



AVON FIRE AUTHORITY MEMBERS' ALLOWANCES SCHEME

UPDATED FOR FINANCIAL YEAR 2023/24



Local Government and Housing Act 1989
Local Government Act 2000
The Local Authorities (Members' Allowances) (England) Regulations 2003

MEMBERS' ALLOWANCES SCHEME

Avon Fire Authority in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following Scheme:

General

1 This Scheme may be cited as the Avon Fire Authority Members' Allowances Scheme.

2 (1) In this Scheme the following terms have the meanings respectively assigned to them below:

"Member" means a Member of the Authority appointed to the Authority by one of the four Unitary Authorities.

"Authority" means Avon Fire Authority

"the Act" means the Local Government Act 2000

"Basic Allowance" means an allowance payable under paragraph 3 of this Scheme

"Financial Year" means the period beginning on 1 April and ending on 31 March

"Special Responsibility Allowance" means an allowance payable under paragraph 4 of this Scheme

"the 2003 Regulations" means The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended)

"the 1990 Regulations" means The Local Government (Committees and Political Groups) Regulations 1990

"Independent Person's Allowance" means an allowance payable under paragraph 5 of this Scheme

"Travelling and Subsistence Allowance" means an allowance payable under paragraph 6 of this Scheme

"Group Leader" means the leader of a group within the Authority constituted in accordance with Regulation 8 of the 1990 Regulations

"Approved Duty" means a duty specified in Schedule 2 to this Scheme



“Valid Written Claim” means a claim on-line via the ESS system submitted by the claimant and which contains or has appended to it the details required by the Authority and receipts for expenditure in relation to which an allowance is being claimed.

- (2) In this Scheme words importing the masculine gender shall include the feminine and vice versa.

Basic Allowance

- 3 (1) Each Member shall be entitled to a basic allowance amounting to £2,907 in respect of the Financial Year, subject to and in accordance with the Scheme. This figure represents the figure of £2,817 recommended by an Independent Review in November 2021, plus 4.04% for the NJC Green Book pay award for 1 April 2022 (announced 1 November 2022).
- (2) Where the term of office of a Member begins or ends otherwise than at the beginning or end of the Financial Year, his/her entitlement shall be to payment of the proportion of basic allowance for the number of days during which his/her term of office as Member subsists.
- (3) Where a Member is suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority in accordance with Part III of the Act or regulations made under that Part, the part of basic allowance payable to him/her in respect of the period for which he/she is suspended or partially suspended may be withheld by the Authority for that period of suspension or partial suspension.

Special Responsibility Allowance

- 4 (1) In respect of the Financial Year a special responsibility allowance shall be payable to a Member who has a special responsibility in relation to the Authority that is specified in Schedule 1 to this Scheme subject to and in accordance with the provisions of this Scheme.
- (2) The amount of the allowance shall be the amount specified against that special responsibility in that Schedule.
- (3) For the avoidance of doubt a Member shall be paid only one special responsibility allowance in addition to their basic allowance in relation one such special responsibility at any one time during the Financial Year. If a Member fulfils more than one special responsibility role for which different amounts are paid, then the Member will be entitled to receive the higher of the amounts involved.
- (4) Where a Member does not have throughout the whole of the Year such special responsibilities as entitle him/her to a special responsibility allowance, his/her entitlement shall be to payment of a proportion of the special responsibility allowance for the number of days during which he/she has such special responsibility in the Year.
- (5) Where a Member is suspended or partially suspended from his/her responsibilities or duties as a member of the Authority in accordance with Part III of the Act or regulations made under that Part, the part of any special responsibility allowance payable to him/her in respect of the responsibilities or duties from which he/she is suspended or partially suspended may be withheld by the Authority.



Independent Person's Allowance

- 5 Each Independent Person shall be entitled to an allowance amounting to £1,000 in respect of the Financial Year in respect of attendance at conferences and meetings subject to and in accordance with the provisions of this Scheme.

Travelling and Subsistence Allowance

- 6 (1) An allowance in respect of travelling and subsistence shall be payable to a Member if undertaken in connection with or relating to a duty specified in Schedule 2 to this Scheme subject to and in accordance with the provisions of this Scheme. The travel allowances are in line with HMRC approved travel rates.
- (2) An allowance in respect of travelling and subsistence shall be payable to an Independent Person if undertaken in connection with or relating to a duty specified in Schedule 2 to this Scheme subject to and in accordance with the provisions of this Scheme.
- (3) The amounts of allowances in respect of travelling and subsistence payable by the Authority are set out in Schedule 3 to this Scheme.

Election to Forego Allowances

- 7 Any person may, by notice in writing given to the Clerk to the Authority, elect to forego his/her entitlement or any part of his entitlement to allowances under this Scheme.

Claims and Payment

- 8 (1) (a) A claim for Travelling or Subsistence Allowance shall be made on-line by the person entitled to receive payment **within three months** following the date of the meeting or event in respect of which the entitlement to the allowance arises.
- (b) An Independent Person's Allowance in respect of the Year shall be payable by two equal instalments, paid in arrears; the first instalment relates to the period January to June, and the second for the period July to December. A claim for Independent Person's Allowance shall be made in writing by the person entitled to receive payment not later than two months after the end of the period to which the payment relates.
- (2) The Authority shall not be required to make a payment where the provisions of paragraph 8(1) have not been complied, with but may do so at its discretion.
- (3) Payment in relation to the following allowances, namely:
- (a) Basic Allowance
 - (b) Special Responsibility Allowance
- shall (subject to paragraphs 3(3), 4(5), 8(5) and 10) be made by equal monthly instalments in arrears on the last day of each calendar month.
- (4) Payment in relation to the following allowances, namely:
- (a) Travelling and Subsistence Allowance
 - (b) Independent Person's Allowance



shall (subject to paragraphs 5, 6, 8(5) and 10) be made on the last day of the calendar month following the month in which a valid written claim in relation to it is received by the Authority.

(5) Where any of the following paragraphs apply, namely:

- (a) paragraph 3(2); or
- (b) paragraph 4(4)

the first or last instalment (as the case may be) shall be adjusted by such amount as the Authority may determine is necessary to accord with the provisions of the relevant paragraph and shall be paid no later than the last day of the calendar month following the month in which the relevant allowance commences or ceases to be payable (as the case may be).

Repayment of Allowance

9. Where payment of any allowance has already been made in respect of any period during which the Member or Independent Person concerned:
- (a) ceases to be a Member or Independent Person; or
 - (b) 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 such period be repaid to the Authority, within three months.

Duplication of Allowances

- 10 (1) Where a Member is also a Member of another authority (within the meaning of Regulation 3 of the 2003 Regulations) that Member may not receive allowances from more than one authority (within the meaning of Regulation 3 of the 2003 Regulations) in respect of the same duties.
- (2) No allowance under this Scheme shall be paid or claimed by a Member unless he shall have given to the Authority a certificate stating that he has not claimed or received, nor will he claim or receive, an allowance from any other authority (within the meaning of Regulation 3 of the 2003 Regulations) in respect of the same duties.

Resolution

- 11 The Basic Allowance will be updated annually based on any headline percentage increase agreed by the National Joint Council (NCJ) for Local Government as the pay award for staff on the national pay scale (Green Book). This Scheme was amended by the Authority in accordance the NJC Green Book pay award for 1 April 2022, which was belatedly announced on 1 November 2022. Pay negotiations are ongoing and in due course a further Green Book pay award will be announced by the NJC for 1 April 2023 and all the allowances in this Scheme will be updated accordingly.
- 12 During the 2021/22 financial year, the Clerk to the Fire Authority commissioned an external advisor to fully review the Scheme and make recommendations for the Scheme from 1st April 2022. That Independent Review was conducted by Bryony Houlden of South West Councils, who prepared a report dated November 2021, which was presented to the Fire Authority meeting on 15 December 2021. All eleven recommendations outlined within the report were adopted for the 2022-23 and 2023-24



financial years. This Member Allowances Scheme includes the second phase of uplifts recommended for 2023/24.

Clerk to the Fire Authority



SCHEDULE 1

Special Responsibility Allowance

Special Responsibility Allowance	2023/24 £
Chair	12,496
Vice Chair	2,923
Chairs of Committees	2,907
Group Leaders	2,325

These Special Responsibility Allowances are those recommended by the Independent Review of Member Allowances of November 2021, for the Chair of £12,110, Vice Chair £2,833, Chairs of Committees £2,817, and Group Leaders of £2,253 plus 4.04% for the NJC Green Book pay award for 1 April 2022 (announced November 2022).



SCHEDULE 2

Duties for which Travel and Subsistence Allowance Payable

A duty falling within one or more of the following categories:

- (1) Meetings of the Authority, its committees, working parties and forums formally convened by the Clerk, or Chief Fire Officer, including (a) seminars, training sessions, workshops etc., to which all Members have been invited and (b) cases where a Member is invited and officially notified to attend a meeting of a committee, working party or forum of which he/she is not a Member.
- (2) Attendance at meetings of a joint committee of the Authority and one or more other authorities or a sub-committee, working party or forum of that joint committee formally convened, provided that the person attending is entitled to do so as a Member or substitute Member of the joint committee.
- (3) Formal briefings by the Chief Fire Officer or other Officer, provided Members of at least two political groups have been invited to attend.
- (4) On-site inspections or visits authorised in advance by the Authority or a committee or made in pursuance of a policy approved by the Authority or a committee.
- (5) Official and courtesy visits undertaken by the Chair of the Authority or, in the case of a particular visit, such other Member as he/she may ask to represent him/her.
- (6) Attendance as an officially appointed representative of the Authority or any other body, including a committee, sub-committee or working party of that body, or a further body to which that body has appointed the representative, provided there is a connection with the functions of the Authority.
- (7) Attendance (arranged by the Authority, Committee, Joint Committee or Officer) at conferences, courses, workshops, and seminars.
- (8) Attendance at graduations or medal presentation ceremonies within or involving Avon Fire & Rescue Service.
- (9) Subject to the provisions of the 2003 Regulations, such other duties for the purpose of or in connection with the discharge of the functions of the Authority as the Authority may from time to time determine.



SCHEDULE 3

Amount of Travel and Subsistence Allowance

Travel Rates

The following rates shall apply where expenditure on travel is actually and necessarily incurred by the claimant to enable him to perform an Approved Duty:

- 1 The rate of travel by public transport (other than travel by air) shall be the amount of the ordinary fare or any available cheap fare and, where more than one class of fare is available, the rate shall be determined by reference to second class fares. Where appropriate, seat reservation charges will also be paid.
- 2 The rate for travel by a Member or Independent Member's own private motor vehicle or motorcycle or one belonging to a member of his family or otherwise provided for his use shall be as follows:

motor car	=	45p	per mile
motorcycle	=	24p	per mile
cycle	=	20p	per mile

Plus, the actual cost of tolls, ferries and parking fees.

- 3 The rate for travel by taxi or private hire vehicle shall be:
 - (a) in the case of emergency, or where no public transport is reasonably available, the amount of the actual fare.
 - (b) in any other case, the amount of the fare for travel by appropriate public transport.
- 4 The rate of travel by air shall be:
 - (a) Where the saving of time is so substantial as to justify travel by air, the lower of:
 - i) the ordinary economy class fare or any available cheap economy class fare for travel by regular air service; or
 - ii) the fare actually paid
 - (b) in any other case, the lower of:
 - i) the rate applicable to travel by appropriate alternative public transport plus the amount of any saving in subsistence allowance consequent upon travel by air; or
 - ii) the fare actually paid

Rates of Subsistence

The following rates of subsistence shall apply where expenditure on subsistence is actually and necessarily incurred by the claimant to enable him to perform an Approved Duty outside the area of the District Councils of Bath and North East Somerset, Bristol, North Somerset, and South Gloucestershire:



- 1 In the case of absence not involving an absence overnight, from the usual place of residence:
 - (a) of more than 4 hours before 11 am
(Breakfast allowance) - £5.57
 - (b) of more than 4 hours including the period between
12 noon and 2 pm
(Lunch allowance) - £7.70
 - (c) of more than 4 hours including the period between
3 pm to 6 pm
(Tea allowance) - £3.04
 - (d) of more than 4 hours ending after 7 pm
(Evening meal allowance) - £9.54

Where any meal (including sandwiches and/or a light buffet) is provided free of charge by the Authority or a third party in respect of a meal or the period to which an allowance relates, the rates set out above shall be reduced by the whole amount of the allowance.

A claimant shall not be entitled to both a tea allowance and an evening meal allowance in relation to the performance of the same Approved Duty.

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 - (a) In the case of an absence overnight from the usual place of residence - £75.31
 - (b) For such absence overnight in London or for the purposes of attendance at a Conference of the Local Government Association - £87.12
 - (c) The rates set out in paragraphs 2(a) and 2(b) above are deemed to cover a continuous period of absence of 24 hours
 - (d) Where any meal (including sandwiches and/or a light buffet) is provided free of charge by the Authority or a third party in respect of a meal or the period to which an allowance under paragraphs 2(a) or 2(b) above relates, the rates set out in paragraphs 2(a) and 2(b) shall be reduced by the amount set out in relation to that meal in paragraph 1.
 - (e) For the purposes of this Schedule, "London" means the City of London and the London Boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wadsworth, and Westminster
- 3 Where breakfast, lunch or an evening meal are taken on trains during a period for which there is an entitlement to the day subsistence allowance, the reasonable cost of the meal(s) (including VAT) shall (subject to paragraph 4 below) be reimbursed in full and in such circumstances the day subsistence allowance for the appropriate meal period shall not be payable.



- 4 Paragraph 3 above shall only apply:
- (a) in relation to breakfast, if there is an absence of more than 4 hours before 11 am
 - (b) in relation to lunch, if there is an absence of more than 4 hours including the period between 12 noon and 2 pm
 - (c) in relation to dinner, if there is an absence of more than 4 hours ending after 7 pm.