

## MINUTES OF A MEETING OF THE EXECUTIVE SCRUTINY COMMITTEE HELD AT COUNTY HALL, CHELMSFORD ON 31 JANUARY 2012

### Membership

* G Butland	* C Pond
* W J C Dick	* J Roberts
* N Edey	* J Schofield (Substitute for M C M Lager)
* A M Hedley	* T C Smith-Hughes (Chairman)
* S Mayzes	* A Turrell
* Mrs V Metcalfe	* R Walters (Substitute for Mrs I Pummell)
* G L Mitchinson	* J A Young (Vice-Chairman)
* J W Pike	

(\* present)

Councillor Mackrory was also present.

The following officers were present in support throughout the meeting:

Vivien Door, Committee Officer  
Robert Fox, Governance Officer

### 1. Apologies for Absence

Apologies were received from the following Members:

Apologies	Substitutions
M C M Lager	J Schofield
Mrs I Pummell	R Walters

### 2. Declarations of Interest

The following Declarations of Interest were reported:

Cllr A Turrell	Personal Interest as Leader of Colchester Borough Council regarding the discussion on Firstsite, Colchester
Cllr P Martin	Personal Interest as Chairman of the Firstsite Partnership Board until October 2011 regarding the discussion on First Site, Colchester

### 3. Minutes

The minutes of the meeting held on 29 November 2011 were approved as a correct record and signed by the Chairman with the following amendments.

- Minute 87, Essex County Council Corporate Vision and Values: the forth bullet point should read "...Councillor Mayzes proposed a recommendation..."



#### 4. Financial Overview as at Third-Quarter Stage

The Committee considered the report (ES/001/12). Councillor David Finch, Deputy Leader of the Council and Cabinet Member for Finance and Transformation Programme, and Margaret Lee, Executive Director for Finance was also in attendance.

Councillor Finch presented the report which had been agreed by Cabinet on Tuesday 24 January 2012. The current revenue outturn forecast had a projected underspend of £6.931 million and a projected underspend of £34.905 million against the approved capital payments guideline. Agreement had been given for Adults, Health and Community Wellbeing (AHCW) to receive £673,953 from the s75 Reserve held in relation to the equipment store. £2.742 million was moved from the Insurance Reserve to the Insurance Recovery Account. £800,000 was moved into Earmarked Reserves from the Education and 2012 Games in relation to funding for Apprenticeships. £2.284 million had been moved to the Reserve for Future Capital Funding in relation to the Colchester Visual Arts (Firstsite) project. £500,000 was transferred into the AHCW revenue budget from other operating costs in relation to the 2010/11 dividend received from Essex Cares Ltd.

During the discussion the following points were made:

- That the Revenue budget, at the third quarter of the 2011/12 financial year, shows a projected under spend of £6.931 million, compared with a position of £415,000 under spend projected in the half year report. Councillor Finch explained that some individual budget holders may take a cautious view early in the year in case there is a severe winter which creates particular spending pressures for Highways and Adult Social Care services. The third quarter was based on the November position and provides budget holders with an opportunity to reflect on the experience of the early winter which had been very mild. However, December and January could still bring cold weather and so impact on the estimated outturn;
- The Revenue Trading Activities related to the trading arms (internal and external) within Schools, Children and Families, Finance, Environment Sustainability and Highways;
- A Member asked how much of the Economic Development and Waste recycling £123,000 savings returned to the Waste Reserve in relation to project savings were allocated to the Brentwood Project. Councillor Finch would provide an answer to this question;
- The policy was to return any underspends to the Corporate Centre where services under financial pressure could request funding, all requests were rigorously tested;
- Children's & Young People's Strategic Partnerships £274,000 under spend was set against a budget of £900,000;
- £480,000 under spend was due to the vacancies in Business Support;
- Insurance claims move from the Reserve to Provision when the claim payout becomes confirmed;
- £100,000 additional funding had been reserved to fund the Apprenticeship Scheme next year;

- Most senior officers have completed the Leadership Academy training;
- The Colchester Primary Review consisted of a consortium of seven Colchester schools in the project September 2012-13, only four of the seven schools would complete the project by September 2012 so that £2,664,000 had been moved to the 2012/13 budget;
- Councillor Finch would provide more information on Street Lighting.

The Committee noted the report.

The Chairman thanked Councillor Finch and Margaret Lee for sharing this information with the Committee.

#### **5. The Essex Works Corporate Plan 2012/17, Revenue and Capital Budgets 2012/13 and Medium Term Resources Strategy**

The Committee considered the report (ES/002/12). Councillor Peter Martin, Leader of the Council presented the Essex Works Corporate Plan 2012/17. Councillor David Finch, Deputy Leader of the Council and Cabinet Member for Finance and Transformation Programme presented the Revenue and Capital Budgets 2012/13 and Medium Term Resources Strategy. Margaret Lee, Executive Director for Finance was also in attendance.

##### **Essex Works Corporate Plan 2012/17**

Councillor Martin informed the Committee that the Corporate Plan formed a part of a suite of documents which included the Vision, Budget information, Directorate Plans and Service Plans. The Corporate Plan had had an extensive consultation with Members, other stakeholders and residents. The priorities have been reduced to five; the previous Corporate Plan had 10 priorities. Councillor Martin agreed that the Committee had recommended that the Vision document, the Corporate Plan, Directorate and Service Plans should be monitored to ensure the outcomes were in place. Cabinet on 24 January 2012 had agreed that monitoring the suite of documents should take place on a quarterly basis at the same meeting as the Budget quarterly outturns. Councillor Martin welcomed the importance of Scrutiny to engage in the process of monitoring these documents. The suite of documents would be taken to the March Cabinet meeting.

During the discussion the following points were made:

- As residents had been invited to engage with the plan/vision there was a concern that residents expectations may be raised;
- More schools were becoming Academies therefore it could be difficult for the county to influence education in these establishments;
- Councillor Martin informed the Committee that the County cannot work alone and relied on partnership working which had been reflected in the Corporate Plan. Managing residents expectations could be achieved with all Members and officers working together;
- The County was working with local businesses to create jobs, the County now purchased more local goods, and was working to improve the infrastructure, for example, the highways and broadband for residents;

- There were deprived areas of Essex where life expectancy was lower than in the rest of the County. The County's ambition was to raise all life expectancy by working with partners;
- Members acknowledged that the Waste reserves had been used prudently to lesson the cuts to front line services.

### **Revenue and Capital Budgets 2012/13 and Medium Term Resources Strategy**

The draft budget would be taken to the Full Council meeting on 7 February 2012. The County had accepted the Council Tax Freeze to aid its residents. The budget had been through a series of consultations with the Committee, the Union and Businesses.

During the discussion the following points were made:

- There were concerns that the Capital Budget reduces over the next few years by £65 million and how this effects services, there needed to be provision that any serious cuts to services were reviewed at the relevant Scrutiny Committee;
- The County was prudent with its funding and provided sufficient reserves for unseen circumstances. Although some of the funds in the reserves were earmarked for long term projects, for example, PFI, the government provided the funding up front which the County then used over the lifetime of the PFI. The guideline for reserves was five per cent;
- The Council Tax Freeze grant contributes to gaps in the budget projected at £6 million 2013/14 and £35 million in 2014/15. Work had taken place with Senior Managers to ensure that services were provided with less funding;
- The County previously procured 37% of goods and services via local businesses. This figure is now 44%;
- More creative ways were being explored to provide the same services for less funding;
- Clarity was sought on the first table on page 25. Margaret Lee informed the Committee that the difference between the total financing available to fund the capital programme and that applied for 2016 reflected that it was difficult to predict all schemes so far in advance, and it was prudent to have some funds available for other schemes not yet considered;
- When the County agreed an annual contract/grant with the volunteer sector they were informed that they should not be dependent on the grant for staffing budgets beyond the contract. Any Service Level Agreement (SLA) with other agencies had contract/financial reminders before the end of the contract to ensure that the agency was not caught unawares of the contract ending;
- There was no decision to review/close the pension scheme available to Members.

The Committee noted the report.

The Chairman thanked Councillors Martin and Finch and Margaret Lee for sharing this information with the Committee.

## **6. Performance Management: Outcomes, Improvement and Monitoring Framework 2012/13**

The Committee received report (ES/003/12) by Mark Golledge, Performance & Organisational Intelligence.

As Local Authorities were moving towards monitoring outcomes through Peer Reviews and unannounced inspections for Schools, Children and Families Services the monitoring data needed to be reflected in the new framework. The focus was on the Corporate Plan, with detailed measures with the Directorate Plan and Service Plans. Cabinet on 24 January 2012 agreed that the Performance Management data should be provided on a quarterly basis at the same meeting as the quarterly budget and should be presented to this Committee. A draft report would be presented to both the Cabinet meeting and this Committee in March 2012. Individual Policy and Scrutiny Committees would monitor the relevant score cards.

During the discussion the following points were made:

- That the Committee would monitor the data from a strategic perspective, whilst other Scrutiny Committees would monitor their relevant service areas;
- That it would be useful for the data to be presented to Scrutiny Committees prior to Cabinet to enable pre-scrutiny.

The Committee **Agreed** the recommendations in the report.

The Chairman thanked Mark Golledge for his report.

## **7. The Essex Coroner's Service**

The Committee received report (ES/004/12) from Councillor Derrick Louis, Cabinet Member for Procurement, Property and Major Projects. Margaret Lee, Executive Director for Finance and Nikki Dutton, Coroner's Service Manager were also in attendance.

Councillor Louis provided background information. The service had transferred to the County in December 2008 from Essex Police with approximately 60 per cent of staff transferring on TUPE terms. The transfer coincided with the busiest period in the year and included a historical backlog of 760 cases, currently there were 183 historical backlog cases. Margaret Lee informed the Committee that the County employed the Coroner's Service Team although Coroners were employed by the Lord Chancellor. Currently there were no service standards although this would change when a Chief Coroner was appointed. Some inquests were complex and took longer and may involve multiple agency investigations.

Complaints regarding the service were dealt with sensitively to avoid causing the family further stress. The telephone system caused a problem where families could not contact the service, this had now been rectified. Any complaints against a Coroner were sent to the Lord Chancellor's Office.

During the discussion the following points were made:

- The term backlog in the next financial year would be used for any cases which have not been dealt with for over one year;
- The current backlog relating to 2010 and earlier cases should be cleared by April 2012. The Service was currently dealing with the historic backlog alongside the current work;
- Income was provided from Southend and Thurrock Unitary Authorities who buy in the service and Essex Police who provide some staff funding;
- The body storage costs vary between £250,000 and £300,00 annually, work was continuing to agree a Service Level Agreement with the NHS;
- Where possible the Service ensures that specific faith needs were met but this was not always possible if a case was complex. The service was working closely with faith leaders;
- Coroners were independent to enable them to provide a judgement on the cause of death without being influenced by other authorities;
- If a person dies with no known relatives in hospital the NHS pays the funeral costs, if the person dies in the community then the District or Borough bears any costs;
- The Service was confident that it could keep the backlog of cases to a minimum in the future;
- One complex case had been presented to CPS five times;
- Coroners aim to release the bodies within 28 days unless the person's identity had not been verified.

The Committee **Agreed**

- i) The report with the addition that a qualified statement be included regarding meeting specific faith needs;
- ii) That Margaret Lee would provide information on:
  - a. Whether there is a statutory requirement for the County Council to provide a Coroners Service. Committee Officer note: Subsequent to the meeting it was confirmed that County Councils have a statutory duty to provide a Coroners Service;
  - b. a breakdown of all financial figures including income and costs for the Service.

The Chairman thanked Councillor Derrick Louis, Margaret Lee, and Nikki Dutton, for their report.

## 8. Forward Look

The Committee **Agreed** report (ES/005/12) setting the Committees proposed future work programme and the Scoping Documents appended to the report.

Richard Puleston, Assistant Chief Executive was invited to comment on these scoping documents and sought further clarity on the focus.

**External Communications Review Scoping Document**

The Committee **Agreed** that the Chairman and Vice- Chairmen would discuss the focus of the review.

**External Communications Review Scoping Document**

The Committee **Agreed** the Scoping Document.

**9. Dates of Future Meetings 2012**

The Committee **Agreed** the 2012 dates as set out below. The next scheduled meeting on Tuesday, 3 April 2012, at 10.00 am in Committee Room 2.

<b>Date</b>	<b>Time</b>	<b>Venue</b>
Tuesday, 1 May	10 a.m.	Committee Room 2
Tuesday, 29 May	10 a.m.	Committee Room 6
Tuesday, 26 June	10 a.m.	Committee Room 2
Tuesday, 24 July	10 a.m.	Committee Room 2
Tuesday, 11 September	10 a.m.	Committee Room 2
Tuesday, 23 October	10 a.m.	Committee Room 2
Tuesday, 4 December	10 a.m.	Committee Room 2

There being no urgent business the meeting closed at 12.15 pm.

Chairman  
3 April 2012