

WEST DEVON OVERVIEW AND SCRUTINY (EXTERNAL) COMMITTEE



Minutes of a meeting of the **West Devon Overview and Scrutiny (External) Committee** held on **Tuesday, 2nd August, 2016 at 2.00 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Sellis
Vice Chairman Cllr Cloke

Cllr Cheadle
Cllr Jory
Cllr Leech

Cllr Pearce
Cllr Sheldon
Cllr Stephens

In attendance:

Councillors:
Cllr Edmonds
Cllr Moody
Cllr Moyse

Cllr Musgrave
Cllr Parker
Cllr Yelland

Officers:

Head of Paid Service
Lead Specialist – Place & Strategy
Specialist – Community Safety, Safeguarding and Partnerships

11. **Apologies for Absence**
***O&S(E) 11**
Apologies for absence were received from Cllrs K Ball, A Roberts and L Watts. Apologies were also received from Cllrs R E Baldwin and L Samuel in their capacity as lead Hub Committee Members.
12. **Confirmation of Minutes**
***O&S(E) 12**
The minutes of the Meeting held on 14 June 2016 were confirmed and signed by the Chairman as a correct record, subject to introductory point 6 under Minute *O&S(E) 6 'Joint Local Plan Update' being amended to read:

'a public consultation exercise that would commence on 1 July 2016.'

13. **Declarations of Interest**

***O&S(E) 13**

Members and officers were asked to declare any interests in the items of business to be considered during the course of this meeting, but there were none made.

14. **Public Forum**

***O&S(E) 14**

The Chairman informed that there had been one issue raised for this meeting in accordance with the Public Forum:

Issue raised by Mr Kevin Eady:

"The out-of-hours GP clinic at Tavistock hospital is to cease from the 1st October 2016. This decision was taken in such a way that practically no-one in Tavistock knew about it before the decision was announced. Even the announcement was easy to miss. None of the GP surgeries in Tavistock, Yelverton, Bere Alston and Lifton were directly consulted by the CCG. Nor were the trades unions of the workforce involved.

The staff discovered their intended redundancy on-line, not even in a face-to-face meeting with anybody. The general public were, and most still are, completely unaware of what was being proposed.

Similar proposals are being rolled out across Devon, in Okehampton, Bideford, Tiverton, Honiton and elsewhere. This is all being carried out with the same degree of secrecy and subterfuge. The pretence may be that of increased efficiency and streamlined services, but we all know that the underlying reason is simply lack of funding from central government. The reality will be that many patients will either present themselves for treatment later than they should, fail to present at all, have great difficulty in attending clinics in either Okehampton or Plymouth, or may find the cost prohibitive or punitive. The knock-on adverse health effects are impossible to quantify accurately, but can be imagined.

The NEW CCG may think it has followed the letter of the law in terms of consultation, but a quick stroll through Tavistock talking to passers-by would soon convince you that any supposed consultation was complete sham. Or maybe it was merely overlooked by busy people.

Is there any justification for the way in which these decisions have been arrived at, for the lack of accountability and for the underhand nature of the decision-making process?"

Having read his question, Mr Eady proceeded to inform that, in the space of two and a half hours recently, 330 signatories had put their name to a petition urging for the out of hours clinic to be retained. Furthermore, not one person canvassed felt the proposals were a good idea.

At this point, the Chairman informed that Ms Rachael Crawley (Assistant Contract Manager, NHS England South Region, South West) was in attendance at this meeting in accordance with agenda item 7 below (Minute *O&S(E) 16 below refers). As a consequence, it was the Chairman's intention for these issues to be raised under agenda item 7 and, at that point of the meeting, she would enable Mr Eady a further opportunity to address the Committee.

15. **Hub Committee Forward Plan**

***O&S(E) 15**

The most recent (published June 2016) Hub Committee Forward Plan was presented for consideration. In so doing, the Head of Paid Service informed that an additional agenda item would be added to the Plan for the Hub Committee Meeting on 1 November 2016 in relation to the Heart of the South West Devolution Bid.

16. **NHS England Representative to attend (Rachael Crawley)**

***O&S(E) 16**

As highlighted in the Public Forum session (Minute *O&S(E) 14 above refers), Ms Crawley was in attendance at this meeting to address the Committee and respond to Member questions. In addition to Mr Eady's submission, the following questions had been received in advance from Council Members:

Questions from Cllr Robert Oxborough:

1. *Is the Devon Doctors service being withdrawn?*
2. *If so, what arrangements will be in place to provide out of hours GP cover in WD?*
3. *In the event that the service is withdrawn, will there be additional community nurse support provided from the outset (current community nursing staff appears to be at capacity).*

Questions from Cllr Neil Jory:

1. *There has clearly been considerable pressure on social care budgets and spending in recent years and much publicity about the adverse knock-on effect that this has had on the NHS and its ability to deliver services. This situation is likely to have the greatest impact on the most vulnerable members of our society - those who are elderly, homeless, learning disabled, alcoholic, drug dependent and have low incomes. Can you tell me what is being done to protect those members of our community from these pressures?*
2. *The answer to the problem outlined in my previous question is widely promoted as being the delivery of integrated health and social care (through the Better Care Fund). Can you tell me what progress has been made towards the integration of health and social care services in this area?*
3. *There has also been considerable publicity over the financial pressures on Doctors' surgeries in recent years. My understanding is that the vast majority of income for surgeries comes from commissioned services funded by the NHS. Can you outline the*

extent to which surgeries are subject to audit - both in terms of their financial management and the delivery of commissioned services - to ensure that public funds are being properly accounted for and to ensure that patients are receiving the level of care and services that are being funded?

4. *What effect, beneficial or otherwise, is political devolution and the proposed creation of the Heart of the South West authority likely to have on the delivery of NHS services in this area?*

In responding to all of the questions received in advance, Ms Crawley made particular reference to:-

- (a) lessons learned from the closure of the surgery of the Ockment Centre, Okehampton. Ms Crawley advised that a number of lessons had been learned from this closure including the need to involve and consult with local authorities and local ward Members from the offset. Specifically regarding the closure of the Ockment Centre, the Committee was advised that this decision had been taken since it was not considered to be financially viable moving forward;
- (b) the relationship between NHS England and the NEW Devon CCG. Ms Crawley made the point that a number of the advanced questions that had been submitted were in fact the responsibility of the NEW Devon CCG (e.g. the commissioning of out of hours care provision). A detailed and lengthy debate ensued during which it was apparent that there was a lack of clarity and great confusion around the different roles and the relationship between the NHS England and the NEW Devon CCG. The Member frustrations were echoed by members of the public who were present and, at the discretion of the Chairman, Dr Gude was invited to address the Committee. In so doing, Dr Gude read the following statement:

'I am Dr Gude, who was a GP here for 25 years. Thank you for coming here to answer our questions. I want to ask about something that you are not directly responsible for but wish you to take back to NHS England.

Simon Stevens, as Head of NHS England, is responsible for the health service in England. The CCG's are responsible for commissioning health care and their actions are the responsibility of NHS England.

- 1. Will you take back to NHS England the very strong feelings of local people about the outrageous action of the CCG to cut back out of hours services without any local consultation either with the Council, the local GPs or the public?; and*
- 2. Will you be able to persuade NHS England to send a directive to the CCG to put the changes on hold so that appropriate local discussions can take place?*

When the CCGs were created as a result of the Health and Social Act being passed in 2011, it was said that power would be passed to GPs. This has obviously not happened since local GPs were not consulted.'

Specifically regarding this statement, Ms Crawley assured Dr Gude that she would ensure that these comments are relayed accordingly.

In reflecting the frustrations of the meeting, the Chairman made the formal request that NEW Devon CCG representatives should be invited to a future meeting. Furthermore, in light of the tight time constraints associated with a number of these issues, it was felt that this would need to be a special meeting that was organised at fairly short notice. The Committee endorsed these sentiments and felt that the representatives would be in a better position to both respond to a number of the questions raised in advance and highlight the role of the organisation and how it fitted into the wider public health agenda;

- (c) the need for a pro-active approach to be taken to care planning was recognised and welcomed by the Committee;
- (d) the funding for GPs surgeries being based upon the numbers registered and the consequent age and gender profile. However, Ms Crawley proceeded to inform that there had been a recent move to standardise the payment for all GP surgeries, which would result in smaller surgeries benefiting more than larger practices. In respect of audit requirements and spending reviews, the importance of these were recognised by NHS England, but there was also felt to be a balance to be struck to ensure that these were undertaken in a proportionate manner.

In concluding the agenda item, the Chairman thanked the Members and the public who had contributed to this agenda item. In addition, the Chairman thanked Ms Crawley for her attendance and responses but felt that this item had unearthed a number of issues that required the further detailed consideration of the Committee.

17. **Joint Local Plan Update**

***O&S(E) 17**

The Place and Strategy Lead Specialist and lead Hub Committee Member provided a verbal update on the Joint Local Plan. In so doing, the following points were raised:-

- Members noted that progress continued to be swift and the Council was currently midway through the consultation exercise (deadline being 12 August 2016). In respect of the consultation process, public meetings had already been held in Okehampton and Tavistock and the Locality Officers were raising awareness in the rural areas.
- To date, it was noted that 108 comments had been received by the Council that related to either West Devon or South Hams from 93 respondents, with only a few of these raising outright objections to the proposals. Of particular interest in these responses, Tavistock Town Council had expressed its concerns over the continued reliance on the sites at Callington Road and Plymouth Road. The lead Hub Committee Member informed that he too shared some of these concerns and officers were currently looking into this matter.

Several objections were raised by landowners who had wished to promote their own sites as an alternative and each of these would be discussed with the relevant local ward Member(s). Finally, a number of concerns had been raised from Okehampton and the overriding concerns were related to the scale of proposed development in the town. However, a number of sites had been allocated via the adopted Core Strategy and planning permissions already granted;

- For clarity, it was noted that reference in the initial published consultation document to the New Launceston Road site was an error. In apologising for the confusion arising from this mistake, the lead Hub Committee Member confirmed that the consultation documents had been updated and all relevant parties notified accordingly;
- Since this was the last Committee meeting before the Place and Strategy Lead Specialist left the employ of the Council, the Lead Hub Committee Member confirmed the transitional arrangements that were in place and proceeded to thank the officer for his exemplary service and wished him every success for the future. On behalf of the Committee, the Chairman endorsed these sentiments.

In the ensuing debate, reference was made to:-

- (a) housing needs evidence. With regard to housing needs evidence being required by Neighbourhood Planning Groups, officers agreed to circulate a link to the consultants' report to the wider membership. Furthermore, it was agreed that a copy of the proposed timetable for the Joint Local Plan would also be circulated to all Members;
- (b) allocating housing in villages. The lead Member informed that a decision was still to be made in relation to how housing would be specifically allocated to villages. It was noted that the Council could either leave the villages themselves to determine how the total allocation was divided or they could be specifically allocated via the Joint Local Plan. Whilst there were advantages and disadvantages to both options, Members were advised that a decision had yet to be reached;
- (c) the merits of adopting a Neighbourhood Plan. When questioned, the lead Member stated that the Council would work with Neighbourhood Planning Groups to ensure that there was commonality and close linkages with the contents of the Joint Local Plan. In respect of those parishes without a Neighbourhood Plan, it was confirmed that the Council would leave the option available for them to produce a Development Plan Document in the future (if they so wished);
- (d) the predominantly IT based consultation exercise. Whilst some concerns were raised that there was too great an emphasis on IT during the consultation process, other Members were of the view that it was appropriate in this instance.

O&S(E) 18

(a) Partnership Review

The Committee considered a report that set out the summary outcomes from the work of the Partnership Task and Finish Group.

In so doing, reference was made to:

- (a) the importance of the CAB. A number of Members highlighted the key role played by the CAB and made the point that they would be strongly against the Council reducing its annual financial contribution to this partner;
- (b) the local Liaison Groups related to Okehampton and Tavistock. In making reference to the lack of clarity around the local Liaison Groups, the Committee recognised that this was an area of the review that was still to be concluded;
- (c) providing regular feedback. The Committee emphasised the comments raised by the Task and Finish Group whereby partners and outside bodies should be reminded and strongly encouraged to provide regular feedback to the Council;
- (d) the partnership register. As a live and evolving document, the importance of the partnership register being kept up to date and regularly monitored was highlighted;
- (e) the business plans to be submitted by the CAB and CVS. In light of the expectations already placed upon them by the task and finish group, some Members felt that the production of a business plan was an unnecessary and onerous expectation on the CAB and CVS. In contrast, other Members felt that it was an important piece of work to establish the value for money that the Council was receiving and did not feel it would need to be an extensive piece of work. In addition, depending on the content of the business plan, officers may feel that there was no need for CAB or CVS representatives to attend the special meeting at which this piece of work would be presented to the Committee.

In conclusion, a number of Members wished to put on record their gratitude for the work undertaken by the Task and Finish Group and lead officers in this respect.

It was then:

RECOMMENDED

That the Hub Committee **RECOMMEND** to Council that:-

1. the Partnership Policy (as outlined at Appendix 1 of the presented agenda report) and Guidance (as outlined at Appendix 2 of the presented agenda report) be adopted;
2. the Partnership Register (as outlined at Appendix 3 of the presented agenda report) be adopted;

3. the review and recommendations of the Task and Finish Group (as outlined at Appendix 4 of the presented agenda report) be agreed;
4. Partnerships be retained at current financial levels for 2017/18, subject to any financial modifications set out in Appendix 4 of the presented agenda report and/or any changes required pursuant to recommendation 5 below;
5. those significant partners identified in paragraph 3.7 (CAB and CVS) be invited to submit a business plan to the Overview & Scrutiny (External) Committee before the end of September 2016 setting out:
 - o What they would spend the funding on;
 - o How it will benefit residents;
 - o Links to Council's Strategic Priorities;
 - o What value for money it will provide; and
 - o What success measures they would use.
6. new (or updated) partnership agreements be established for 2017/18 onwards establishing clear outcomes relating to Our Plan themes and, where appropriate, the Locality work to ensure co-ordinated delivery for communities; and
7. alongside this, a further financial and governance review be undertaken to identify the most appropriate delivery options aligned to financial and procurement procedures once a decision on the Local Authority Controlled Company is confirmed.

19. **Committee Decisions Log**

***O&S(E) 19**

The latest version of the Committee decisions log was presented to the meeting.

Whilst acknowledging that attempts had been made by the Council's Communications Team to ask the office of Mel Stride MP to retract a misleading article in the local press, a Member expressed his concerns that this had proven to be unsuccessful. Although the Committee had some sympathy with these frustrations, a number of Members felt that this matter was outside the remit of the Committee and it should therefore be closed.

RESOLVED

That the published Decisions Log be noted.

20. **Annual Work Programme 2016/17**

***O&S(E) 20**

The Committee considered its draft 2016/17 Work Programme and made reference to the following comments, additions and amendments:-

- (a) Following the discussions during agenda item 7 above (Minute *O&S(E) 16 above) Members were reminded of the decision to schedule into the diary an additional Special Committee meeting;

(Post meeting note: this additional meeting was scheduled to take place on Monday, 26 September at 2.00pm).

- (b) With regard to the Police and Crime Commissioner agenda item on 11 October 2016, the Chairman urged Members to begin to give consideration to any questions that they would like to raise in advance of this meeting.

The Meeting concluded at 4.15 pm

Signed by:

Chairman
