

ENDORSED AS A CORRECT RECORD

Pharmacy Practices Committee (06)
 Minutes of the Meeting held on
 Friday 10 October 2014 at 12pm in
 The Seminar Room, Shettleston Health Centre,
 420 Old Shettleston Road, Glasgow G33 7JZ

PRESENT:	Mr Peter Daniels	Chair
	Mr Ewan Black	Contractor Pharmacist Member
	Mr Stewart Daniels	Lay Member
	Mr Peter Hamilton	Lay Member
	Mr Kenneth Irvine	Contractor Pharmacist Member
	Mr James Wallace	Non-Contractor Pharmacist Member
IN ATTENDANCE:	Ms Tracey Turnbull	Legal Advisor, NSS CLO
	Ms Anne Ferguson	Secretariat, NSS SHSC
	Ms Sandra Nicol	Secretariat, NSS SHSC

Prior to the consideration of business, the Chair asked members to indicate any interest or association with any person with a personal interest in the application to be discussed.

ACTION

No member declared an interest in the application being considered.

The Applicant and Interested Parties were invited into the meeting.

APPLICATION FOR INCLUSION IN THE BOARD'S PHARMACEUTICAL LIST

Case No: PPC/INCL01/2014

Boots UK Ltd, Unit 43, The Forge Shopping Centre, Parkhead, Glasgow, G31 4EB

The Chair welcomed all to the meeting, introductions were made and Health & Safety information imparted.

The Applicant and Interested Parties were informed that no Committee member had declared an interest in the application being considered.

The Committee was asked to consider an application submitted by Boots UK Ltd to provide general pharmaceutical services from premises situated at Unit 43, The Forge Shopping Centre, Parkhead, Glasgow, G31 4EB, 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 Chair advised that the National Appeal Panel had issued a Practice Note stating that in the event of the PPC needing to take advice from CLO, this was required to be given in open session. This meant that the Applicant and Interested Parties would be invited to remain behind during the Committee's private deliberations and would be called if legal advice was required.

The Chair stated that only one person would be allowed to speak on behalf of the applicant and each interested party and reminded all present to speak through the Chair.

The Chair reported that the Committee, the Applicant and Interested Parties had previously been circulated with all the papers regarding the application from Boots UK Ltd and asked for confirmation that this had been received. All confirmed. The Applicant and Interested Parties were advised that the PPC had collectively visited the proposed premises, the vicinity surrounding those premises, the existing pharmacies, GP surgeries, facilities in the immediate and surrounding areas of the Forge Shopping Centre earlier that day.

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 was whether "the provision of pharmaceutical services at the premises named in the application was necessary or desirable to secure adequate provision of pharmaceutical service in the neighbourhood in which the premises were located by persons whose names were included in the Pharmaceutical List."

The Applicant, Mr Charles Tait appeared in person. The Interested Parties who had submitted written representations during the consultation period and who had chosen to attend the oral hearing were Mrs Alison Hair representing Parkhead Health Centre Pharmacy Ltd, Mr John Rossi representing Tollcross Pharmacy and Mr Stewart Parr representing Asda.

The procedure adopted by the Pharmacy Practices Committee ("the PPC") at the hearing was outlined by the Chair. The Applicant was to present first followed by an opportunity for the Interested Parties and PPC members to ask questions of the Applicant in turn. Submissions from each interested party would then be invited. After each case there followed the opportunity for the Applicant, other Interested Parties and the PPC to ask questions. The Interested Parties and the Applicant would then be given the opportunity to sum up in reverse order so that summing up

from the Applicant occurred last.

The Chair invited Mr Tait to speak first in support of the application.

The Applicant's Case

The Applicant read aloud from a pre-prepared statement making adjustments as necessary.

Neighbourhood:

Mr Tait defined the neighbourhood as that of Parkhead Forge Shopping Centre. This was supported by guidance given following the determination of Lord Nimmo-Smith in 1999, where it was concluded that a neighbourhood in regulation was an area relatively near to the premises in question that need not have a population. This in conjunction with the principle guidance given by Lord Justice Banks in 1934 that a neighbourhood was defined by the physical nature of it, including changes of land usage such as a major shopping centre, clearly set the legal guidance for defining Parkhead Forge as a neighbourhood in itself.

Mr Tait further explained that Lord Nimmo-Smith quite clearly stated that the rights of those visiting or being in such a neighbourhood had to be considered not just the residential population. This included access to pharmaceutical services.

Mr Tait had established that person visits or footfall to the neighbourhood was described to be in the region of 200,000 persons per week. This was far in excess of that which could be ascribed to the population of the immediate surrounding neighbourhoods so was dependent on a visiting population from the whole of the East End of Glasgow and possibly beyond. Mr Tait recounted talking to a visitor from the Gorbals when at the Forge earlier in the day.

While it was not possible to be specific about the demographic of the visiting population the overall trend within the East End of Glasgow was one of high deprivation with approximately 50% of the population of Parkhead and Carlton being described as income deprived. This same correlation also applied to Health and employment deprivation.

Pharmaceutical Service Provision:

Mr Tait stated that the neighbourhood proposed contained one pharmacy (Asda) but recently had contained two viable pharmaceutical contracts (Asda and Superdrug).

The Superdrug pharmacy closed following a dispute with the landlord over a reduction in rent for the property occupied in the Forge. It was alleged that Superdrug threatened to withdraw from the lease in an effort to force a reduction in

rent. This however backfired when the landlord accepted Superdrug's offer to withdraw from the premises.

Mr Tait accepted that all clients of the Superdrug pharmacy were now catered for elsewhere although this took some time and not inconsiderable effort by NHS Greater Glasgow & Clyde. It was also appreciated that the objectors of this application pointed to that as evidence that there was no need or desirability for this contract. However Mr Tait believed that this contention of the objectors was a perversion of the facts.

Any instance where clients or, in this case patients, had a service closed or removed still had a need for that service and had to be re-sourced from a different supplier. Patients had to find somewhere else suitable. In this case that re-sourcing took place across all the pharmacies in East Glasgow and not just the Asda pharmacy within the neighbourhood.

Mr Tait suggested that this was indicative of, at the very least, the desirability of a significant group of patients wishing to access pharmaceutical service provision at a time and place which was most acceptable as part of normal daily living. These patients did not disappear nor did their need for service provision, but these people had been forced to access that service provision at a time and in a place that was not theirs' of choice as previously the place of choice was Superdrug.

Mr Tait stated that this was not about a pharmacy contract at this site being feasible or viable, it was about the fact that a large group of patients had been forced to find an alternative source of services out with the neighbourhood of choice. This application sought to redress that situation.

Pharmacy's ultimate strength as a healthcare provider was based on its ease of access by the public in all circumstances, whether where people lived, worked or resorted to as part of normal daily life. Mr Tait believed this application sought to fulfil if not the need then the desirability of a new second pharmaceutical provider in this neighbourhood as evidenced by the numbers of people now having to go elsewhere.

The Interested Parties Questioned the Applicant

Mrs Hair drew attention to the fact that this application had mentioned complaints from patients about the level of service provision in the area and went on to explain that personal investigation of this matter had found no evidence of a single complaint having been made. The Chair interjected and reminded Mrs Hair to ask a question. Mr Tait clarified the situation by stating that the application had not mentioned formal complaints but informal comments from the first consultation exercise. It had also been highlighted to Boots out with the consultation exercise that the Superdrug pharmacy was sorely missed.

Mr Rossi referred to the statement that this application was not about a pharmacy contract being viable at the proposed site. Given that the legal test required the proposed pharmacy to be necessary or desirable for approval, Mr Rossi asked whether Mr Tait still thought it necessary and desirable to open a pharmacy at the proposed location. Mr Tait thought this was the case as the majority of former customers of the Superdrug pharmacy did not choose Asda for pharmaceutical services. Mr Tait thought that the opening of this pharmacy would give customers choice adding that the pharmacy may not be necessary but it was desirable.

Mr Rossi then asked about the statement that people had moved to other pharmacies with considerable effort as this was contrary to the perception of Mr Rossi. Mr Tait agreed with Mr Rossi in that the abruptness of the closure (3 days notice) did not help the situation as people had not expected the pharmacy to close. However patients were and remained inconvenienced by having to access these services at another location.

Mr Parr asked how much choice was enough choice and what number of Boots pharmacies was required for that choice to be sufficient. Mr Tait explained that it was not only a matter of choice but desirability and was not qualified to provide a definitive answer to the number of pharmacies providing sufficient choice.

Mr Parr was intrigued that the footfall at the Forge Shopping Centre had increased from 150,000 to 200,000 per week since May 14 when a previous application was heard. Mr Tait had obtained the figure of 200,000 per week from the Centre Manager.

Mr Parr went on to ask how much repeat business was expected at the proposed pharmacy. Mr Tait replied that it was impossible to tell.

Mr Parr asked how far people would travel to the proposed pharmacy stating that the East End of Glasgow had been used as an argument in the application yet it was difficult to define. Mr Tait agreed that this area could not be exactly defined but with a footfall of 200,000 per week it was clear that these people were not solely from Parkhead.

The PPC Questioned the Applicant

Mr Irvine asked whether Mr Tait had any evidence of an inadequate level of pharmaceutical provision in the neighbourhood. The fact that the majority of people previously using the Superdrug pharmacy on a regular basis and no longer sought these services in the neighbourhood demonstrated an inadequacy. If it was only about geography then that would have been the case but it was not. When pressed for hard evidence Mr Tait had none to offer.

Mr Irvine also asked whether the five Boots pharmacies listed within 1.3 miles of the Forge Shopping Centre had been inundated with prescriptions since Superdrug had closed down. Some had reported an increase in prescription numbers though others had not. The local pharmacies tended to serve the local community. This was unlike Superdrug which served a population larger than the area in which it was located.

Mr Irvine then asked whether Mr Tait was of the opinion that pharmacy services tended to be accessed in the locality where people lived. Mr Tait did not agree citing Queen Street Station as an example. The pharmacy in Queen Street station was never going to churn a massive number of prescriptions but was important for the provision of pharmaceutical services. The same could be said for Braehead Shopping Centre where footfall was enormous. There was not the normal correlation between footfall and number of prescriptions at such pharmacies. When asked Mr Tait estimated 1000 prescriptions per week at the proposed pharmacy.

In response to being asked by **Mr S Daniels** how many pharmacists the proposed pharmacy would employ, Mr Tait replied 1.2-1.3 per week.

Mr Wallace wondered if there was any evidence that former Superdrug customers would return to accessing pharmaceutical services at another pharmacy in the Forge. Mr Tait found this question difficult to answer with any certainty as the addresses of the former Superdrug customers were not available for this question to be asked. However presumably customers of the former Superdrug pharmacy still used the Forge as a regular place for shopping. The customers had not gone away entirely just chosen to source pharmacy services elsewhere.

Mr Tait was asked by **Mr Hamilton** to be more specific in terms of the Western boundary of the proposed neighbourhood. Mr Tait stated that the Clyde Gateway formed part of the boundary and was more specifically the road from the junction of the Clyde Gateway that swept around to the northern edge of the Forge. Mr Tait did not have access to a road map and so was unable to provide a road number.

Mr Hamilton quoted the following phrase from the application submission “these patients...have been forced to access that service provision at a time and in a place that would not be theirs’ of choice” and asked Mr Tait to clarify whether this meant these clients were loyal to Superdrug. Mr Tait said that these customers were not necessary loyal to that particular pharmacy but chose to access pharmacy services at that site regularly for a number of reasons. Loyalty was to the Forge Shopping Centre.

In response to questioning by **Mr Black**, Mr Tait confirmed that Boots objected to the application earlier in the year for a pharmacy at unit 62/63 within the Forge Shopping Centre. The reason for this objection was because Boots did not believe the applicant had rights to that property.

Given that the previous application earlier in the year was refused, **Mr Black** asked what had changed for the PPC to come to a different conclusion. Mr Tait explained that the argument contained within the Boots application was from a different perspective.

Mr Black enquired whether the applicant thought that the Dickson application would have provided more choice had it been successful. Mr Tait agreed this would have been the case but did not have rights to the property. Mr Tait did not think the provision of pharmacy services within the Forge was currently adequate as the majority of people had chosen to go elsewhere when Superdrug closed.

The Chair explained that under the Regulations, for an application to be submitted within 12 months of another refused by the Board and not appealed, an applicant must demonstrate a significant difference had occurred within that timeframe. Ms Turnbull clarified that it was the Regulations at the time an application was made that were applicable. Mr Tait stated that the significant difference was the basis of the application; this application argued on behalf of the people that had used the Superdrug pharmacy who now had to go elsewhere to access pharmaceutical services whereas the previous applicant argued that a pharmacy which used to be there was no longer there. Mr Tait continued that if the proposition of the argument was wrong then the application would fail and if a different proposition had been made it may not have failed.

The Chair stated that on 21 May the PPC found that within the neighbourhood there was one existing pharmacy and 12 within the periphery (5 within one mile and another 7 within 2 miles) all of which remained. Mr Tait was not contesting that there were not enough pharmacies in the vicinity only that a large number of people that used to access pharmacy provision at the Forge now did not. This was also the case on 21 May but the point had not been made by the Applicant.

The Chair returned to the question of the western boundary and the trunk road number. As it was not readily available it was decided to establish this information out with the hearing. Mr Tait explained that in addition to the road there was also a railway line which could equally have served as the boundary should the PPC decide.

The questioning of the Applicant concluded.

The Interested Parties' Cases

Mrs Hair was invited to present the case on behalf of Parkhead Health Centre Pharmacy Ltd.

Mrs Hair began by emphasising the high number of pharmacies within the vicinity of

the proposed location (13 pharmacies within two miles and 6 within one mile) and said that many patients going to the Forge passed an existing pharmacy on the way. The existing network provided a fully comprehensive service. In the opinion of Mrs Hair there was an over provision of pharmacy services within the area because historically pharmacies did not have to go through this process to open up. The number of complaints had already been discussed but Mrs Hair reiterated that not one complaint about the inadequacy of service provision had been made. All patients of the Superdrug pharmacy had been accommodated within the existing network and Mrs Hair remained unconvinced of the need for another pharmacy in the Forge.

The Applicant Questioned the Interested Party, Mrs Hair of Parkhead Health Centre Pharmacy Ltd

Mrs Hair was asked how far two miles was from the proposed location and stated half way along Duke Street, the Carol Burns Pharmacy in Dalmarnock Road and the Lightburn area. Mrs Hair went on to suggest that one mile could be walked in 10 minutes by an able bodied person.

Mr Tait asked if any region within that area could be described as a neighbourhood. Mrs Hair admitted confusion in defining neighbourhoods and was unable to answer that question.

The Other Interested Parties Questioned Mrs Hair of Parkhead Health Centre Pharmacy Ltd

None of the other interested parties took the opportunity to ask questions of Mrs Hair.

The PPC Questioned Interested Party, Mrs Hair of Parkhead Health Centre Pharmacy Ltd

Mr Irvine pursued the definition of the neighbourhood for the purposes of this application to which Mrs Hair thought an area within one mile of the proposed pharmacy a reasonable definition given the health conditions of many local residents adding that this definition would not apply across the whole country. The Forge would be included in the Parkhead neighbourhood. Mrs Hair went on to explain that the ethos of pharmacy care was about continuity of care which would not happen for people visiting the Forge Shopping Centre every 2 or 3 months.

As a pharmacist working in the Parkhead Health Centre Pharmacy, Mrs Hair was asked what changes had been experienced in the day to day working of the pharmacy since the Superdrug Pharmacy closed in October 2013. Mrs Hair said there had been very little change. There was initially some surprise that the Superdrug Pharmacy had closed but not enough former Superdrug patients

attended regularly to cause a problem. The extra workload had been easily absorbed and that was why Mrs Hair did not feel another pharmacy contract was merited.

Mrs Hair was asked to comment on the adequacy of the current service provision. The experience of Mrs Hair working directly within the Health Centre was that patients were very happy with the pharmacy services received in the immediate area; the level of service, availability and access to it.

Mr S Daniels asked whether there was still room for expansion within Parkhead Health Centre Pharmacy. Mrs Hair confirmed that there was still capacity for expansion not only at Parkhead Health Centre Pharmacy but also at Young & Mair.

Mr Wallace, Mr Hamilton, Mr Black or the Chair had no further questions for Mrs Hair.

Mr Rossi was invited to present the case on behalf of Tollcross Pharmacy.

Mr Rossi began by highlighting the legal test that must be applied for a new pharmacy application to be successful i.e. that pharmaceutical services at the premises named in the application were necessary or desirable to secure adequate provision of pharmaceutical services in the neighbourhood. Mr Rossi explained that there was no evidence of inadequacy in the area. The neighbourhood had been defined by Mr Tait as the Forge Shopping Centre. This was in accordance with that defined by the PPC at the hearing earlier in the year for a pharmacy at another unit in the Forge when the neighbourhood was found to contain one pharmacy and another five in close proximity. Although patients initially panicked on finding the Superdrug pharmacy closed, most patients had another close to home and so were able to access services. Mr Rossi concluded that the legal test for this application had not been satisfied as this pharmacy was neither necessary nor desirable.

The Applicant Questioned the Interested Party, Mr Rossi of Tollcross Pharmacy

Mr Tait asked whether Mr Rossi had ever worked in a shopping centre pharmacy to which the answer was not for a long time.

Mr Tait thought Mr Rossi would be surprised at the number of repeat prescriptions shopping centre pharmacies processed. However Mr Rossi did not think 4000 repeat prescriptions from 200,000 people per week significant.

The Interested Parties Questioned Mr Rossi of Tollcross Pharmacy

There were no further questions from the other Interested Parties.

The PPC Questioned the Interested Party, Mr Rossi of Tollcross Pharmacy

Mr Irvine asked whether Mr Rossi agreed with the proposed neighbourhood. Mr Rossi suggested that the Forge was only part of the neighbourhood; it was wider to take into account where people worked and lived as well as shopped. Mr Rossi suggested the boundaries be extended to King Street and Tollcross Park.

Mr S Daniels enquired whether the Tollcross Pharmacy was working to capacity. Mr Rossi explained that it was moderately busy but not working to full capacity.

Mr Wallace wanted to know how many Tollcross Pharmacy patients also used Shopping Centre Pharmacies. Mr Rossi was unable to put a figure on it but explained that as Tollcross Pharmacy was closed on a Sunday patients may use shopping centre pharmacies at this time. Mr Rossi also acknowledged Tollcross Pharmacy patients may use a shopping centre pharmacy for an acute prescription.

Mr Black, Mr Hamilton and the Chair had no further questions for Mr Rossi.

Lastly the case from Mr Parr, Asda Pharmacy was invited by the Chair.

Although not a population or demographic expert, **Mr Parr** wondered if the increase in footfall at the Forge was related to the Commonwealth Games. Asda expected to see 60,000 of 150-200,000 per week visit the Asda store. This was a fair chunk of the population and repeat business associated with it. Mr Parr accepted that the majority of former Superdrug customers had been catered for elsewhere. Nevertheless the Asda pharmacy had seen business increase approximately 10% in the last 12 months. Mr Parr confirmed that the Asda pharmacy had further capacity for expansion as the PPC saw when it visited today.

Mr Parr was not convinced by Mr Tait's argument for the difference between the previous and current application. Both were offering the same services to the same neighbourhood and unlike Asda, neither offered extended late opening hours or Sunday opening.

Mr Parr emphasised that there was no lack of care for customers in the area. There was adequate provision of pharmacy services within a one mile radius of the proposed pharmacy with room for expansion. Asda pharmacy had easily absorbed 1000 people in the last year. Like any pharmacy people came and people left but two Asda pharmacists had been resident for 14 years and 8 years respectively.

Deprivation was a factor within the area but given that the Forge Shopping Centre was the catchment area of the proposal, Mr Parr queried consideration of the data on the number of cars per head. Mr Parr concluded by stating that Mr Tait had accepted people shopping and living locally had adequate provision of pharmaceutical services.

The Applicant Questioned the Interested Party, Mr Parr of Asda Pharmacy

Mr Parr declined to put a number on the 10% increase in Asda pharmacy business when asked by **Mr Tait**. Mr Tait concluded that the number must be comparatively low given that Asda had picked up only 1000 prescriptions more per week when Superdrug closed and there were another 12 pharmacies in the area to take up the capacity.

The Interested Parties Questioned, Mr Parr of Asda Pharmacy

Mr Rossi asked whether Mr Parr agreed that the 10% increase in Asda business was indicative of people returning to local areas for pharmaceutical services. Mr Parr replied that people shopping locally were taking advantage of the opportunity for pharmaceutical care there.

Mrs Hair had no further questions.

The PPC Questioned the Interest Party, Mr Parr of Asda Pharmacy

The Chair asked if Mr Parr agreed with the neighbourhood definition provided by Mr Tait. Mr Parr disagreed and thought the neighbourhood should be one mile from the shopping centre past London Road to the South and Alexandra Parade to the North. However Mr Parr had come to the meeting with the expectation that the shopping centre itself was the neighbourhood.

The Chair, having concluded that there were no further questions asked the parties to sum up in reverse order beginning with Mr Parr of Asda Pharmacy.

Summing Up

Mr Parr began by stating that for a new pharmacy to be approved the applicant had to show that pharmaceutical services within the neighbourhood were inadequate. However Mr Tait had showed there was adequate provision in the area and instead argued that there was a lack of choice. Not all prescriptions previously serviced by Superdrug came to Asda although business had increased. People chose to use pharmacies other than located in the Forge which in itself showed adequate provision and choice in the local area. For these reasons Mr Parr asked the PPC not to approve this application.

Mr Rossi reiterated that there was no evidence of inadequacy given that there was a pharmacy in the shopping centre itself and another five within half a mile of the proposed location. Mr Rossi asked that the application be rejected.

Mrs Hair noted the adequacy of the existing network and therefore asked for the

application to be refused.

The Applicant reminded the hearing that a large proportion of Superdrug pharmacy's customers had not sought pharmaceutical provision within the immediate area surrounding the Forge as pharmacies located there had not seen any significant increase in business. Mr Tait explained that it was not just about choice of pharmacy but whether or not people chose to travel further or go somewhere not normally gone previously. That was what happened in this case. Mr Tait believed there was evidence of a lack of provision as the majority of people previously using the Superdrug Pharmacy had disappeared. These people did not visit pharmacies in the immediate or surrounding neighbourhood and not all passed a pharmacy on the way to the Forge. There had been a suggestion that the neighbourhood should be one mile radius from the Forge but Lord Banks was quoted as saying a neighbourhood could be a single street. Mr Tait believed there was justification for this application and that a case had been made for it but it was for the Panel to decide whether or not this case was strong enough.

The Chair thanked all contributors and advised that the Committee was now going into closed session. The applicant and interested parties were reminded that if further legal advice was required then this was to be provided in open session and all would be invited back into the meeting. It was in their interest to remain in the building until this was determined. The Chair agreed to advise all within the next ten minutes whether further legal advice was necessary.

The Chair advised all parties that the Committee's decision would be relayed to the Board within 10 working days. After which the decision would be formally relayed to the applicant and interested parties within 5 working days. These timescale were consistent with the Regulations. Thereafter, there would be 21 days within which appeals could be lodged against the PPC's decision (full details of how to do this would be included in the formal written notification of the decision).

When asked by the Chair to confirm individually that a full and fair hearing had been received, the Applicant and Interested Parties confirmed that this had been the case.

At this juncture the Applicant, Interested Parties and Ms Turnbull left the meeting.

Following a brief discussion it was decided that no further legal advice was required. Ms Nicol notified the applicant, interested parties and Ms Turnbull.

The PPC were 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 were 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 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 Applicants' premises, namely:

Asda Stores
Burns Pharmacy
Parkhead Health Centre Pharmacy
Tollcross Pharmacy
Young & Mair Pharmacy
had made representations to the Committee.

- b) The Greater Glasgow & Clyde Area Medical Committee had made representation.
- c) The Greater Glasgow & Clyde Area Pharmaceutical Community Pharmacy Sub-Committee had made representation.

The Committee noted that in accordance with the requirement (Paragraph 2, Schedule 3) to consult those who might use the pharmaceutical services provided (if the application were granted), notification of the application had been sent to:

- d) The following community councils:

Auchenshuggle Community Council – no response was received;
Bridgeton & Dalmarnock Community Council – no response was received;
Dennistoun Community Council – no response was received;
Parkhead Community Council – no response was received;

- e) The following Councillors:

Councillor Yvonne Kucuk – no response received;
Councillor George Redmond – no response received;
Councillor Alison Thewlis – no response received;
Mr John Mason MSP – no response received;
Mrs Margaret Curran MSP – no response received.

The Committee also considered;-

- f) The location of the nearest existing pharmaceutical services;
- g) The location of the nearest existing medical services;
- h) Information from Glasgow City Council's Development & Regeneration Services advising of the known developments within the area of the proposed premises.
- i) Population/Census 2001 information relating to the postcode areas surrounding the Applicant's proposed premises.
- j) Patterns of public transport in the area surrounding the Applicant's proposed premises;
- k) Information regarding the number of prescription items dispensed during the past 12 months and Quarterly Information for the Minor Ailment Service activity undertaken by pharmacies within the consultation zone;
- l) Complaints received by the Health Board regarding services in the area;
- m) Applications considered previously by the PPC for premises within the vicinity;
- n) The Pharmaceutical Care Services Plan.

DECISION

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

The Committee considered that the neighbourhood should be defined as follows:

The Forge Shopping Centre located at Parkhead, Glasgow G31 4EB encompassed by the following boundaries –

N – railway line and Shettleston Road
E – Duke Street
S – Gallowgate
W – Biggar Street and A728

In reaching this decision the Committee agreed with the findings from the PPC hearing on 21 May 2014 namely –

The Forge was a neighbourhood for all purposes and had all the necessary amenities including banks, shops, cinema, cafes, opticians and a pharmacy located within Asda supermarket. All the facilities which would be expected in a neighbourhood and easily accessible by public transport and on foot. The Committee considered that the area, as defined, constituted a distinct and identifiable neighbourhood and agreed with the description of the Forge being a “hub” for the community. “the Forge” was also classed as a destination on many bus routes.

Adequacy of Existing Provision of Pharmaceutical Services and Necessity or Desirability

Having defined the neighbourhood, 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 there was one existing pharmacy namely Asda Stores Ltd located within the supermarket with a further 12 on the immediate periphery; five of which located under one mile and the remaining seven located less than two miles from the proposed premises.

The Committee considered that the population within the neighbourhood could access services both within the neighbourhood and out with the neighbourhood. The Committee had noted from its visit to the proposed premises and surrounding vicinity the existence of several groups of shops and community facilities.

The Committee considered this existing network provided comprehensive service provision to the neighbourhood and all services required by the pharmacy contract, along with additional services. The Committee considered that access to services was readily achievable in a variety of ways either by foot, public transport via numerous bus services or by car.

The Committee then considered the point made by the Applicant that the existing pharmacy network was not the place of choice for majority of former Superdrug customers. However the Committee was of the view that this did not make the provision inadequate. Particularly as there were six pharmacies within a one mile radius of the applicant’s proposed premises, several pharmacies within the existing network were doing less business than expected and there was sufficient capacity for expansion. In addition it had been noted that the Board had received no formal complaints regarding the provision of pharmaceutical services in the area.

In accordance with the statutory procedure the Pharmacist Members of the Committee, Mr Irvine, Mr Wallace and Mr Black left the room during the

decision process.

DECIDED

Taking into account all of the information available, and for reasons set out above, it was the view of the Committee that the provision of pharmaceutical services in the neighbourhood and the level of service provided by those contractors to the neighbourhood, was currently adequate.

It was the unanimous decision of the PPC that the application be refused.