

NOT YET ENDORSED AS A CORRECT RECORD

Pharmacy Practices Committee (06)

Minutes of a Meeting held on
Monday 23rd August 2010 in
The Eagle Lodge, 2 Hilton Road, Bishopbriggs
Glasgow G64 2PN

PRESENT:	Dr Catherine Benton	Chair
	Professor Joe McKie	Lay Member
	Mr William Reid	Deputy Lay Member
	Professor Howard McNulty	Deputy Non Contractor Pharmacist Member
	Mr Gordon Dykes	Contractor Pharmacist Member
IN ATTENDANCE:	Michelle Dunlop	Community Pharmacy Development Officer
	Janine Glen	Contracts Manager – Community Pharmacy Development
	Dr Kate McKean	Head of PPSU
	David Thomson	Deputy Lead - Community Pharmacy Development

Prior to the consideration of business, the Chairperson 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

1. APOLOGIES

There were no apologies

Section 1 – Applications Under Regulation 5 (10)

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

Case No: PPC/INCL04/2010

Boots UK Ltd – Unit 1B, Strathkelvin Retail Park, Bishopbriggs, Glasgow G64 2TS

The Committee noted that the representative designated by Boots UK Ltd (Mr Charles Tait) to present the case for the application, was not in attendance.

The Committee were reassured that all relevant correspondence had been sent within the timescales set out in the Regulations and the board had received written confirmation of Mr Tait's intention to attend.

Contact had been made with Mr Tait who had confirmed that a misunderstanding about the dates of the meeting had occurred which had caused his non-appearance. He had offered

to make his way to the hearing however the Committee noted that it would take him more than one hour to get to the venue. Attempts to secure alternative representation proved fruitless.

The Committee noted that Central Legal Office (CLO) had been consulted and had advised against proceeding in the absence of the Applicant. The CLO's firm advice was that any decision made could be considered "unsafe". After comprehensive discussion, the Committee agreed that the hearing could not go ahead and dispensed with the hearing.

The Committee agreed that a letter should be sent to Boots UK Ltd, highlighting the Committee's disappointment at the lack of organisation which had led to the situation and seeking recompense of expenses incurred by the Board in organising the hearing.

**Contracts
Manager
/Deputy
Lead, CPD**

5. APPLICATIONS STILL TO BE CONSIDERED

The Committee having previously been circulated with Paper 2010/22 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 an oral hearing:

- Ross Ferguson, 9 Alexandra Avenue, Lenzie G66 5BG

6. MATTERS CONSIDERED BY THE CHAIR SINCE THE DATE OF THE LAST MEETING

The Committee having previously been circulated with Paper 2010/23 noted the contents which gave details of matters considered by the Chair since the date of the last meeting:

Change of Ownership

Case No: PPC/CO04/2010 – J F Forbes Chemist, 193 Kirkintilloch Road, Bishopbriggs, Glasgow G64 2LS

The Board had received an application from M&D Green Dispensing Chemist Ltd for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as J F Forbes Chemist at the address given above. The change of ownership was effective from 1st June 2010.

The Committee was advised that the level of service was not reduced by the new contractor and that the new contractor was suitably registered with the Royal Pharmaceutical Society of Great Britain.

The Committee noted that the Chairman had granted the application, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

Case No: PPC/CO05/2010 – Clan Chemist, 391 Kilbowie Road, Clydebank G81 2TX

The Board had received an application from Lloydspharmacy Ltd for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as Clan Chemists at the address given

above. The change of ownership was effective from 1st July 2010.

The Committee was advised that the level of service was not reduced by the new contractor and that the new contractor was suitably registered with the Royal Pharmaceutical Society of Great Britain.

The Committee noted that the Chairman had granted the application, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

Case No: PPC/CO06/2010 – Burns Pharmacy, 10 Braemar Road, Cathkin, Glasgow G73 5LJ

The Board had received an application from NJC Healthcare Ltd for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as Burns Pharmacy at the address given above. The change of ownership was effective from 1st July 2010.

The Committee was advised that the level of service was not reduced by the new contractor and that the new contractor was suitably registered with the Royal Pharmaceutical Society of Great Britain.

The Committee noted that the Chairman had granted the application, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

Case No: PPC/CO07/2010 – Robertson Chemist, 248 Smithycroft Road, Glasgow G33 2QZ

The Board had received an application from Dennis Houlihan Ltd for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as Robertsons Chemist at the address given above. The change of ownership was effective from 2nd August 2010.

The Committee was advised that the level of service was not reduced by the new contractor and that the new contractor was suitably registered with the Royal Pharmaceutical Society of Great Britain.

The Committee noted that the Chairman had granted the application, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

Case No: PPC/CO08/2010 – CHC (Pharmacy) Ltd, Castlemilk Health Centre, 71 Dougrie Drive, Glasgow G45 9AW

The Board had received an application from Domkell Ltd for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as CHC (Pharmacy) Ltd at the address given above. The change of ownership was effective from 1st July 2010.

The Committee was advised that the level of service was not reduced by the new contractor and that the new contractor was suitably registered with the Royal Pharmaceutical Society of Great Britain.

The Committee noted that the Chairman had granted the application, having been satisfied

that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

NOTED/-

7. MATTERS CONSIDERED BY THE CHAIR SINCE THE DATE OF THE LAST MEETING

The Committee having previously been circulated with Paper 2010/24 noted the contents which gave details of matters considered by the Chair since the date of the last meeting:

Minor Relocation of Existing Pharmaceutical Services

Case No: PPC/MRELOC02/2010 – TLC Inverkip Pharmacy, Kip Park, Main Street, Inverkip PA16 0AS

The Committee considered the action taken by the Chairman on an application for a minor relocation of a NHS Dispensing contract currently held by Invercoast Ltd, at the above address.

The Committee noted that the application fulfilled the criteria for a minor relocation under Regulation 5 (4) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995 as amended.

The Committee noted that the Chairman had granted the application, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

Case No: PPC/MRELOC03/2010 – Burns Pharmacy, 82 Springfield Road, Glasgow G40 3ET

The Committee considered the action taken by the Chairman on an application for a minor relocation of a NHS Dispensing contract currently held by Mrs Carol Burns, at the above address.

The Committee noted that the application fulfilled the criteria for a minor relocation under Regulation 5 (4) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995 as amended.

The Committee noted that the Chairman had granted the application, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

NOTED/-

8. NATIONAL APPEALS PANEL

The Committee having previously been circulated with paper 2010/25 noted the contents which gave details of the National Appeals Panel's determination of appeals lodged against the Committee's decision in the following cases:

Mr Neeraj Salwan, Level 1, Fraser Building, University of Glasgow, 65 Hillhead Street, Glasgow G12 8QF (PPC/INCL07/2009)

The Committee noted that the National Appeals Panel had dismissed the Appeal submitted against the PPC's decision to refuse Mr Salwan's application to establish a pharmacy at the above address. As such Mr Salwan's name was not included in the Board's Provisional Pharmaceutical List, and the file on the application had been closed.

JMC Healthcare Ltd, Unit 7 Crosslee Crescent, Houston PA6 7DT (PPC/INCL02/2010)

The Committee noted that the National Appeals Panel had dismissed the Appeal submitted against the PPC's decision to refuse JMC Healthcare Ltd's application to establish a pharmacy at the above address. As such JMC Healthcare Ltd's name was not included in the Board's Provisional Pharmaceutical List, and the file on the application had been closed.

NOTED/-

9. CONTROL OF ENTRY CONSULTATION DOCUMENT

The Committee having previously been circulated with paper 2010/26 noted the copy of the response sent to the Scottish Government in relation to the above consultation document.

NOTED/-

10. ANY OTHER COMPETENT BUSINESS

Presentation to PPC

Mrs Glen advised the committee that she had sought advice from the CLO and also other Health Boards regarding the issue of video evidence/PowerPoint presentations in light of previous applications which the Committee had considered.

From the other Health Boards responses, it was clear that this was not a widespread practice, however most Boards had contended they would not accept video evidence or allow PowerPoint presentations. The advice from CLO supported this view stating that *"this type of presentation should be resisted as it could detract from the essentially informal or 'amateur' approach to PPC and NAP representations. The whole idea of not permitting paid advocated was to exclude the 'professional' representation which would place other parties who could not afford such assistance, at a distinct disadvantage. In terms of Schedule 3 of the 2009, para 3 (2) the Board 'may, in accordance with this Schedule, determine any application in such a manner as it thinks fit.....' Thus it would not be unreasonable for a Board to include in its standing orders for a PPC, that the use of video, digital, power-point or film presentations will not be permitted."*

The Committee noted that after careful consideration the Guidelines and standard letters associated with this part of the application process had been amended to reflect the above advice.

NOTED/-

11. DATE OF NEXT MEETING

To be arranged.