NHS Greater Glasgow and Clyde

NOT YET ENDORSED AS A CORRECT RECORD

Pharmacy Practices Committee (17)
Minutes of a Meeting held on
Monday 25th August 2008
Erskine Bridge Hotel, Erskine
Renfrew PA8 6AN

PRESENT:	Mr Peter Daniels	Vice Chair
	Professor J McKie	Lay Member
	Mr William Reid	Deputy Lay Member
	Mrs Charlotte McDonald	Deputy Lay Member
	Mrs Kay Roberts	Deputy Non Contractor Pharmacist Member
	Mr Gordon Dykes	Contractor Pharmacist Member

IN ATTENDANCE:	Dale Cochran	Contracts Supervisor – Community Pharmacy Development
	Richard Duke	Contracts Manager – Community Pharmacy Development
	Janine Glen	Contracts Manager – Community Pharmacy Development
	David Thomson	Deputy Lead - Community Development Pharmacist

ACTION

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 a person who had a personal interest in the applications to be considered by the Committee.

No declarations of interest were made.

1. APOLOGIES

There were no apologies.

2. ANY OTHER BUSINESS NOT INCLUDED IN AGENDA

None.

<u>Section 1 – Applications Under Regulation 5 (10)</u>

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

NHS Greater Glasgow and Clyde

Case No: PPC/INCL12/2008
Apple Pharmacy, The Post Office, Greenock Road, Inchinnan PA4 9NH

The Committee was asked to consider an application submitted by Apple Pharmacy to provide general pharmaceutical services from premises situated at The Post Office, Greenock Road, Inchinnan PA4 9NH under Regulation 5(10) of the National Health Service (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, having previously been circulated with all the papers regarding the application from Apple Pharmacy agreed that the application should be considered by oral hearing.

The hearing was convened under paragraph 2(2) of Schedule 3 to the National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995 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 Neeraj Salwan ("the Applicant"). The interested parties who had submitted written representations during the consultation period, and who had chosen to attend the oral hearing were Mr David Young (Rowlands Pharmacy), Mrs Caroline Anderson (Andrew Hughes Chemists) and Ms Emma Griffiths (National Co-operative Chemists) assisted by Mr Alan Harrison.

The Chair asked all present to confirm that they were not appearing before the Committee in the capacity of solicitor, counsel or paid advocate. All confirmed that they were not.

Prior to the hearing, the Panel had collectively visited the vicinity surrounding the Applicant's premises, pharmacies, GP surgeries and facilities in the immediate area and the surrounding areas of Erskine, and Inchinnan.

The procedure adopted by the PPC at the hearing was that the Chair

asked the Applicant to make their submission. There followed the opportunity for the Interested Parties and the PPC to ask questions. Each of the Interested Parties then gave their presentation, with the opportunity for the Applicant and the PPC to ask questions. The Interested Parties and the Applicant were then given the opportunity to sum up.

The Applicant's Case

Mr Salwan thanked the Committee for giving him the opportunity to put forward Apple Pharmacy's case and advised that the proposed pharmacy was situated within a defined neighbourhood which had no current pharmacy. The neighbourhood was known as the village of Inchinnan. It had a PA4 post-code which was different to the pharmacies in Erskine.

Apple Pharmacy proposed the following neighbourhood to which the pharmacy would offer a full range of pharmaceutical services. The southern boundary was the Black Cart Water, the Western boundary, the A726, the Eastern boundary the open countryside and the Northern boundary, the Park Way main road merging into Newshot Drive and at the roundabout to Florish Road. Mr Salwan said that the neighbourhood had a church, a primary school, a nursery, a post-office, local shopping, Inchinnan community association and social club, a care home and substantial residential housing. There had been a significant number of housing developments within the neighbourhood over the last 10 years on the northern side of the neighbourhood. This had increased the population of the defined neighbourhood to the extent that the latest settlement figures indicated that the population of Inchinnan was nearing 2,000.

Mr Salwan advised that the neighbourhood had two very large employers namely Rolls Royce, who employed around 1,400 and M&Co, who employed 800. This was not a neighbourhood surrounded by numerous pharmacies that could be easily accessed by a simple walk. If one was to walk in a northerly direction it would involve a 3.6 mile trek to the nearest pharmacy at Bridgewater Shopping Centre. Accessing the Mains Drive pharmacy meant walking along the northern boundary at the Parkway and shot Drive. These roads did not have proper pedestrian pavements and had grass verges along each side. Mr Salwan advised that he actually witnessed people having to walk on the road. The roads merged into each other and were nearly two miles long, but yet there was only one set of traffic lights along their length to facilitate pedestrians crossing the road. Mr Salwan considered this to be unsatisfactory for people trying to access pharmaceutical services especially while the roads were so busy and the topography of the area was characterised by hills.

The Scottish Government had published white papers on the future

development of health services and had categorically stated that healthcare should be available at the local level within easy access. Mr Salwan asserted that this was a reason why such services as Minor Ailments and Electronic Transmission of Prescriptions had been introduced. Mr Salwan advised that people in a neighbourhood shouldn't need to walk miles to access these services, as these must be available locally for the residents to be able to make full use of them. There was a clear distinction between being registered for these services and actually making use of them. Mr Salwan believed accessibility was a factor that could put people off using all of the new pharmacy services that were available now and in the future to their full potential.

The proposed pharmacy would have adequate off street parking to the front and rear of the premises. The area was visited regularly by local people due to the location of the Post Office. The fact that the Post Office had avoided the recent closures gave testament to the government's agreement that this was a viable business and more importantly was a vital community resource. The customers of the Post Office tended to mirror those who used a community pharmacy i.e. the elderly and families. The residents of Inchinnan valued their own identity and hence had a well used social club, church and other amenities described earlier in the presentation. The proposed pharmacy could be accessed easily on foot by prospective patients.

The pharmacy would be well designed and would have a purpose built consultation area. It would offer a full NHS dispensing service, the Acute and Chronic Medication Services when available, the Public Health Service, services to the elderly and disabled and emergency hormonal contraception. Apple Pharmacy had an Independent Prescriber pharmacist in place to fully maximise the health care offering to Inchinnan residents.

The pharmacy would also have a full range of General Sale List and Pharmacy medicines. It would also offer the Minor Ailment Service. This service was an electronic prescription service which offer treatments for a wide range of minor ailments. In allowing immediate access to this service, it saved valuable time and resources of the local medical services. This service was available to 75%-80% of the population. It was a well used and essential service to the young, elderly and patients on low income or the unemployed. Apple Pharmacy had also been in discussions with the two main employers in the area to offer health checks and Smoke Free Services to their employees. This would also contribute to improving the health of people in the area.

The Interested Parties Question the Applicant

In response to questioning from **Mrs Anderson**, Mr Salwan confirmed the proposed opening hours of the pharmacy to be Monday – Friday 9.00am – 5.30pm and Saturday – 9.00am – 1.00pm.

In response to questioning from **Mr Young**, Mr Salwan said it was hard to say that there would be a portion of his neighbourhood, particularly in the north-west corner, which would be equidistant to the existing pharmacy network even if the new pharmacy were granted.

Responding to a further question from Mr Young around the two main employers in the area, Mr Salwan advised that he was not aware what proportion of workers lived within the defined neighbourhood. It may be fair comment to say some would live elsewhere and that there was no evidence to show that services in their neighbourhoods were inadequate.

In response to questioning from **Ms Griffiths**, Mr Salwan confirmed that residents of his defined neighbourhood would need to travel outwith the area to access GP services.

The Chair allowed a follow-up question from Mrs Anderson. Mr Salwan confirmed that it would be nearer for residents in Turnhill Drive to access services in Erskine if they were travelling by car, but reiterated that this was not the case for someone walking.

The PPC Question the Applicant

In response to questioning from **Mr Dykes**, Mr Salwan advised that access to the pharmacy would be exclusive and there would be no through route to the Post Office. A wall would be erected to separate the two shops and access to the redeveloped Post Office would be via an entrance at the back of the building.

In response to additional questioning from Mr Dykes, Mr Salwan confirmed that his 2,000 population did include the housing development situated in the area marked Freeland on the map.

In response to further questioning from Mr Dykes, Mr Salwan advised that the pharmacy would have a separate consultation room to the right of the premises and that it would have space to seat two people.

In response to further questioning from Mr Dykes, Mr Salwan advised that there were issues of accessibility with the current network. A pharmacy at the proposed site would be more easily accessible for the residents of Inchinnan. He further confirmed that services were available but that these could only be accessed by travelling outwith the area. Apple Pharmacy was looking to provide extended hours from the proposed premises so that patients would not need to travel to access these. He accepted that this service was available from the pharmacy at Glasgow airport, but pointed to the accessibility issues associated with this location.

In response to questioning from **Mr Reid**, Mr Salwan advised that he did not need planning permission for the premises as the Post Office already had retail permission.

In response to further questioning from Mr Reid around the uptake of the Minor Ailment Service, Mr Salwan advised that he had asked for figures from the Health Board, but that these had not been forthcoming. Anecdotally he considered there to be a lack of promotion of the service leading to a lack of uptake.

In response to further questioning from Mr Reid, Mr Salwan confirmed that the Post Office in Inchinnan was not to close as it had been earmarked as a vital resource. He further confirmed that accessibility was the main thrust of his application. He reiterated that the current pharmacies were not accessible to the residents of Inchinnan who were travelling on foot. If there was no access to a car, the travelling time was around 30 minutes by public transport.

In response to final questioning from Mr Reid, Mr Salwan confirmed that he felt the pharmacy would be viable if the contract were granted.

In response to questioning from **Mrs McDonald**, Mr Salwan confirmed that the food odours were expelled from the premises by means of a flue. He confirmed that the Post Office would continue to provide food, but that the separating wall would contain the vapours within the Post Office and that the pharmacy would not be affected.

In response to questioning from **Professor McKie**, Mr Salwan reiterated that there was no distinct geographical boundary between the area of Freeland and Inchinnan. There was a footpath that linked Luxfor Road and Arnish with Inchinnan.

In response to further questioning from Professor McKie, Mr Salwan confirmed that the Arriva bus service No 23 was a 30 minute service which started in Bargarron and travelled to the City Centre via Inchinnan. This service passed the door of the proposed premises. There was another bus service, the 300 which operated every 60 minutes and which travelled to Foxbar. He was not aware of any bus services travelling through the area marked Freeland.

In response to a question from Professor McKie around the population, Mr Salwan confirmed that he could not identify how many of the 2,000 population were resident in the area marked Freeland. He further confirmed that there was a mix of housing in this area. The majority was family housing but there was some older housing as well.

In response to questioning from **Mrs Roberts**, Mr Salwan advised that residents in the area accessed GP services mainly in Bridgewater, travelling either by car or bus. It was unlikely that they would walk.

In response to further questioning from Mrs Roberts, Mr Salwan confirmed that his population statistics were conservative in that new build within the area had probably increased the resident population by approximately 1,000 new residents. He confirmed that the approximate population could now be in the region of 2,900.

In response to final questioning from Mrs Roberts, Mr Salwan confirmed that the proposed premises would be divided from the beam width wise, not lengthwise.

In response to questioning from **Mr Thomson**, Mr Salwan advised that he was not aware if the Post Office at Park Mains was to be retained.

In response to further questioning from Mr Thomson on what special services he would be offering to the elderly population, Mr Salwan advised that he would offer compliance aids, take part in the Board's blood pressure service and provide services for patients with diabetes.

There were no questions to the Applicant from the Chair.

The Interested Parties' Case – Andrew Hughes Chemist (Mrs Anderson)

Mrs Anderson advised that she was Pharmacy Manager based at the Andrew Hughes Chemist in the Bridgewater Shopping Centre. She advised that the Applicant's proposed premises were situated in the village of Inchinnan where the residents viewed themselves as villagers, but accessed services in the Erskine area or Renfrew. She advised that there was a reliable bus service between Renfrew, Inchinnan and Erskine, along with the 24 Paisley bus which ran to the area of Park Mains.

She advised that residents in Turnhill Drive had a PA8 postcode and would consider themselves to be from the area of Erskine and not Inchinnan. Andrew Hughes Chemist provided opening hours of 9.00am – 6.00pm Mon – Fri and 9.00am – 5.30pm Saturday. Patients had the opportunity to collect their prescription when doing their shopping. There was adequate parking in the new car park. Andrew Hughes Chemists operated a collection and delivery service to all patients in Erskine and Inchinnan. Mrs Anderson advised that Erskine was developed around the "New Town" model, which was characterised by access paths between estates, the residents of the area were not encouraged to use the roadways, hence the lack of pathways. Mrs Anderson advised that her pharmacy took part in the Palliative Care service and also provided compliance aids. There had been no complaints of lack of access. Mrs Anderson also pointed to the Boots pharmacy at Braehead which provided extended hours access, meaning residents had no need to travel to the pharmacy at

Glasgow airport. Mrs Anderson concluded that existing services were more than adequate.

The Applicant Questions Mrs Anderson

In response to questioning from **Mr Salwan**, Mrs Anderson advised that residents didn't normally walk to the current pharmacies. Geographically this was difficult, and most residents travelled by car. They needed to travel to access other services.

In response to questioning from Mr Salwan, Mrs Anderson confirmed that the residents of Inchinnan viewed the current pharmacy network as being their local pharmacy as they were situated where they obtained other services. She further confirmed that the residents of Inchinnan viewed themselves as separate to those in Erskine.

In response to final questioning from Mr Salwan, Mrs Anderson confirmed her agreement that a pharmacy in Inchinnan might be convenient for those looking to access the Minor Ailment Service, however she reminded the Committee that pharmaceutical service was a full service, and it was not acceptable to isolate one service. Mrs Anderson further confirmed that the residents in Inchinnan would not undertake shopping every day, but gauged that they would access other services in Erskine four or five times per week.

There were no questions to Mrs Anderson from Mr Young or Ms Griffiths.

The PPC Question Mrs Anderson

In response to questioning from **Mr Dykes**, Mrs Anderson advised that Andrew Hughes Chemist provided blood pressure testing, smoke free services, palliative care and heart failure services as well as the core pharmacy services. She further confirmed that the pharmacy was managing referrals for the heart failure service well.

In response to questioning from **Mr Reid**, Mrs Anderson confirmed that most of the patients serviced by her pharmacy came from Erskine or Inchinnan. Most came by car, but a proportion did come on foot.

In response to questioning from **Mrs Roberts**, Mrs Anderson confirmed that the neighbourhood defined by the Applicant was a separate area; however she reiterated that it was small and residents would be required to access services elsewhere.

In response to further questioning from Mrs Roberts, Mrs Anderson confirmed that there was access to Erskine from Inchinnan. This was done through pathways on Old Greenock Road/Park Road/Garnie Road into the Erskine area.

In response to questioning from **Mr Thomson**, Mrs Anderson confirmed that the majority of patients collected their prescriptions from the pharmacy.

There were no questions to Mrs Anderson from the Chair, Mrs McDonald or Professor McKie.

The Interested Parties' Case – Rowlands Pharmacy (Mr David Young)

Mr Young advised that Rowlands Pharmacy wished to make only one point today and this was around the neighbourhood. Mr Young advised that the Applicant had conveniently devised a neighbourhood which avoided the two pharmacies that served in what he considered to be the real neighbourhood.

Mr Young advised that he agreed with the neighbourhood defined by National Co-operative chemists in their objection letter. This being:

North: The River Clyde;
South: The A8;
East: Open Countryside;
West: the A726 trunk road.

Within the immediate neighbourhood there were currently two pharmacies. Furthermore there were a number of pharmacies just outside this neighbourhood. There had been no demonstration of inadequacy in pharmaceutical service provision and the APC Community Pharmacy Subcommittee had not recommended approval as the members agreed that the application was neither necessary nor desirable.

The Applicant Questions Mr Young

In response to a question from **Mr Salwan**, Mr Young agreed there could be considered a social divide between Park Mains and the area below Parkway, but reiterated that this was apparent elsewhere. It didn't detract from the fact that the Applicant had missed out two pharmacies within the current network by his definition of neighbourhood. Mr Young further confirmed that he did not agree that there was a boundary between the two social aspects. The area was not large and was already served by two pharmacies.

In response to final questioning from the Applicant, Mr Young advised that Rowlands Pharmacy provided a collection and delivery service to the residents of Inchinnan.

There were no questions to Mr Young from Mrs Anderson, Ms Griffiths

or any of the Committee.

The Interested Parties' Case – National Co-operative Chemists (Ms Emma Griffiths)

Ms Griffiths advised that National Co-operative Chemists provided the Minor Ailment ServiceMinor Ailment Service, heart failure, palliative care, methadone supervision and domiciliary oxygen from their pharmacy. There had been no complaints regarding these services. The pharmacy also provided a collection and delivery service to the residents of Inchinnan and surrounding areas. The residents of Inchinnan accessed GP services in Erskine and Renfrew.

Ms Griffiths confirmed the neighbourhood to be unchanged from the National Co-operative Chemists letter of objection.

Ms Griffiths advised that the datazone covering Inchinnan showed a higher rate of access to a car, with 88% of the population having access to more than one car. This showed the population to be mobile, and free to access services outside the neighbourhood.

The Applicant Questions Ms Griffiths

In response to questioning from **Mr Salwan**, Ms Griffiths advised that those residents who did not have access to a car could access services relatively easily. There was a reliable bus route in the area. National Co-operative Chemists also offered collection and delivery to the residents of Inchinnan.

In response to further questioning from Mr Salwan, Ms Griffiths confirmed that the pharmacy in Park Mains took part in the Emergency Hormonal Contraception service.

There were no questions to Ms Griffith from Mr Young, or Mrs Anderson.

The PPC Question Ms Griffith

In response to questioning from **Mr Reid**, Ms Griffith confirmed that her south boundary would be the Black Cart Water, stopping at the River Clyde.

In response to questioning from **Mrs Roberts**, Ms Griffiths confirmed that the evidence that customers were satisfied with the services stemmed from the company's policy of conducting a "Mystery Shopper" scheme which was undertaken by an Independent Company who gauged customer satisfaction.

In response to questioning from **Mr Thomson**, Ms Griffiths confirmed

that collection ad delivery was offered from both branches and that it was provided by a driver who covered all of the Paisley area.

There were no questions to **Ms Griffiths** from the Chair, Mr Dykes, or Mrs McDonald.

Summing Up

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

Mrs Anderson advised that pharmaceutical services in the area were more than adequate. The current pharmacies provided all services including extended services to all residents in Inchinnan and Erskine.

Mr Young advised that the application should be refused on the basis that the neighbourhood defined by the Applicant was unrealistic and conveniently negated to include the two pharmacies who currently served the immediate neighbourhood.

Ms Griffith advised that the current series were more than adequate. The application was not necessary or desirable.

Mr Salwan advised he had defined the neighbourhood, which was clearly distinct from others, both socially and geographically. He advised that the number of over 60s was set to outnumber the over 16s and as such there was a need in the area for focussed and easily accessible services. At present the residents relied on cars or public transport, which could take around 30 minutes, as residents could not walk because of the lack of formal footpaths. Mr Salwan advised that there was one set of traffic lights along the road. He advised that even omitting the Freeland estate, the situation had moved-on since 2000. He advised that contracts had been awarded to areas with less of a population. He reiterated that collection and delivery services couldn't serve a neighbourhood. He advised that parking was good at the proposed premises and congested at the Bridgewater Shopping centre. Mr Salwan advised that he had proved the legal test. The residents of Inchinnan thought of themselves as separate. The proposed pharmacy would enhance the health care of residents who at present suffered accessibility issues, with the current pharmacies being three miles away.

Before the Applicant and the Interested Parties left the hearing, the Chair asked them to confirm that they had had a full and fair hearing. All confirmed that they had.

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 forward before them, the PPC 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 PPC, namely:

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

b) The NHS Greater Glasgow & Clyde Area Pharmaceutical Committee (APC) Community Pharmacy Subcommittee;

c) The Greater Glasgow & Clyde Area Medical Committee (CP Sub-Committee).

The Committee also considered;-

d) The location of the nearest existing pharmaceutical services;

e) Demographic information regarding the area of Inchinnan;

f) Information from Renfrewshire Council's Department of Housing regarding future plans for development within the area; and

g) NHS Greater Glasgow and Clyde plans for future development of services.

DECISION

Having considered the evidence presented to it, and the PPC's observation from the site visits the PPC had to decide first the question of the neighbourhood in which the premises to which the application related, were located.

The Committee considered the various neighbourhoods put forward by the Applicant, the Interested Parties and the APC Community Pharmacy Subcommittee in relation to the application and taking all information into consideration, the Committee considered that the neighbourhood should be defined as follows:

North: the roundabout at Newshot Drive, continuing eastwards to River Clyde;
East: ; the River Clyde, to its meeting with the Black Cart Water;

South: the Black Cart Water where it joined with the Clyde Estuary westwards to its meeting with the A726 trunk road;
West: the A726.

The Committee considered this area to form a natural neighbourhood well served by public transport, distinguished by natural boundaries including the river, major roads and a physical natural barrier on the eastern boundary which had no interlinking routes along a significant portion of its length.

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 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 within the neighbourhood as defined by the PPC there was one pharmacy. This pharmacy. This pharmacy provided the full range of pharmaceutical services including supervised methadone. The Committee further noted that there were other additional pharmacies within the extended area that provided services. The Committee considered that the level of existing services ensured that satisfactory access to pharmaceutical services existed within the defined neighbourhood. The Committee therefore considered that the existing pharmaceutical services in the neighbourhood were adequate.

The Committee was satisfied that no evidence had been produced 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.

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 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

Contractor Services

Supervisor

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 Member of the Committee Gordon Dykes and Board Officers rejoined the meeting at this stage.

4. ANY OTHER COMPETENT BUSINESS

None.

5. DATE OF NEXT MEETING

The next scheduled meeting would take place on Monday 1st September 2008.

The Meeting ended at 4.00p.m.