

## **MINUTES OF A MEETING OF THE EXECUTIVE SCRUTINY COMMITTEE HELD AT COUNTY HALL, CHELMSFORD ON 26 MARCH 2013**

### **Present**

G Butland (Vice-Chairman)	M Page
W J C Dick	J Pike
A Hedley	J Roberts
M Mackrory (Chairman)	Mrs A Turrell
Mrs V Metcalfe	R Walters (substitute)
G Mitchinson	B Wood
	J A Young (Vice-Chairman)

The following officers were present in support of the meeting:

Robert Fox	Governance Officer
Graham Hughes	Committee Officer

### **1. Apologies for Absence and Substitutions**

The Committee Officer reported apologies for absence from Councillors N Edey (for whom Councillor R Walters substituted) and S Mayzes.

### **2. Declarations of Interest**

No other declarations of interest were made.

### **3. Minutes and Matters Arising**

The minutes of the meeting held on 26 February 2013 were approved as a correct record and signed by the Chairman.

### **4. (a) Localism**

Councillor John Jowers, Cabinet Member for Communities and Planning, and Jane Gardner, Senior Policy and Strategy Manager, were present to introduce a report (ES/10/13) on Localism.

The report responded in turn to questions previously set by the Committee on the impact of the Localism Act 2011 in Essex. In his introductory comments the Cabinet Member stressed that, in addition to its statutory duties, the County Council also had an important role as a community enabler. More generally the context for future partnership working was changing with individuals and communities being more empowered, taking more responsibility and becoming more self-sufficient in a less political setting. Thereafter, the Committee considered the response provided to each question in turn and during discussion the following issues were highlighted and/or discussed:

- (i) Community Asset Transfers

It was highlighted that ECC had a policy and protocol in place and a process by which communities could engage in dialogue and submit expressions of interest for Community Asset Transfers. In the current financial year to date there had been twelve active processes across the county at varying points of progress. The recent transfer of Stock Library to the Stock and Buttsbury Heritage Society was highlighted.

Members stressed that Localism in its broader sense meant devolving decision-making to the community and that communities would also need to include succession planning in their strategic and long term thinking. The Cabinet Member advised that the County Council needed to be risk aware but not risk adverse, as the latter could stifle innovation, and that evidence to date on applications for Community Asset Transfers, for example, indicated well thought-out businesses cases put together by local communities. It was confirmed that the maximum discount available to community groups for Community Asset Transfers was 25% or £80,000 whichever was the smaller.

In determining the strength of an application for a Community Asset Transfer, particularly when it might also be in a poor state of repair, the County Council would look to ascertain the community value of the building and not just an actuarial valuation. Members gave some anecdotal evidence on the experience of some applications made some of which highlighted the importance of submitting early applications.

(ii) The Big Society Fund

The Big Society Fund provided funding to local communities to provide better local facilities, increasing public participation and citizenship and improving public services. The fund was available to receive applications from community groups, town and parish councils and voluntary organisations who wished to provide a local community asset. Very few applications for the Big Society Fund were rejected although any rejections were usually communicated in person. Instead, officers worked with applicants before formal submission to help them strengthen their business case where possible. In some cases County Council officers were able to advise applicants of other supplementary funding sources that were available from third party organisations.

(iii) Community engagement

The County Council intended to build upon existing contacts with a substantial number of community and voluntary groups. However, local members were encouraged to make any suggestions and nominations as to suitable local key and trusted contacts in their own area. It was acknowledged that community engagement varied between areas. Harlow was cited as an example which, although having been the first area to participate in the Community Initiatives Fund, seemed to have low community engagement at present. It was acknowledged that the County Council may need to seek community engagement from different sources than in the past and think more broadly about the publicity mechanisms it used.

(iv) Member communication

At present local Members were not informed of Big Society Fund applications, although the local borough or district council were advised at an early stage in case it contravened any of their local policies in that area. Local Members were advised at a later stage of those applications which had been successful and usually attended subsequent grant awards ceremonies. The Cabinet Member was keen to preserve the depoliticised nature of the applications but, as members stressed the importance of them being kept up to date and well informed on local matters, agreed to review whether local Members could also be advised at the time of applications being received.

(v) Voluntary sector

The voluntary sector was adapting so that it could respond and meet the contractual services required by the County Council as a commissioner of services. However, it was acknowledged that the voluntary sector had lost some of its other funding sources and it was not possible for the County Council to 'step-in' and replace that funding although it was moving towards placing longer-term contracts for the services it was commissioning from that sector.

(vi) Engagement with other local councils

In partnership with Cambridge Open Systems the County Council provided free website hosting, training and technical support for town and parish councils (including voluntary groups and other organisations) which would be developed further in the coming year to include small businesses. Some Members expressed concern that the provision of these services could be in direct competition with private sector suppliers of similar services and the Cabinet Member agreed to review the current arrangements for any such conflict.

(vii) Locality Boards

Locality Boards had been established to get consensus on key issues of local concern, generating debate and suggesting solutions. It was noted that in some areas Locality Boards had yet to be established. Some Members highlighted that they were unaware of the issues currently being considered by their particular local Board and had little or no involvement with it. The Locality Boards varied in their terms of reference and what they sought to achieve. However, the Cabinet Member was keen to emphasise that the Boards offered significant opportunities over time particularly through the gradual development and extension of their remits.

(viii) Conclusion

Members requested a further update on the further development of Localism in due course. The witnesses were then thanked for their attendance and then they left the meeting.

**4(b) Petitions**

The Committee received and noted a report (ES/11/13) from the Governance Officer providing background information on petitions. This issue would be further considered at a future meeting.

## 5. Coroner's Service

The Committee considered a report (ES/11/13) on the Coroner's Service. Councillor David Finch, Deputy Leader of the Council and Cabinet Member for Finance and Transformation and the Cabinet Member with responsibility for the Coroner's Service, Alex Hallam, Assistant County Solicitor – People, and Amy Donovan, Coroners Service Manager, joined the meeting to introduce the report.

### (i) Background

The Coroner's Service supported two jurisdictions – the first in Essex and Thurrock and the second in Southend and South East Essex (which included the Castle Point and Rochford District Council areas). A Coroner was an independent judicial officer, and not a local government officer, although the relevant council would appoint them, pay them and be responsible for providing them with suitable premises and resources for them to be able to conduct their duties. Whilst the County Council could not dismiss the Coroner it could, if it was necessary, make representations to the Ministry of Justice although it would always seek to resolve any disputes directly with the Coroner if at all possible.

The report outlined operational changes made to the service during 2012. In addition, the service would move to County Hall after suitable refurbishment and some of the accommodation currently occupied by the service would be refurbished and remodelled to provide a permanent Coroner's Court. Most significantly the new accommodation arrangements would provide a discrete home for the Coroner's Court and private meeting rooms for bereaved families which was seen as a significant improvement and was welcomed by Members.

### (ii) Annual Report and Statistics

The Annual Report for the Coroner's Service had been submitted to the Ministry of Justice at the end of February 2013. This would be published in the summer once all figures had been checked and collated. The following unconfirmed figures were highlighted and/or discussed:

- (i) Timescale for bringing cases to inquest: this had reduced to 36 weeks for 2011 in Essex and Thurrock (from 40 weeks in 2010) and had increased to 36 weeks for 2011 in Southend and South East Essex (from 33 weeks in 2010);
- (ii) Inquests still open or in progress: the number of inquests still open for more than two years in 2012 had decreased in Essex and Thurrock but had increased in Southend and South East Essex (compared to 2011). It was acknowledged that there could be a different and more complex mix of cases in the latter area and it was **agreed** that further information would

be circulated to Members to try and explain the difference between the two administrative areas.

(iii) Budget

The 2013/14 budget for the Coroner's Service predicted a £3.18 million cost offset by a £1.13 million anticipated income, leaving a net cost of £2.05 million for approximately 6,500 cases per year. In addition, there were contributions received from Southend and Thurrock unitaries (representing approximately 19.2% of the total cost) and Essex Police. It was **agreed** that further information would be distributed to Members to provide a per case cost and to offer a perspective on the level of current costs via some benchmarking data.

(iv) Transformation

Councillor Finch confirmed that, whilst the Coroner's Service was an essential service, it was relatively small in scale by comparison to other County Council services and it was not a key area of focus under the Transformation II programme.

(v) Government consultation

There was a current Ministry of Justice consultation exercise inviting comments on developing larger administrative areas for Coroners. It was thought that the intention was not to make any such new jurisdictions any bigger than an existing geographical county. It was agreed that a copy of the County Council response to the consultation would be circulated to Members before submission.

(vi) Conclusion

It was **agreed** that a further update be provided to the Committee in due course. The witnesses were thanked for their attendance and then left the meeting.

## 6. **Forward Look**

The Committee considered and **Agreed** the Forward Look (ES/12/13).

## 7. **Dates of Future Meetings 2013**

The next meeting of the Committee would be at 10am on Tuesday 23 April 2013 in Committee Room 2.

There being no urgent business the meeting closed at 11.33 am.

Chairman  
23 April 2013