

REPORT TO: Executive Board

DATE: 23rd October 2025

REPORTING OFFICER: Executive Director, Adults

PORTFOLIO: Health and Wellbeing

SUBJECT: Joint Health Scrutiny Arrangements – Cheshire & Merseyside: Stage 1 Delegation

WARD(S): Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 The report is to introduce a proposal to delegate the Stage 1 consideration of substantiation variation to health services, where necessary, when Joint Health Scrutiny (JHS) arrangements may apply.

2.0 RECOMMENDED: That

1) the report be noted; and

2) the Board endorses the proposal for Stage 1 delegation as outlined and recommends for onward approval by Council.

3.0 SUPPORTING INFORMATION

- 3.1 The proposed revised protocol was presented at the Health and Social Care Policy and Performance Board on 23rd September 2025. HSCPPB endorsed the protocol being adopted.
- 3.2 The protocol for establishment of JHS arrangements for Cheshire and Merseyside has been in place since 2014, with the latest review and update of the protocol being undertaken in 2024; presented and agreed at PPB in September 2024.
- 3.3 The statutory framework regarding health scrutiny authorises local authorities individually and collectively to:
- review and scrutinise any matter relating to the planning, provision and operation of the health service; and,
 - consider consultations by a relevant NHS commissioning body or provider of NHS-funded services on any proposal for a substantial development or variation to the health service in the local authority's area.
- 3.4 In line with the protocol, prior to the establishment of any JHS arrangements, each local authority must first of all decide individually whether a proposal represents a substantial development/variation or not (**Stage 1**). The regulations then places a requirement on those local authorities that agree that a proposal is substantial to establish, in each instance, a joint overview and scrutiny committee for the purposes of

considering it. It is then only the statutory JHS committee which can formally comment on the proposals if more than one authority agrees that the proposed change is substantial.

- 3.5 There have been a number of instances over the past 12 months where NHS Cheshire and Merseyside have approached Local Authorities with proposals to change health services and we have been asked to consider these proposals via health scrutiny arrangements.

Not just an issue within Halton, but across a number of other Local Authorities across Cheshire & Merseyside, on a number of occasions the timing of these proposals and the timescales we have been asked to respond to haven't aligned with formal Board meetings.

- 3.6 This issue has been raised and discussed at the Cheshire and Merseyside Health Scrutiny Officers Group and each Local Authority has been asked to consider delegating Stage 1 of the process (as described in paragraph 3.3). For some, this may be to named Members, but in Halton's case it is suggested that it should be via the Lead Officer of the PPB in consultation with the Chair and Vice Chair of the health scrutiny committee, when necessary.
- 3.7 There have been examples in the past where we have had to organise one off Special PPBs to consider whether changes were a substantial change/variation or not, to fit in with timings as outlined/required by health colleagues. Having a scheme of delegation in place would negate this need and only be initiated when timings do not allow for the proposals to be scheduled within the normal round of Board meetings.

4.0 **POLICY IMPLICATIONS**

- 4.1 The delegation arrangements are considered to be fit for purpose and will assist the Council in upholding the protocol.

5.0 **FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications arising directly from this report.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Improving Health, Promoting Wellbeing and Supporting Greater Independence**

The arrangements are considered to support the protocol and will therefore better assist in upholding the priority.

6.2 **Building a Strong, Sustainable Local Economy**

No specific implications.

6.3 **Supporting Children, Young People and Families**

No specific implications

6.4 **Tackling Inequality and Helping Those Who Are Most In Need**

No specific implications

6.5 Working Towards a Greener Future

No specific implications

6.6 Valuing and Appreciating Halton and Our Community

No specific implications.

7.0 RISK ANALYSIS

7.1 There are no risks requiring control measures or a full risk assessment.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no specific implications arising from the report.

9.0 CLIMATE CHANGE IMPLICATIONS

9.1 There are no specific implications arising from the report.

10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

10.1 There are none within the meaning of the Act.