

Peak District National Park Authority



MEMBERS' ALLOWANCES SCHEME

1 April 2023 (Schedule 3 updated November 2023)

Scheme approved by the Authority on 02/09/2022, following independent review, for 4 years from 01/04/2023 to 31/03/2027. Schedule 3 updated November 2023.

LOCAL GOVERNMENT AND HOUSING ACT 1989

LOCAL GOVERNMENT ACT 2000

**THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND)
REGULATIONS 2003**

The Peak District National Park Authority, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following scheme:

This scheme may be cited as the Peak District National Park Authority Members' Allowances Scheme, and shall have effect for the period commencing on 1 April 2023.

Members are reminded of the need to keep detailed supporting information, such as a diary, about every attendance for which they claim. This information should be available for scrutiny by the Authorities Auditors or other relevant persons as and when required.

1. Definitions

- a) "Member" means a member of the Peak District National Park Authority;
- b) "year" means the 12 months ending with 31st March.
- c) "Schedule 3" sets out the annual equivalent amount and per activity rates payable to Members during the period from 6 July 2018 to 31 March 2019. Schedule will be automatically updated annually in accordance with the methodology for year on year changes included as part of the scheme. Members will be informed annually of the rates for the forthcoming year.

2. Basic Allowance

- a) Subject to paragraph 7, for each year a Basic Allowance shall be paid to each Member. This allowance is designed to cover the time commitment of all Members in all meetings including those with officers and members of the public. It is also intended to cover incidental costs such as the use of home, private telephone facilities, personal computers, peripherals and other information technology.
- b) The rate at which the Basic Allowance is paid is detailed in Schedule 3. The allowance will be increased in line with the pay award due to local government employees at spinal column 43 or the equivalent level if the spinal column points are revised at the 1st April each year.

3. Special Responsibility Allowances

- a) Subject to paragraph 7, for each year a Special Responsibility Allowance (SRA) shall be paid to those Members who perform the special responsibilities in relation to the authority that are specified in Schedule 1 to this scheme.
- b) The rate at which the SRA's are set is detailed in Schedule 3. The SRA will be increased in line with the pay award due to local government employees at spinal column 43 or the equivalent level if the spinal column points are revised at the 1st April each year.

4. Travel and Subsistence Allowances

- a) A Member may be reimbursed in respect of travelling and subsistence ("travelling and

subsistence allowance"), including an allowance in respect of travel by bicycle or by any other non-motorised form of transport, undertaken in connection with or relating to such duties as are specified in Schedule 2.

- b) The rates at which Members can be re-imbursed for travel and subsistence are set down in Schedule 3. The car mileage rates and the subsistence rates are the same as those applicable to employees of the Authority and shall be changed in line with changes made to the allowances paid to employees. The rates for travel by motorcycle and bicycle will be updated using the same increase as the NJC uses for employee rates.
- c) The basis on which Members travel and subsistence expenditure will be re-imbursed is detailed in Schedule 4.
- d) A Member may also claim a passenger allowance if they carry other Authority Members as passengers in their vehicle up to a maximum of three passengers. Members claiming this allowance will receive an addition 5 pence per mile per passenger.
- e) The subsistence rates set out in Schedule 3 are the maximum amount that can be reimbursed when expenditure has been incurred in specific circumstances whilst working on approved duty business away from home or Aldern House. These circumstances are where the duties prevent Members from following their normal meal arrangements and they have to incur expenditure which is additional to their normal outlay, or where, due to the nature of the duty they are not able to obtain alternative food or accommodation within the prescribed rates. If, for example, a Member is at a meeting and has no choice as to they can eat due to the other attendees and incur additional expenditure they may claim subsistence as long as the claim is supported by a receipt. Without a receipt no claim can be made. In no circumstances can alcoholic drinks be claimed.
- f) Where practicable Members should book travel, meals and accommodation in advance through the Democratic and Legal Support Team (DLST). In these circumstances, as there is no need to claim back expenditure, the published maximum rates are not applicable.

5. Co-optees Allowance

- a) An annual allowance may be paid in respect of attendance at conferences and meetings for a member of a committee or sub-committee of the Authority but is not a Member of the Authority.
- b) The rate at which Co-optees allowance is paid is set down in Schedule 3. The rate is set at a fixed proportion of the Basic Allowance and as such will be increased annually to maintain that relative proportion.

6. Renunciation

A Member may, by notice in writing given to the Head of Law, elect to forego any part of his or her entitlement to an allowance under this scheme.

7. Part-year Entitlements

- a) The provisions of this paragraph shall have effect to regulate the entitlements of a Member to basic and SRAs. 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.
- b) If an amendment to this scheme changes the amount to which a Member is entitled by

way of a basic allowance or a SRA, then in relation to each of the periods

- (i) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
- (ii) 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.

- c) If an amendment to this scheme changes the duties specified in Schedule 2 to 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.
- d) 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 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 or her term of office subsists bears to the number of days in that year.
- e) Where this scheme is amended as mentioned in sub-paragraph (b), and the term of office of a Member does not subsist throughout the period mentioned in sub-paragraph (b)(i), the entitlement of any such Member 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 the same proportion as the number of days during which his or her term of office as a Member subsists bears to the number of days in that period.
- f) Where a Member has during part of, but not throughout, a year such special responsibilities as entitle him or her to a SRA, that Member's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he or she has such special responsibilities bears to the number of days in that year.
- g) Where this scheme is amended as mentioned in sub-paragraph (b), and a Member has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (b)(i) of that paragraph any such special responsibilities as entitle him or her to a SRA, that Member'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.

8. Recovery of Payments Made to Members

Where a payment has been made to a Member that relates to a period where either the Member concerned: -

- a) ceases to be a Member of the Authority;
- b) or is in any other way not entitled to receive the allowance in respect of that period,

The Authority may require that such part of the allowance as relates to any such period

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be repaid to the Authority.

9. Payment of Allowances

- a) Claims for Travel and Subsistence allowances should be made monthly in writing. Claims should be within six months of the date of the event in respect of which the entitlement to the allowance arises. All claims must be made on the appropriate form.
- b) The payment of Basic, Special Responsibility, Independent Persons and Co-optees allowance is made automatically and no claim is required.
- c) Any claim more than six months old and totalling more than £250 must be approved by the Programmes and Resources Committee before payment can be made
- d) A claim for allowances shall include, or be accompanied by, a statement by the Member claiming the allowance that he or she is not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under the scheme.
- e) All payments to Members are made by using the Bankers Automated Clearing System on the 25th of each month or the nearest preceding working day if the 25th falls on the weekend or at a Bank Holiday.

SCHEDULE 1

Special Responsibility Allowances (SRAs)

	Relative Responsibility
Chair of the Authority (the Chair)	250% of the Basic allowance
Deputy Chair of the Authority, Chair of Planning Committee	50% of the Chair's allowance
Chair of Programmes and Resources Committee (P&R Chair)	40% of the Chair's allowance
Vice-Chair of Planning Committee	60% of the Planning Chair's allowance
Vice-Chair of Programmes and Resources Committee	50% of the P&R Chair's allowance

The Authority has determined that these are the only SRAs that will be paid under the current scheme

APPROVED DUTIES

The general principle underlying the mileage and travel allowances is that Members shall only claim such allowances where they have been

- Appointed to an Authority Committee/panel/forum or to an outside body by the Authority
- Invited by an Officer or Chair or other appropriate Committee Chair to attend a meeting or event
- Generally in attendance as a formal representative of the Authority

The following are specified as approved duties for the purposes of Travel and Subsistence Allowances, these require no further approval: -

- 1) 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 to which a Member has been appointed;
- 2) attendance as a representative of the Authority on approved Bodies at meetings relating to the body other than meetings of the body itself or Committees or Sub-Committees thereof;
- 3) 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 it is a meeting to which at least two Members of the Authority have been invited;
- 4) the attendance at a meeting of any association of authorities of which the authority is a member to which a Member has been appointed;
- 5) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a Member or Members to be present while tender documents are opened;
- 6) 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;
- 7) duties carried out within the UK arising out of a member holding an office to which a SRA applies, or such a duty carried out by their nominee.
- 8) attendance at training courses, the purpose of which is to assist Members to understand and carry out their duties more effectively, e.g. IT training courses, but are not directly related to the work of the Authority. All such activities to be arranged by the Authority;
- 9) attendance by a Member at a Committee or Sub-committee meeting of the Authority for the purpose of making a statement to the meeting where the Member is not a Member of that Committee or Sub-Committee.

The Head of Law may approve the following duties. Where the Head of Law is unsure of the suitability of such attendance then that decision must be referred to the next relevant Committee. The items included are: -

- 1) duties carried out by any member of a Committee or Sub-Committee, e.g. visits and inspections, in order to discharge the functions of the Committee or Sub-Committee;

- 2) Attendance by Members at conferences, seminars and other meetings at which it is necessary for the Authority to be represented;
- 3) organised official visits, within or outside the National Park, including deputations to government departments;
- 4) attendance at official openings of new premises by Members of the appropriate Committee;
- 5) attendance of a Member in receipt of a SRA or nominees as guest speakers at conferences or meetings closely connected with the functions and activities of the Committee, subject to a claim being made by the Member to the conference organiser for travelling, subsistence and any fees to be repaid to the Authority;
- 6) official and courtesy visits of a civic nature within the United Kingdom and abroad (such as "twinning" arrangements with overseas local authorities);
- 7) attendance at interviewing panels.
- 8) Attendance at meetings of Parish Councils/Meetings and other local forums taking place in the geographical area allocated to a Member under the "We're here for you initiative" subject to confirmation that either the organiser of the relevant meeting has specifically asked in advance for a Member of the National Park Authority to be present or the Chief Executive or the Head of Law is of the view that it is essential that a Member of the Authority is present at the meeting.
- 9) Attendance at other community events arranged by the Authority where the Chief Executive or the Head of Law has invited Members to attend."
- 10) Member Representatives are able to claim travel and subsistence for meetings with the named Lead Officer and for attending meetings when the member representative is invited to accompany the lead officer for their role.

Finally any other duty approved in advance by the relevant Committee may qualify for travel and subsistence allowances.

Members' Allowances rates from 1 April 2023**Basic:** All Members £2,785.00 per annum*

*Includes £30 towards Member's IT printing costs.

<u>Special Responsibility Allowances:</u>		£ per annum
Chair of the Authority	250% of Basic Allowance	6,703.00
Deputy Chair of the Authority	50% of SRA for Chair of Authority	3,352.00
Chair of Planning Committee	50% of SRA for Chair of Authority	3,352.00
Chair of Programmes and Resources Committee	40% of SRA for Chair of Authority	2,681.00
Vice-Chair of Planning Committee	60% of SRA for Chair of Planning Committee	2,212.00
Vice-Chair of Programmes and Resources Committee	50% of SRA for Chair of ARP	1,341.00
Independent Persons (No basic allowance paid)	50% of Basic Allowance	1,393.00
Co-optees: (No basic allowance paid)	25% of Basic Allowance	696.00

Subsistence:

Breakfast:	£5.00
Lunch:	£7.00
Evening meal:	£15.00

Overnight:

Bed & Breakfast:	£55.00
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Travelling:

Motorcycle:	24.0p per mile
Car:	45.0p per mile
Bicycle:	20.0p per mile
Car passenger supplement	5 pence per mile per passenger (maximum three passengers)

Public transport: and taxis - actual fares paid.

Rail fares limited to standard class or cheapest equivalent

SCHEDULE 4

Travel and Subsistence Claims

The Authority will meet travel costs incurred on authorised official business as long as the costs incurred are reasonable and comply with the appropriate guidelines as set out in this Schedule.

PUBLIC TRANSPORT

Rail Travel

Members are entitled to travel using Standard Class, or cheapest equivalent, rail tickets. Cheap rate fares should be used where they are available. In exceptional cases a Member may claim for another type/class of ticket provided that they can demonstrate justification that it was the cheapest available.

Tickets can be booked via the Authority by contacting the DLST and providing the following details:

- date and times of travel, both outward and return (so that we can take advantage of cheap rate fares)
- departure point
- destination
- your name
- other requirements eg: London underground ticket and if so for which zone, reserved seat on train, seat facing forwards/backwards, table etc...

When requesting tickets please allow enough time for them to be posted to you. If this is not possible a unique fast ticket machine code will be issued which needs to be entered in the machines at the departing station. The tickets will then be printed but you will need a card with a metallic strip to activate the machine. You will not be charged anything on your card.

Please note not all stations have fast ticket machines so try to organise your tickets well in advance of travelling.

Also please note that there is a cancellation fee if a ticket is ordered but not used. If you are unable to use a booked ticket please let the DLST know as soon as possible.

Taxi Travel

Taxis should only be used when the alternatives are not available or the following are applicable:

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- there is a significant saving in official time;
- you have to transport heavy luggage and / or equipment;
- where Members are travelling together and it is a cheaper option.

Please attach a receipt to your claim.

Air Travel

Members should only travel by air if it means an overall saving to the Authority through reduced travel and subsistence costs. All journeys must be approved in advance by the relevant Committee.

Mileage Allowances

Rates are paid at a rate per mile and at the rate prevailing at the time of travel.

You must hold a current full driving licence.

All vehicles used on Authority business should have a current vehicle licence and current insurance policy. The insurance policy must cover you for business use and indemnify the employer against all third party claims (including those concerning passengers) when the vehicle is used on official business.

If your insurance covers Social and Domestic Pleasure only your whole policy will be invalid if you use your car for Authority business.

Mileage claimable must be calculated on the basis of the most reasonable route possible for the journey. Where it is reasonable to use Public Transport then Members will be expected to do so. If a Member decides to travel by car when it is reasonable to use public transport then the Member will only be re-imbursed up to the lower of the car mileage amount or the cost of public transport. If a Member is in any doubt they should seek the advice of the DLST at Aldern House.

The Inland Revenue has ruled that mileage payments relating to journeys from a Members Home to Aldern House and payments in excess of Approved Mileage Allowance Payments (AMAP) calculated average mileage costs are subject to payment of income tax and National Insurance. This will be deducted at source. The payments will also be subject to Income Tax for which each member will be issued a statement P11D detailing the "profit" on mileage payments.

Overseas Travel

Overseas travel is classed as any journey outside the United Kingdom. Any journey, which incorporates travel overseas, must have prior authorisation from the relevant Committee. Claims should be made on the basis of any available tourist or cheap rate fares. The Authority will not reimburse the cost of obtaining a passport.

Other Costs

Any parking, toll or similar fee necessarily incurred on official business can be reclaimed from the Authority. Please attach receipts to your claim.

Parking fines or similar charges will not be paid by the Authority.

SUBSISTENCE

Subsistence can only be claimed when expenditure has been incurred in specific circumstances whilst working on official business away from your base.

All claims are subject to a maximum amount payable as detailed in Schedule 3 and must be supported by a receipt.

Subsistence cannot be claimed where meals/accommodation etc. is provided free of charge or for which the costs are directly paid by the Authority.

Subsistence is taxable when the period is less than 5 hours or less than 5 miles from base.