

By: Chairman of the independent Member Remuneration Panel
To: Selection and Member Services Committee – 27 September 2016
Subject: Flood Risk Management Committee

1. Introduction

- (1) The Panel met on Tuesday 26 July 2016, to consider a referral to the Panel by the Selection and Member Services Committee of a request made to that Committee by Mr Harrison Chairman of the Kent Flood Risk Management Committee, regarding the proposed payment of a Special Responsibility Allowance for the post of Chairman which he currently occupied. The Panel invited Mr Harrison to make his case in person to the Panel for a Special Responsibility Allowance.
- (2) This report summarises the unanimous conclusions and recommendation of the Panel.

2. The Local Authorities (Members' Allowances) (England) Regulations 2003

- (1) The Panel had regard to the following provisions of the regulations:

“Special responsibility allowance

5.—(1) A scheme made under this Part may provide, in accordance with paragraph (2), for the payment for each year for which that scheme relates of an allowance (“special responsibility allowance”) to such members of the authority as have such special responsibilities in relation to the authority as are specified in the scheme and are within one or more of the following categories—

- (a) acting as leader or deputy leader of a political group within the authority;
- (b) acting as a member of an executive where the authority are operating executive arrangements within the meaning of Part II of the Local Government Act 2000;
- (c) presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee;
- (d) representing the authority at meetings of, or arranged by, any other body;
- (e) acting as a member of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods;

(f) acting as the spokesman of a political group on a committee or sub-committee of the authority;

(g) acting as a member of an adoption panel within the meaning of the Adoption Agencies Regulations 1983(1);

(h) acting as a member of any committee or sub-committee that deals with any function arising under any enactment authorising the authority to license or control the carrying on of any activity;

(i) carrying out such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in subparagraphs (a) to (h) (whether or not that activity is specified in the scheme)."

- (2) The Panel had before them the report presented to the Selection and Member Services Committee which had appended to it the terms of reference of the Flood Risk Management Committee and the report on the activity of the Committee.
- (3) The Panel also had the Members' Allowances Schemes for a number of other authorities and information as to whether or not they paid a Special Responsibility Allowance to any Member who led in discharging this statutory function.
- (4) Of the other Authorities looked at the Panel found a number of ways in which this function was being discharged. The Panel did not find an authority paying a separate allowance to the Member leading on the discharge of this function. For some authorities the lead was being taken by an executive Member or the Scrutiny Committee.

3. Representation made by the Chairman of the Flood Risk Management Committee

- (1) The Panel invited Mr Harrison the Chairman of the Kent Flood Risk Management Committee to address the Panel.
- (2) Mr Harrison spoke about the work of the Committee and the relationship with the Regional Flood Defence Committee on which he was one of the appointed representatives for the County Council.
- (3) In answer to a question from the Panel about which post Mr Harrison felt the post was akin to in the existing Members' Allowances Scheme he responded the Chairman of the Planning Committee. Mr Harrison expanded on this citing a recent site visit by the Committee to the village of Yalding.

- (4) The Panel heard from Mr Harrison that the Committee had ten of the 12 District Councils represented on it.
- (5) The Panel asked Mr Harrison for some examples of success of the Committee. Mr Harrison cited the creation of the volunteer role of Flood Warden.

4. Conclusions

- (1) The Panel took into account that the function of the Kent Flood Risk Management Committee discharges is a Scrutiny Committee function. There was therefore no statutory reason to have a designated Committee for Flood Risk. The Committee had no decision making powers. Its role was to report annually to the Scrutiny Committee.
- (2) The Panel acknowledged that Mr Harrison had approached the role of Chairman of the Committee with his normal enthusiasm and vigour. However, the Panel felt that this alone and the workload of a Committee which has no decision making powers was not a compelling reason for recommending that the post of Chairman of the Kent Flood Risk Management Committee should receive a Special Responsibility Allowance.

5. Recommendation

The Panel unanimously agreed that they could not support payment of a Special Responsibility Allowance for the post of Chairman of the Kent Flood Risk Management Committee.

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