

AGENDA 10, Enc v) Basic Parish Allowance and Expenses

The Law - The Local Authorities (Members' Allowances) (England) Regulations 2003

PART 5 PARISH COUNCILS

Application of this Part

24. Any reference in this Part—

- a) to an authority is, unless otherwise specified, a reference to a parish council;
- b) to a member is, unless otherwise specified, a reference to an elected member of a parish council;
- c) to a responsible authority is, in relation to a parish council, a reference to the district council or unitary county council—
 - i. where the parish council is the council for one parish, in whose area the parish council is situated; or
 - ii. where the parish council is the council for a group of parishes(1), in whose area all the parishes in the group are situated or, where that is not the case, in whose area the greatest number of local government electors for the parishes in the group is situated; and
- d) to an establishing authority is, in relation to a parish remuneration panel, a reference to the responsible authority that established that parish remuneration panel.

Parish basic allowance

25.— (1) An authority may pay an allowance for each year (“parish basic allowance”)—

- a) to its chairman(2) only; or
- b) to each of its members,

and the amount of that allowance payable to its chairman may differ from that payable to each other member of the authority, but otherwise that amount shall be the same for each such member.

(2) Where an authority proposes to pay parish basic allowance, whether to its chairman only or to each of its members, it must have regard, in setting the level or levels of such allowances, to the recommendations which have been made in respect of it by a parish remuneration panel in accordance with regulation 28.

Parish travelling and subsistence allowance

26.— (1) An authority may pay to its members allowances in respect of travelling and subsistence (“parish travelling and subsistence allowance”), including an allowance in respect of travel by bicycle or by any other non-motorised form of transport, undertaken or incurred in connection with the performance of any duty within one or more of the following categories—

- 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 a meeting of any association of authorities of which the authority is a member;
- c) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;

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- d) 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; and
- e) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees.

Parish remuneration panels

27.— (1) A parish remuneration panel may be established—

- a) by a **responsible authority** and shall make recommendations in respect of the authorities for which the establishing authority is the responsible authority; or
- b) jointly by any responsible authorities and shall make recommendations in respect of the authorities for which the establishing authorities are the responsible authorities.

(2) Subject to paragraph (3), a parish remuneration panel shall consist of those persons who are also members of the independent remuneration panel which exercises functions in respect of the establishing authority or authorities.

(3) A parish remuneration panel shall not include any member who is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority.

(4) **The authorities in respect of which a parish remuneration panel established under paragraph (1) makes recommendations shall each pay to the parish remuneration panel an equal share of the amount of the expenses incurred by that panel in carrying out that panel's functions.**

Recommendations of parish remuneration panels

28.— (1) A parish remuneration panel shall produce a report in relation to the members of the authorities in respect of which it was established, making recommendations, in accordance with the provisions of regulation 29, as to—

- a) the amount of parish basic allowance payable to members of such authorities;
- b) the amount of travelling and subsistence allowance payable to members of such authorities;
- c) whether parish basic allowance should be payable only to the chairman of any such authority or to all of its members;
- d) whether, if parish basic allowance should be payable to both the chairman and the other members of any such authority, the allowance payable to the chairman should be set at a level higher than that payable to the other members and, if so, the higher amount so payable; and
- e) the responsibilities or duties in respect of which members should receive parish travelling and subsistence allowance.

(2) A copy of a report made under paragraph (1) shall be sent to each authority in respect of which recommendations have been made.

Levels of allowances

29.— (1) A parish remuneration panel may, in making its recommendations in accordance with regulations 27 and 28, either—

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- a) apply the same recommended levels of parish basic allowance and parish travelling and subsistence allowance to all the authorities in respect of which it was established; or
- b) make different recommendations for different authorities.

(2) A parish remuneration panel shall express its recommendation as to the level of parish basic allowance, in respect of a parish or parishes, as a percentage of the sum that an independent remuneration panel has recommended as the level of basic allowance for the establishing authority which is the responsible authority for that parish or parishes.

(3) The percentage referred to in paragraph (2) may be one hundred per cent.

(4) A parish remuneration panel shall also express its recommendation as to the level of parish basic allowance as a monetary sum being a monetary sum equivalent to the percentage expressed in accordance with paragraphs (2) and (3).

Elections to forgo parish allowances

32. A member may, by notice in writing given to the proper officer of the authority, elect to forgo his entitlement or any part of his entitlement to allowances.

Durham County Council

An Independent Remuneration has been established by Durham County Council and recommendations were made. This allowed Town and Parish Council in Durham to have regard for the recommendations and agree their own policy.

Ferryhill Town Council

In 2005 Ferryhill Town Council considered the recommendations of the independent remuneration panel for the area and resolved not to take the full Councillors Allowance. Councillors are instead only entitled to claim a daily Participation Allowance when away from home on a training course or other similar event. In addition to this, Councillors are also entitled to claim actual travelling and subsistence allowances in accordance with the Members Allowance Policy.

Spennymoor Town Council

2. Parish Basic Allowance

- a) A Parish Basic Allowance of **£1000** per year shall be paid to each Councillor and reviewed annually with regard to the recommendations of the appropriate local Independent Remuneration Panel. **However, only elected Councillors can receive the Parish Basic Allowance, co-opted Councillors cannot. They can claim for expenses incurred for items such as costs related to attending meetings,**

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Bishop Auckland Town Council

Public Notice

Notice is hereby given that at a meeting of the Finance Committee of Bishop Auckland Town Council held on 8th January 2019 considered recommendations from the Independent Remuneration Panel established by Durham County Council in respect of parish members' allowances, made in accordance with the

Local Authorities (Members Allowances) (England) Regulations 2003

The Independent Remuneration Panel recommended the following basic allowance for parish and town councillors within County Durham

Population	Maximum Basic Allowance	% of DCC Basic Allowance
15,000 and above	£1,330	10%
10,000 to 15,000	£1,000	7.5%
5,000 to 10,000	£665	5%
3,000 to 5,000	£270	2%
2,000 to 3,000	£200	1.5%
1,000 to 2,000	£135	1%
under 1,000	£65	0.5%

N.B. Population of Bishop Auckland is 16,296 (2011 Census)

The Panel also made recommendations relating to travel and subsistence allowances.

A copy of the Independent Remuneration Panel's recommendations can be inspected at the Town Council's Office, Four Clocks Centre, 154a Newgate Street, Bishop Auckland during normal office hours and can be supplied free of charge on application to the Town Clerk at this address. Documents are also posted on the Town Council's website www.bishopauckland-tc.gov.uk

The Finance Committee recommended that Town Councillors basic allowance remain at £440 per annum. The recommendations relating to travel and subsistence allowances were accepted. This was ratified at the Council meeting held on 15th January 2019.