

## **Decision Report – Leader Decision**

Forward Plan Reference: N/A – non-key

Decision Date – 15/06/2023

Key Decision – No



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### **Report Title: Amendments to the Somerset Rivers Authority Memorandum of Understanding and Constitution**

Executive Member(s): Cllr Sarah Dyke - Lead Member for Environment and Climate Change

Local Member(s) and Division: All

Lead Officer: Kirsty Larkins, Service Director, Climate and Sustainability

Author: David Mitchell

Contact Details: 01823 356789 / david.mitchell@somerset.gov.uk

#### **Summary / Background**

1. On 15 March 2023 the Executive considered decision report FP/23/01/03 'Somerset Rivers Authority (SRA) 2023-24 Enhanced Programme of Flood Risk Management Works and signing the SRA Memorandum of Understanding and Constitution'. Executive approved all recommendations contained within this report including 'To approve the revised Local Memorandum of Understanding (including the Constitution of the SRA) set out in Appendix 1 and authorise the Lead Member for Environment and Climate Change to sign this on behalf of Somerset Council.'
2. Since Executive took its decision, some changes have been proposed to the make-up of the Somerset Rivers Authority Board. These changes are 1. To add an additional Somerset Council representative to the Board and 2. To invite Wessex Water to join the Board. If approved these changes will mean that the SRA Board has 14 Members, 6 of whom will be Somerset Council councillors.
3. This decision report relates to amending the SRA's Memorandum of Understanding (MoU) and Constitution to reflect these proposed changes to the Board. All other details remain the same as when Executive approved the MoU and Constitution on 15 March 2023. Rather than duplicate the information in that report throughout this report FP/23/01/03 is provided as Appendix A. The next meeting of the SRA Board is 16 June 2023.

## **Recommendations**

### 3. The Deputy Leader

**a.** approves the changes to the make-up of the Somerset Rivers Authority Board and the amendments to the SRA Memorandum of Understanding (MoU) and Constitution to reflect these changes.

**b.** agrees that the Lead Member for Environment and Climate Change can sign the 2023-24 Memorandum of Understanding and Constitution on behalf of Somerset Council.

## **Reasons for recommendations**

4. In January 2023 the SRA Board recommended that there should be 6 Somerset Council representatives on the SRA Board once the new Somerset Council was established on 1 April 2023. At Full Council on 1 March, 5 council representatives were proposed. This was remedied by a delegated decision in April when an extra council member (Cllr Ros Wyke) was appointed. This decision was then reiterated at Full Council on 24 May. Full Council has now formally approved 6 Somerset Council representatives to join the Board.

5. Wessex Water has been invited to join the Board because it is the only Flood Risk Management Authority, as defined in the Flood and Water Management Act 2010, not represented on the SRA Board. Wessex Water has an important role to play in tackling flooding, particularly surface water flooding. When decision FP/23/01/03 was taken on 15 March Wessex Water had not confirmed that it would like to accept the offer to join the Board so Wessex Water was not included as part of the MoU and Constitution at that time.

6. The recommendations in this report are to allow the Council Leader, as Somerset Council is the host authority for the Somerset Rivers Authority, to review the proposed changes to the membership of the SRA Board and the associated changes to the SRA Memorandum of Understanding and Constitution. Appointments to internal partnerships are delegated to the Council Leader.

## **Other options considered**

7. No alternative options were considered. The decision relates to administrative action for relatively minor changes to the MoU and Constitution to reflect the wishes of Somerset Council and the SRA Board.

## Links to Council Plan and Medium-Term Financial Plan

8. For details, please refer to Appendix A decision report FP/23/01/03 'Somerset Rivers Authority (SRA) 2023-24 Enhanced Programme of Flood Risk Management Works and signing the SRA Memorandum of Understanding and Constitution'

## Financial and Risk Implications

9. As explained as part of decision FP/23/01/03, financial risk to Somerset Council as Host Authority and Accountable Body for the SRA is deemed to be low. Changes to the make-up of the SRA Board will not affect this. The SRA follows strict processes for the allocation and management of the grant funding that it provides. These processes mean there is a low likelihood that the SRA will exceed its available budget. The likelihood and impact of the above risks coming to fruition have been assessed as having a low likelihood but a high impact.
- 10.

<b>Likelihood</b>	<b>2</b>	<b>Impact</b>	<b>5</b>	<b>Risk Score</b>	<b>10</b>
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## Legal Implications

11. There are no legal implications as a result of this decision

## HR Implications

12. There are no HR implications as a result of this decision.

## Other Implications:

## Equalities Implications

13. There are no equalities implications as result of this decision to amend the make-up of the SRA Board.
14. Equalities implications related to Somerset Council being host authority and accountable body for the Somerset Rovers Authority were considered as part of decision FP/23/01/03.

### **Community Safety Implications**

15. There are no community safety implications as a result of this decision to amend the make-up of the SRA Board.

### **Climate Change and Sustainability Implications**

16. This decision will have a neutral impact on climate change and sustainability. However, the aim of setting up the SRA is to provide a long-term sustainable funding solution to enhance flood risk management in the county. The SRA will directly support Somerset Council to respond to the challenges of climate change. SRA funds will invest in projects that will support adaptation to climate change and help communities and businesses be resilient and sustainable into the future. Many SRA-funded projects deliver multiple benefits such as water quality, carbon sequestration etc. SRA projects will directly support delivery of the Climate and Ecological Emergency Strategy.

### **Health and Safety Implications**

17. This decision will have no impact on the level of risk Somerset Council employees, volunteers, service users, visitors, members of the public, contractors or elected Members are exposed to.

### **Health and Wellbeing Implications**

18. There are no health and wellbeing implications as a result of this decision.

### **Social Value**

19. There are no social value implications as a result of this decision to amend the make-up of the SRA Board.

### **Scrutiny comments / recommendations:**

20. Scrutiny for Policies, Environment Committee considered the 2023-24 Enhanced Programme of Flood Risk Management Works and signing the SRA Memorandum of Understanding and Constitution at its 28 February 2023 meeting. The Chair of the Scrutiny for Policies, Environment Committee received a report on the SRA and potential implications of Somerset Council being Host Authority and Accountable Body on 28/02/2023. At this meeting, the committee was advised that the SRA Board planned to invite Wessex Water onto the SRA Board. No

concerns were raised, and committee members were supportive of the work of the SRA.

## Background

21. As above.

## Background Papers

22. None

## Appendices

- A.** FP/23/01/03 'Somerset Rivers Authority (SRA) 2023-24 Enhanced Programme of Flood Risk Management Works and signing the SRA Memorandum of Understanding and Constitution'
- B.** Draft Somerset Rivers Authority 2023-24 Memorandum of Understanding and Constitution

## Report Sign-Off (if appropriate)

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	09/06/2023
Communications	Chris Palmer	09/06/2023
Finance & Procurement	Nicola Hix	12/06/2023
Workforce	Chris Squire	09/06/2023
Asset Management	Oliver Woodhams	09/06/2023
Executive Director / Senior Manager	Kirsty Larkins	13/06/2023
Strategy & Performance	Alyn Jones	09/06/2023
Executive Lead Member	Sarah Dyke	14/06/2023
<b>Consulted:</b>		
Local Division Members		N/A
Opposition Spokesperson	Connor Payne	13/06/2023
Scrutiny Chair	Martin Dimmery	13/06/2023