

Health Scrutiny Panel

Minutes - 28 April 2016

Attendance

Members of the Health Scrutiny Panel

Cllr Harbans Bagri
Cllr Val Evans
Cllr Peter O'Neill (Chair)

Employees

Deborah Breedon	Scrutiny Officer
Sara Goodwin	Interim Democratic Services Manager
Kathy Roper	Head of Young Adults Commissioning
Sarah Fellows	Mental Health Commissioning Manager

Part 1 – items open to the press and public

Item No. *Title*

1 **Apologies**

Apologies were submitted on behalf of Cllrs Milkinderpal Jaspal, Mark Evans, Craig Collingswood, Jasbir Jaspal, Stephen Simkins and Wendy Thompson. Apologies were received from Black Country Partnership Foundation Trust (BCPFT) representatives Stephen Marshall and Leslie Whittle.

In the absence of the Chair and Vice-Chair the Scrutiny Officer requested nominations for the Chair for the duration of the meeting.

Cllr Peter O'Neill was nominated by Cllr Val Evans and duly seconded by Cllr Harbans Bagri as the Chair for the duration of the meeting.

Resolved:

That Cllr Peter O'Neill is elected Chair for the duration of the meeting.

2 **Declarations of Interest**

There were no declarations of interest.

3 **Exclusion of press and public**

Resolved:

That in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information falling within paragraph 4 of Schedule 12A to the Act relating to the financial or business affairs of any particular person (including the authority holding that information).

- 4 **NHS Learning Disability In-patient provision at Pond Lane Hospital**
Cllr Peter O'Neill, Chair, indicated that the item may be controversial and requested a legal advisor to attend the meeting to give advice relating to the purdah period.

Meeting suspended at 14:02.

Meeting re-convened at 14:06 with Sara Goodwin, Interim Manager of Democratic Services in attendance.

Cllr Peter O'Neill asked for advice about considering the item during purdah. He referred to guidance that essentially Councils should not publish any material which, in whole or in part, appears to be designed to affect public support for a political party. The Democratic Services Manager advised that the scrutiny function by legislation is apolitical and no decision was being made in the report. The political purdah was not engaged as this item was business as usual.

Cllr Peter O'Neill received legal advice in relation to pre-election restrictions which are governed by Section 2 of the Local Government Act 1986, as amended in 1988 which highlighted that Councils should not publish any material which, in whole or part, appears to be designed to affect public support for a political party. He referred to the publication on controversial issues or reporting views on proposals in a way which identifies them with individual councillors or groups of councillors. He was advised that the Health Scrutiny Panel was apolitical and was being asked to make a decision to approve the consultation plan. It was clarified that the panel was allowed to continue to discharge normal council business and that no individual councillor present was standing for election.

Kathy Roper, Head of Commissioning suggested that the consultation could commence following the election date, Thursday 5 May 2016. The Mental Health Commissioning Manager agreed. Sarah Fellows, Mental Health Commissioning Manager, provided an update regarding the NHS Learning Disability In-patient provision at Pond Lane Hospital and the key next steps. She advised that a joint consultation process was suggested between CCG and BCPFT regarding the relocation of three assessment and treatment learning disability in-patient beds at Pond Lane hospital to existing in-patient hospital based services within the Black Country Partnership NHS Foundation Trust (BCPFT) in Dudley, Walsall and Sandwell and that the process will include consulting with a wide range of stakeholders, service users and general public.

The Commissioning Manager outlined the consultation plan and invited panels comments and questions.

Resolved

1. Health Scrutiny Panel approves the plan to embark upon a joint consultation process relating to Pond Lane Hospital. Health
2. Scrutiny Panel note the consultation plan.
3. That an undertaking is agreed to consult with the local Council on future use of buildings in Wolverhampton.
4. That consultation commences after Thursday 5 May 2016.