NHS Greater Glasgow and Clyde

NOT YET ENDORSED AS A CORRECT RECORD

Pharmacy Practices Committee (08)
Minutes of a Meeting held on
Wednesday 2nd April 2008
Seminar 3 Meeting Room, St Margaret Hospice, Sir Patrick Hamill Education Centre
East Barns Street, Clydebank G81 1EG

PRESENT:	Mrs Agnes Stewart	Chair
	Professor J McKie	Lay Member
	Mr William Reid	Deputy Lay Member
	Mrs Kay Roberts	Deputy Non Contractor Pharmacist Member
	Mr Gordon Dykes	Contractor Pharmacist Member
	Mr Alasdair MacIntyre	Contractor Pharmacist Member
IN ATTENDANCE:	Trish Cawley	Contractor Services Supervisor
	Janine Glen	Contracts Manager – Community Pharmacy Development
	Robert Gillespie	Lead – Community Pharmacy Development

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. MINUTES

The Minutes of the meeting held on Friday 22nd February 2008 **PPC[M]2008/03** and Tuesday 26th February 2008 **PPC[M]2008/04** were approved as correct records.

3. ANY OTHER BUSINESS NOT INCLUDED IN AGENDA

PPC[M]2008/03 – Minute Number (5) refers – Robert advised the Committee that the letter to NAP re: comments made in their determination of the Cambridge Street application, had been put on hold.

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Section 1 – Applications Under Regulation 5 (10)

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

Case No: PPC/INCL01/2008
Mr Adill Sheikh, Albert Cross Ltd, 672 Eglinton Street, Glasgow G5 9RP

The Committee was asked to consider an application submitted by Mr Adill Sheikh of Albert Cross Ltd, to provide general pharmaceutical services from premises situated at 672 Eglinton Street, Glasgow G5.9 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 Mr Sheikh, agreed that the application could be considered by means of the written representations received as it was less than 12 months since a previous application was considered for the same premises.

Prior to consideration of a previous application in March 2007, members of the Committee had visited the vicinity surrounding 672 Eglinton Street, Glasgow G5.9, the pharmacies, GP surgeries and facilities in the immediate neighbourhood, and the wider area of East Pollokshields, Govanhill, Gorbals and Kinning Park.

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.

The PPC took into all 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.

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

b) The Greater Glasgow Area Pharmaceutical Committee (General Practitioner Sub-Committee;

c) The Greater Glasgow 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 G5.9 and G41.2 and G42.7;

f) Patterns of public transport; and

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

DECISION

The Committee noted that they had previously considered applications for premises in this neighbourhood on 18 previous occasions over the years. On all occasions, the Committee had considered that the existing network ensured satisfactory access to pharmaceutical services for the neighbourhood. The National Appeals Panel had considered an appeal in 2007 lodged by another Applicant. The Appeals Panel had concurred with the Committee's decision, and the Appeal had been dismissed.

Having considered the evidence available to it and the PPC's observation from the previous site visit in March 2007, the PPC had to decide first the question of the neighbourhood in which the premises to which the application related, were located.

The Committee noted the neighbourhood previously defined, and agreed that this remained relevant. Taking all information into consideration, the Committee considered that the neighbourhood should be defined as follows:

North: Scotland Street from its junction with Shields Road, West Street, Cook Street and Bedford Street to its junction with Gorbals Street.
West: Nithsdale Road and Shields Road.
East: Gorbals Street, Cathcart Road and Aikenhead Road to its junction with Myrtleview Road.
South: Myrtleview Road, Mount Florida Avenue, Cathcart Road, Queen's Drive and to Caledonia Road to its junction with Nithsdale Road.

The Committee agreed that Cathcart Road and Aikenhead Road were major trunk roads separating a principally residential area from a more commercial/industrial tract of land, and therefore formed a natural barrier. This view was also applicable to the land to the north of the northern

boundary. Queens Park formed a natural boundary to the south and Shields Road to the west marked a clear change in neighbourhood with different communities and housing.

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.

Within the neighbourhood as defined by the PPC there were five pharmacies. These pharmacies provided the full range of pharmaceutical services including: supervised methadone and domiciliary oxygen. The Committee considered that the level of existing services ensured that satisfactory access to pharmaceutical services existed to the identified neighbourhood. The Committee therefore considered that the existing pharmaceutical services in the neighbourhood were adequate.

The Committee noted that the Applicant had provided details of development within the area. On careful consideration the Committee agreed that all of the developments included in the supporting statement had been taken into consideration when the Committee last considered an application for premises in the same street (January 2008). The only new development which had commenced since January appeared to be the commencement of works relating to the extension of the M74 motorway, and the Committee were aware that this work had been planned and had been taken into consideration for some time.

After careful consideration, the Committee agreed that there had been no significant change in the area, both in terms of service provision and infrastructure development that would cause them to come to a different conclusion than that reached in January 2008.

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 accordance with the statutory procedure the Chemist Contractor Members of the Committee Alasdair MacIntyre and Gordon Dykes and Board Officers were excluded from the decision process:

DECIDED/-

The PPC was satisfied that the provision of pharmaceutical services at **Contractor**

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 Alasdair MacIntyre and Gordon Dykes and Board Officers rejoined the meeting at this stage.

Case No: PPC/INCL02/2008
Ms Angela Mackie, 3 Budhill Avenue, Glasgow G32 0PW

The Committee was asked to consider an application submitted by Ms Angela Mackie, to provide general pharmaceutical services from premises situated at 3 Budhill Avenue, Glasgow G32.0 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 Ms Mackie, agreed that the application could be considered by means of the written representations received as it was less than 12 months since a previous application was considered for the same premises.

Prior to consideration of a previous application in August 2007, members of the Committee had visited the vicinity surrounding 3 Budhill Avenue, Glasgow G32.0, the pharmacies, GP surgeries and facilities in the immediate neighbourhood, and the wider area of Shettleston, Carntyne and Springboig.

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.

The PPC 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 proposed premises;

b) The Greater Glasgow & Clyde Area Pharmaceutical 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 areas G32.0 and G32.7;

f) Patterns of public transport; 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 previous site visit in August 2007, 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 National Appeals Panel. The Committee defined the neighbourhood as being:

South: along Shettleston Road to;
East: Gartocher Road along Hallhill Road up Croftspar Grove across the field to Tanfield Street ;
North: Edinburgh Road:
West: down Cardowan Road, across playing fields opposite Addiewell Street to Torphin Crescent. Down Torphin Crescent across Inveresk Street, down Duror Street, across Old Shettleston Road to Kenmore Street.

The Committee felt that this was a distinct neighbourhood. The area was bound by the physical barriers created by Edinburgh Road and Shettleston Road. The area within these boundaries was primarily residential. The Committee believed there was limited to no future residential development opportunities. The Committee did however, consider there to be a sense of community within this area.

NHS Greater Glasgow and Clyde

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 it had first considered an application from the same applicant for the same premises in August 2007. At that time the PPC had approved the application citing that an additional pharmacy was necessary to secure adequate provision of pharmaceutical services in the neighbourhood.

This decision was subsequently appealed by several of the Interested Parties involved in the consultation process. At an oral hearing of the appeal on 27th November 2007, the National Appeals Panel concluded that the current pharmaceutical services in the area were adequate and that the appeals should be upheld.

Within the neighbourhood as defined by the PPC there were six pharmacies. These pharmacies provided the full range of pharmaceutical services including: supervised methadone and domiciliary oxygen. The Committee considered that the level of existing services ensured that satisfactory access to pharmaceutical services existed to the identified neighbourhood. The Committee therefore considered that the existing pharmaceutical services in the neighbourhood were adequate.

After careful consideration, the Committee agreed that there had been no significant change in the area, both in terms of service provision and infrastructure development that would cause them to come to a different conclusion than that reached by the NAP in November 2007.

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 accordance with the statutory procedure the Chemist Contractor Members of the Committee Alasdair MacIntyre and 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 and in the

Contractor Services Supervisor

circumstances, it was the unanimous decision of the PPC that the application be refused.

The Chemist Contractor Members of the Committee Alasdair MacIntyre and 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 2008/22 noted the contents which gave details of applications received by the Board and which had still to be considered. The Committee agreed the following applications should be considered by means of the written representations:

Mr M Sheikh & Mr A Sheikh – 672 Eglinton Street, Glasgow G5.9
Mr Adill Sheikh & Ms Saeema Bhatti – 672 Eglinton Street, Glasgow G5.9
Mr Azlan Sheikh & Mr Adill Sheikh – 672 Eglinton Street, Glasgow G5.9

6. NAP REPORT

The Committee having previously been circulated with a copy of the report from the National Appeals Panel discussed the benefits of the information provided.

All agreed that the information was useful, but expressed concern that it was not identifiable nor was it to be made available to Boards more than twice per year.

After comprehensive discussion the Committee agreed that the Chair should make contact with NAP around improving communication issues. **Chair**

7. ANY OTHER COMPETENT BUSINESS

CHPs

Robert advised the Committee that it had come to light several applicants had approached their local CHP for support for their application to establish a new pharmacy. There was a recognition that some CHPs would not be familiar with the current regulatory framework surrounding pharmacy applications and the apparent inconsistency in approach this could lead to.

Robert also advised that the Community Pharmacy Development Team had been approached by individual CHPs to attend discussions around new capital projects and the potential to include community pharmacy within these.

The Committee recognised that there was a need to ensure a consistent **Lead –**

approach across the whole Board area, and asked Robert in his capacity as Lead – Community Pharmacy Development to make contact with the Lead for Glasgow City CHPs offering advice and assistance in this area.

Community Pharmacy Development

8. DATE OF NEXT MEETING

Scheduled for Friday 4th April 2008 at 12.30pm. Queens Park House, Langside Road, Glasgow G42.

The Meeting ended at 2.45p.m.