

# LOWER HALSTOW PARISH COUNCIL

Parish Clerk, 11 Cumberland Drive, Lower Halstow, Sittingbourne, Kent. ME9 7JA

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## ALLOWANCES SCHEME

This scheme is made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and the Local Government Act 1972.

1. An annual allowance shall be made to the Chair of the Council, whether an elected or co-opted member, in accordance with the Local Government Act 1972.
2. An annual basic allowance shall be made to members of the Parish Council, whether an elected or co-opted member, other than the Chair of the Council, in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and the amount of such an allowance shall be the same for such members.
3. The amount of the allowance for 1 above shall be set by resolution of council, but shall not be greater than 10% of the last approved basic allowance as set by Swale Borough Council.
4. The amount of the allowance for 2 above shall be set by resolution of council but shall not be greater than 5% of the last approved basic allowance as set by Swale Borough Council.
5. During any given financial year (1 April to 31 March), where a term of office of a member begins or ends other than at the beginning or end of the financial year his entitlement shall be to pay the basic allowance pro-rata.
6. Where a member is suspended or partially suspended from his responsibilities or duties as a member of the Parish Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of the basic allowance payable to him in respect of the period for which he is suspended or partially suspended shall be withheld by the Parish Council.
7. Where a member ceases to be qualified as a member through a failure to attend meetings, in accordance with the Local Government Act 1972 section 85, the part of the basic allowance payable to him in respect of any period<sup>1</sup> relating to the disqualification shall be withheld by the Parish Council.
8. This scheme does not provide for any special responsibility allowances, dependants' carers' allowances, travelling and subsistence allowances or co-optees allowances.
9. A member may, by notice given in writing to the Proper Officer of the Parish Council, elect to forgo his entitlement or any part of his entitlement to allowances as defined in this scheme.

10. This scheme may only be revoked from the beginning of a financial year but may be amended by resolution of council at any time, in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003. Where the scheme is revoked a further scheme shall be provided beginning with the date on which the revocation takes place and ending at the end of the financial year in question.
11. Should the scheme be amended to provide special responsibility allowances, dependants' carers' allowances, travelling and subsistence allowances or co-optees' allowances then where a member of the Parish Council is also a member of another authority that member may not receive allowances from more than one authority in respect of the same duties.
12. Should the scheme be amended to provided special responsibility allowances, dependants' carers' allowances, travelling and subsistence allowances or co-optees' allowances then the person must submit a claim for the said allowance within 30 days from the date on which an entitlement to the said allowance arose.
13. All payments of a Chair of Council's or a basic allowance shall be made in July of any given financial year.
14. Where payment of any allowance has already been made in respect of any period during which the member is:
  - a. Suspended or partially suspended from his responsibilities or duties as a member of the Parish Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
  - b. Ceases to be a member of the Parish Council; or
  - c. Is in any way not entitled to receive the allowance in respect of that period.

The Parish Council may require that such part of the allowance as relates to any such period be repaid to the Parish Council.

15. Any member or person entitled to any allowance as defined within this scheme shall provide to the Proper Officer of the Parish Council that information, as requested by the Proper Officer, which is required for the completion of statutory declarations in connection to the payment of such allowances. Where a member is requested, in writing, to supply information relating to the payment of a basic allowance, if the Proper Officer has not received a response within 21 days of any such request it shall be deemed that the member has elected to forgo his entitlement or any part of his entitlement to allowances as defined in this scheme.
16. Any payments made under this scheme shall be published in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.
17. Within this scheme all reference to special responsibility allowances, dependants' carers' allowances, travelling and subsistence allowances or co-optees' allowances is as defined by the Local Authorities (Members' Allowances) (England) Regulations 2003.

18. Within this scheme all references to he, him or his should be read as generic.<sup>1</sup>

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<sup>1</sup> This period being the later of the date of last attendance or the first day of April in the financial year where the disqualification occurred to the date of disqualification