

DECISION-MAKER:	EXECUTIVE DIRECTOR- COMMUNITIES, CULTURE AND HOMES		
SUBJECT:	THE PROVISION OF A CORONERS SERVICE TO SCC AND A FUNDING AGREEMENT BETWEEN HCC AND SCC FOR THAT SERVICE.		
DATE OF DECISION:	May 6, 2020		
REPORT OF:	HEAD OF SERVICE - CONSUMER PROTECTION AND ENVIRONMENTAL SERVICES		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Rosie Zambra	Tel: 023 8083400
	E-mail:	rosie.zambra@southampton.gov.uk	
Director	Name:	Mary D'Arcy	Tel: 023 80
	E-mail:	mary.d'arcy@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

Not applicable

BRIEF SUMMARY

A decision needs to be made in relation to Southampton City Council entering into a formal funding agreement with Hampshire Country Council to provide a Coroners Service. This is a statutory function that we must have and at the present time a formal agreement and funding arrangements is not in place.

Given the current COVID-19 emergency it is proposed that the decision to enter into this agreement is urgent and therefore that this decision is taken by the Executive Director for Communities, Culture and Homes.

RECOMMENDATIONS:

This report is submitted for consideration as a general exception under paragraph 15 of the Access to Information procedure Rules in Part 4 of the Council's Constitution, notice having been given to the Chair of Overview and Scrutiny Management Committee and the public.

	(i)	To approve expenditure of £560,000 as set out in paragraph 7 of this report and to enter into the funding agreement between Southampton City Council and Hampshire Council for the Provision of a Coroners Service for 2020/21.
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REASONS FOR REPORT RECOMMENDATIONS

1.	It is a statutory requirement for the Southampton City Council to have a Coroners Service.
2.	Under the powers conferred by the Coroners and Justice Act 2009 ("the Act"), an Order (which is attached at Schedule 3 within the funding

	agreement) has been made by the Lord Chancellor to merge the coroner areas of Central Hampshire, North East Hampshire, Portsmouth and the South East, and Southampton and the New Forest to form one new coroner area (“the Merger”).
3.	For the purposes of the Act and the Merger, the parties have agreed that HCC shall be the ‘relevant authority’ (or lead authority) for the new coroner area and the Explanatory Memorandum associated with the Order made clear the parties’ intentions to continue to fund the Coroner Services in the new coroner area following the Merger. As a result, Portsmouth City Council (PCC) and Southampton City Council (SCC) have agreed to make financial contributions (“the Funding”) to Hampshire County Council (HCC) toward the cost of the Coroner Services in the new coroner area.
4.	This Agreement sets out the terms and conditions on which the Funding is to be paid to HCC by PCC and SCC and ensures that the Funding is used for the sole purposes of the Coroner Services.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
5.	No other option was considered as it is a statutory requirement to have a Coroners Service.
DETAIL (Including consultation carried out)	
6.	Set out in the reasons for the recommendations.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
7.	The budget identified for the Coroners service for 2020/21 is £560,000, and currently sits with the corporate finance team. It is proposed that this budget is vired to Bereavement Services within the Communities, Culture and Homes directorate in order to ensure the correct accountabilities are in place going forward.
<u>Property/Other</u>	
8.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
9.	Under the powers conferred by the Coroners and Justice Act 2009 (“the Act”), an Order (which is attached at Schedule 3 within the funding agreement) has been made by the Lord Chancellor to merge the coroner areas of Central Hampshire, North East Hampshire, Portsmouth and the South East, and Southampton and the New Forest to form one new coroner area (“the Merger”).
10.	For the purposes of the Act and the Merger, the parties have agreed that HCC shall be the ‘relevant authority’ (or lead authority) for the new coroner area and the Explanatory Memorandum associated with the Order made clear the parties’ intentions to continue to fund the Coroner Services in the new coroner area following the Merger. As a result, Portsmouth City

	Council (PCC) and Southampton City Council (SCC) have agreed to make financial contributions (“the Funding”) to Hampshire County Council (HCC) toward the cost of the Coroner Services in the new coroner area.
<u>Other Legal Implications:</u>	
11.	Given the size of this contract this matter is a Key decision. However, key decision thresholds have been suspended during the Covid-19 response for Covid-19 related matters. Since the authority is currently without a signed Coroner’s agreement and therefore no official arrangements are in place for Covid-19 related inquests and any other inquests, it is argued that an urgent decision should be made under delegated authority, following consultation with the Leaders and the Cabinet Member, in these exceptional circumstances and utilising the notice of general exception in this instance.
12.	Authority is delegated to the Executive Director within which the budget for the service falls, hence the agreement to vire this budget as described into the Executive Director – Communities, Culture and Homes area.
RISK MANAGEMENT IMPLICATIONS	
13.	It is difficult to know and understand how much of the Coroners Service in any one year the City Council will require. The expenditure on Coroner’s service in 2018/19 was £608,000. However, under the new agreement, the formula for apportioning cost between Hampshire County Council, Southampton City Council and Portsmouth City Council has been revised which was anticipated, prior to the current COVID-19 emergency to reduce this expenditure by approximately £50,000. The financial assessment therefore is that the current budget of £560, 000 is sufficient to cover those Coroner’s costs that would have been expected prior to the current emergency. Any additional costs as a result of COVID-19 will of course be captured as part of the council’s ongoing COVID-19 financial monitoring.
POLICY FRAMEWORK IMPLICATIONS	
14.	The proposals are wholly in accordance with the Council’s Policy Framework.

KEY DECISION?	Yes	
WARDS/COMMUNITIES AFFECTED:	All Wards	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	Funding Agreement for the Coroner Services 2020 onward between HCC and SCC	
Documents In Members' Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		No
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
Other Background documents available for inspection at:		
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)	
1.	None	