Special Responsibility Allowance for the Chairman of the Staff Appeals Panel be removed from the Members' Allowances Scheme from the 2019/20 municipal year;
- (c) That for the 2019/20 municipal year, no other changes be made to the application or implementation of the Special Responsibility Allowances currently included in the Members' Allowances Scheme;
- (d) That the Council be encouraged to increase the implementation level of Special Responsibility Allowance applied to the responsibilities identified in the Members' Allowances Scheme, in order to achieve the full amount of each allowance as soon as possible;

**Revised Scheme and Guidance**

- (e) That, subject to the above recommendations and other administrative matters set out in the report considered by the Panel, the Members' Allowances Scheme and Guidance for 2019/20 be adopted and implemented with effect from 24 May 2019;
- (f) That the Statement of Implementation of the Special Responsibility Allowances set out in the Members' Allowances Scheme for 2019/20, be agreed;
- (2) That a comprehensive benchmarking exercise amongst comparable local authorities be undertaken as part of the Panel's review of the Members' Allowances Scheme in 2019, to assess whether an inflationary increase in the level of Basic Allowance should be considered;
- (3) That the Council be requested to keep the Panel apprised of any future restructure proposals that directly affect the application of Special Responsibility Allowance for the specific member roles and responsibilities currently reflected in the Members' Allowances Scheme; and
- (4) That the report of the Panel be presented to the Council by S. Lye.

**19. ANY OTHER BUSINESS**

On behalf of the Remuneration Panel, the Chairman expressed the appreciation of members to Simon Hill (Service Director (Governance and Member Services)), the current lead officer for the Members Allowances Scheme, who was shortly to leave the Council after many years of service to the authority.

**20. DATE OF NEXT MEETING**

The Panel agreed that it was not necessary to consider arrangements for future meetings at the present time.

**CHAIRMAN**

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## **Report to Remuneration Panel**

**Date of meeting: 31 October 2019**

**Subject:** Members' Allowances Scheme – Annual Review 2020/21

**Democratic Services Officer:** S. Tautz (01992) 564180

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### **Recommendations/Decisions Required:**

- (1) That the Panel consider the issues set out in this report and agree any recommendations to be made to the Council in connection with its review of the Members' Allowances Scheme for 2020/21; and**
- (2) That the Panel agree arrangements for the presentation of its report and recommendations with regard to the review of the Members' Allowances Scheme to the Council, at its meeting to be held on 17 December 2019.**

### **Report:**

1. As the Panel will be aware, it undertakes a review of Epping Forest District Council's Members' Allowances Scheme each year, to ensure that any recommendations for revision to elements of the Scheme can be considered alongside the preparation of the authority's budget for the following financial year. The current Members' Allowances Scheme, for the 2019/20 municipal year, was adopted by the Council at its meeting on 20 December 2018 and is attached as an appendix to this report.

### **Members' Allowances Scheme**

2. In considering the recommendations of the Panel in December 2018, the Council agreed that no change be made to the payment of the full amount of Basic Allowance of £4,300.00 per member per annum to be included in the Members' Allowances Scheme for 2018/19. An increase in Basic Allowance was introduced from 2016/17 in line with the recommendations of the Panel over several years, that the authority should implement 100% of the amount of Basic Allowance for each member, rather than the level of 80% previously applied.
3. As the Panel will be aware, the Council agreed in December 2015 that, from the 2016/17 municipal year, consideration of the amount of Special Responsibility Allowance (SRA) applied to the positions of the Chairman and Vice-Chairman of the Council be added to the responsibilities of the Remuneration Panel. Whilst no recommendations in this regard were made for 2019/20, the level of such SRA should therefore be considered as part of the Panel's review of the Members' Allowances Scheme for 2020/21.
4. As part of the review process for 2020/21, a general invitation was extended to all members of the Council on behalf of the Panel, to express any suggestions or concerns about the current operation of the Members' Allowances Scheme. At the time of the preparation of this report, no representations arising from such invitation have been received from members, although the Democratic Services Manager will report to the meeting in connection with any other matters submitted for consideration by the Panel subsequent to the publication of the agenda for this meeting.

## Overview & Scrutiny Committee – Restructure

5. At its meeting on 29 November 2018, the Panel was advised that the Council would shortly be considering options for the review of the existing framework of its overview and scrutiny select committees. At that time, the Panel considered that any reduction in the number of select committees would have the effect of generating savings to the current budget provision for members' allowances and could present opportunities to progress the application of the full level of SRA previously agreed by the Council. The Panel therefore requested that it be kept apprised of the Council's intentions with regard to any restructure proposals that directly affected the application of SRA for specific member roles and responsibilities reflected in the Members' Allowances Scheme.
6. The Panel is advised that, with effect from the commencement of the 2019/20 municipal year, the Council adopted a structure of three new overview and scrutiny select committees, replacing the former structure of four select committees. The new select committees are:  
  
Stronger Communities Select Committee;  
Stronger Council Select Committee; and  
Stronger Place Select Committee.
7. The current Members' Allowances Scheme provides that an annual SRA of £2,150.00 be applied to the positions of the chairmen of the select committees. The reduction of the overview and scrutiny framework to the three new select committees has therefore generated a saving to the current budget provision for members' allowances.

### Other Matters

8. Although no suggestions or concerns about the current operation of the Members' Allowances Scheme have been received from members, the following issue for consideration by the Panel has been identified by officers during the current municipal year, which is addressed in the following paragraphs of this report.

#### **(a) Subsistence Expenses - Conferences**

9. The Members' Allowances Scheme currently provides for the reimbursement of subsistence expenses in relation to member attendance at conferences etc., subject to the prior approval of the conference etc. as an 'approved duty' by the Council, the Cabinet, an appropriate committee, or the Leader or Deputy Leader of the Council in all cases.
10. In a recent situation concerning the potential attendance at a conference event by a co-opted independent member of the Audit and Governance Committee, it was unfortunately not possible to secure confirmation of the members' attendance as an approved duty in accordance with the requirements of the Members' Allowances Scheme and the opportunity for attendance at the conference event was unfortunately lost.
11. As, in such circumstances, it is not always possible (due to the scheduling of meetings) to secure confirmation of an approved duty from the Council, the Cabinet, or the appropriate committee, it is suggested that it might be sensible for the determination of an event as an approved duty to also be able to be made by the chairman of the appropriate committee.
12. Whilst such approach can be made to the Leader or Deputy Leader of the Council, this is considered to be a somewhat onerous alternative and it is suggested that the addition of the chairman of the appropriate committee as an additional level of approval

for the determination of conference-related approved duties would be sensible for the effective management of relevant business activity.

### **Benchmarking**

13. At its meeting on 29 November 2018, the Panel requested that a comprehensive benchmarking exercise amongst comparable local authorities be undertaken as part of the Panel's review of the Members' Allowances Scheme for 200/21, in order to assess whether an inflationary increase in the level of Basic Allowance should be considered;
14. The results of such benchmarking exercise are currently being prepared and will be circulated at the meeting of the Panel.

### **Recommendations**

15. The Panel is requested to consider the issues set out in this report and to agree the general matters to be subject of its recommendations to the Council in connection with the review of the Members' Allowances Scheme for 2020/21.
16. It is intended that the report of the Panel will be made to the Council at its meeting on 17 December 2019. The Panel is also therefore requested to agree which of its membership will present the report to the Council.

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# **MEMBERS' ALLOWANCES SCHEME**

## **EPHING FOREST DISTRICT COUNCIL - REMUNERATION AND EXPENSES SCHEME**

The Epping Forest District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1990 and the Local Authorities (Members' Allowances) (England) Regulations 2001, hereby makes the following scheme:

### **1. Scheme**

- 1.1 This scheme may be cited as the Epping Forest District Council Members' Allowance Scheme and shall have effect for the period from 24 May 2019 to 23 May 2020.

### **2. Definition**

- 2.1 In this scheme:

**"business mileage"** means mileage incurred for journeys by Councillors between their homes and business venues or between the Civic Offices, Epping and business venues;

**"Councillor"** means a member of the Epping Forest District Council who is a Councillor;

**"home to office mileage"** means mileage incurred for journey by Councillors between their homes and the Civic Offices in Epping;

**"independent person"** means: (a) a member of the Standards Committee or the Remuneration Panel who is not an elected councillor; or (b) a co-opted member of an Overview and Scrutiny Committee or the Audit and Governance Committee who is not an elected councillor; and

**"year"** means the period ending with 23 May 2020.

### **3. Basic Allowance**

- 3.1 Subject to Paragraph 7, £4,300 shall be paid to each Councillor. Payments are subject to deductions for tax and national insurance dependant on the circumstances of individual councillors.

### **4. Special Responsibility Allowances**

- 4.1 For each year a special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the allowances specified in Schedule 1 to this scheme. Special responsibility allowances shall be calculated as multipliers of the Basic Allowance. There is no restriction on the number of separate SRA's which are payable to an individual member.
- 4.2 Subject to Paragraph 7, the amount of each allowance shall be the amount specified against that special responsibility in Schedule 1 for the year.
- 4.3 The Council has decided not to implement payment of the full Special Responsibility Allowance amounts and to restrict these to a percentage of each allowance as set out in an annual statement of implementation.

## **5. Travelling and Subsistence (including Cycle Allowance)**

- 5.1 These expenses may be claimed by members of the Council in connection with the carrying out of approved duties specified in Schedules 2, 3 and 4 of this scheme.
- 5.2 Payments may be claimed up to the maximum casual user rate set for officers of the Council as adjusted annually by the National Joint Council for Local Government Services (travel expenses) and the East of England Regional Assembly (subsistence expenses).
- 5.3 Payment of home to office car mileage will be subject to deduction of tax and national insurance contributions, dependant on the circumstances of individual councillors. Business mileage incurred by councillors will not be subject to such deductions if the mileage rate claimed does not exceed 45 pence per mile.
- 5.4 Claims for the payment of business and/or home to office mileage may be made by members that have been driven to the approved duty giving rise to the claim, other than by way of taxi or other form of public transport, subject to the Council's usual checks and controls and the provision of appropriate VAT receipts.

## **6. Child Care and Dependant Carers' Allowances**

- 6.1 The maximum rate for this allowance shall be set at a rate equivalent to the current National Living Wage.
- 6.2 A member of the Council or an independent person shall be eligible to claim up to four hours of the allowance for the performance of approved duties under this scheme and for the purpose of contributing to the cost of providing personal care to immediate dependants who are in need of care and supervision.
- 6.3 The rate applicable shall be subject to automatic increases on an annual basis in line with uprating of the National Living Wage.
- 6.4 The allowance is not payable in respect of carers who are members of the member's immediate and close family i.e. parents, children, spouses, co-habitees or members of the same household as the member.
- 6.5 All claims shall be subject to Audit checks and no claim in excess of the maximum level will be payable, whatever the circumstances.

## **7. Renunciation**

- 7.1 A councillor or independent person may by notice in writing given to the Service Manager (Governance), elect to forego any part of his/her entitlement to an allowance under this scheme.

## **8. Part-year Entitlements**

- 8.1 The provisions of this paragraph shall have the effect of regulating the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.

- 8.2 If an amendment to this scheme changes and the amount to which a councillor is entitled by way of a basic allowance or a special responsibility 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; and
  - (c) 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.
- 8.3 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.
- 8.4 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 such-paragraph (2)(a), the entitlement of any such councillor to a 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.
- 8.5 Where a councillor has during part of, but not throughout a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole of the same proportion as the number of days during which he/she has such special responsibilities, bears to the number of days in that year.
- 8.6 Where this scheme is amended as mentioned in sub-paragraph (2), and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to 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 in that period during which he or she has such special responsibilities bears to the number of days in that period.

## **9. Claims and Payments**

- 9.1 Payments shall be made in respect of basic and special responsibility allowances, subject to sub-paragraph (2), in instalments of one quarter of the amount specified in this scheme.
- 9.2 Where a payment of one-quarter 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 8(1), 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.

- 9.3 Claims must be made within a period of one year of the duty being carried out. Payments after that period will only be made in exceptional circumstances.

## **10. Uprating for Inflation**

- 10.1 There will be no inflationary adjustment to the allowances set out in this scheme, except those relating to travel and subsistence.

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

- 11.1 Co-optees' allowance will be payable to independent persons as set out in Schedule 5 to this scheme.

## **12. Withholding/Recovery of Payments**

- 12.1 Where any councillor or independent member has already received a payment in respect of any period during which they have been:

- (a) ceased to be a member of the Authority; or
- (b) not entitled in any other way to receive the allowance in respect of that period, the Council may require that such part of the allowance as relates to the period in question shall be repaid to the Authority.

## **13. Pensionable Status**

- 13.1 Remuneration payable to councillors of Epping Forest District Council under this scheme shall only be entitled to pensionable status in accordance with a scheme made under Section 7 of the Superannuation Act 1972, if the member opted in to the Essex Superannuation Scheme before 1 April 2014.

- 13.2 For the purposes of a Paragraph 13.1 above basic allowance and special responsibility allowance will be treated as amounts in respect of which such pensions are payable in accordance with a scheme under that Act.

- 13.3 The Local Government Pension Scheme (LGPS) (Transitional Provisions, Savings and Amendment) Regulations 2014 removed access to the LGPS for Councillors from 1 April 2014, with the exception of those who were members of the Scheme on 31 March 2014, who retain access to the LGPS up to the end of their current term of office only (or to age 75 if earlier).

## **14. Further Guidance**

- 14.1 Further guidance on this scheme can be found in Appendix 1.

## SCHEDULE 1

### SPECIAL RESPONSIBILITY ALLOWANCES

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances.

DUTY	ANNUAL TOTAL AMOUNT OF SRA
Chairman of the Council	£10,750.00
Vice-Chairman of the Council	
Leader of the Council	£10,750.00
Cabinet Members	£6,450.00 (each)
Chairman of the District Development Management Committee	£3,225.00
Chairmen of the Area Plans Sub-Committees	£3,225.00 (each)
Chairman of the Overview and Scrutiny Committee	£4,300.00
Chairman of the Licensing Committee	£500.00
Chairmen of the Licensing Sub-Committees	£2,225.00 (allocated according to the number of meetings chaired each year)
Chairman of the Audit and Governance Committee	£2,150.00
Chairmen of the Overview and Scrutiny Select Committees	£2,150.00 (each)
Chairman of the Standards Committee	£110.00 per meeting held each year
Chairman of the Constitution Working Group	£500.00

## SCHEDULE 2

### APPROVED DUTIES

1. The following are specified as an approved duty for the purpose of the payment of travelling and subsistence expenses, attendance at any of the following:
  - (a) a meeting of the authority, the Cabinet, a Cabinet Committee, the Overview and Scrutiny Committee and its Panels, the Standards Committee and its Sub-Committees, or as a member of any other Committee or sub-committee, panel, working group, special committee or board of the authority;
  - (b) any other meeting held by the authority provided that:
    - 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
    - if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
  - (c) duties relating to the supervision of tender opening as required by the Council's Procurement Rules;
  - (d) attendance as representative of the Council at any approved conference or meeting of the outside organisations set out in Schedules 3 and 4;
  - (e) attendance at any meeting or other official function at the request of the Chief Executive, the Strategic Directors or a Service Director, including meetings between group representatives for a particular Committee and officers;
  - (f) any other duty approved by the Council or the Cabinet or any other committee, sub-committee, special committee or Board or Panel or any duty of a class so approved, for the purpose of, or in connection with, the discharge of functions or the body, or of any of its committees or sub-committees;
  - (g) attendance by a councillor at a meeting of which he or she is not a member for the purpose of explaining a motion referred from the Council;
  - (h) attendance as a councillor at the invitation of the Local Government Ombudsman for the purpose of investigating a complaint against this Council of maladministration;
  - (i) attendance as an appointed representative of Epping Forest District Council at any meeting of Essex County Council or any of its committees or sub-committees for the purpose of formal consultations on any matter affecting the powers or duties of this Council or the district or any part thereof;
  - (j) attendance on behalf of the Council or the Cabinet or as a Chairman on behalf of a Committee at an official function;
  - (k) attendance at seminars and training courses arranged by the authority;
  - (l) consultation meetings arranged by the authority where the member's attendance is required or where the business directly affects the member's ward;

- (m) site visits arranged by Area Plans Sub-Committees or the District Development Management Committee;
  - (n) informal site visits by individual councillors in respect of their duties as members of an Area Plans Sub-Committee;
  - (o) attendance at a meeting concerning joint working or partnership arrangements to represent the Council's interests; and
  - (p) attendance at any civic event to which the Chairman or Vice-Chairman is attending in that capacity (or representative) for which Council funded transport is not provided.
2. There is specified as an approved duty for the purpose of paying travelling and subsistence expenses attendance at any of the outside organisations shown in Schedule 4.
  3. Attendance by members of the Council at meetings of outside organisations not shown in Schedule 4 shall NOT qualify for payment of travelling and subsistence expenses.

### **SCHEDULE 3**

#### **CONFERENCE AND MEETINGS**

Conference and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which does not involve an absence overnight from the councillor's normal place of residence.	Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rates whichever is the less if travel outside the Epping Forest District is required).
Conferences and meetings organised by any person or body who is not doing so by way of trade, nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which involves an absence from the councillor's normal place of residence of one or more nights.	Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rate whichever is the less if travelling outside the Epping Forest District is required).

### **SCHEDULE 4**

#### **OUTSIDE ORGANISATIONS**

Attendance as appointed representative of the Council on any outside organisations, such attendances being deemed approved duty for the purpose of paying subsistence and travelling expenses.

## SCHEDULE 5

### CO-OPTEES' ALLOWANCE

Independent Persons affiliated to the Standards Committee	£500.00 per annum
Independent Members of the Remuneration Panel and Parish Remuneration Panel	£250.00 per annum
Co-opted members of the Audit and Governance Committee	£500.00 per annum
Co-opted independent members of an Overview and Scrutiny Committee	£500.00 per annum

**MEMBER REMUNERATION SCHEME**

**EPPING FOREST DISTRICT COUNCIL  
GUIDANCE NOTE ON ALLOWANCES AND EXPENSES FOR MEMBERS**

**1. INTRODUCTION**

- 1.1 A Councillor is eligible for the payment of attendance allowances and for reimbursement of travel and subsistence expenses in respect of approved duties carried out on behalf of the Council. An approved duty is one which has been authorised by or on behalf of the Council in advance.
- 1.2 The Council has a formal scheme for allowances which is updated from time to time. A copy of the scheme is set out in the Constitution. This note is of a more informal nature and is designed to assist members in dealing with their claims and explaining the arrangements to the public.

**2. BASIC ALLOWANCE**

- 2.1 This is a flat rate allowance payable to all members of the Council. This annual amount is paid in quarterly instalments. Members do not have to claim this amount. The full amount of the Basic Allowance is £4,300.00 per member, per annum.
- 2.2 The Council requires each of its elected councillors to be registered as a data controller in accordance with the provisions of the Data Protection Act 2018. Although members are responsible for their individual compliance with the data protection principles of the General Data Protection Regulation, the Council coordinates the registration (and annual renewal) process on behalf of members and an amount of £40.00 is therefore withheld from the Basic Allowance each year to meet the registration fee imposed by the Information Commissioner.

**3. SPECIAL RESPONSIBILITY ALLOWANCE**

- 3.1 This is a special allowance payable to the Leader, Cabinet members and certain Chairmen. It is designed to reflect the additional responsibilities of these office holders. This amount is paid in quarterly instalments during the year and does not have to be claimed.
- 3.2 The Special Responsibility Allowance applicable to the chairmen of the Standards Committee and the Licensing Sub-Committees is applied on a 'per-meeting' basis and is paid in a single instalment at year-end.
- 3.3 The Council has decided not to implement payment of the full Special Responsibility Allowance amounts and to restrict these to a percentage of each allowance set out in the Scheme.

**4. TRAVEL EXPENSES**

- 4.1 Members may re-claim reasonable travel expenses (including public transport tickets, taxi fares, parking costs where appropriate subject to submission of evidence of expenditure) in respect of approved duties as defined in the scheme (Schedule 2).

### **Car Travel**

- 4.2 The normal rates for car travel are the same as the higher rates paid to officers classed as casual users. Claims must be fixed on the rates applicable at the time of the journey. These rates are set out on the claim form and are reviewed annually.

### **Shortest Distance**

- 4.3 Claims for car travel should be by reference to the shortest distance from home to the Council offices or other venue for the approved duty concerned. No claim for additional expenses will be entertained unless there is a valid reason for incurring the additional mileage.

### **Travel Direct from Place of Employment etc**

- 4.4 For claims involving direct travel from a Councillor's place of employment (or other departure point) for an approved duty, the distance claims shall be limited to the home to meeting venue element of the journey. All such claims must be endorsed "CLAIM LIMITED" on the form.

### **Travel outside the District – Limit on Amount Claimable**

- 4.5 For journeys to approved meetings outside the District or by members resident outside the district, claims irrespective of mode of travel must not exceed the lower of:
- (a) second class return rail fare plus underground and other fares from station to destination at each end of the journey; or
  - (b) the appropriate car mileage.
- 4.6 This is subject to consideration of any special circumstances as set out in 4.7 below.

### **Travel over Long Distances – Special Circumstances**

- 4.7 If, for any reason, a councillor undertakes travel over long distances or from outside the District, members are advised to contact the Service Manager (Governance) in advance for advice on what would constitute a reasonable claim in the circumstances.

### **Use of Public Transport within Epping Forest District**

- 4.8 The rate for travel by public transport must not exceed the ordinary fare (or any available cheap fare). A member may not claim travelling expenses in respect of a single duty from more than one body. In all such claims evidence of expenditure (i.e. tickets or other receipts) MUST be provided. No claim will be allowed without such evidence.

### **Cycle Allowance**

- 4.9 This allowance is payable at the highest of the higher casual rates paid to officers classed as casual users.

### **Child and Dependant Carer's Allowance**

- 4.10 This allowance may be claimed at a rate equivalent to the current rate for the National Living Wage. Certain conditions are set out in the Scheme.

## **5. SUBSISTENCE EXPENSES**

- 5.1 Subsistence expenses (covering refreshments and meals etc paid for by a member) are claimable by councillor in respect of making attendances connected with approved duties on behalf of the Council. The rates for such expenses are set out (by reference to meal time and periods of absence) on the reverse of the form which is supplied to members on a quarterly basis. These rates may not be exceeded. Periods of absence will be calculated on the basis of departure from home or place of work if it is not possible to return home in the time available.
- 5.2 All claims for subsistence must be accompanied by receipts in respect of meals etc as evidence of expenditure actually having been incurred. No claims will be allowed in the absence of such evidence.
- 5.3 Special arrangements exist in respect of subsistence expenses in respect of duties involving an absence overnight from a councillor's normal place of residence. These are outlined under Section 7 relating to conferences.
- 5.4 A councillor may not claim subsistence expenses in respect of a single duty from more than one body.

## **6. CONFERENCES**

- 6.1 Attendance at Conferences and payment of allowances and expenses are subject to prior approval by the Council, Cabinet, appropriate committee, Leader or Deputy Leader in all cases.
- 6.2 All conferences deemed to be approved duties shall, in accordance with statutory requirements, be relevant to the District and not wholly or partly commercial or political in their objectives.

### **Allowances for Attendance at Conferences (Involving an Absence from Home)**

#### **(a) Subsistence - Nights Away from Home**

- 6.3 For conferences involving one or more night's absence, claims can be made for reasonable day or overnight expenses that are necessarily and exclusively incurred in the attendance as an authorised representative of the Council at a meeting, conference or seminar that it held outside of the Epping Forest District.

#### **(b) Claims for Subsistence**

- 6.4 These claims should cover such items as hotel bills, refreshments, meals (other than free meals which should be discounted) and similar items. No claims will be allowed unless evidence is provided of all expenditure being claimed. All relevant bills and receipts should be forwarded to the Service Manager (Governance) with claims.

#### **Travel Claims**

- 6.5 The guidance outlined under paragraph 4.5 will apply to all conferences.

## **7. TAXATION AND NATIONAL INSURANCE IMPLICATIONS**



7.1 Details of the tax and national insurance implications of allowance payments and expenses claimed are available through Democratic Services. In such matters, members are advised to seek advice from their tax office in the event of any concerns.

7.2 Supplementary Note Regarding Treatment of Claims for Travel Expenses by Car for Tax and National Insurance Purposes.

**(a) Travel by Car – Councillors’ Homes to Civic Offices Expenses (“Home to Office Mileage”)**

7.3 Her Majesty’s Revenue and Customs (HMRC) deems a councillor’s workplace for the purposes of their role as an elected representative to be the Civic Offices, Epping. From April 2016, ‘Home to Office Mileage’ is no longer subject to tax and national insurance deductions, provided that the distance between a councillor’s home and the Civic Offices is no more than 20 miles.

7.4 If the upper rate of mileage is also claimed (any amount above 45p per mile) this part of the payment will be treated as a taxable benefit and national insurance will be deducted. A petrol/diesel VAT receipt will be required to be submitted with all claims before payment can be made, which must predate the first date of mileage on the submitted claim. The receipt must also be dated within a reasonable timeframe of the first journey for which a claim is made.

**(b) Travel by Car – Councillors’ Homes to Other Venues or Civic Offices to Other Venues for the Purposes of Council Business (“Business Mileage”)**

7.5 HMRC has determined that such travel shall not be subject to tax or national insurance deductions except where the rate of reimbursement exceeds 45 pence per mile. Travel to any meetings of the Council or its subordinate bodies which are held at a location other than the Civic Offices is deemed to be business mileage.

**(c) Second Journeys**

7.6 Second journeys will be subject to taxation and National Insurance deductions depending on whether the journey constitutes home to office or business mileage.

**8. ALTERATION OF CLAIMS**

8.1 All claim forms submitted by members are checked for accuracy. The Democratic Services Manager is authorised to reduce incorrect claims in the following circumstances:

- (a) where a member does not attend at a claimed meeting;
- (b) where a claimed meeting is not approved;
- (c) where an incorrect amount of allowance is claimed; and
- (d) where a correct date has not been claimed.

8.2 Any changes under paragraph 8.1 will be notified to members after the claim form has been processed. Any other problems with members' claims will be referred back for the claimant and processing of the claim will not take place until the query has been clarified.

## **9. INTERPRETATION**

- 9.1 These guidelines are subject to the overall interpretation of the Chief Executive as to what constitutes a reasonable claim in any individual circumstances.

## 10. DOCUMENT HISTORY

<b>Prepared/Revised</b>	<b>Written by</b>	<b>Agreed/Authorised</b>	<b>Details of Change(s)</b>
November 2015	S. Tautz (Democratic Services Manager)	Remuneration Panel (17/11/15) Council (15/12/15)	Review of Scheme for 2016/17 municipal year
October 2016	S. Tautz (Democratic Services Manager)	Remuneration Panel (28/9/16) Council (20/12/16)	Review of Scheme for 2017/18 municipal year
November 2017	S. Tautz (Democratic Services Manager)	Remuneration Panel (30/10/17) Council (21/12/17)	Review of Scheme for 2018/19 municipal year
November 2018	S. Tautz (Democratic Services Manager)	Remuneration Panel (29/11/18) Council (20/12/18)	Review of Scheme for 2019/20 municipal year

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**SCHEME OF MEMBERS' ALLOWANCES -  
STATEMENT CONCERNING IMPLEMENTATION 2019/20**

**The following scheme has been agreed for the period  
from 24 May 2019 to 23 May 2020**

The Council decided at its meeting on 20 December 2018 to implement the amount of Basic, Special Responsibility and Co-optees Allowances provided in the scheme as set out below:

<b>BASIC ALLOWANCE</b>	<b>ANNUAL BASIC ALLOWANCE</b>	<b>IMPLEMENTATION OF BASIC ALLOWANCE</b>
All Councillors	£4,300.00	£4,300.00 (100%)

The amounts set out below show the amounts of Special Responsibility Allowance (SRA) payable during the year:

<b>DUTY</b>	<b>ANNUAL SPECIAL RESPONSIBILITY ALLOWANCE</b>	<b>IMPLEMENTATION OF SPECIAL RESPONSIBILITY ALLOWANCE</b>
Chairman of the Council	£10,750.00 (total)	£8,600.00 (80%)
Vice-Chairman of the Council		£2,150.00 (20%)
Leader of the Council	£10,750.00	£7,875.00 (73%)
Cabinet members	£6,450.00 (each)	£6,300.00 (98%)
Chairman of the District Development Management Committee	£3,225.00	£2,362.00 (73%)
Chairmen of the Area Plans Sub-Committees	£3,225.00	£2,362.00 (73%)
Chairman of the Overview and Scrutiny Committee	£4,300.00	£3,150.00 (73%)

Chairman of the Licensing Committee	£500.00	£500.00
Chairmen of the Licensing Sub-Committees	£2,725.00 (allocated according to the number of meetings each year)	£1,862.00 (allocated according to the number of meetings each year) (73%)
Chairman of the Audit and Governance Committee	£2,150.00	£2,150.00
Chairmen of the Overview and Scrutiny Select Committees	£2,150.00	£2,150.00 (each)
Chairman of the Standards Committee	£110.00 (per meeting)	£110.00 (per meeting)
Chairman of the Constitution Working Group	£500.00	£500.00

**The amounts payable during the year for independent and co-opted members are:**

Independent Persons affiliated to the Standards Committee	£500.00
Independent Members of the Remuneration Panel and Parish Remuneration Panel	£250.00
Co-opted members of the Audit and Governance Committee	£500.00
Co-opted independent members of an Overview and Scrutiny Committee	£500.00

**A copy of the full scheme is available on request from Democratic Services, Civic Offices, High Street, Epping, CM16 4BZ.**