

**Minutes of the meeting of the Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Joint Health Overview and Scrutiny Committee on the East of England Acute Services Review held on Friday 1<sup>st</sup> February 2008 at County Hall, Cauldwell Street, Bedford, MK42 9AP.**

**1. Present:**

**Councillor Stephen Male** – Bedfordshire County Council  
**Councillor Lesley Salter** - Southend Borough Council  
**Councillor Susan Barker** – Essex County Council  
**Councillor Brian Rush** – Peterborough Borough Council  
**Councillor Janice Eells** – Norfolk County Council  
**Councillor Lister Wilson** – Cambridgeshire County Council  
**Councillor David Taylor** - Luton Borough Council  
**Councillor Nick Hollinghurst** – (a member of Hertfordshire County Council representing the East of England Regional Assembly)

**Also Present:** **Councillor Helen Levack**, a member of St. Edmundsbury Borough Council and a substitute member representing the East of England Regional Assembly.. **Tom Hook** an officer of the East of England Regional Assembly, **Bert Siong**, an officer of Luton borough Council, **Fiona Abbott**, an officer of Southend Borough Council and **Jane Belman** an officer of Cambridgeshire County Council.

**Apologies:** **Councillor Susan Vincent** – a member of Forest Heath District Council. representing Suffolk County Council.

**2. Election of Chair (Election conducted by the Advisor)**

Having been nominated by Councillor Eells and Seconded by Councillor Wilson, Councillor Male was elected to be the Chairman of the Joint Committee for its duration

**3. Election of Vice Chair (Election conducted by the Chairman)**

Having been nominated by Councillor Male and seconded by Councillor Eells, Councillor Wilson was elected to be Vice Chairman of the Joint Committee for its duration.

**4. Declaration of Personal and Prejudicial Interests**

Councillor Lesley Salter declared that her husband is consultant surgeon and a Clinical Director at Southend Hospital.

Councillor Susan Barker declared that her husband was a General Practitioner in Essex  
Councillor Nick Hollingshurst declared that he and his wife were landlords to a property in Dunstable, Bedfordshire, which was used by a GP practice as a surgery.

**5. Statutory Basis of the Joint Committee**

The Committee considered the Advisor's report on the statutory basis for the Joint Committee and noted that the Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Joint Health Scrutiny Committee had been 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. The Committee also noted that 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.

**RESOLVED: That the report be agreed**

## **6. Composition and Size of the Joint Committee**

The Committee considered the Advisor's report on the Composition and Size of the Joint Committee and having noted the extract from the minutes of the East of England Health Scrutiny Chairs Forum held on 8 October 2007,

**RESOLVED that:**

- a) the Committee comprises one member of each of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Councils as the relevant Social Services authorities in the area served by the East of England Strategic Health Authority**
- b) named substitute members be allowed if the nominated member is indisposed**
- c) the East of England Regional Assembly's nomination of a member to the Committee be accepted**
- d) that a quorum of members representing five local authorities (ie excluding co-opted members), one half of the Committee, be agreed.**

## **6. Terms of Reference of the Joint Committee**

The Committee considered the Advisor's report on the Terms of Reference of the Joint Committee. The Committee agreed a form of words which will enable the Joint Committee to focus on those issues for which it has responsibility, thereby avoiding confusion between the role of the Joint Committee and the responsibilities of the Health Overview and Scrutiny Committees of the constituent authorities. The Joint Committee also noted that it was established to deal with the proposals in "A Strategic Vision for the East of England NHS" rather than as a standing committee. At the conclusion of its business the committee agreed that it would disband itself, having completed its job.

The Committee **RESOLVED that the Terms of Reference for the Joint Committee would be as follows:**

**"to review and scrutinise, in accordance with Regulations under Section 7 of The Health and Social Act 2001 and the Secretary of State for Health's Direction of 17 July 2003, matters relating to the substantial developments or variations in NHS services in respect of the document "*A Strategic Vision for the East of England NHS*" being consulted upon by the relevant NHS bodies across the whole of the areas of the Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Social Services Authorities and specifically including the documents, "*Improving Lives: Saving Lives*", "*Our NHS – Our Future*" (the Darzi review) and, when available, the East of England's Strategic Health Authority's 'Vision' document for Acute and other Health Services in the East of England, together with any relevant technical papers, including the Strategic Health Authority's and Primary Care Trusts' proposed plan(s) for implementing the proposals in "*A Strategic Vision for the East of England NHS*" over the next five years. "**

## **8. Supporting the Joint Committee**

The Committee considered the report of the Advisor in respect of arrangements to support the work of the Committee and,

**RESOLVED that:**

**1) The Committee would have the services of a dedicated advisor who will ensure:**

**(a) The provision of advice to the Chairman and the Vice Chairmen and members of the committee on the formulation and content of an Agenda for each meeting.**

**(b) The negotiated attendance of expert or NHS officer witnesses and other witnesses with relevant and pertinent evidence and the issuing of invitations as appropriate (the Committee noting that it was a statutory duty of officers from the relevant NHS Bodies to attend the Committee if called).**

**(c) The provision of advice to the committee.**

**(d) The preparation/authorisation of an agreed set of minutes to be provided to the next meeting of the committee for their approval.**

**(e) Support to any public inquiry/examination in public arising from the work of the Joint Committee**

**2. The Committee noted that this will also necessitate:**

**(a) Advice on correspondence on behalf of the committee in discharging its functions**

**(b) The preparation of a work programme and calendar of meetings of the committee.**

**(c) Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Councils will make available to the Advisor all documentation relating to the terms of reference of the Joint Committee and in particular documentation pertaining to an authority's area which is relevant to the Joint Committee's work as described in the Regulations covering Health Scrutiny by Local Authorities laid under the Health and Social Care Act 2001 or subsequent relevant legislation.**

**3. The Joint Committee will be advised as to legal matters by the County Secretary/Solicitor of the lead authority.**

**4. The Joint Committee will be advised as to financial matters by the Chief Finance Officer of the lead authority.**

**5. The Chairman and Vice Chairman of the Committee will approve any press or other media releases on behalf of the Joint Committee (with recognition that each participating authority reserves its position) and the press and public relations function of the lead authority will provide professional support in respect of such work.**

**6. The Advisor will liaise with the Head of Scrutiny (or equivalent officer with that responsibility) of each of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Councils in respect of matters affecting those authorities' areas.**

**7. The lead authority will make provision for the clerking and meeting venues for the Joint Committee.**

**8. The costs of operating the Committee will be shared between the participating/constituent authorities on the basis of each authority contributing an equal share.**

**9. Joint Committee's conduct of its business**

The Committee considered the report of the Advisor on the conduct of its business, and **RESOLVED** that the committee conducts its business by,

**a) the Joint Committee receiving a report from the consulting authorities on the content and rationale of the strategy/proposal. The Joint Committee may then wish to receive evidence from any Specialist Advisor and/or the Advisor to the committee or from witnesses with relevant evidence on the nature of the strategy and proposals and on their merits and deficiencies. If, following those two reports and witness evidence and the Joint Committee's consideration of them, the Committee is minded to respond to the consultation then it will submit a response in accordance with the consultation timetable. The preparation of such a submission will be the responsibility of the Advisor, will be the subject of debate and determination by the Joint Committee and may involve the Joint Committee hearing evidence from those who wish to comment on or make representations about the strategy and proposals.**

**b) following the closure of the consultation period and after the consulting bodies have considered the responses to the consultation and made a decision on the strategy and proposals, the Joint Committee will request a paper from the consulting bodies to demonstrate that the consultation has been adequate and that the strategy and proposals, as finally determined, are in the interests of health locally. At this stage the Joint Committee will wish to consider whether (or not) it holds hearings to receive evidence from those respondents who do not believe that the consultation has been adequate or who believe that their representations have not been listened to.**

**c) at a separate meeting, after the NHS and other bodies have made their decision on the strategy, the Joint Committee will consider, via a report from the Advisor, as to whether the Committee is minded to sign off the strategy or whether it wishes to exercise its powers to refer the strategy and/or proposals to the Secretary of State, and if so, on what grounds.**

**NOTE: at the conclusion of the meeting the Joint Committee received a private briefing from Officers of the East of England Strategic Health Authority. Following that briefing the Advisor was authorised to consult with the Strategic Health Authority on the timing of the publication of their proposals with a view to establishing a programme of future meetings. The date of next meeting would be established as part of that process.**

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