

NOT YET ENDORSED AS A CORRECT RECORD

Pharmacy Practices Committee (04)

Minutes of a Meeting held on

Tuesday 8th August 2006

Seminar Room , Glasgow Homeopathic Hospital, Great Western Road,
Glasgow, G12

PRESENT:	Andrew Robertson	Chairman
	Mrs Patricia Cox	Lay Member
	Alan Fraser	Lay Member
	William Reid	Lay Member
	Prof James Johnson	Non Contractor Pharmacist Member
	Gordon Dykes	Contractor Pharmacist Member
	Alasdair Macintyre	Contractor Pharmacist Member
IN ATTENDANCE	Trish Cawley	Contractor Services Supervisor
	Richard Duke	Pharmacy & Ophthalmic Contracts Manager
	Robert Gillespie	Chief Pharmacist – Clyde
	Janine Glen	Contractor Services Manager
	David Thomson	Director of Pharmacy – Glasgow

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

No declarations of interest were made on any of the applications to be considered.

Before the consideration of business, the Chair welcomed Richard Duke to his first meeting of the Committee.

1. APOLOGIES

Apologies were received on behalf of Prof J McKie.

2. MINUTES

The Minutes of the meeting held on Tuesday 13th June 2006 **PPC[M]2006/03** were approved as a correct record.

ACTION

3. ANY OTHER BUSINESS NOT INCLUDED IN AGENDA

There was no other business not already included in the Agenda.

Section 1 – Applications Under Regulation 5 (10)

4. APPLICATION FOR INCLUSION IN THE BOARD'S PHARMACEUTICAL LIST

- i) **Case No: PPC/INCL13/2006
L Rowland & Co (Retail) Ltd, 275 Carntyne Road, Glasgow
G32.6**

The Committee was asked to consider an application submitted by L Rowland & Co (Retail) Ltd, to provide general pharmaceutical services from premises situated at 275 Carntyne Road, Glasgow G32.6 under Regulation 5(2) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 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 Applicants' proposed premises were located.

The Chairman, Lay Members and Director of Pharmacy had previously received notice of the application, along with associated information including:

- i) The application form and supporting statement;
- ii) The map and information contained at **Appendix 4** of the papers;
- iii) Notification of decisions taken on previous applications received in respect of premises in the same post-code area; and
- iv) Other information the Board felt was relevant to allow them to consider whether the application should be considered by oral hearing.

Having considered the information, the Chairman, Lay Members and Director of Pharmacy had agreed that it was not necessary to consider the application by oral hearing.

The Committee, having previously been circulated with all the papers regarding the application from L Rowland & Co (Retail) Ltd, agreed with the initial decision and reiterated that the application should be considered by the written representations.

Prior to the hearing, the Panel had individually made visits to the site at 275 Carntyne Road, Glasgow G32.6.

The Committee considered views and representations received from

- a) Chemist contractors within the vicinity of the Applicant's premises

namely:

Alliance Pharmacy – 1033 Shettleston Road, Glasgow G32.7
Robertson Chemist – 248 Smithycroft Road, Glasgow G33.2
Lightburn Pharmacy Ltd – 977 Carntyne Road, Glasgow G32.6
Parkhead Health Centre Pharmacy Ltd – 101 Salamanca Street,
Glasgow G31.5
Young & Mair – 1432 Gallowgate, Glasgow G31.4 and
Superdrug Stores Plc – Unit 4/5 Parkhead Forge, Glasgow G31.4

- b) the Greater Glasgow & Clyde Area Pharmaceutical Committee (General Practitioner Sub-Committee);
- c) the Greater Glasgow & Clyde Area Medical Committee (GP Sub-Committee).

The Committee also considered:-

- d) The location of the nearest existing pharmaceutical services;
- e) Demographic information regarding post code sectors G31.3, G31.4 and G32.6;
- f) Patterns of public transport; and
- g) Greater Glasgow & Clyde NHS Board plans for future development of services;

CONCLUSION

The Committee noted that the Applicant had applied for inclusion in the Board's Pharmaceutical List for the provision of pharmaceutical services from premises situated at 275 Carntyne Road, Glasgow G32.6. The premises were already constructed, and the Applicant had satisfied the Board that they were in pursuit of the lease.

In considering this application, the Committee was required to take into account all relevant factors concerning the definition of the neighbourhood served and the adequacy of existing pharmaceutical services in the neighbourhood in the context of Regulation 5(10).

For the purposes of considering the application, the Committee referred to the map at page 41 of the papers and defined the neighbourhood as the area bound to the North by the A8 trunk road (Edinburgh Road), east to Carntynehall Road past the boundary of Carntyne Industrial Estate to the railway line to the south, west of Millerston Road, onto Onslow Drive and north to rejoin the A8.

Having reached that conclusion the Committee were then required to consider the adequacy of existing pharmaceutical services in 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 some of the interested parties who had commented on the application had mentioned a previous application lodged in respect of premises within the same area. The Committee learned that the only previous application had been considered in 1999, and was not granted. Other applications had been considered for neighbouring post-code sectors, one of which had resulted in an additional pharmacy being established at Mossvale Crescent, which was more than one mile away from the applicant's proposed premises.

The Committee also learned that the GP surgery mentioned by the applicant in their supporting statement was not in fact new in the true sense of the word. Dr Gilhooly and partners had previously operated from a surgery on Carntyne Road approximately ten years ago. Due to problems with the building, the practice had withdrawn from the area, and had consolidated their practice in Parkhead Health Centre. It had always been the practice's intention to return to the Carntyne Road area once suitable premises had been identified. This relocation had been made possible with a new build surgery adjacent to the applicant's proposed premises. The practice withdrew from Parkhead Health Centre and operates solely from the new Carntyne Road premises. The practice's list size numbered 4,204 (at Jan 2006), and not over 6,000 as represented by the applicant.

The Committee noted that within the defined neighbourhood there was one existing pharmacy, with two other pharmacies on the periphery of the area. The Committee considered that the level of existing services ensured that satisfactory access to pharmaceutical services existed to the residential homes in the identified neighbourhood. The Committee agreed that the GP surgery would not serve a new population, but one which was already accessing pharmaceutical services from other providers. The Committee therefore considered that the existing pharmaceutical services in the neighbourhood were adequate.

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

In view of the above, the Committee concluded that the granting of an NHS Contract for the premises situated at 275 Carntyne Road, Glasgow G32.6 was not necessary or desirable in order to secure the adequate provision of pharmaceutical services in the neighbourhood in which the premises were situated.

In accordance with the statutory procedure the Chemist Contractor

members of the Committee Gordon Dykes and Alasdair MacIntyre was excluded from the decision process:

DECIDED/-

The Committee agreed by unanimous decision that the granting of the application was not necessary or desirable, in order to secure the adequate provision of pharmaceutical services in the neighbourhood of the proposed premises and accordingly that the application seeking inclusion in NHS Greater Glasgow & Clyde's Pharmaceutical List at 275 Carntyne Road, Glasgow G32.6 for the provision of general pharmaceutical services be refused.

**Contractor
Services
Supervisor**

The chemist contractor members of the Committee rejoined the meeting at this stage.

- ii) **Case No: PPC/INCL14/2006
Houlihan Pharmacy Ltd, 911 Darnley Mains Road, Glasgow
G53.7**

The Committee was asked to consider an application submitted by Houlihan Pharmacy Ltd, to provide general pharmaceutical services from premises which were situated at 911 Darnley Mains Road, Glasgow G53.7 under Regulation 5(2) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 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 Chairman, Lay Members and Director of Pharmacy had previously received notice of the application, along with associated information including:

- i) The application form and supporting statement;
- ii) The map and information contained at **Appendix 4** of the papers;
- iii) Notification of decisions taken on previous applications received in respect of premises in the same post-code area; and
- iv) Other information the Board felt was relevant to allow them to consider whether the application should be considered by oral hearing.

Having considered the information, the Chairman, Lay Members and Director of Pharmacy had unanimously agreed that it was unnecessary to consider the application by oral hearing.

The Committee, having previously been circulated with all the papers regarding the application from Houlihan Pharmacy Ltd, agreed with the initial decision and reiterated that the application could be determined based on the written representations and that an oral hearing was not

required.

The Committee members had individually made visits to the site at 911 Darnley Mains Road, Glasgow G53.7.

The Committee considered views and representations received from

- a) Chemist contractors within the vicinity of the Applicant's premises namely:

Alliance Pharmacy – 61B Main Street, Glasgow G46.7 and
Parkinson (Paisley) Ltd – 403 Nitshill Road, Glasgow G53.8

- b) the Greater Glasgow & Clyde Area Pharmaceutical Committee (General Practitioner Sub-Committee).
- c) the Greater Glasgow & Clyde Area Medical Committee (GP Sub-Committee).

The Committee also considered:-

- d) The location of the nearest existing pharmaceutical services;
- e) Demographic information regarding post code sectors G46.7, G46.8 and G53.7;
- f) Patterns of public transport; and
- g) Greater Glasgow & Clyde NHS Board plans for future development of services.

CONCLUSION

The Committee noted that the Applicant had applied for inclusion in the Board's Pharmaceutical List for the provision of pharmaceutical services from premises situated at 911 Darnley Mains Road, Glasgow G53.7. The premises were already constructed, and the Applicant had satisfied the Board that they were in pursuit of the lease.

In considering this application, the Committee was required to take into account all relevant factors concerning the definition of the neighbourhood served and the adequacy of existing pharmaceutical services in the neighbourhood in the context of Regulation 5(10).

The Committee noted that they had previously considered an application for premises in this area in January 2002. At that time the Committee had considered the evidence presented to it and from their own observations from site visits, concluded that the neighbourhood defined by the applicant was too restricted, and had excluded a large part of what the Committee considered would be constituted as the neighbourhood to be served by the proposed pharmacy. The applicant

had designated the M77 as the eastern boundary to the neighbourhood. While the Committee agreed that a motorway could be considered a significant boundary in many circumstances, it did not agree that the M77 could be considered as such in this case. Access was available to the area lying beyond the motorway, for people travelling both by car and foot via Nitshill Road which passed under the motorway. The applicant had also designated Nitshill Road as the north boundary of the neighbourhood. Although the Committee accepted that ht road was main trunk road, they did not judge this to be a boundary to the area. There were several pedestrian crossings available to the general public, and the Committee considered that the people living within the neighbourhood could move feely throughout the area, and would be used to crossing at these points.

The Committee therefore considered their neighbourhood to be as follows:

North: the railway line, which was a natural boundary;

West: Woodhead Road, south to Parkhouse Road, through the area of green belt;

South: the area of green belt, east to join the B769 trunk road;

East: B769 Thornliebank Road, north to joint Boydestone Road at its junction with Thornliebank Road.

Having reached that conclusion the Committee were then required to consider the adequacy of existing pharmaceutical services in 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 looked at the application to ascertain whether there had been any material changes since the last application was considered. When considering the initial application the Committee concluded that there was an adequate provision of pharmaceutical services provided by the existing pharmaceutical network. The Committee found no evidence at that time that accessibility to the existing network was not adequate. They had found no evidence of a significant increase in population within the area. Based on these considerations, the Committee had refused the application.

In considering this most recent application, the Committee did not consider that circumstances in the area had changed materially that they would reconsider their initial decision. The Committee therefore reiterated their initial conclusion that the existing network provided adequate services to the neighbourhood, and that an additional contract in the area was not necessary or desirable.

In accordance with the statutory procedure the Chemist Contractor members of the Committee Gordon Dykes and Alasdair MacIntyre was excluded from the decision process:

DECIDED/-

The Committee agreed by unanimous decision that the granting of the application was not necessary or desirable, in order to secure the adequate provision of pharmaceutical services in the neighbourhood of the proposed premises and accordingly that the application seeking inclusion in the NHS Greater Glasgow & Clyde's Pharmaceutical List at 911 Darnley Mains Road, Glasgow G53.7 for the provision of general pharmaceutical services be refused.

**Contractor
Services
Supervisor**

The chemist contractor members of the Committee rejoined the meeting at this stage.

**iii) Case No: PPC/INCL15/2006
Mr Jim Rae, 56A Crosslee Crescent, Houston PA6.7**

The Committee was asked to consider an application submitted by Mr Jim Rae, to provide general pharmaceutical services from premises which are situated at 55A Crosslee Crescent, Houston PA6.7 under Regulation 5(2) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 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, concluded that the application could be determined based on the written representations and that an oral hearing was not required.

The Committee members had individually made visits to the site at 55A Crosslee Crescent, Houston PA6.7.

The Committee considered views and representations received from

- a) Chemist contractors within the vicinity of the applicant's premises namely:
 - Boots the Chemist -
 - Alliance Pharmacy – Kirk Road, Houston PA6.7
 - Salwan Pharmacy Ltd – 80 Sycamore Avenue, Johnstone PA5.0
 - Lloydspharmacy -
- b) the Greater Glasgow & Clyde Area Pharmaceutical Committee (General Practitioner Sub-Committee);
- c) the Greater Glasgow & Clyde Area Medical Committee (GP Sub-Committee).

The Committee also considered:-

- d) The location of the nearest existing pharmaceutical services;
- e) Demographic information regarding the following areas: Bishopton, Bridge of Weir, Erskine, Johnstone, Kilbarchan, Linwood, Lochwinnoch and Kilmacomb; and
- f) Greater Glasgow & Clyde NHS Board plans for future development of services.

CONCLUSION

The Committee noted that the applicant had applied for inclusion in the Board's Pharmaceutical List for the provision of pharmaceutical services from premises situated at 55A Crosslee Crescent, Houston PA6.7. The premises were already constructed, and the applicant had satisfied the Board that they were in pursuit of the lease.

In considering this application, the Committee was required to take into account all relevant factors concerning the definition of the neighbourhood served and the adequacy of existing pharmaceutical services in the neighbourhood in the context of Regulation 5(10).

The Committee noted that they had considered applications for premises in this area on three previous occasions. The last time an application was considered was in October 2005.

The Committee noted that the previous two applications in October 2005 and February 2005 had been submitted by Mr Rae. The applicant had put forward different neighbourhoods in each of the applications. In considering this most recent application, the Committee agreed that the neighbourhood should be defined as previously.

Having reached that conclusion the Committee were then required to consider the adequacy of existing pharmaceutical services in that neighbourhood, and where the granting of the application was necessary or desirable in order to secure adequate provision of pharmaceutical services in that neighbourhood.

- i) Within the neighbourhood, as defined by the Committee there was one pharmacy;
- ii) The current pharmaceutical network provided general pharmaceutical services, domiciliary oxygen, and supervised methadone;
- iii) The Committee considered that the level of existing services ensured that satisfactory access to pharmaceutical services existed, to the residential homes in the identified neighbourhood. The Committee therefore considered that the existing pharmaceutical services in the neighbourhood were adequate;

- iv) That there had been no significant increase to population within the neighbourhood since the Committee last considered an application for these premises in 2005;
- v) Having regard to the overall services provided by the existing contractors within the vicinity of the proposed pharmacy, and the number of prescriptions dispensed by those contractors in the preceding 12 months, the Committee agreed that the neighbourhood was already adequately served.

In view of the above, the Committee concluded that the granting of an NHS Contract for the premises situated at 55A Crosslee Crescent, Houston PA6.7 was not necessary or desirable in order to secure the adequate provisions of pharmaceutical services in the neighbourhood in which the premises were situated.

In accordance with the statutory procedure the Chemist Contractor members of the Committee Gordon Dykes and Alasdair MacIntyre was excluded from the decision process:

DECIDED/-

The Committee agreed by unanimous decision that the granting of the application was not necessary or desirable, in order to secure the adequate provision of pharmaceutical services in the neighbourhood of the proposed premises and accordingly that the application seeking inclusion in the Greater Glasgow & Clyde NHS Board's Pharmaceutical List at 55A Crosslee Crescent, Houston PA6.7 for the provision of general pharmaceutical services be refused.

**Contractor
Services
Supervisor**

The chemist contractor members of the Committee rejoined the meeting at this stage.

5. NATIONAL APPEALS PANEL DETERMINATIONS

The Committee having previously been circulated with Paper 2006/029 noted the contents which gave details of the National Appeal Panel's determination of appeals lodged against the Committee's decision in the following cases.

Apple Healthcare Ltd – 1056 Argyle Street, Glasgow G3.8

The Committee noted that the National Appeals Panel had upheld the appeal submitted against the PPC's decision to refuse Apple Healthcare Ltd's application. As such Apple's name had been included in the Board's Provisional Pharmaceutical List, and general pharmaceutical services would commence later this year.

Mr Mohammed Rashid – 351 Bilsland Drive, Glasgow G20.9

The Committee noted that the National Appeals Panel had rejected the appeal submitted against the PPC's decision to refuse Mr Rashid's application.

M&D Green – 52 Skirsa Street, Glasgow G23.5

The Committee noted that the National Appeals Panel had rejected the appeal submitted against the PPC's decision to grant M&D Green's application. M&D Green would therefore be included in the Board's Provisional Pharmaceutical List for the above premises, and general pharmaceutical services would commence later this year.

Hillview Ltd – 74-76 Hawthornhill Road, Dumbarton G82.5

The Committee noted that the National Appeals Panel had upheld the appeals submitted against the PPC's decision to grant Hillview Ltd's application. Hillview Ltd would therefore not be included in the Board's Provisional Pharmaceutical List for the above premises.

NOTED/-

6. ANY OTHER COMPETENT BUSINESS

There was no other competent business.

7. DATE OF NEXT MEETING

Scheduled for Tuesday 7th November 2006 at 1.30pm. Venue to be confirmed.

The Meeting ended at 3.00pm