

Title of Report: Recommendations of the Health, Care and Wellbeing Scrutiny Committee: Obesity in Herefordshire

Meeting: Cabinet

Meeting date: 24th November 2022

Report by: The Statutory Scrutiny Officer

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose:

The purpose of this report is to notify the Cabinet of the recommendations from the Health, Care and Wellbeing Scrutiny Committee on Obesity in Herefordshire, made at its meeting on 23rd September 2022 and to request an Executive Response.

Recommendations

- a) That the recommendations on Obesity in Herefordshire made by the Health, Care and Wellbeing Scrutiny Committee at its meeting on the 23rd September 2022 be noted.
- b) That an Executive Response to the scrutiny recommendations be prepared for consideration by the Cabinet within two months.

Alternative options

None proposed; it is a statutory requirement for the Cabinet to be notified and consider reports and recommendations made by a scrutiny committee.

Key considerations

1. Scrutiny committees have statutory powers to make recommendations to the Executive, and the Executive (Cabinet) has a statutory duty to respond. They may also make reports and recommendations to external decision making bodies.
2. Scrutiny recommendations are addressed to the Cabinet, as the main Executive decision making body of the council (or, where appropriate, an external agency).
3. Cabinet is being asked to note the scrutiny report / recommendations and that an Executive Response to the scrutiny recommendations be prepared for consideration by the Cabinet within two months.
4. The minutes of the meeting of the scrutiny committee provide the record of the scrutiny committee's consideration of the issue and the scrutiny recommendations made during the meeting.
5. The scrutiny committee will be notified of the Executive Response made in respect to the scrutiny recommendations and may track the implementation of the Cabinet decisions and any actions agreed. This enables the scrutiny committee to track whether their recommendations have been agreed, what actually was agreed (if different) and review any outcomes arising.

Obesity in Herefordshire

6. On 23rd September 2022 the Health, Care and Wellbeing Scrutiny Committee considered the issue of Obesity in Herefordshire, with evidence from Councillor David Hitchiner – the Leader of the Council, council officers, including Matt Pearce - the Director of Public Health and Hilary Hall – Corporate Director for Community Wellbeing, NHS Partners from the Herefordshire and Worcestershire Integrated Care System (ICS), and expert witness Professor Paul Gately Carnegie Professor of Exercise and Obesity and Director of MoreLife Leeds Metropolitan University. The minutes of the meeting are available [here](#)¹.
7. There has been increased Government commitment over the past few years to preventing and tackling obesity through the Childhood Obesity Plan². The plan aimed to significantly reduce England's rate of childhood obesity within ten years and included such commitments as introducing a soft drinks levy, working with food producers to reduce sugar in foods and introducing food school standards. More recently, the Government further published a National Obesity Strategy in July 2020, which outlined actions the Government intended to take to tackle obesity and help adults and children to live healthier lives.
8. Herefordshire's County Plan includes a number of commitments that will contribute to reducing levels of obesity in Herefordshire through the three focus areas; Environment, community and economy. This includes actions to tackle climate change such as increasing active travel, utilising our natural resources more effectively, supporting communities and ensuring our children are healthy.
9. The Council provides a range of services and initiatives that support people with a health weight. Although Herefordshire does not have a specific Healthy Weight Strategy, its Joint

¹ <https://councillors.herefordshire.gov.uk/documents/g8823/Printed%20minutes%20Friday%202023-Sep-2022%2014.00%20Health%20Care%20and%20Wellbeing%20Scrutiny%20Committee.pdf?T=1>

² Childhood obesity: a plan for action - GOV.UK (www.gov.uk)

Health and Wellbeing Strategy³ includes a number of priority areas where reducing levels of obesity can make an important contribution to achieving these.

10. Background reports that set out the issue in more detail are available here:
<https://councillors.herefordshire.gov.uk/documents/s50103733/Appendix%20A%20for%20Obesity%20in%20Herefordshire.pdf>
11. These strategies are complemented by the NHS Long Term Plan⁴, which was published in 2019 and set outs specific actions to support people in managing their weight. This includes:
 - i). access to weight management services in primary care for people with a diagnosis of type 2 diabetes or hypertension with a BMI of 30
 - ii). Expanding the NHS Diabetes Prevention Programme over the next five years, including a new digital option
 - iii). Test an NHS programme supporting very low calorie diets for obese people with type 2 diabetes
 - iv). Take action on healthy NHS premises
 - v). Nutrition training, and an understanding of what is involved in achieving and maintaining a healthy weight, this currently varies between medical schools.
12. A new Health and Wellbeing Strategy is currently being developed and this will be published early 2023, as part of the development of the strategy the council will be reviewing our priorities for the future and this is planned to be considered in its development by the Health, Wellbeing and Scrutiny Committee, which may provide further evidence based suggestions and recommendations to the Cabinet, the Council and partners on this wider strategy next year.
13. The committee considered evidence and proposals from the Director of Public Health on the development of the strategies for obesity in Herefordshire, as well as expert evidence from Professor Paul Gately Carnegie, NHS partners and Healthwatch and endorsed proposal submitted for consideration along with further recommendations to be referred to Herefordshire Council's Cabinet and to NHS Herefordshire and Worcestershire Integrated Care Board for consideration.

Scrutiny Recommendations

14. At the end of its consideration of this issue, the committee made 15 recommendations to the Cabinet, as set out at Appendix 1 to this report⁵.

Procedure for Recommendations from Scrutiny Committees

15. Where scrutiny committees make reports or recommendations to the Cabinet, as soon as this has been confirmed, these will be referred to the Cabinet requesting an Executive Response. This will instigate the preparation of a report to Cabinet and the necessary consideration of the response, the technical feasibility, financial implications, legal implications and equalities implications etc.

³ Herefordshire Health and wellbeing strategy 2016

www.herefordshire.gov.uk/downloads/file/3677/health_and_wellbeing_strategy

⁴ NHS Long Term Plan. <https://www.longtermplan.nhs.uk/>

⁵ The order of recommendations may differ from the numbering of resolutions in the draft minutes of the committee.

16. Where scrutiny committees make reports or recommendations to full Council (e.g. in the case of policy and budgetary decisions), the same process will be followed, with a report to Cabinet to agree its Executive Response, and thereafter, a report will be prepared for Council for consideration of the scrutiny report and recommendations along with the Cabinet's Response.
17. Where scrutiny committees have powers under their terms of reference to make reports or recommendations to external decision makers (e.g. NHS bodies), where they do this, the relevant external decision maker shall be notified in writing, providing them with a copy of the committee's report and recommendations, and requesting a response.
18. Once the Executive Response has been agreed, the scrutiny committee shall receive a report to receive the response and the committee may review implementation of the executive's decisions after such a period as these may reasonably be implemented (review date).

Community Impact

19. In accordance with the adopted code of corporate governance, the council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review. Topics selected for scrutiny should have regard to what matters to residents. There has been a drive to improve the scrutiny function at Herefordshire, further to the Rethinking Governance review undertaken in 2021-2022.
20. The council's County Plan includes a number of commitments that will contribute to reducing levels of obesity in Herefordshire through the three focus areas; Environment, Community and Economy. This includes actions to tackle climate change such as increasing active travel, utilising our natural resources more effectively, supporting communities and ensuring our children are healthy.
21. The council's 2020/22 delivery plan prioritises tackling health and wellbeing inequalities. These conditions influence our opportunities for good health, and how we think, feel and act, and this shapes our mental health, physical health and wellbeing. They also impact on the care that people receive and the opportunities that people have to maintain wellbeing and lead healthy lives. Specific commitments aim to ensure all children are healthy, safe and inspired to achieve and improvements to the overall mental and physical health and wellbeing of residents of all ages with a more diverse and increased level of support that helps people to make healthy food and lifestyle choices.

Environmental Impact

22. There are no direct environmental impacts connected with this report or the outcomes it seeks to deliver. Initiatives and programmes to promote a healthy weight will likely have a positive impact on the environment e.g. food sustainability, reduced carbon admissions, increased active travel. This was considered in the consideration of this issue by the scrutiny committee.

Equality Duty

23. There are no specific equalities impacts.
24. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
25. A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

26. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

Resource Implications

27. There are no resource implications arising from this report, however, fulfilling the recommendations and considerations outlined in the report will require investment from the council and wider partners (e.g. Integrated Care Board) aligned with commissioning responsibilities. Funding for weight management services will need to come from the Public Health Ring Fence Grant. There will also be a requirements for increased staffing resource to oversee this work programme and co-ordinate across partners.
28. As part of the Covid-19 economic and recovery plan, the council invested £850,000 Government Grant funding in an initiative called Get Active. The aim of Get Active was to increase opportunities for individuals of all ages to become more active and experience new opportunities through culture and leisure facilities. The programme's focus was on supporting physical activity, in particular enabling inactive people to become more physically active through a combination of support to address barriers to participation and a diversification of opportunities to be more active, including improved infrastructure and access to green space. There are no plans in place to continue many of these initiatives.
29. Resource implications should be considered as part of the requested report to Cabinet on the Executive Response to the scrutiny recommendations.

Legal Implications

30. The council is required to deliver a scrutiny function.
31. There are no specific legal implications arising from this report.

Risk management

Risk / opportunity	Mitigation
There is a reputational risk to the council if the scrutiny function does not operate effectively.	The arrangements for the notification of recommendations from the scrutiny committees and agreement of an Executive Response should help mitigate this risk.

Consultees

The Cabinet Member for Health and Adult Wellbeing.

The Chairperson of the Health, Care and Wellbeing Scrutiny Committee.

Appendices

Appendix 1:- Recommendations of the Health, Care and Wellbeing Scrutiny Committee:
Obesity in Herefordshire.

Background papers

The draft minutes of the Health, Care and Wellbeing Scrutiny 23rd September 2022.

<https://councillors.herefordshire.gov.uk/documents/g8823/Printed%20minutes%20Friday%2023-Sep-2022%2014.00%20Health%20Care%20and%20Wellbeing%20Scrutiny%20Committee.pdf?T=1>

Obesity in Herefordshire, report to the Health, Care and Wellbeing Scrutiny Committee, 23rd September 2022.

<https://councillors.herefordshire.gov.uk/documents/s50103732/Obesity%20in%20Herefordshire%20main%20report.pdf>

Obesity in Herefordshire (Appendix to the main report to the Health, Care and Wellbeing Scrutiny Committee), 23rd September 2022.

<https://councillors.herefordshire.gov.uk/documents/s50103733/Appendix%20A%20for%20Obesity%20in%20Herefordshire.pdf>