

Reference: FOI.ICB-2223/128

Subject: BNSSG GP Practices

I can confirm that the ICB does hold the information requested; please see responses below:

QUESTION	RESPONSE
<ol style="list-style-type: none">1. Which surgeries are Doctor owned2. Receive Notional Rent3. Notional Rent Review dates	<p>1. There are 77 premises in BNSSG which receive notional rent, this includes branch surgeries in addition to main practice sites. The ICB cannot disclose the names of the practices and the reason for this is outlined below.</p> <p>The ICB considers that disclosure of the response to the questions would prejudice the commercial interests of the ICB and has therefore applied Section 43(2). Section 43(2) exempts information whose disclosure would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity). Section 43(2) is a qualified exemption and therefore subject to the public interest test.</p> <p>Where premises for delivery of Primary Medical Services are owned by Primary Medical Service contract holders, the NHS Premises Cost Directions 2013 (section 41 and 42) state that reimbursement of Notional Rent should be made by Commissioners. The determination of rental values has a direct impact on ICB budgets as the ICB is the commissioner of these services and is responsible for reimbursement</p>

of Notional Rents. Therefore the ICB has a direct commercial interest in the rental values.

In order to determine the Current Market Rent (CMR) of a premise, the ICB instructs the District Valuers Office (DV) to undertake a review of CMR. The determination on the rental value is sent to the ICB, who in turn sends this to the respective Practice. CMR reviews take place as part of a regular three-yearly cycle in accordance with regulations and when a CMR determination is provided, confirmation of acceptance from the practice is requested within a short time period to ensure that ICB budgets remain accurate and that practices are receiving the correct notional rent for their premises.

Practices can appeal the CMR and in order to do this must instruct an agent to act on their behalf. The practices have the right to appeal a CMR determination at any point.

The ICB believe that disclosure of the CMR review dates and the associated practice names would be commercially advantageous for the agents who offer this service and would result in an increased number of practices seeking appeals.

The ICB recognises the right of the practices to appeal the CMR, and non disclosure of the notional dates does not infringe on this right of appeal. However, the ICB has reason to believe that by disclosing the notional dates, practices may be approached by agents who will encourage practices who may not have appealed to do so.

	<p>Increased numbers of appeals would result in cost pressures for the ICB as the ICB pays additional costs to the DV to respond to appeals. There is also a concern regarding staff resource who would be supporting appeals processes rather than supporting other areas of primary care. The ICB believes it is in the best interest of the public for primary care budgets to be utilised in the best way to support primary care, patients and the public. It is also important that NHS staff are able to direct their efforts to other work programmes to support primary care services.</p> <p>The ICB has considered whether the practice notional rent review dates are of interest to the wider public and although the wider public may have an interest in understanding how public funding is spent to support GP Practices, the ICB does not believe that the dates of rents reviews are of interest to the wider public. The ICB believes that the only parties interested in the notional rent review dates would be the agents that the GP Surgeries may hire to support any appeal applications.</p>
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The information provided in this response is accurate as of 19th December 2022 and has been approved for release by David Jarrett, Director of Primary and Integrated Care for NHS Bristol, North Somerset and South Gloucestershire ICB.