
STATUTORY INSTRUMENTS

1996 No. 469

LOCAL GOVERNMENT, ENGLAND AND WALES

**The Local Authorities (Members'
Allowances) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>28th February 1996</i>
<i>Laid before Parliament</i>		<i>8th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by sections 173, 175(1A), 177(1)(b), 178(1) and 270(1) of the Local Government Act 1972⁽¹⁾, sections 18 and 190(1) of the Local Government and Housing Act 1989⁽²⁾, and section 120(1) of the Environment Act 1995⁽³⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Local Authorities (Members' Allowances) (Amendment) Regulations 1996 and shall come into force on 1st April 1996 (“the commencement day”).

(2) In these Regulations “the principal regulations” means the Local Authorities (Members' Allowances) Regulations 1991⁽⁴⁾.

National Park authorities

2.—(1) The principal regulations are amended as follows⁽⁵⁾.

(2) In regulation 3 (bodies prescribed for the purposes of travelling, subsistence and conference etc. allowances) there is added at the end—

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- (1) 1972 c. 70. Section 173 was amended by the Local Government, Planning and Land Act 1980 (c. 65), section 24(1), and by the Local Government and Housing Act 1989 (c. 42), Schedule 11 paragraph 26. Section 175(1A) was inserted by paragraph 27 of Schedule 11 to the 1989 Act, and section 177(1) substituted by paragraph 28 of Schedule 11 to that Act. “Prescribed” is defined in section 270(1) of the 1972 Act.
- (2) 1989 c. 42.
- (3) 1995 c. 25.
- (4) S.I.1991/351; relevant amendment is by S.I. 1995/553.
- (5) Sections 174 and 175 of the Local Government Act 1972 and section 18 of the Local Government and Housing Act 1989 are applied to National Park authorities by paragraph 11 of Schedule 7 to the Environment Act 1995.

“and for the purposes of sections 174 and 175 of the 1972 Act a National Park authority shall be treated as a local authority within the meaning of paragraph (a) above.”

(3) In regulation 5 (application of Part II)—

(a) there is substituted for paragraph (1)—

“(1) This Part applies—

- (a) in England, to a county, district or London borough council, and the Council of the Isles of Scilly;
- (b) in Wales, to a county or county borough council;
- (c) to any joint authority, and
- (d) to any National Park authority;

and in relation to a National Park authority references in this Part to a councillor shall (subject to paragraph (2)(b)) be construed as references to a member of that authority appointed by a principal council or the Secretary of State.”; and

(b) in paragraph (2)(b), after “joint authority”, there are added the words “or a National Park authority”.

(4) In regulation 10 (attendance allowances), after paragraph (2) there is inserted—

“(2A) A scheme made by the council for a principal area shall not provide for the payment of an attendance allowance in respect of any duty carried out by a member of the authority who is a councillor in his capacity as a member of a National Park authority appointed by that authority.”

(5) In regulation 24 (paying certain allowances), there is added at the end—

“and for the purposes of this regulation a National Park authority shall be treated as a local authority within the meaning of paragraph (a) and as a combined body all the members of which are representatives of local authorities within the meaning of paragraph (b).”

National parks: transitional provision

3. Each National Park authority established for a National Park in England shall as soon as practicable after the day on which it is established make a scheme in accordance with the principal regulations for the payment of allowances for the period beginning on that day and ending with the end of the year in which that day falls, and for subsequent years.

Increase of allowances

4.—(1) The principal regulations are amended as follows.

(2) In regulation 17(2) (allowance in respect of conferences and meetings) for “£26.20” there is substituted, in relation to attendance at a conference or meeting on or after the commencement day, “£26.96”.

(3) In regulation 18(1) (attendance allowance) for “£26.20” there is substituted, in respect of an approved duty performed on or after the commencement day, “£26.96”.

(4) In regulation 18(2) (financial loss allowance), in respect of an approved duty performed on or after the commencement day—

- (a) in paragraph (a) for “£22.30” there is substituted “£23.10”; and
- (b) in paragraphs (b) and (c), for “£44.60” there is substituted “£46.21”.

Signed by authority of the Secretary of State

22nd February 1996

Paul Beresford
Parliamentary Under-Secretary of State,
Department of the Environment

28th February 1996

Gwilm Jones
Parliamentary Under-Secretary of State, Welsh
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Members' Allowances) Regulations 1991.

Regulation 2 enables National Park authorities to pay to their members travelling and subsistence allowances, and allowances for attendance at conferences and meetings; and requires them to make schemes for the payment of basic, attendance and special responsibility allowances. Regulation 3 makes transitional provision for National Park authorities in England.

Regulation 4 increases, by 2.9 per cent., the maxima which may be payable to parish and community councillors and to non-elected members of local authorities by way of allowances under section 173(1) (attendance allowance) and section 175 (allowances in respect of attendance at conferences and meetings) of the Local Government Act 1972, and also increases by 3.6 per cent. the maximum payable by way of allowances under section 173(4) (financial loss allowance) of that Act.