

NOT YET ENDORSED AS A CORRECT RECORD

Pharmacy Practices Committee (08)

Minutes of a Meeting held on
Thursday 4th November 2010 in
The Eagle Lodge, 2 Hilton Road, Bishopbriggs
Glasgow G64 2PN

PRESENT:	Dr Catherine Benton	Vice Chair
	Mrs Maura Lynch	Lay Member
	Mr William Reid	Deputy Lay Member
	Mrs Kay Roberts	Deputy Non Contractor Pharmacist Member
	Mr Gordon Dykes	Contractor Pharmacist Member

IN ATTENDANCE:	Trish Cawley	Community Pharmacy Development Supervisor
	Richard Duke	Contracts Manager – Community Pharmacy Development
	Councillor William O'Rourke	Deputy Lay Member - observing
	David Thomson	Deputy Lead - Community Pharmacy Development

Prior to the consideration of business, the Chair asked members to indicate if they had an interest in any of the applications to be discussed or if they were associated with a person who had a personal interest in the applications to be considered by the Committee.

ACTION

The Chair firstly welcomed Councillor William O'Rourke, new Deputy Lay Member to his first Pharmacy Practices Committee. Councillor O'Rourke was attending as an observer only.

1. APOLOGIES

There were no apologies

2. Section 1 – Applications Under Regulation 5 (10)

Case No: PPC/INCL05/2010

Mr Sanjay Majhu, Unit F, Lomond Drive, Bishopbriggs, Glasgow, G64 3BY

The Committee was asked to consider an application submitted by Mr Sanjay Majhu to provide pharmaceutical services from premises situated at Unit F, Lomond Drive, Bishopbriggs, Glasgow, G64 3BY under Regulation 5(10) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 as amended.

The Committee had to determine whether the granting of the application was necessary or desirable to secure the adequate provision of pharmaceutical services in the neighbourhood in which the Applicant's proposed premises were located.

The Committee, having previously been circulated with all the papers regarding the application from Mr Sanjay Majhu agreed that the application should be considered by oral hearing.

The hearing was convened under paragraph 3 (2) of Schedule 3 to the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 as amended (“the Regulations”). In terms of this paragraph, the PPC “shall determine an application in such a manner as it thinks fit”. In terms of Regulation 5(10) of the Regulations, the question for the PPC is whether “the provision of pharmaceutical services at the premises named in the application is necessary or desirable to secure adequate provision of pharmaceutical service in the neighbourhood in which the premises are located by persons whose names are included in the Pharmaceutical List.”

The Applicant was represented in person by Mr Sanjay Majhu (“the Applicant”), assisted by Mr Harminder Shergill. The Interested Parties who had submitted written representations during the consultation period and who had chosen to attend the oral hearing were Mr Martin Green (Milton, Auchinairn and JF Forbes Pharmacies) and Mr Fraser Frame (Wm Morrison Pharmacy) (“the Interested Parties”).

Prior to the hearing, the Panel had collectively visited the vicinity surrounding the Applicant’s proposed premises, existing pharmacies, GP surgeries and facilities in the immediate area and surrounding areas of: **Kirkintilloch Road, Meadowburn, Hilton Road, Springburn Drive, Lomond Drive, The Triangle Centre and surrounding shops within Bishopbriggs, Springfield Road, Menteith Avenue, Woodhill Road, West Cleddens Road, the railway line and South Crosshill Road.**

The Committee noted that the premises were constructed and the pharmacy had been fitted out sufficiently to gain registration with the General Pharmaceutical Council but was not open for services to the general public.

The Chair addressed those attending and asked for their confirmation that their status was not as a counsel, solicitor or a paid advocate. All attending confirmed that their status had not changed.

The procedure adopted by the PPC at the hearing was that the Chair asked the Applicant to make his submission. There followed the opportunity for the Interested Parties and the PPC to ask questions. The Interested Parties were then asked to make their submission in turn. There followed the opportunity for the Applicant and the PPC to ask questions of each of the Interested Parties. Finally, the Interested Parties and the Applicant were then given the opportunity to sum up.

The Applicant’s Case

Mr Majhu commenced his presentation by thanking the Committee for inviting him to attend the hearing and to present his case to open a pharmacy at Unit F, Lomond Drive, Bishopbriggs.

Mr Majhu asked the Committee to consider the application with regards to the legal test and referred the Committee and the Interested Parties to the map of his defined neighbourhood.

The Chair advised Mr Majhu the map had not been made available to anyone prior to this hearing and after discussions around the table, the map was copied and distributed to the Committee and Interested Parties.

Thereafter Mr Majhu continued to describe his defined neighbourhood within the following boundaries:-

North: going along the Forth and Clyde Canal;

West: going south along the Bishopbriggs Burn;

South: across Kirkintilloch Road, along South Crosshill Road and along Wester Cleddens Road until the railway line.

East: following the railway line and along Westerhill Road, including High Moss Industrial Estate

North: crossing Kirkintilloch Road and along Cadder Road until it meets the Forth and Clyde Canal.

Mr Majhu stated that present in the immediate vicinity there was: a newsagent, a chip shop, an off licence, a grocery shop, a hairdressers and a post box. He advised that there was ample free on-street parking available close to the premises and that these shops were used by the residents of his neighbourhood as part of their daily business. He added that this neighbourhood also included four primary schools, a sports centre, a church and the premises where this meeting was being held, the Eagle Lodge Hotel.

Mr Majhu went on to discuss the existing pharmaceutical services and the adequacy of current provision to the neighbourhood. He noted that Boots had applied for NHS services at their premises in the Strathkelvin Retail Park and he had purposely left this area out from his neighbourhood as he believed the visitors to the park will not be local, and would not affect the services within Bishopbriggs. He believed that the patients in his neighbourhood would not visit the park for their pharmaceutical needs, which was supported by: Bishopbriggs Community Council Planning and Special Projects Convener and David Whitton, MSP.

Mr Majhu explained to the Committee the nearest existing pharmacies were located 1 mile away in the Bishopbriggs town centre, namely: JF Forbes, Boots and Morrisons. He explained that parking was a continuing problem for patients visiting these chemists. He explained that Morrison's customers had specific ground floor access to the Triangle car park. Residents visiting JF Forbes and Boots pharmacies were required to park on the upper level of this car park which was more difficult for their customers. He also advised of a car park at the end of Kenmure Drive, which was busy and the walk up to the Triangle shopping area was uphill and unsuitable for the disabled and elderly. Mr Majhu stated the Council have attempted to make this an easier journey; however it was still an uphill struggle.

Mr Majhu advised the level of pollution caused by the high volume of traffic was also a big issue for the Bishopbriggs town centre. He advised that this area had been highlighted as one of the worst in Scotland and he understood the Council were looking at options to combat this issue. He added that the creation of a new large superstore in the town centre currently being planned, would only add to traffic and parking problems, which would further impede on accessibility to the existing pharmaceutical provision.

Mr Majhu advised that the GP practice at Hilton Terrace, which was close to his proposed premises. This practice was a branch surgery of Auchinairn Medical Practice and they had recently decided to reduce their opening hours to mornings only. He explained that this reduced the availability of medical services within the neighbourhood and therefore the presence of a pharmacy was even more important to the neighbourhood's residents, particular with the Minor Ailment and Chronic Medication Services now available.

Mr Majhu said he was aware that the Local Councillor had spoken to some of her constituents about his application and had found that she supported the view that this application was necessary and desirable to the neighbourhood and that a prescription delivery service was no substitute for face to face contact with a pharmacist.

Mr Majhu said the award of this contract would secure patient access to the provision of both current and future pharmaceutical services if the Committee takes into consideration the changes in pharmaceutical practice over recent years through the introduction of Minor Ailment Service, Chronic Medication Service, Public Health Service and the generally expanding role of the pharmacist.

Mr Majhu explained he planned to open a modern looking pharmacy in keeping with his other NHS contracted pharmacies, which would provide comprehensive pharmaceutical services covering all aspects of the Pharmacy Contract. He listed the specific services to be provided as: dispensing of NHS prescriptions; Private and Veterinary prescriptions; advice and consultations; Emergency Hormonal Contraception, Nicotine Replacement Therapy, Minor Ailment Service, Public Health Service, Screening for diabetes, blood pressure reading, cholesterol testing, health promotion, stoma appliances, methadone supervision and weekly dossette tray filling.

Mr Majhu summarised his case by stating that since the pharmaceutical service to the population within the neighbourhood was not adequate, the question was, is it necessary or desirable to grant the application in order to make the services adequate. He pointed out that it was a different question from, was it convenient as could be argued it was always convenient to have a pharmacy on the population's doorstep. He did however; believe it was necessary to grant this application in order for the pharmaceutical services in the neighbourhood to be considered adequate. Accordingly, he asked the Committee to approve the application.

The Interested Parties Question the Applicant

In response to questions from **Mr Green** regarding the southern boundary of his neighbourhood, Mr Majhu advised that South Crosshill Road was defined as this was a boundary for traffic who wished to avoid the town centre congestion.

In response to further questions from Mr Green, the Applicant advised that there were four primary schools in the neighbourhood: Balmuildy; West Cleddens; St Mathews and Meadowburn. He agreed that the secondary school, Thomas Muir was not in the neighbourhood.

In response to an additional question from Mr Green, Mr Majhu said that he did not believe

that the gradient from Hilton Road to Lomond Drive was as steep as the hill at the car park at the back of Bishopsgate.

In response to a further question from Mr Green, Mr Majhu said that he understood the new supermarket in the town centre would have 500 additional car parking spaces, which would mean more cars using the Kirkintilloch Road and therefore increased congestion.

In response to a question from Mr Green on methadone services, the Applicant said that he did not believe there would be much demand for the service, he would need to provide it but did understand residents concerns.

In response to further questions from Mr Green, Mr Majhu confirmed that his defined neighbourhood did not have a publically recognised name as a specific area but the sports centre within the neighbourhood was known as Bishopbriggs Sports Centre.

In response to a series of questions from Mr Green about the neighbourhood shops, Mr Majhu advised there was a newsagent, off licence and grocer offering a full retail experience to satisfy resident's daily needs. He recognised that Asda was within his neighbourhood, and a much bigger store, but the local shops provided an easy access to the Lomond Drive area community. He did not agree that Asda would be more convenient and that most residents of the neighbourhood needed to pass Asda to get to Lomond Drive. He also believed that 80% of residents from the Meadowburn area would use this parade of shops.

In response to questions from **Mr Fraser** about the Applicant's southern neighbourhood boundary, Mr Majhu clarified that this had been chosen because of the town centre's major traffic congestion issues. He did not agree with the railway line as the southern boundary defined by Area Pharmaceutical Committee, CP Subcommittee.

In response to a series of questions from Mr Fraser, Mr Majhu advised that there were no dedicated car parking spaces outside his proposed pharmacy but he added there were 6 spaces immediately in front of the parade of shops with ample additional spaces for 25 to 30 cars in and around surrounding streets. He confirmed there were no dedicated spaces for the disabled or parent and child.

In response to further questions from Mr Fraser, the Applicant said he was not aware that there had been any complaints concerning the inadequacy of current pharmaceutical services provided by the existing pharmacies within the area. However, he believed residents wished to have a pharmacy in this parade of shops because some had problems travelling into the town centre to access services.

In response to a question from Mr Fraser, Mr Majhu said he suspected that the majority of the neighbourhood's residents currently shopped in either Asda or at the town centre.

In response to further questions from Mr Fraser, Mr Majhu confirmed that the proposed pharmacies opening hours would be 9am to 6pm – Monday to Saturday. He suspected that outside these hours, residents may use the pharmacy facility in Morrisons.

In response to a final question from Mr Fraser, Mr Majhu accepted that congestion was not

part of the legal test but it was an important consideration to take into account.

The PPC Question the Applicant

In response to questions from **Mr Reid**, Mr Majhu advised that there were between 4,000 to 4,500 residents within his defined neighbourhood, which had been identified from statistics that estimated the Bishopbriggs population at 23,000.

In response to a further question from Mr Reid, the Applicant accepted that the town centre was acceptable once you had got there but the problems were dealing with the congestion to get there.

In response to a question from Mr Reid about the possible viability effect on existing pharmacies, Mr Majhu said that there may be minor changes to prescriptions numbers but pointed out that patients also visited a pharmacy for other healthcare services like the Minor Aliment Service.

In response to final questions from Mr Reid, Mr Majhu said that he did not accept that residents from his neighbourhood would say they came from Bishopbriggs, he believed that they would refer to the street names where they lived.

In response to questions from **Mrs Lynch**, Mr Majhu advised his application was made because he believed that the residents of the neighbourhood were finding it increasingly difficult to access services. Although 70% of the population had access to a car their journeys were getting more difficulty as the traffic congestion was getting worse, which he said was the same for the remaining 30% who had no cars.

In response to final questions from Mrs Lynch, Mr Majhu explained that the pharmacy would be fully refitted before opening, which would offer state of the art facilities to customers. Methadone services would be offered as this was part of the Pharmacy Contract but he did not think there would be much demand for it.

Mr Thomson intervened at this point to clarify that Methadone supervision was not part of the Pharmacy Contract but was an Additional Service, which required separate authorisation.

In response to questions from **Mrs Roberts**, Mr Majhu advised that Asda did not offer pharmaceutical services. He believed customers had mixed views over accessing these services from a supermarket or from an independent pharmacy, some liked them and others preferred a pharmacy.

In response to questions from **Mr Dykes** concerning possible changes to traffic volumes following the opening of the Lenzie by-pass, Mr Majhu said he did not see this having any positive impact on the traffic using the Kirkintilloch Road as there was already an option to use the M80. He believed the congestion situation will get worse with the opening of the new supermarket.

In response to questions from **Dr Benton**, Mr Majhu confirmed that he intended to offer a collection and delivery service but stressed that it was more important to be able to provide

patients with a face to face service from a pharmacist.

In response to a further question from Dr Benton regarding the availability of bus services in the premises immediate area, Mr Majhu advised that there was a bus stop across from Lomond Drive on Balmuildy Road but he added there was bus stops all over the locality.

In response to a final question from Dr Benton, Mr Majhu said that he had believed that he was required to provide a supervised methadone service but now understood he would have to apply separately for authorisation. Consequently he could confirm that as the local population did not want it, he would not offer the service.

There were no questions to Mr Majhu from Mr Thomson.

The Interested Party's Case, Mr Frame Wm Morrison Pharmacy

Mr Frame thanked the Committee for the opportunity to present his case. He stated that this application was not necessary or desirable as there was no inadequacy of pharmaceutical services within Bishopbriggs.

Mr Frame said he agreed with the neighbourhood previously defined by Area Pharmaceutical Committee CP Subcommittee as follows:

North: the canal;

West: open ground;

East: open ground;

South: follow railway line down to Springburn Road at Auchinairn Road cross Colston Road up open ground on east of Ashgill Road.

Mr Frame said he believed the applicant's neighbourhood was contrived to exclude the three existing pharmacies in the town centre. There have been no significant population growth in Bishopbriggs and he disputed that the Kirkintilloch Road and South Crosshill Road were major barriers for the population in accessing pharmaceutical services available from the town centre.

Mr Frame stated that car ownership was higher than the national average and there were good bus services and transport links. Roads and paths were well maintained and the disabled, parent and children had easy access to the town centre. Commuting to access to services was easy.

Mr Frame said that the Applicant was not offering extended hours or a Sunday service and no different services from those currently available. He accepted that at times the town centre did suffer from a degree of congestion but pointed out that at the moment Morrisons had 216 dedicated parking spaces to their store and the upper car park had 140. He said that customers could park for up to 3hrs unlike the Applicant's proposed premises where there were no dedicated spaces.

Referring to the new supermarket, Mr Frame stated that the Applicant had intimated that this would add to the town centre's congestion problems however, as Mr Frame continued, the Council plans actually aim to ease traffic congestion.

Mr Frame said that there was no inadequacy of service from the five pharmacies within Bishopbriggs or in the ten pharmacies in the surrounding areas. He is not aware of any patient complaints and advised that all three pharmacies within the town centre provide excellent services.

Mr Frame stated Morrison Pharmacy was open: Monday to Friday between hours of 8:30am to 8:00pm; Saturday between 8:00am to 8:00pm and on Sunday 9:00am to 7:00pm. The pharmacy offered a full range of pharmaceutical services and a consultation room. Generally the pharmacy had two pharmacists on duty at any given time and a third on Fridays. A collection service was available from all surgeries and there was good bus access to this location. He said the public had to access the town centre as part of the fabric of their daily lives and this was not available in the shops next to Mr Majhu's proposed premises

Mr Frame ended by saying that this was a contrived application, existing pharmacies offered all services, there was good transport links therefore patient access was excellent and there were no complaints. The Applicant had not been able to show any inadequacy in the provision of existing services. He said that this was a 'convenient' application and therefore not necessary or desirable. He asked the Committee to reject the application.

The Applicant Questions the Interested Party

In response to questions from **the Applicant**, Mr Frame advised there was additional car parking space for 140 in the Triangle upper car park. He confirmed that he did not believe there to be any traffic congestion issues around the town centre.

In response to a further question from the Applicant, Mr Frame stated that if you asked any local resident if they wanted to have a pharmacy in their area they would say yes.

In response to a question from the Applicant concerning access to Morrison's pharmaceutical services by the disabled, elderly and those that do not drive, Mr Frame advised that it was possible to walk or to use the 'dial a bus' service which stops at Morrison's.

In response to a question from the Applicant about when the new supermarket will open, Mr Frame advised that this information was currently not available.

In response to a final question from the Applicant, Mr Frame restated that he did not agree with the argument that the town centre suffered from traffic congestion problems.

There were no questions to Mr Frame from the other interested party.

The PPC Question the Interested Party

In response to a question from **Mr Dykes**, Mr Frame advised that he had no knowledge of the numbers of customers who visited his pharmacy by foot.

In response to a question from Mr Dykes about the new supermarket, Mr Frame said that

Morrisons would be moving to the new store but he had no idea what would happen to the existing premises.

In response to a final question from Mr Dykes, Mr Frame stated that the current Morrison's dispensary was designed to meet safety standards and was appropriate for the staff working in the area. They successfully operated a work flow pattern within the dispensary .

In response to a question from **Mrs Roberts**, Mr Frame stated that his rationale for agreeing with the Area Pharmaceutical Committee, CP Subcommittee's southern boundary was that it was a natural boundary.

In response to a final question from Mrs Roberts on the location of the pharmacy within the store, Mr Frame said he believed the Morrison's pharmacy to be very accessible; customers came in through the main entrance and then followed the 'market street' towards the pharmacy.

In response to a question from **Mr Thomson** about the number of pharmacists deployed at any given time, Mr Frame advised that they were all full time employees with the second pharmacist commencing work at 11.00 on most days and the third pharmacist commencing duties at 1pm on a Friday.

In response to questions from **Mrs Lynch**, Mr Frame said that Morrisons used a dedicated manpower tool, which ensures there is sufficient staff in the pharmacy to meet demand. Monday and Tuesday there were less staff, more in Wednesday to Friday and levels decreased again at the weekend. He confirmed there were no capacity issues in the pharmacy.

In response to a final question from Mrs Lynch, Mr Frame accepted that residents of Lomond Drive may possibly wish to have a pharmacy in that parade of shops.

In response to a question from **Mr Reid**, Mr Frame confirmed that he had visited the parade of shops twice before the meeting and on both occasions he was unable to park his car.

There were no questions to Mr Frame from Dr Benton.

The Interested Party's Case, Mr Martin Green – Milton, Auchairn & JF Forbes Pharmacies

Mr Green defined the neighbourhood as follows:

North/north west: Forth & Clyde Canal, along Kirkintilloch Road to Torrance Roundabout;

Southeast: through open fields, crossing the railway line to Auchinairn Road;

South: Auchinairn Road travelling west crossing Kirkintilloch Road, continuing to Colston Road to its junction with Ashgill Road.

East: the east side of Ashgill Road to the bend with Scaraway Street, follow the council boundary between East Dunbartonshire and Glasgow north to Forth & Clyde Canal;

Mr Green stated these boundaries define the neighbourhood known as Bishopbriggs. He stated the town of Bishopbriggs is serviced by five existing pharmacies. He added that there were a further ten pharmacies in the neighbouring areas of Torrance, Lenzie, Milton, Springburn, Balornock and Robroyston. All of these pharmacies are accessible to and used by the population of Bishopbriggs.

Mr Green explained that from his analysis of the neighbourhood, using the Scottish Neighbourhood Statistics web site, he identified twenty eight data zones within the defined neighbourhood boundaries. From these statistics, he estimated a population figure of 23,995. He said that this was an attractive location for the working population with its close proximity to Glasgow city and as a threshold to the country. He noted that 60% of the population was of working age with approximately 20% pensionable age and a further 20% children and students.

Mr Green advised that the housing type within the area as classified by council banding places were: Band A 1.87%; Band B-C 22.6%; Band D-E 58.53%; Band F-H 17.54%.

Mr Green referred to the Scottish Index of Multiple Deprivation, a tool for assessing deprivation, which considers factors such as income, employment, health, education, access to services, crime and housing. The Index's data zones assign a ranking from 1, most deprived to 6,505 being the least deprived.

The respective neighbourhood data zones range from 1,294 up to 6,292 with an average of 4,969, which places the neighbourhood within the 25% least deprived or most affluent areas in Scotland. He added that the four closest data zones to the Applicant's proposed premises provided a range between 5,487 – 6,167 with an average of 5,909, which places this area in the top 10% most affluent in Scotland.

Mr Green said that social environment and economic status have a significant influence on health, evident in Bishopbriggs with much of the older population remaining very healthy and active, still driving and generally very able to enjoy their leisure time. A drive around the streets of Bishopbriggs confirms this picture reflected by the statistics. He added that this was an affluent neighbourhood, most households having not one car but two cars, so if the town centre cannot be accessed by foot, most will have access to a car to drive.

Mr Green stated he used the AA Route Planner testing the distance between the proposed site and his nearest pharmacy, JF Forbes Pharmacy on Kirkintilloch Road, which was 0.6 miles with a travelling time of 2 minutes by car. However, with a distance of just over ½ a mile it is not unreasonable to think that some may walk and the walking time between his pharmacy and the proposed site is approximately ten minutes, even for the elderly. He stated there is very little or no gradient between the two locations and there were also two pedestrian routes - a path through the park and at the tennis courts behind the Memorial Hall rather than following the road. Mr Green stated there is also a choice to go into the town centre or "village" as it is locally known, by bus. These are at approximately ten minute intervals along Kirkintilloch Road and bus stops are located at ¼ mile intervals along its length. There is also one bus service which drives down Balmuily Road and back onto Kirkintilloch Road via Hilton Road which runs every ½ hour which shows that access to the town centre is far from difficult.

Mr Green said if the public choose to travel by car, there is ample parking with 216 spaces allocated to Morrison's, which has a pharmacy. He said there were a further 142 spaces of 3 hours parking available on the top deck of the car park for those using the wider shopping area. In addition, there are 61 spaces available behind the Bishop's Gate flats and 13 behind the library, which made a total of 432 spaces available. He said that he had never experienced any difficulty in parking when he visited the town centre.

Mr Green referred to the Applicant's suggestion the town centre is congested. He accepted it can become congested during the morning rush hour of 8:00am to 9:00am and in the afternoon between 5:00pm to 6:00pm. He said this was due to Kirkintilloch Road being one of the main routes from North of Glasgow into the city. It contributed very little, if at all, to impairing access to pharmaceutical services located in the town centre.

Mr Green stated the parade of shops on Lomond Drive offered a very limited range. There was a newsagent, a hairdresser, two small general stores, a chip shop and the vacant unit. Outwith the hairdresser and the chip shop, he believed the parade was mainly used for bread, milk, a paper and the occasional item that may have been forgotten from the actual shopping undertaken elsewhere. He said, there was no post office, bank or bakery and customers were unable to buy fresh produce. Only residents from the immediate streets around Lomond Drive actually use the shops. As soon as you travel a few streets back from Lomond Drive, it is noticed that other amenities are closer and are more appealing.

Mr Green advised the housing in the area was not new, with circumstances in the area having not changed recently. In fact he said that this area of Bishopbriggs had been developed some 50 years ago and with the natural barriers containing it, there is little or no chance of any further development.

Mr Green advised there was a GP surgery on Hilton Terrace which is a branch surgery for Auchinairn Medical Practice on Auchinairn Road. This surgery occupies a wooden hut which had been established around fifty years ago. The surgery offers one GP in the mornings only – 8.30am – 12.30pm on Monday and 9.00am – 12.30pm Tuesday to Friday with a capacity for 8 consultations each day. He said this building was of a temporary nature but has never been replaced with a more permanent structure, which is in desperate need of re-development. The opening times on the old notice board on the outside suggest the surgery was open all day and bares the names of all the practice's doctors; however in reality as the consultation hours have been cut back, only one doctor now consults.

Mr Green said the GP services in Bishopbriggs are currently being reviewed and there is a possibility they may be re-located with redevelopment of the town centre. It was his understanding the Auchinairn practice would welcome the opportunity to get out of the dilapidated site in Hilton Terrace if a favourable option to move to a new medical hub in the town centre materialised. He advised that his pharmacies collected from this surgery everyday at mid-day and completed prescriptions were available for collection or for delivery from early afternoon.

Mr Green stated that given the length of time the housing in the area has been in place and the satellite surgery has been running, if the pharmaceutical services were

inadequate, someone would have raised a complaint by now. He stated that he had never heard anyone complain despite having lived only a few streets away on Southesk Avenue for 30 years. He said this was a quiet, affluent, residential area which had been in place for a long time and although some of the residents in the streets around Lomond Drive might consider a pharmacy there to be more convenient, there will be just as many, if not more that will not want one on their doorstep in fear of it attracting undesirable traffic through the area.

Mr Green stated that he owned two of the five pharmacies providing services to Bishopbriggs. He said that the population statistics suggest that numbers of prescription dispensed by each pharmacy were not excessive. JF Forbes Pharmacy currently dispenses a relatively low volume of prescriptions and from the analysis of this pharmacy's P.M.R. data he said that he estimated that approximately 30% of his patients would come from this area of Bishopbriggs. Mr Green stated that he suspected that any decrease in patient numbers anywhere near this figure would be enough to render this pharmacy unviable and therefore he would need to consider closure.

Mr Green advised that the JF Forbes pharmacy had under gone a full refit last September so as to improve facilities to patients. In considering this application, he urged the panel to consider the impact that would be experienced by this pharmacy, which was just over ½ a mile away from the proposed site should the application be granted.

Mr Green summarised by saying that this application offers nothing more than convenient access for a limited number of streets within its immediate vicinity and therefore he respectfully requested that the Committee to find it neither necessary nor desirable.

The Applicant Questions the Interested Party

In response to a question from **the Applicant**, Mr Green agreed that his neighbourhood of 23,000 residents was a significant population.

In response to a series of questions from the Applicant regarding his neighbourhood boundaries, Mr Green advised that he had looked for physical boundaries and there were none within Bishopbriggs. He accepts the Kirkintilloch Road could be considered a barrier but as it provided good access throughout the neighbourhood, he discounted this as a barrier. He agreed the Forth & Clyde canal was a barrier but not the Bishopbriggs burn or the railway line, which was easily crossed.

In response to a question from the Applicant, Mr Green said that the Applicants neighbourhood did not have any defined identity and there was no restriction for residents to move to the parts of Bishopbriggs.

In response to further questions from the Applicant, Mr Green said he was aware of car parking problems outside the parade of shops where the premises were allocated. He said he believed that many of these spaces were filled by shop employees early in the morning and therefore offered little to no parking for anyone else. Additionally, he was aware there had been car parking complaints made by local residents.

In response to a further question from the Applicant about the location of the pharmacy

within the Morrison's store, Mr Green said he accepted his point that it was located at the back of the store.

In response to a further question from the Applicant, Mr Green estimated it would take a patient ten minutes to walk from Lomond Drive to JF Forbes pharmacy.

In response to a question from the Applicant, Mr Green said that he did not accept that the support for the application indicated an inadequacy of service provision. He believed the comments made were simply around convenience.

In response to a question from the Applicant, Mr Green advised that his definition of neighbourhood was based on his personal knowledge of the area after having lived in Bishopbriggs.

In response to further questions from the Applicant regarding the new supermarket, Mr Green said that only outline plans were available and no further plans were currently to hand. He expected the final plans would incorporate traffic considerations which would therefore ease any possible problems which the Applicant foresaw.

In response to a further question from the Applicant, Mr Green stated that the Auchinairn Medical Practice had no intention of relocating to a new medical centre but they would consider their branch surgery, if the opportunity were to arise.

In response to a final question from the Applicant, Mr Green said he accepted the MSP and counsellors views that it would be more convenient to have a pharmacy in Lomond Drive.

There were no questions to Mr Green from the other interested party.

The PPC Question the Interested Party

In response to questions from **Mrs Lynch**, Mr Green accepted the population of his neighbourhood was large but Bishopbriggs was one recognised and accepted community with its own schools.

In response to a series of questions from **Mrs Roberts**, Mr Green agreed the town centre was a central point, the hub of Bishopbriggs. Taking a radius from this point to the pharmacies on Woodhill Road, Auchinairn Road and Scaraway Street, he accepted that there was no pharmacy north of this hub but he added the streets in this area joined with the Kirkintilloch Road and therefore patients had easy access to the service available in the town centre.

In response to a question from **Mr Dykes**, Mr Green said it was not the role of the Committee to consider the rationale of how script volumes were distributed within Bishopbriggs but added that his pharmacies had the capacity to take on more.

In response to a question from **Dr Benton** concerning street parking outside JF Forbes Pharmacy, Mr Green advised that there was no street parking allowed.

In response to a final question from Dr Benton regarding disability access to JF Forbes Pharmacy, Mr Green advised that the step into the pharmacy was much higher before the recent refit. He had ordered a DDA compliant door and mobile ramp but these had not been delivered as yet.

There were no questions to Mr Green from Mr Reid and Mr Thomson.

Summing Up

The Applicant and the Interested Parties were then given the opportunity to sum up.

Mr Fraser said the Applicant had clearly contrived a neighbourhood to exclude the existing three pharmacies within the town centre and believed the Applicant had not shown any inadequacy in the five pharmacies in the immediate area or from the ten in the surrounding area. He referred the Committee to the support given to the application from the Bishopbriggs Community Council and an MSP which merely supported the convenience of having another pharmacy but not the necessity of having one. He advised that all the core elements of the contract were currently provided by the pharmacies within the area with no inadequacy of service provision identified. There was ample car parking at Morrisons but noted there was no dedicated parking outside the proposed premises, which he believed could cause problems for the elderly, disabled, mothers and children. Mr Fraser said that another pharmacy in the neighbourhood was not necessary or desirable and therefore asked the Committee to reject the application.

Mr Green said the Applicant had failed to establish a well defined neighbourhood. The Applicant has failed to demonstrate inadequacy of service provision within that neighbourhood and his application was based entirely around convenience. An additional pharmacy in the area did not offer any new services but could threaten the viability of the existing pharmacies. Mr Green therefore asked the Committee to reject the application as it was neither necessary nor desirable.

Mr Majhu said the biggest issue raised by this application was around accessibility. He was of the opinion the traffic congestion in the area would get worse, which would be compounded once the new supermarket opened. He argued that customers visiting the Morrison's pharmacy had a long walk to the pharmacy even after parking their car due to its situ within the store. He pointed out that there were currently no pharmacies within the northern part of Bishopbriggs as defined in his neighbourhood. He requested the Committee listen and respect the views of the local Councillors and the supporting letter from Councillor Una Walker. Mr Majhu therefore asked the Committee to approve this application as it was necessary and desirable to provide adequate provision of pharmaceutical services within his neighbourhood..

Before the Applicant and Interested Parties left the hearing, the Chair asked them to confirm that they had had a full and fair hearing. Confirmation was received by all.

The PPC was required and did take into account all relevant factors concerning the issue of:-

- a) Neighbourhood;
- b) Adequacy of existing pharmaceutical services in the neighbourhood and, in particular, whether the provision of pharmaceutical services at the premises named in the application was necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises were located.

In addition to the oral submissions put before them, the Committee also took into account all written representations and supporting documents submitted by the Applicant, the Interested Parties and those who were entitled to make representations to the Committee, namely:

- a) Chemist contractors within the vicinity of the Applicant's premises, namely:
 - Milton Pharmacy – 137 Scaraway Street, Milton G22;
 - Woodhill Pharmacy – 168 Woodhill Road, Bishopbriggs G64;
 - Auchinairn Pharmacy – 167 Auchinairn Pharmacy, Bishopbriggs G64;
 - JF Forbes, 193 Kirkintilloch Road, Bishopbriggs G64;
 - Boots UK Ltd – 3 The Triangle, Bishopbriggs G64;
 - Morrison's Pharmacy – The Triangle Centre, Bishopbriggs G64 and
- b) The NHS Greater Glasgow & Clyde Area Pharmaceutical Committee, CP Subcommittee;
- c) The Greater Glasgow & Clyde Area Medical Committee (GP Sub-Committee);

The Committee noted that in accordance with the requirement to consult the public, notification of the application had been sent to:

- d) - Bishopbriggs & Kirkintilloch Herald (advert run on Wednesday 24th March 2010) – three responses received;
- e) - East Dunbartonshire CHP – one response received;
- f) The following community councils - one response received:
 - East Dunbartonshire
 - Bishopbriggs

The Committee also considered;-

- g) The location of the nearest existing pharmaceutical services;
- h) The location of the nearest existing medical services;
- i) Demographic information regarding post code sectors G64.1, G64.2 and G64.3;
- j) Information was received from East Dunbartonshire Council - Roads and Neighbourhood Services and Development and Enterprise Services regarding future plans for development within the area;

- k) NHS Greater Glasgow and Clyde plans for future development of services; and
- l) Patterns of public transport in the area surrounding the Applicant's proposed premises.

DECISION

Having considered the evidence presented and the observations from the Committee's site visit, the PPC had to decide firstly on the question of neighbourhood in which the premises referred to in the application were located.

The Committee considered the various neighbourhoods put forward by the Applicant, the Interested Parties, and the Area Pharmaceutical Committee, CP Subcommittee in relation to the application. The Committee agreed that the neighbourhood should be defined as follows:

North: Along Cadder Road to Kirkintilloch Road, Strathkelvin Retail Park roundabout and across the Low Moss Plantation;
East: South across open country to Auchinairn Road;
South: Travelling west along Auchinairn Road and Colston Road, across Kirkintilloch Road to Ashgill Road;
West: The east side of Ashgill Road running north to Scaraway Street, across open country, Bishopbriggs golf course to the Forth & Clyde Canal and along the canal to Cadder Road.

The Committee agreed that the housing to the south of Colston Road and the west side of Ashgill Road demarked a different neighbourhood. The open country across the Bishopbriggs golf course was considered a boundary and the Forth & Clyde canal was recognised as a significant physical boundary. The Kirkintilloch Road was a main trunk road and the roundabout itself was also identified as a physical boundary due to the significant volume of traffic passing through. The open country across Low Moss Plantation and south down to the Auchinairn Road was deemed a boundary. The Auchinairn Road was a main trunk road linking Lenzie with Bishopbriggs.

Adequacy of Existing Provision of Pharmaceutical Services and Necessity or Desirability

Having reached that decision, the PPC was then required to consider the adequacy of pharmaceutical services within that neighbourhood, and whether the granting of the application was necessary or desirable in order to secure adequate provision of pharmaceutical services in that neighbourhood.

The Committee noted that within the neighbourhood as defined by the PPC there were four pharmacies. These pharmacies provided pharmaceutical services including core and supplementary services. The Committee considered that the level of existing services provided allowed satisfactory access to pharmaceutical services within the defined neighbourhood. The Committee noted that demand for methadone services within the neighbourhood was low. The Committee therefore considered that the existing pharmaceutical services available within the neighbourhood were adequate.

The Committee was satisfied that no evidence had been presented by the Applicant, or had been made available to the Committee via another source which demonstrated that the services currently provided to the neighbourhood were inadequate.

The Committee noted:

- The neighbourhood was very affluent and had low health issues.
- There was good road access to the town centre from within the neighbourhood, the public transport service was frequent and there was high level of car ownership.
- Two pharmacies had recently undergone refits to a high standard and were now benefiting from increasing patient activity.
- Patient access to the Wm Morrison Pharmacy was questioned due to its positioning in the far corner of the store.
- The convenience of the town centre pharmacies to the medical centres.

Having regard to the overall services provided by the existing contractors within the vicinity of the proposed pharmacy, the number of prescriptions dispensed by those contractors in the preceding 12 months, and the level of service provided by those contractors to the neighbourhood, the committee agreed that the neighbourhood was currently adequately served.

In accordance with the statutory procedure the Chemist Contractor Member of the Committee Mr Gordon Dykes and Board Officers were excluded from the decision process:

DECIDED/-

The PPC was satisfied that the provision of pharmaceutical services at the premises of the Applicant was not necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises were located by persons whose names are included in the Pharmaceutical List and in the circumstances, it was the unanimous decision of the PPC that the application be refused.

The Chemist Contractor Members of the Committee Mr Gordon Dykes and Board Officers rejoined the meeting at this stage.

5. APPLICATIONS STILL TO BE CONSIDERED

The Committee having previously been circulated with Paper 2010/33 noted the contents which gave details of an application received by the Board and which had still to be considered. The Committee agreed the following application should be considered by means of an oral hearing:

- Kyle Square Ltd, Unit 5, 151 Western Road, Whitlawburn, Cambuslang, Glasgow, G72 8PE

10. ANY OTHER COMPETENT BUSINESS

There were no matters raised.

11. DATE OF NEXT MEETING

Thursday 22nd November 2010.