

**REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE No. 01-2013/14
COUNCIL 20 May 2013**

Chair:
Councillor Gideon Bull

Deputy Chair:
Councillor David Winskill

1. INTRODUCTION

- 1.1 This report to full Council is referred for approval arising from considerations by the Overview & Scrutiny Committee at their meeting on 4 November 2013 of the report regarding the consultation on the proposals by NHS England to reconfigure cancer and cardiac services across North London

2. SUMMARY

- 2.1 The Overview and Scrutiny Committee were asked to consider the report and recommend to full Council that the authority appoint or enter into a Joint Overview & Scrutiny Committee that includes the London Borough of Haringey and the other boroughs for the purpose of responding to the consultation by NHS England to reconfigure cancer and cardiac services across North Central and North East London.
- 2.2 NHS England is currently developing proposals to reconfigure specialist cancer and cardiovascular services across North Central and North East London. It is likely that these proposed changes will constitute a substantial development or variation in health services, and this would require consultation with local authorities in the geographical areas covered by the proposals.
- 2.3 The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 apply to the proposed service reconfiguration. Regulation 23 provides for a local authority to be consulted on any proposal for a substantial development of the health services in its area or for substantial variation in the provision of such service. Regulation 30 enables local authorities to appoint a joint committee (“a joint overview and scrutiny committee” for the discharge of health scrutiny functions and requires local authorities to do so in certain circumstances. Regulation 30 (5) provides that where a responsible person (in this case the NHS Commissioning Board) consults more than one local authority pursuant to Regulation 23, those local authorities must appoint a joint overview and scrutiny committee for the purposes of the consultation and only that joint overview and scrutiny committee may a) make comments on the proposal consulted on; b) require the provision of information about the proposal; or c) require a member or employee of a responsible person to attend before it to answer questions in connection with the consultation. Therefore, Regulation 30 (5) makes it mandatory for the local authorities affected by the proposals to appoint a joint committee.
- 2.4 Full Council has the power to appoint a joint committee. There can at times be practical difficulties in the process and timescale for each local authority’s full Council to approve the setting up or appointment of a joint committee in time

meet the NHS body consultation timetable. Therefore, it was recommended that the terms of reference of Overview and Scrutiny Committee be changed to allow for the Committee to appoint a joint committee for the purpose of complying with Regulation 30 above.

- 2.5 The Overview and Scrutiny Committee considered the report and unanimously agreed to recommend to full Council that the authority appoint a Joint Overview & Scrutiny Committee and to amend the Terms of Reference and Functions of Overview & Scrutiny Committee in the Constitution.

3. RECOMMENDATION

- 3.1 That Full Council appoint or enter into a Joint Health Overview & Scrutiny Committee that includes the London Borough of Haringey and the other boroughs for the purpose of responding to the consultation by NHS England on proposals to reconfigure cancer and cardiac services across North Central and North East London.
- 3.2 That Full Council amend the Terms of Reference and Functions of Overview & Scrutiny Committee in the Constitution (as detailed in appendix 1), to include the power to enter into or appoint such Joint Overview & Scrutiny Committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variations or developments in the provision of health services. This shall apply to future proposals that require the appointment of such Joint Overview & Scrutiny Committees.

Appendix 1

Further to recommendation 3.2, the amendments to be made to the Constitution are:

- a) Part Two Article 6 Overview and Scrutiny 6.02 General Role after paragraph (g);
- b) Part Three Section C Section 2 Overview and Scrutiny Committee after paragraph (g);
- c) Part Four, Section G Overview and Scrutiny Procedure Rules after paragraph 1.2 (iv);

insert;

“to enter into or appoint such joint overview and scrutiny committees that includes the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013”