

Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Joint Health Scrutiny Committee.

1st February 2008

Agenda Item 5

Statutory Basis of the Joint Committee

Report of the Advisor

1. The Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Joint Health Scrutiny Committee is established under powers set out in the Health and Social Care Act 2001 and under the Direction issued by the Secretary of State for Health on 17 July 2003 under statutory instrument 3048 of 2002 – the local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002.

2. Paragraph one of the Direction relates to application, commencement and interpretation, including definitions of which local authorities, Social Services Authorities, it applies to. Paragraph 2 of the Direction states

"Where a local NHS Body consults more than one overview and scrutiny committee pursuant to regulation 4 of the Regulations on any proposal it has under consideration for a substantial development of the health service or a substantial variation in the provision of such a service, the local authorities of those overview and scrutiny committees shall appoint a joint overview and scrutiny committee for the purposes of the consultation and only that joint committee may:

a) make comments on the proposal consulted on to the local NHS body under regulation 4(4) of the Regulations:

b) require the local NHS body to provide information about the proposal under regulation 5 of the Regulations: or

c) require an officer of the lead local NHS body to attend before it under regulation 6 of the Regulations to answer such questions as appear to it to be necessary for the discharge of its functions in connection with the consultation."

3. The Committee has been established by Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Councils to discharge the requirements of the Direction in relation to matters which affect all of the constituent Councils, specifically the consultation of the ten authorities by the health bodies proposing substantial changes and/or developments to health services in their areas arising from the Strategic Vision for the East of England National Health Service and related matters.

4. The Committee is recommended to agree this report

**Bill Hamilton
Adviser to the Committee**

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