

By: Peter Sass, Head of Democratic Services

To: Selection and Member Services Committee – 23 June 2016

Subject: Kent Flood Risk Management Committee

Classification: Unrestricted

Previous Pathway of Paper: None

Future Pathway of Paper: Potential consideration by the independent Member Remuneration Panel.

Summary: The Chairman of the Kent Flood Risk Management Committee has asked the Selection and Member Services Committee to consider whether the office of Chairman of the Kent Flood Risk Management Committee should attract a Special Responsibility Allowance.

Recommendation: The Selection and Member Services Committee is asked to consider whether the office of Chairman of the Kent Flood Risk Management Committee should attract a Special Responsibility Allowance. If so the Committee is asked to invite the independent Member Remuneration Panel to consider this request and make a recommendation to this Committee and the County Council.

1. Introduction

Mr Harrison would like to ask the Committee to consider whether to make a request to the Independent Member Remuneration Panel to consider whether his role as Chairman of the Kent Flood Risk Management Committee should attract a Special Responsibility Allowance (SRA) as part of KCC's Members' Allowances Scheme.

2. Guidance on Members' Allowances

(1) The guidance on Members' Allowances for local authorities in England states that:

“special responsibility allowances may be paid to those members of the council who have significant responsibilities over and above the generally accepted duties of a councillor.”

The existing Members' Allowances Scheme includes provision for the payment of 38 SRAs, or 45% of the total number of elected Members, which is below the recommended maximum level of 50%.

3. Kent Flood Risk Management Committee

(1) This Committee is a statutory Committee responsible for reviewing and scrutinising the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions, which may affect the local authority's area. The Committee reports annually to the Scrutiny Committee. The full Terms of Reference for the Committee are attached at **Appendix 1** and the most recent Annual Report on the Committee's activities is attached at **Appendix 2**.

(2) Mr Harrison will be in attendance at the meeting to explain in more detail to the Committee the work of the Kent Flood Risk Management Committee and why he considers that his role as Chairman warrants a Special Responsibility Allowance

4. Other posts where the Committee Chairman attract a Special Responsibility Allowance

(1) The Committee may wish to benchmark what Mr Harrison has informed the Committee against other Committees where a Special Responsibility Allowance is payable. For example the Chairman of the Planning Committee will chair approximately 10 meetings per year as well as a number of site visits and meetings. Cabinet Committee Chairman will oversee 5 to 6 meetings per year as the Advisory Committees to the Cabinet Members and the decision making process. The Governance and Audit Regulation Committee and Superannuation Fund Committee have 4 to 5 meetings per year. These are decision making bodies.

(2) A copy of the current Members' Allowance scheme is attached at **Appendix 3**.

5. Independent Member Remuneration Panel

Should the Committee be disposed to invite the independent Member Remuneration Panel to consider this request the Panel will want to know about the responsibility of the Committee as set out in its Terms of Reference not purely the workload.

6. Recommendation

The Selection and Member Services Committee is asked to consider whether the office of Chairman of the Kent Flood Risk Management Committee should attract a Special Responsibility Allowance. If so the Committee is asked to invite the independent Member Remuneration Panel to consider this request and make a recommendation to this Committee and the County Council.

Contact:

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Background Documents – none

KENT FLOOD RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE

7 Members

Conservative: 4; UKIP: 1; Labour: 1; Liberal Democrat: 1.

1. In accordance with the Localism Act 2011 (Schedule 2), this committee is responsible for reviewing and scrutinising the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.

2. This Committee is responsible for:-

- a) the preparation, monitoring and review (in conjunction with the Flood Risk Management Officer) of a strategic action plan for flood risk management in Kent taking into account any Select Committee recommendations, the Pitt Review and relevant requirements of the Flood and Water Management Act 2010;
- b) reporting annually (and more often if necessary) to the Scrutiny Committee and to the Cabinet Member for Environment, Highways and Waste;
- c) reviewing and responding to any consultation on the implementation of the Pitt Review and the future development of the Flood and Water Management Act 2010;
- d) receiving reports from the Southern Regional Flood and Coastal Committee and responding as appropriate;
- e) the investigation of water resource management issues in Kent.

3. A risk management authority must comply with a request from this committee for information and a response to a report.

4. The committee may include (non-voting) persons who are not Members of the authority, including representatives of district Councils, the Environment Agency and Internal Drainage Boards.

From: Mike Harrison, Chairman of the Kent Flood Risk Management Committee
To: Scrutiny Committee – 9 June 2016
Subject: The work of the Kent Flood Risk Management Committee
Classification: Unrestricted

Summary: This report provides the Scrutiny Committee with an overview of the work of the Kent Flood Risk Management for the period May 2015 to March 2016.

Recommendation(s): The Scrutiny Committee is asked to note the contents of the report.

1. Introduction

- 1.1 The Kent Flood Risk Management Committee last reported to this Committee on 11 June 2015. The Committee asked that in future years the reports would provide greater detail of the year's events instead of enclosing the Minutes as Appendices. This report has therefore been prepared in the light of this request.**
- 1.2 The Committee's Terms of Reference are set out at Appendix 1 to this report. The membership of the Committee consists of 8 Members of the County Council. There is also a standing invitation to each of the District Councils, the Internal Drainage Boards in Kent, Kent Fire and Rescue Service and KALC to send representatives to the meetings. All these representatives are treated as though they are full Committee Members except for the formal items of business.**
- 1.3 Officer support to the Committee is provided by Tony Harwood (Resilience and Emergencies Manager) and Max Tant (Flood Risk Manager). Senior Officers from the Environment Agency also report and contribute to the meetings.**
- 1.4 In 2015/16, the Committee continued to monitor responses to Environment Agency and Met Office Alerts and Warnings and KCC flood response activities, receiving a standing report at each meeting throughout the year. The most significant flooding event during the last year occurred in January 2016 when some 120 residential properties within the Dover and Shepway Districts were either flooded or required active interventions to prevent their inundation by surface water.**

1.5 The Committee was able to consider a broader range of topics at its three meetings than it had been able to do in 2014/15 when the focus had overwhelmingly been on the winter 2013/14 wide-area flooding events.

2. Committee meeting of 20 July 2015.

2.1 The Committee received a presentation from Paul Cobbing, Chief Executive of the National Flood Forum (NFF). This is a national charity which runs dozens of projects throughout the UK and has some 200 community groups affiliated to it. It builds upon the strong relationships it has built up with DEFRA and the Environment Agency to carry out its three functions, which are:

- Helping people prepare for flooding;

- Helping people recover their lives after flooding; and

- Campaigning and working to put flood risk communities at the centre of policy making and operational delivery.

2.2 Mr Cobbing told the Committee that the NFF has a special role to play because everyone accepts their independence from official agencies. This enables them to engage with people who are angry and upset in a way which statutory agencies are unable to do.

2.3 The NFF's highest priority is "Citizen Control." It considers it essential that every community that is affected by or at risk of flooding is empowered to take the lead.

2.4 The NFF also has a major role to play in the aftermath of flood events. It has learned through experience that communities' needs are very different a week after a flooding event than during the first three or four days. Insurance is often the most significant priority at this time. The NFF is able to use the strong links it has established with the insurance industry to help overcome difficulties. This is also true for emergency alternative accommodation issues, because of the NFF's links with housing providers.

2.5 Another aspect of the NFF's work is preparation for flooding. If a community has no local flood group, the NFF will help set one up, advising on the best way to organise. On occasions, they will facilitate discussions within a community in order to resolve disagreements over what the actual flooding issues are.

2.6 The Committee was pleased to note that the NFF was currently in discussions with the Kent Resilience Forum over joint working.

2.7 The Committee also received a report from Max Tant on the preparation of “Flood Risk to Communities” documents. He provided a copy of the draft covering the Canterbury City Council administrative area (the first to have reached this stage of readiness) and explained that the Flood Risk Management Strategy would be assisted by supplementary documents at District level which covered all forms of flood risk including areas covered by the Environment Agency, KCC, the sewerage undertakers and the Highways Authority. The documents would also identify lines of responsibility during emergencies and any local flood plans produced to manage risk. They would aim to provide an overview of all local flooding issues and signpost where more detailed information could be obtained.

2.8 The Committee commented on the draft Canterbury City Council document and was very pleased to note that it was intended to include reference to Flood Wardens including guidance on their role and value.

3. Committee meeting on 16 November 2015

3.1 The Committee set aside a large proportion of its time for a number of presentations from people who were working in emergency response at a voluntary and local level. Tim Norton, Environment Agency Flood Resilience Team Leader gave the first presentation entitled “Community Resilience in Kent: Flood Wardens.” He said that the flooding events of winter 2013/14 had convinced the Environment Agency that identifying and training Flood Wardens was a key priority. A great deal of effort had been put into recruiting and training Flood Wardens, supplemented by the production of the *Flood Warden Handbook*.

3.2 Tim Norton told the Committee that there had been a rapid response to the need for action in support of communities and volunteers. There was also a mutual understanding amongst the various partners who were developing Flood Warden training; sufficient funding had been secured for the purchase of basic equipment; Flood Wardens were integrated into the long term strategy for building resilient communities; and nearly 200 Flood Wardens had been through initial training.

3.3 There was a risk that the number of Flood Wardens would decline if no local flooding occurred for a number of years. The Environment Agency was therefore arranging seminars and other events in order to maintain momentum and knowledge. Another matter that needed to be addressed was that the Environment Agency did not have the resources to enable it to work with every single community where a Flood Warden had been trained. It was therefore going to be a necessary to prioritise and to consider the level of support that should be given on a case by case basis. Some higher risk communities still did not have any flood

wardens and consideration would need to be given to the best way to work with them in those circumstances. It was also very important that the Districts and Boroughs carried out exercises to ensure that they were aware of all the Flood Wardens in their areas and that they knew how to contact them whenever the need arose.

- 3.4 The Committee was then briefly addressed by Carl Lewis, a Tonbridge Flood Warden and one of the two Area Flood Warden Co-ordinators. He described the efforts that had been made to recruit new Wardens after 2013/14 which included newspaper advertisements and contributions from the local MP. He stressed the importance of communication which could vary in form from door knocking to emails and Environment Agency roadshows. The message needed to be conveyed to the community that a Flood Warden's role was not limited to emergency events, but that they were there to provide support to their communities throughout the entire year.
- 3.5 Presentations were also given by Stuart Kenny from Kent Search and Rescue and by Steve Short of South East 4x4 Response. These two voluntary organisations had both contributed massively and in a number of ways during the winter 2013/14 flood events and had built on the excellent liaison arrangements they had already developed with Kent Police and other organisations.
- 3.6 The Committee was very impressed with the enthusiasm and commitment displayed by all four speakers. There was also a strong view that the Committee should play its part in communicating more widely the value of their work. Our next meeting in July 2016 will take place in Yalding and we hope to see as many Flood Wardens there as possible in order that we can express our gratitude for all that they do and demonstrate our belief in the critically important contribution that they make to flood resilience and response in Kent.
- 3.7 The Committee also received a detailed oral report from Paul Flaherty from Kent Fire and Rescue on the second Kent Resilience Forum Annual Severe Weather Exercise. This had been very worthwhile and had demonstrated the preparedness of all the agencies concerned, including Kent County Council. I suggested that an invitation should be sent to the Committee whenever an event of this nature took place.
- 3.8 The Committee was delighted to be told that a prestigious national award had been presented to the Kent Voluntary Sector Emergency Group by the Emergency Planning Society in recognition of the tremendous role played by volunteers in Kent and the service that they were providing.

4. Committee meeting on 8 March 2016.
 - 4.1 Katie Moreton from Kent Highways and Waste gave a presentation to the Committee on Highways Flooding Events and Drainage Issues. She explained that due to the below average rainfall in winter 2015/16 the number of customer enquiries and drainage emergencies had been considerably lower than in previous years.
 - 4.2 Katie Moreton detailed the cyclical cleansing of gullies and targeted activity undertaken during the year. All drains on main roads are cleansed on a cyclical basis every twelve months. A service-wide programme is undertaken on high speed roads, which means that soft landscaping, pot hole fixing, barrier tensioning and street lighting teams carry out their maintenance work together overnight. The same approach used to be taken in respect of minor roads. This approach changed in April 2014 as a result of feedback from the public. Highways Stewards now carry out an inspection and assessment whenever an enquiry is received. This includes identification of any work that needs to be carried out in the vicinity. Depending on the seriousness of the concern, work can begin at any time between 2 hours and 90 days of the enquiry coming in.
 - 4.3 Another vital area of Kent Highways' work is carried out on "Drainage Hotspots" which Katie Moreton defined as "a flood prone section of the highway network." These are areas where flooding occurs because the drains are frequently blocked. If a drainage system is seen as defective, it will not be focussed upon because repeated cleansing would not solve the problem. Instead, prioritisation is done twice a year by analysing all the reports of flooding and those areas where Highways have attended emergencies. Presently, there are 114 Drainage Hotspots identified in Kent which are attended to every six months. This list is sense checked by the Area Drainage Engineer and the District Manager. The list is not *automatically* added to on the request of locally elected representatives or Parish Councils due to the need to avoid it becoming completely unmanageable.
 - 4.4 All the Highways Asset Managers made their bids for capital for their highway improvements budgets in December 2015. The initial Drainage bid was £11.65m comprising 144 large schemes and 1,000 small reactive improvement works. The final agreed budget was £3.625m which Katie Moreton estimates will enable 66 large schemes and some 200 small reactive improvement works to be carried out. This compares with a far lower budget in 2015/16 of £1.65m when only smaller works were carried out.

4.5 Max Tant then provided an update report on the Local Flood Risk Management Strategy. He set out the challenges for flood risk management in Kent. These are:-

- Delivering local flood risk management works;**
- Joint delivery of schemes;**
- Combined sewer networks;**
- Promotion of natural flood management techniques;**
- Developing KCC's role as a consultee for some minor developments in high risk areas;**
- SuDS adoption and maintenance;**
- Improving community resilience;**
- Proper planning for local flood risk emergencies; and**
- Understanding the full economic benefits of flood risk management.**

4.6 One action that arose out of the discussion of Max Tant's report was that I was asked to write to Kent MPs on the Committee's behalf setting out its `SuDS.

5 Future activities

5.1 The next meeting of the Committee will be held in July 2016 in Yalding. It is very important that the Committee is seen to be active all around the County. It is even more important that we give a practical demonstration to local communities, flood wardens and other volunteers that we are their committee and that they should feel confident about bringing plaudits and concerns to us. At this meeting, we will also have an update from Southern Water on their investment plans.

5.2 It is in the same spirit that we are considering whether the Committee would benefit from additional representation from KALC. A report on this matter will be considered at the July meeting.

6. Conclusions

6.1 Kent Flood Risk Management Committee has carried out an important oversight and scrutiny function in terms of scrutinising the work carried out by KCC and its partner agencies. Its Members have raised issues which are too numerous to set out in this report, but which have all been followed up. The Committee's influence has benefited from the continued

positive engagement by those local authorities who regularly attend and by the positions of authority that their representatives hold within those organisations.

- 6.2 There are, however, some local authorities who despite a standing invitation do not send representatives to the Committee's meetings. I intend to use the opportunity provided by the recent Local Government elections to remind each of the Districts and Boroughs to notify us of any change to its membership of the Committee whilst encouraging those authorities who are currently not represented to take up the Committee's invitation. The greater the number of authorities who attend, the greater will be the reward for the County as a whole in terms of influence, understanding and joined-up working to mitigate the risks arising from all forms of flooding in Kent.

7. Recommendation

7.1 The Committee is invited to note the content of this report

Mike Harrison

Chairman of the Kent Flood Risk Management Committee

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Members' Allowances Scheme

For the period 1 June 2014 to 31 May 2015

Adopted by the Council on 15 May 2014

BASIC ALLOWANCE - £12,805 per annum (inclusive of an element for routine subsistence expenditure on KCC duties).

SPECIAL RESPONSIBILITY ALLOWANCES

	%	£
Executive		
Leader	100	42,109
Cabinet Members (maximum 9)	65	27,370
Deputy Cabinet Members (maximum 11)	30	12,632
Cabinet Committee Chairman (maximum 6)	17.5	7,367
Council		
Council Chairman	33	13,878
Council Vice-Chairman	17.5	7,367
Planning Applications Committee Chairman	22	9,268
Regulation Committee Chairman	22	9,268
Other Committee Chairmen (a)	17.5	7,367
Scrutiny Committee Chairman	17.5	7,367
Select Committee Chairmen (for period of review)	17.5	7,367
Opposition		
Leader of each Opposition Group (of at least five members)	15	6,316 plus £500 for each additional Group Member

Notes:

- (a) Other Committee Chairmen: Governance & Audit, Health Overview & Scrutiny and Superannuation Fund.
- (b) No Member to receive more than one Special Responsibility Allowance.
- (c) No other allowance to be payable.

TRAVEL EXPENSES

Travel by private vehicles will be reimbursed at the rates set for tax allowance purposes by the Inland Revenue for business travel. Currently, these are 45p per mile for the first 10,000 miles and 25p a mile thereafter.

Parking fees, public transport fares and any hotel expenses will be reimbursed at cost, but only on production of a valid ticket or receipt - the cheapest available fare for the time of travel should normally be purchased.

Taxi fares will only be reimbursed on production of a valid receipt and if use of public transport or the Member's own car is impracticable

Travel expenses will be reimbursed for any journey on council duties between premises as agreed for tax purposes (normally excluding journeys to constituents' homes).

VAT receipts for fuel must always be provided to accompany Members' expense claims and any instructions issued by the Director of Governance and Law in relation to the submission of expense claims complied with.

Air travel and rail travel other than to/from London or within Kent should be booked through officers to enable use of discounting arrangements.

Journeys undertaken in accordance with the following descriptions are allowed to be claimed for:

- (a) attendance at KCC premises to undertake KCC business, including attendance at Council, Cabinet and Committees, etc (including group meetings) and to undertake general Member responsibilities;
- (b) representing KCC at external meetings, including Parish and Town Councils and those of voluntary organisations where the member is there on behalf of KCC;
- (c) attendance at events organised by KCC and/or where invitations have been issued by County Officers or Members (including Chairman's events and other corporate events); and

- (d) attendance at meetings/events where the Member is an official KCC representative (as determined by the Selection and Member Services Committee) or requested by the Leader or the relevant Cabinet Member.

SUBSISTENCE EXPENSES

These are not normally reimbursed. Hotel accommodation should be booked through officers. Any other reasonably unavoidable costs related to overnight stays, excluding normal subsistence, will be reimbursed on production of a receipt.

DEPENDENTS' CARERS' ALLOWANCE

Members who incur expenses themselves in respect of care responsibilities for dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a carer while the Member is on Council duties, up to a maximum of £10 per hour for each dependent child or adult. Money paid to a member of the Members' household will not be reimbursed. In the case of an allowance for the care of a dependent relative, the relative must reside with the councillor, be dependent on the councillor and require constant care. Subject to the Childcare Voucher Scheme's standard terms and conditions*, any Member may, if they wish, sacrifice a portion of their Basic Allowance for Childcare Vouchers which are not subject to tax and national insurance deductions.

* For reference these terms and conditions include (but are not limited to):

- The childcare provider must be OFSTED registered.
- The children must be aged between 0 and 16.
- A sacrifice agreement would need to be signed.
- The amount that can be sacrificed varies depending on whether the applicant is a basic, higher or additional rate tax payer.

PENSIONS

Members are not eligible for admission to the superannuation scheme.

CO-OPTED MEMBERS

An allowance is payable to the Independent Person of £500 per annum plus a daily rate of £100 (pro rata for part of a day). An allowance is paid to the members of the Independent Remuneration Panel of £100 per day.

ELECTION TO FORGO ALLOWANCES

In accordance with Regulation 13 of the Local Authorities (Members' Allowances) (England) Regulations 2003, any Member may elect to forgo all or any part of their entitlement to allowances, by notice in writing to the Head of Democratic Services.

SUBMISSION OF CLAIMS

In accordance with Regulation 14 of the Local Authorities (Members' Allowances) (England) Regulations 2003, the time limit for the submission of claims relating to travel, subsistence, co-optees and dependent carers allowances is four months from the date the expense was incurred.

NO OTHER ALLOWANCES ARE PAYABLE