

Part 6 - Members' Allowances Scheme

Allowances may only be paid for duties specified in the Local Authorities (Members' Allowances)(England) Regulations 2003, which have been made in part under Section 18 of the Local Government and Housing Act 1989. Provision is made for the following allowances:-

- (a) allowances which are both to meet expenses and to provide remuneration
 - (i) basic allowance;
 - (ii) special responsibility allowance
- (b) allowances solely to meet expenses incurred
 - travelling and subsistence allowances
 - in accordance with the Buy Your Own Accessories policy

1. This scheme may be cited as the London Borough of Lewisham Members' Allowances Scheme, and shall have effect from 8 May 2018 and subsequent financial years.

2. In this scheme

"councillor" means a member of the London Borough of Lewisham who is a councillor;

"total estimated allowances" means the aggregate of the amounts estimated by the Chief Finance Officer, at the time when a payment of basic allowance or special responsibility allowance is made, to be payable under this scheme in relation to the relevant year, and for this purpose any election under paragraph 6 shall be disregarded;

"year" means the 12 months ending with 31 March.

3. Basic Allowance

Subject to paragraph 7, for each year a basic allowance shall be paid to each councillor. For the period commencing 1 April 2024 to 31 March 2025 this allowance is £12,480 per annum.

4. Special Responsibility Allowances

- (1) A special responsibility allowance shall be paid to those councillors who hold the special responsibilities in relation to the authority that are specified in Schedule 1 to this Scheme.
- (2) Subject to paragraph 7, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule.
- (3) Only one special responsibility allowance is payable to a member.

5. Financial Limits

Any payment(s) under this scheme is subject to the amounts in respect of basic allowances and special responsibility allowances not exceeding that amount included in the revenue estimates for the relevant year.

6. Renunciation

A councillor may by notice in writing given to the Chief Executive elect to forego any part of his/her entitlement to an allowance under this Scheme.

7. Part-year Entitlements

- (1) The provisions of this paragraph regulate 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.
- (2) For councillors who join or leave the authority part way through a financial year, or who take-up or relinquish special responsibilities in the course of the year, their entitlements are to be the appropriate proportion of the full-year entitlement. Likewise, if the Scheme is amended in the course of the financial year, the entitlements for basic and special responsibility allowances are to be the appropriate proportions of the full-year entitlements for the periods before and after the amendment comes into effect.

8. Subsistence Allowances

These allowances may be paid only in respect of an 'approved duty' if it involves an absence from home exceeding four hours and expenses on subsistence is necessarily incurred in connection with that duty. A member must have incurred expense before a claim can be made and a receipt should accompany the claim. All claim forms may be published on the website.

8.1 Day Subsistence

Where members are required to travel on Council business outside the Greater London area, and meals are not provided, then subsistence allowances may be claimed as follows:

Lunch maximum £7

Evening Meal maximum £10

Reimbursement of the cost of an evening meal will be made only where the business meeting extends beyond 8.30 p.m.

Where members are required to stay overnight and meals are not provided with the accommodation, up to £30 may be claimed to cover the cost of all meals.

Where employees are required to visit abroad on Council business and meals are not provided with the accommodation, up to £50 may be claimed per day to cover the cost of all meals and taxi fares etc.

When claiming subsistence allowances receipts for expenditure must be presented.

8.2 Overnight Subsistence

The costs of Meetings or Conferences requiring members to be absent overnight from home will either be met directly by the authority or reimbursed upon submission of a valid claim and actual receipts. The costs to the authority of all Conferences or overnight stays will be published on the website and attributed to the Members concerned.

9. Travel Allowance

The Council has agreed that a flat rate mileage equivalent to the casual user rate paid to officers, will be paid when members use their private car for those 'approved duties' set out in Schedule 2 if the duty takes place outside the Borough of Lewisham.

It is expected that members will always use public transport if possible. The conditions and rates of travelling allowance for the use of private vehicles, hire cars and taxis are set out in detail in Schedule 4. Receipts must be provided to support claims. All claim forms received may be reproduced on the Council's website.

Members are advised to ensure that their personal car insurance covers them for Council business use if they use their vehicle to travel to approved duties.

The Council cannot provide official transport for members unless they are on civic business authorised by the Head of Governance and Committee Services, or where it is considered reasonable and economic to do so for a group of members travelling together.

10. Carer's Allowance

A carer's allowance is payable to elected members and voting and non-voting co-opted members for the duties specified in the list of approved duties as follows:

- (i) care arranged by members on an 'ad-hoc' basis at the prevailing hourly rate of the London Living Wage £11.95 per hour, plus travelling expenses.

In special circumstances (eg for care of a severely disabled person) the Council should reimburse a higher cost where this can be justified.

Claims should be made on the appropriate forms which are available from the Head of Governance and Committee Services.

11. Telephone and IT Charges

The Executive Director for Corporate Resources has the delegated authority to approve the supply of telephony and IT to members to use for Council business.

Where mobile telephones or similar devices are allotted to Members, any non Council usage must be identified and the Council reimbursed.

12. National Insurance Contributions/Statutory Record and Statutory Sick Pay (SSP)

The lower earnings limit in 2024/25 is £123 per week. National insurance contributions will be payable if the allowances due to a member in respect of any one month reaches this figure.

13. Buy Your Own Accessories

Members can claim up to £250 towards the cost of equipment required for home working in accordance with the council's Buy Your Own Accessories (BYOA) policy. Details of the policy are available from the Head of Governance and Committee Services.

Members wishing to claim under the BYOA policy must obtain approval from the Head of Governance and Committee Services prior to purchasing any equipment.

14. Claims for Allowances

A claim for travel and subsistence allowances under this scheme shall be made in writing within six months of the date of the meeting in respect of which the entitlement to the allowance arises. Therefore any claims which relate to an attendance at a meeting which is not held within the preceding six months will not be paid. Any claim shall be made monthly in arrears and on the official forms. A simple form for claims for travel and subsistence is used and a supply is available from the Governance and Committee Services Team.

Responsibility for inserting details of any 'approved duty' during the period in question rests with individual members. Every claim shall include a statement that the member is not entitled to receive remuneration in respect of the matter to which the claim relates otherwise than under the Scheme.

Any claims received shall be subject to a check to ensure they fall within the list of Approved Duties. Any regarded as not admissible will be deleted and members will be informed.

Completed forms should be submitted to the Head of Governance and Committee Services, who will deal with any queries a member may wish to raise.

15. Payments in respect of Basic and Special Responsibility Allowances

Payments in respect of basic and special responsibility allowances shall be made in instalments of one-twelfth of the amount specified in this Scheme on the 18th day of each month.

Where Cabinet portfolios are shared between members both should receive half the remuneration of a Cabinet member.

Members should retain this document and the accompanying lists so that reference may be made to them when preparing claims.

16. Register of Allowances

Particulars of all allowances paid to, or on behalf of, a member have by law to be entered in a Register which is open to inspection by any elector for the Borough. This register is maintained by the Head of Governance and Committee Services. Furthermore, the Council is required to publish details of the allowances scheme and to publish after the year end the total sum paid under the scheme to each member in respect of each of the allowances paid i.e. basic and special responsibility allowances.

Additionally all expenses claim forms submitted by Members as well as details of costs incurred directly by the authority on behalf of Members, may be published on the Council's website.

Jeremy Chambers
Director of Law & Governance
Monitoring Officer

May 2025

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:

	£
Mayor	83,892
Deputy Mayor	43,236
Cabinet Member (Level 1)	43,236
Cabinet Member (Level 2)	16,952
Speaker	7,428
Chair of Overview & Scrutiny Committee	13,796
Chairs of Overview & Scrutiny Select Committees	7,428
Chairs of Planning Committees	10,612
Chair of Licensing Committee	7,428
Chair of Audit Committee	7,428
Chair of the Standards Committee	2,099
Leaders of Political Groups with >3 but <15 members	6,540
Majority Party Whip	6,540
Co-optees on the Council's Standards Committee, Audit Committee and parent governors and diocesan representatives who sit on the Overview and Scrutiny Committee and the Children and Young People Select Committee	623

Schedule 2

Approved Duties

The activities set out are approved duties for the purposes of payment of travel and subsistence allowances where meetings take place outside the Borough of Lewisham:

- a meeting of the authority;
- a meeting of a committee or sub-committee of the authority;
- a meeting of Cabinet;
- a meeting of a committee of Cabinet;
- a meeting of any other body to which the authority makes appointments or nominations;
- a meeting of a committee or sub-committee of any other body to which the authority makes appointments or nominations;
- a meeting which has both been authorised by the authority, a committee or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a subcommittee of a joint committee and to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups);
- a meeting of a local authority association of which the authority is a member;
- duties undertaken on behalf of the authority 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;
- duties undertaken on behalf of the authority 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;
- duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996;
- a meeting of a Local Assembly.

Schedule 3

Parental Leave

1. Leave Periods

- 1.1 A Member giving birth is entitled to up to six months' parental leave from one month before the due date, with the option to extend to 52 weeks, by agreement of full Council in exceptional circumstances
- 1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.
- 1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 6 month entitlement.
- 1.4 A member shall be entitled to take a minimum of two weeks paternity leave if they are the biological father or nominated carer of their partner or spouse following the birth of their child(ren)
- 1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from the Council.
- 1.6 Where both parents are members of the Council, leave may be shared up to a maximum of 24 weeks for the first six months, up to a maximum of 50 weeks in exceptional circumstances and subject to the agreement of full Council. Special and exceptional arrangements may be made in cases of prematurity.
- 1.7 A member who adopts a child through an approved adoption agency shall be entitled to take up to 6 months adoption leave from the date of placement with the option to extend up to 52 weeks in exceptional circumstances subject to the agreement of full Council.
- 1.8 Any Member who takes parental leave is still subject to their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period (and if they are a member of Mayor and Cabinet to attend a meeting of Mayor and Cabinet in that period) unless the Council agrees to an extended leave of absence prior to the expiration of that six month period.
- 1.9 Any Member intending to take parental leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.
- 1.10 Any member taking parental leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep

officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2. Basic Allowance

- 2.1 All Members shall continue to receive their Basic Allowance in full whilst on parental leave.

3. Special Responsibility Allowances

- 3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full while on parental leave.
- 3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.
- 3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of parental leave shall continue for a period of six months (or a year if agreed by full Council in exceptional circumstances), or if sooner, the earliest of the Member who is taking leave being removed from post or the date of the next local election.
- 3.4 Should a Member appointed to replace the member on parental leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.
- 3.5 Unless the Member taking parental leave is removed from their post at an AGM, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began. This does not affect the legal right of the Mayor to remove a member from the Cabinet at any time or of the Council to remove a member from a post should there be grounds to do so.

4. Resigning from Office and Elections

- 4.1 If a Member decides not to return at the end of their parental leave, they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.
- 4.2 If an election is held during the Member's parental leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and any SRA will cease from the Monday after the election date when they would technically leave office.

Schedule 4

Travel Allowance – Conditions & Rates

1. Mileage

- 1.1 The mileage to be paid for is from home (i.e. the normal place of residence) to the place where the approved duty takes places; and the return journey home.
- 1.2 If a member travels to the approved duty from another place (e.g. their place of work), this mileage can be paid for, provided it is less than it would be from home.
- 1.3 Exceptionally, if the member travels to the place of the duty from a place other than home and necessarily returns to the same place after the duty, the actual mileage for both journeys can be paid.
- 1.4 Again exceptionally, if the cost of the fare by public transport between the other place of the duty is greater than the cost to the member would have been in travelling to and from home, the cost can be paid.

2. Taxis

- 2.1 Members may claim for taxi fares only when returning from late night meetings where public transport is not available, and where appropriate by members with a relevant disability. In the case of dispute, the Standards Committee should be asked to arbitrate.
- 2.2 If a taxi is used the fare will have to be paid at the time and a claim submitted to the Head of Business & Committee giving details of the journey and the approved duty involved. Members are reminded that waiting time is charged for and should consider whether it will be cheaper to pay on arrival and re-hire for the return journey.

3. Self-Drive Hire Cars

The rate payable is the same as that payable for the use of a member's private car.

4. Rates

- 4.1 The rates per mile payable for travel are:-

Motor Cycles

31p per mile

Motor Cars

Up to 999cc

46.9p per mile

1000cc and above

52.2p per mile

Bicycles

14p per mile

- 4.2 Passengers

An additional 1.0p per mile may be paid for each passenger to whom travel allowance would otherwise be payable, up to 4 passengers.

4.3 Tolls, Ferries or Parking Fees

The actual cost may be paid.