



## REPORT TO COUNCIL

### ESTABLISHMENT OF A JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE (FRIMLEY PARK HOSPITAL)

#### **KEY ISSUE/DECISION:**

For Surrey County Council, in partnership with two other local authorities, Hampshire County Council and Bracknell Forest Council, to establish a Joint Health Overview & Scrutiny Committee (Frimley Park Hospital).

That Surrey County Council's health scrutiny committee provides four Members to serve on the Joint Committee.

#### **BACKGROUND:**

#### **1 Introduction**

- 1.1 NHS Frimley Health Foundation Trust has initiated plans to replace the existing Frimley Park Hospital with a modern facility. As these plans will eventually constitute a substantial development or variation to health services and will affect the residents of more than one Local Authority the relevant Councils must establish a Joint Health Overview and Scrutiny Committee (JHOSC) to review and respond to plans.
- 1.2 The first task of this Joint Committee will be to review and participate in the plans for a new hospital to replace Frimley Park Hospital.

#### **2 Substantial development/variation to Frimley Park Hospital**

- 2.2 The developments proposed by the Foundation Trust will constitute a substantial development to or variation of service provision and all parties – local health overview and scrutiny committees and the Trust – are in agreement with this classification. A substantial development or variation is locally defined but the key feature is that there is a major change to services experienced by patients and future patients. This could include changes to the timings or location of service resulting in increased travel time or costs to small number of patients or the complete change to local services due to a major reconfiguration, for example.

- 2.3 As a key stakeholder and a statutory consultee Surrey County Council's health scrutiny function may respond to the consultation. As the consultation affects residents in neighbouring Authorities regulation states that these Authorities must form a Joint Health Overview & Scrutiny Committee to review and respond to the consultation.

### **3 Resulting action required under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013**

- 3.1 Under Regulation 23, NHS England, local commissioners, public and independent sector providers of NHS services must consult with the local authority about any proposals for a substantial development or variation of the health service in the authority's area. NHS Frimley Foundation Trust has been communicating with the Adults and Health Select Committee for some time on their proposals.
- 3.2 Regulation 30 requires local authorities to appoint joint committees where a relevant NHS body or health service provider consults more than one local authority's health scrutiny function about substantial reconfiguration proposals.

In such circumstances, Regulation 30 sets out the following requirements:

- Only the joint committee may respond to the consultation (i.e. rather than each individual local authority responding separately).
  - Only the joint committee may exercise the power to require the provision of information by the relevant NHS body or health service provider about the proposal.
  - Only the joint committee may exercise the power to require members or employees of the relevant NHS body or health service provider to attend before it to answer questions in connection with the consultation.
- 3.3 The purpose of the JHOSC is to:
- a) make comments on the proposal consulted on
  - b) require the provision of information about the proposal
  - c) gather evidence from key stakeholders, including members of the public
  - d) require the member or employee of the relevant health service to attend before it to answer questions in connection with the consultation.
  - e) Request a review by the Secretary of State only on where it is not satisfied that:
    - consultation on any proposal for a substantial change or development has been adequate in

relation to content or time allowed (NB. The referral power in these contexts only relates to the consultation with the local authorities, and not consultation with other stakeholders).

- the proposal would not be in the interests of the health service in the area.
- a decision has been taken without consultation and it is not satisfied that the reasons given for not carrying out consultation are adequate.

#### **4 Governance**

- 4.1 The full Terms of Reference for the Joint Committee are listed as Annex A to this report.

#### **5 Financial and value for money implications**

- 5.1 Consideration should be given to the cost of the provision of democratic support. It is envisaged that this provision will be contained within existing resources and therefore will not be an additional cost to the Council. Responsibility will be shared on a rotating basis between the constituent Authorities with Surrey County Council as the designated Lead Authority.

#### **6 Consultation**

- 6.1 The Chairman and Vice-Chairman of the Adults and Health Select Committee and the Select Committee membership have been consulted on the proposal at their 7 March 2024 public meeting and have offered full support for the establishment of the joint committee.

### **RECOMMENDATIONS:**

1. The County Council agrees to the establishment of the Joint Health Overview & Scrutiny Committee (Frimley Park Hospital) with effect from 19 March 2024 for the duration of the rebuilding programme (expected to be 10 years).
2. The County Council be represented by four Members of its health scrutiny committee, including its Chairman on the Joint Committee; and its membership be confirmed at the Council meeting on 19 March 2024.
3. Any consequential amendments are made to the Council's Constitution as required.

## **REASONS FOR RECOMMENDATIONS:**

- 1 To ensure readiness to undertake review of proposals and respond to the Trust's public consultation.
- 2 To ensure robust scrutiny of the NHS Foundation Trust's plans and consultation process.
- 3 To strengthen Surrey residents' voices in the consultation and ensure their interests are considered by decision makers.

## **WHAT HAPPENS NEXT:**

- Implementation of the recommendation with four Members from the Council's health scrutiny committee including the Chairman taking positions on the Joint Committee.
- A first meeting of the Committee is provisionally planned for April 2024.

---

### **Contact Officer:**

Ross Pike, Scrutiny Business Manager, Democratic Services  
Telephone: 07805 803 593; Email: [ross.pike@surreycc.gov.uk](mailto:ross.pike@surreycc.gov.uk)

### **Sources/background papers:**

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013

Local Authority Health Scrutiny Guidance (Department of Health and Social Care) updated 9 January 2024: [Local authority health scrutiny - GOV.UK](https://www.gov.uk/guidance/local-authority-health-scrutiny)  
([www.gov.uk](https://www.gov.uk))