

HEALTH SELECT COMMISSION
Thursday, 31st May, 2012

Present:- Councillor Steele (in the Chair); Councillors Barron, Beaumont, Burton, Dalton, Goult, Hoddinott, Kaye, Roche and Wootton.

Councillor Wyatt was in attendance at the invitation of the Chair.

Apologies for absence were received from Councillor Middleton, Richardson, Scholey, Victoria and Wells.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no members of the public or the press present at the meeting.

3. COMMUNICATIONS

The Chairman reported that a sponsorship form was being passed around for anyone wishing to sponsor representatives of Speak Up for a 26 mile walk.

It was also reported that an e-mail had been sent to Members with regard to the NICE Public Health Draft Guidance on Obesity. The Chairman and Vice-Chair had met and discussed putting forward positive comments.

Resolved:- (1) That the Chairman and Vice-Chair submit a positive response on behalf of the Select Commission.

(2) That a copy of the response be circulated to Select Commission Members.

4. MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting held on 19th April, 2012, were noted.

5. HEALTH AND WELLBEING BOARD

Councillor Wyatt, Cabinet Member for Health and Wellbeing, gave the following update:-

- The next Board meeting was on 6th June, the main item of business being the draft Health and Wellbeing Strategy. It would then be considered by Cabinet in June and be in place for the Clinical Commissioning Group (CCG) authorisation
- The CCG was undertaking examination of a number of documents in advance of the authorisation. There would also be a recruitment exercise for a Chief Officer for the CCG and other HR issues with regard to existing NHS staff

- HealthWatch was an extremely complicated issue. It was Rotherham's plan to have HealthWatch operating by October, 2012
- John Wilderspin, Department of Health, Health and Wellbeing Boards Implementation, had written stating he wished to visit Rotherham to look for examples of good practice. He wanted to attend a Board meeting to meet Board members, discuss the relationship between Select Commission, CCG and the wider health community

Discussion ensued with the following comments made/highlighted:-

- The Council's Audit Committee had considered the differing Risk Assessment arrangements between the NHS and Council. The Committee had recommended that there be named officers who were responsible for Risk Assessment and work to draw the 2 closer together
- There was a well established NHS Audit Committee
- Audit and governance, certainly in respect of CCG Audit Group, was 1 of the major documents which had to pass the test in order to achieve authorisation as well as having to demonstrate the strong working relationships between all the agencies in particular the Local Authority and Health
- The Local Authority Audit Committee Chair also chaired the Joint Audit Committee Group

Councillor Wyatt was thanked for his update.

6. WORK PROGRAMME 2012-13

The Chair presented the proposed work programme for 2012/13. In pulling together the programme, there needed to be a retrospective look at what had been achieved in 2011/12 with any outstanding issues carried forward. The main focus included development area projects with the Centre for Public Scrutiny and a review of Continuing Healthcare.

Discussions had already taken place with the Cabinet, Strategic Leadership Team and Select Commission Chairs to identify some strategic priorities for the work programme that would involve joint working across both the Executive and Select Commissions which included:-

- Fuel Poverty
- 11 most Deprived Areas
- Troubled Families
- Welfare Reform
- Role of local Members in their Communities
- Reducing Health Inequalities
- Special Educational Needs and announced Legislative Changes

At its meeting on 25th May, 2012, the Overview and Management Board had requested that a joint review of the Health and Improving Lives Select Commissions take place on Autistic Spectrum Disorder.

The review into Continuing Health Care was continuing and hoped to be completed by the end of July.

The Chair asked for suggestions from Members bearing in mind the restricted staffing resources that were now available:-

- Waiting times – operations, A&E – monitor trends
- Access to Health Services
- Sexual Health Services
- Commissioning
- Discharge Policy

Resolved:- That the Chairman and Vice-Chair report the above to the Overview and Management Board.

7. TOBACCO PLAIN PACKAGING CONSULTATION

Alison Iliff, Public Health Specialist, presented the consultation by the Department of Health on Standardised Packaging of Tobacco Products that would close on 10th July, 2012.

The purpose of the consultation was to seek the views of interested people, businesses and organisations on a policy initiative that would require the packaging of tobacco products to be standardised, the aim being to improve public health by reducing the use of tobacco. Any actions to take further policy action on tobacco packaging would be taken only after full consideration was given to consultation responses, evidence and other relevant information. Legislation would be required if it was decided to pursue a policy.

The following points were highlighted:-

- Standardised packaging was currently not in place anywhere in the world; Australia had passed Legislation and would come into effect as from 1st December, 2012
- The Government wanted to consult on whether the public felt it was a good idea, whether they felt it would reduce smoking/the uptake of smoking in young people and prevent relapses from those who had quit
- The Tobacco Control Alliance had responded to the consultation based on the template response produced by ASH (Action on Smoking and Health). However, the Alliance had felt it needed to question and comment on the evidence review that accompanied the consultation
- Although the Alliance supported the standardised approach, it felt manufacturers would find other ways to promote their product. It was suggested that Legislation should be considered to prevent the tobacco industry undermining the plain packaging
- A number of research studies had been undertaken giving standardised packets of cigarettes to smokers of all age groups with the results showing it would reduce the use of tobacco products. However, standardised packaging was not in place anywhere in the world and the

studies had not been able to replicate the fact that if everyone had a standardised package would it matter? Would it actually stop people smoking if there was no difference between all the packaging? The Alliance felt this had not been addressed or recognised and was a weakness

- Standardised packaging would take away the misunderstanding regarding the differing strengths of different cigarettes
- Plain packaging would not distract from the health warning but it should be larger type?
- The Alliance did not have anyone with the expertise in trade and competition law so had only responded based on what it had read
- The Alliance did not believe there would be any detrimental effect in the short term to packaging manufacturers as it would still need to be produced and manufactured. Longer term, if the Policy was introduced and succeeded in the way it was intended, then smoking would reduce and there would be an impact
- All cigarette packets contained an invisible embedded marking that Trading Standards and HRMC could detect with hand held devices. The marking would still be in place in plain packaging and, therefore, identification of counterfeit products should not be any less easy or more difficult than at present
- Cigarettes purchased abroad and then sold them on and duty tax avoided would be much easier to identify until Europe adopted the standardised packaging

Consideration was given to the consultation questions and the Tobacco Control Alliance's response as follows:-

Question 1 Which option do you favour?

Require standardised packaging of tobacco products together with an additional publicity campaign

Question 2 If standardised tobacco packaging were to be introduced would you agree with the approach set out in paragraphs 4.6 and 4.7 of the consultation?

Yes - as per Alliance response.

Question 3 Do you believe that standardised tobacco packaging would contribute to improving public health over and above existing tobacco control measures?

Yes - as per Alliance response.

Question 4 Do you believe that standardised packaging of tobacco products has the potential to:-

4a Reduce the appeal of tobacco products to consumers?

Yes. As per Alliance response plus Legislation to prevent advertising on clothes etc. or the effect of standardised packaging would be negated.

Question 4b Increase the effectiveness of health warnings on the packaging of tobacco products?

Yes - As per Alliance response.

Question 4c Reduce the ability of tobacco packaging to mislead consumers about the harmful effects of smoking?

Yes - as per Alliance response.

Question 4d Affect the tobacco-related attitudes, beliefs, intentions and behaviours of children and young people?

Yes - as per Alliance response.

Question 5 Do you believe that requiring standardised tobacco packaging would have trade or competition implications?

No - as per Alliance response plus wish to see trends reduce.

Question 6 Do you believe that requiring standardised tobacco packaging would have legal implications?

No - as per Alliance response.

Question 7 Do you believe that requiring standardised tobacco packaging would have costs or benefits for manufacturers, including tobacco and packaging manufacturers?

Yes - as per Alliance response.

Question 8 Do you believe that requiring standardised tobacco packaging would have costs or benefits for retailers?

Yes - as per Alliance response.

Question 9 Do you believe that requiring standardised tobacco packaging would increase the supply of, or demand for, illicit tobacco or non-duty-paid tobacco in the United Kingdom?

Yes. Harder to distinguish - a hologram to show it was an illegal product.

Question 10 People travelling from abroad may bring tobacco bought in another country back into the United Kingdom for their own consumption, subject to United Kingdom customs regulations. This is known as 'cross-border shopping'. Do you believe that requiring standardised tobacco packaging would have an impact on cross-border shopping?

No - as per Alliance response.

Question 11 Do you believe that requiring standardised tobacco packaging would have any other unintended consequences?

No - as per Alliance response.

Question 12 Do you believe that requiring standardised tobacco packaging should apply to cigarettes only or to cigarettes and hand-rolling tobacco?

Both cigarettes and hand-rolling tobacco.

Question 13 Do you believe that requiring standardised packaging would contribute to reducing health inequalities and/or help us fulfil our duties under the Equality Act 2010?

As per Alliance response.

Question 14 Any comments

Question 15 Further comments on tobacco packaging that you wish to bring to our attention

As per Alliance response

Resolved:- That a response be made on behalf of the Select Commission on the lines indicated above.

8. REPRESENTATION ON WORKING GROUPS/PANELS

Resolved:- That the Select Commission's representatives for the 2012/13 Municipal Year be as follows:-

Health, Welfare and Safety Panel
Councillor Wootton
Councillor Dalton (substitute)

Recycling Group
Councillor Beaumont

9. DATE AND TIME OF FUTURE MEETING:-

Resolved:- That the next meeting be held on Thursday, 12th July, 2012 commencing at 9.30 a.m.