

## NOT YET ENDORSED AS A CORRECT RECORD

Pharmacy Practices Committee (01)  
 Minutes of the Meeting held on  
 Thursday 16<sup>th</sup> January 2014 at 9.30am  
 Conference Room 2.16B, New Victoria Hospital  
 Grange Road, Glasgow  
 G42 9TT

<b>PRESENT:</b>	Mr Peter Daniels	Chairman
	Dr Catherine Benton	Deputy Chair
	Mrs Maura Lynch (from Item 6)	Lay Member
	Mr Alan Fraser	Lay Member
	Mr Stewart Daniels	Lay Member
	Dr James Johnson	Non-contractor Pharmacist Member
	Mr Ian Mouat	Non-contractor Pharmacist Member
	Mr James Wallace	Non-contractor Pharmacist Member
	Mr Gordon Dykes	Contractor Pharmacist Member
	Mr Kenny Irvine	Contractor Pharmacist Member
	Mr Alasdair MacIntyre	Contractor Pharmacist Member
<b>IN ATTENDANCE:</b>	Mrs Trish Cawley	Contracts Supervisor - Community Pharmacy Development Team
	Mr Richard Duke	Contracts Manager - Community Pharmacy Development Team
	Mr Robert Gillespie	Lead Pharmacist - Community Care
	Mrs Janine Glen	Contracts Manager - Community Pharmacy Development Team
	Mrs Dale McGinley	Contracts Supervisor - Community Pharmacy Development Team

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

ACTION

**Mr Alasdair MacIntyre declared an interest in the following applications:**

**Item 4 - Minor Relocations**

**Case No: PPC/MRELOC05/2012 – Melville Chemists, 4 Auchenlarie Drive, Fernhill, Glasgow G73 4EQ**

**Case No: PPC/MRELOC01/2013 – Dukes Road Pharmacy, 188 Dukes Road, Burnside, Glasgow G73 5AA**

**Case No: PPC/INCL05/2011 – Kyle Square Ltd, Unit 5 151 Western Road, Whitlawburn, Glasgow G72 8PE**

**The Chair agreed that as the above matters had already been considered outwith the Committee and their inclusion in the Agenda was solely so that the PPC could ratify decisions already taken, that there was no need for the member to leave the room.**

Mr Stewart Daniels declared an interest in Agenda item 6 and specifically in the NAP determination for Case No: PPC/INCL04/2012 – Arvind Salwan & Neeraj Salwan, 65 Hillhead Street/Southpark Avenue, Glasgow G12 8QF.

The Chair agreed that as the above matter was solely for the PPC to note there was no need for the member to leave the room during this discussion.

**1. Apologies**

Apologies were received on behalf of Mrs Catherine Anderton.

**2. Minutes**

The minute of the meetings held on:

**Thursday 14<sup>th</sup> March 2013 PPC[M]2013/01;  
Monday 3<sup>rd</sup> June 2013 PPC[M]2013/03; and  
Wednesday 18<sup>th</sup> September 2013 PPC[M]2013/05**

were approved as accurate records.

**3. Matters arising not included in the Agenda**

There were no matters arising from the minutes.

**Section 2 – Other Issues**

**4. Matters Considered by the Chair**

Change of Ownership

**Case No: PPC/CO01/2013 – Andrew Hughes Chemist, Unit 4 Bridgewater Shopping Centre, Erskine PA8 7AA**

The Board had received an application from CMAM Pharmacy Ltd for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as Andrew Hughes Chemist (Goldie Ltd) at the address given above. The change of ownership was effective from 1<sup>st</sup> October 2012.

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 General Pharmaceutical Council.

Given the above, the Chair agreed that the application could be granted in terms of Regulation 4 of the current Pharmaceutical Regulations.

**NOTED/-**

**Case No: PPC/CO02/2013 – Twechar Pharmacy, Twechar Healthy Living & Enterprise Centre, Unit 1AZ St John's Way, Main Street, Twechar G65 9TA**

**PPC(M))2014/01**

The Board had received an application from Amica Healthcare Ltd for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as Twechar Pharmacy at the address given above. The change of ownership was effective from 1<sup>st</sup> February 2013.

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 General Pharmaceutical Council.

Given the above, the Chair agreed that the application could be granted in terms of Regulation 4 of the current Pharmaceutical Regulations.

***NOTED/-***

**Case No: PPC/CO03/2013 – Sinclair Pharmacy, 145 Spey Road, Bearsden, Glasgow G61 1LF**

The Board had received an application from J P Mackie & Co Ltd for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as Sinclair Pharmacy at the address given above. The change of ownership was effective from 25<sup>th</sup> March 2013.

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 General Pharmaceutical Council.

Given the above, the Chair agreed that the application could be granted in terms of Regulation 4 of the current Pharmaceutical Regulations.

***NOTED/-***

**Case No: PPC/CO04/2013 – Neilston Pharmacy, 55 Main Street, Neilston G78 3NH**

The Board had received an application from Neilston Pharmacy Ltd (Rossinver Holding Ltd) for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as Neilston Pharmacy Ltd at the address given above. The change of ownership was effective from 1<sup>st</sup> May 2013.

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 General Pharmaceutical Council.

Given the above, the Chair agreed that the application could be granted in terms of Regulation 4 of the current Pharmaceutical Regulations.

***NOTED/-***

**Case No: PPC/CO05/2013 – Gajree Pharmacy, 617 Pollokshields Road, Glasgow G41 2QG**

The Board had received an application from Central Pharmacies (UK) Ltd for inclusion in the

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Board's Pharmaceutical List at a pharmacy previously listed as Gajree Pharmacy at the address given above. The change of ownership was effective from 1<sup>st</sup> August 2013.

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 General Pharmaceutical Council.

Given the above, the Chair agreed that the application could be granted in terms of Regulation 4 of the current Pharmaceutical Regulations.

***NOTED/-***

**Case No: PPC/CO06/2013 – Torrance Pharmacy, 65-65 Main Street, Torrance, Glasgow G64 4EL**

The Board had received an application from Shergill Partnership (A Firm) for inclusion in the Board's Pharmaceutical List at a pharmacy previously listed as Torrance Pharmacy at the address given above. The change of ownership was effective from 1<sup>st</sup> November 2013.

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 General Pharmaceutical Council.

Given the above, the Chair agreed that the application could be granted in terms of Regulation 4 of the current Pharmaceutical Regulations.

***NOTED/-***

Minor Relocations

**Case No: PPC/MRELOC05/2012 – Melville Chemists, 4 Auchenlarie Drive, Fernhill, Glasgow G73 4EQ**

The Committee considered the action taken by the Chairman on an application for a minor relocation of a NHS Dispensing contract held by M& D Green Dispensing Chemist Ltd to relocate from 38 Fernhill Road, Rutherglen, Glasgow G73 4BT to 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 2009 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/-***

**Case No: PPC/MRELOC01/2013 – Dukes Road Pharmacy, 188 Dukes Road, Burnside, Glasgow G73 5AA**

The Committee considered the action taken by the Chairman on an application for a minor relocation of a NHS Dispensing contract held by M& D Green Dispensing Chemist Ltd to relocate from 196 Dukes Road, Burnside, Glasgow G73 5AA to 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 2009 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/-**

**Case No: PPC/MRELOC02/2013 – Red Road Pharmacy, 578 Broomfield Road, Glasgow G21 3HN**

The Committee considered the action taken by the Chairman on an application for a minor relocation of a NHS Dispensing contract held by Mr Tariq Butt to relocate from 51 Red Road Court, Glasgow G21 4PL to the above address.

The Committee noted that the application did not fulfil the criteria for a minor relocation under Regulation 5 (4) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 as amended.

The Committee noted that the Chairman had refused the application, having been satisfied that the application did not fulfil the requirements laid down in the Pharmaceutical Regulations.

**NOTED/-**

**Case No: PPC/MRELOC03/2013 – Sinclair Pharmacy, 1874 Dumbarton Road, Glasgow G14 0YA**

The Committee considered the action taken by the Chairman on an application for a minor relocation of a NHS Dispensing contract held by Mr David Sinclair to relocate from 1943 Dumbarton Road, Glasgow G14 0YT to the above address.

The Committee noted that the application did not fulfil the criteria for a minor relocation under Regulation 5 (4) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 as amended.

The Committee noted that the Chairman had refused the application, having been satisfied that the application did not fulfil the requirements laid down in the Pharmaceutical Regulations.

**NOTED/-**

**Case No: PPC/MRELOC04/2013 – Lyoncross Pharmacy, 54 Lyoncross Road, Glasgow G53 5UW**

The Committee considered the action taken by the Chairman on an application for a minor relocation of a NHS Dispensing contract held by Tejinder Bhopal to relocate from 50 Lyoncross Road, Glasgow G53 5UW to 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 2009 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/-**

**Case No: PPC/MRELOC05/2013 – Lloyds Pharmacy Ltd, KATS (Kids and Adults Together) Building or Portacabin within car park of KATS Building, 1 Fountainwell Square, Sighthill, Glasgow G21 1RB**

The Committee considered the action taken by the Chairman on an application for a minor relocation of a NHS Dispensing contract held by Lloyds Pharmacy Ltd to relocate from 42 Huntington Square, Sighthill, Glasgow G21 1RL to 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 2009 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/-**

**5. Temporary Suspension of Service**

**Case No: PPC/SUS01/2013 – Lloyds Pharmacy Ltd, 42-44 Huntington Square, Sighthill, Glasgow G21 1RL**

The Committee considered the action taken by the Chairman on an application submitted by Lloyds Pharmacy Ltd, to temporarily suspend provision of NHS services at their premises situated at 42-44 Huntington Square, Sighthill, Glasgow G21.

In considering the application in accordance with Regulation 8(3) of the National Health Service (General Pharmaceutical Services)(Scotland) Regulations 1995 (as amended), the Chairman had determined whether the temporary suspension of the NHS Dispensing Contract would affect the adequacy of services in the neighbourhood in which the premises were located.

From the paper, the Committee were aware of the circumstances that had led to Lloyds Pharmacy Ltd making this application. The Chairman had agreed that all reasonable steps had been taken to retain a pharmaceutical presence in the area, however due to circumstances wholly outwith their control, the company had been required to close their

Huntington Square branch and had been unable to identify any suitable alternative premises in the neighbourhood.

The Chairman had been satisfied that the temporary suspension of this contract would not affect pharmaceutical services in the area, as the company had introduced reasonable contingency plans to cope with the closure.

Mrs Glen advised the PPC that Lloyds Pharmacy Ltd had applied for an extension to the initial six months suspension approved by the Chairman. The company were continuing to explore alternative premises; however this was proving difficult due to the development programme being undertaken by Glasgow City Council. The Committee approved a two month extension.

**DECIDED/-**

- i) That the Chair's action in approving the initial suspension for six months be homologated;**
- ii) That a further period of two months suspension be approved.**

**Case No: PPC/SUS02/2013 – Superdrug Stores, Unit 4/5 Parkhead Forge, Parkhead, Glasgow G31 4EB**

The Committee considered the action taken by the Chairman on an application submitted by Superdrug Stores, to temporarily suspend the provision of NHS services held at their premises situated at Unit 4/5 Parkhead Forge Shopping Centre, Parkhead, Glasgow G31

In considering the matter in respect of Regulation 8(3) of the National Health Service (General Pharmaceutical Services)(Scotland) Regulations 1995 (as amended), the Chairman had determined whether the temporary suspension of the NHS Dispensing Contract would affect the adequacy of services in the neighbourhood in which the premises were located.

From the paper, the Committee were aware of the circumstances that had led to Superdrug Stores making this application. Communication from the company had been disappointing and the Community Pharmacy Development Team had worked with the employees of the branch to ensure that there was as little disruption as possible to patient care. GPs and other community pharmacies in the area had been notified of the closure.

The Chairman was therefore satisfied that despite the unfortunate circumstances, the temporary suspension of NHS service provision, pharmaceutical services in the neighbourhood remained adequate.

Mrs Glen advised the PPC that a recent communication from Superdrug Stores suggested that the company were unable to identify suitable alternative premises within Parkhead Forge Shopping Centre. They were therefore in the process of identifying interest from a third party to sell the contract. Mrs Glen advised that the CPDT would keep the PPC informed of progress.

**Contracts  
Supervisor**



Mr Irvine noted that within the paperwork, Superdrug had mentioned on-going lease negotiations for their other two Superdrug Stores in Newton Mearns and Rutherglen. He sought reassurance from Board Officers that the continued provision of services would be secure from these branches. Mrs Glen advised that Superdrug had provided confirmation that the lease negotiations for the two stores were now complete and services were protected into the future.

**NOTED/-**

**6. National Appeals Panel Decisions**

The Committee having previously been circulated with Paper 2014/04 noted the determinations issued by the National Appeals Panel in the following cases:

**Case No: PPC/INCL05/2011 – Kyle Square Ltd, Unit 5 151 Western Road, Whitlawburn, Glasgow G72 8PE**

**Case No: PPC/INCL06/2011 – Mohammed Ameen, 460 Ballater Street, Glasgow G5 0QW**

**Case No: PPC/INCL01/2012 – Mr Gazenfer Ali of Vitalis Healthcare Ltd, 59 Cambridge Street, Glasgow G3 6QX**

**Case No: PPC/INCL03/2012 – Eggle Ltd, 199 Gallowgate, Glasgow G1 5DY**

**Case No: PPC/INCL04/2012 – Arvind Salwan & Neeraj Salwan, 65 Hillhead Street/Southpark Avenue, Glasgow G12 8QF**

The PPC discussed the various decisions issued by the National Appeals Panel. The PPC noted that all applications subject to appeal had now been dealt with and there were no outstanding cases.

The PPC noted that its processes and procedures had been amended to take into account all points previously put forward by the NAP, and as a result the Committee were confident that their current processes were robust and appropriate to meet the requirements of NAP. One issue raised by an applicant in an appeal remained untested; where a Health Board officer accompanied the PPC on the site visit. This issue had not been considered by the NAP and as such no definitive way forward had been identified. In the absence of a firm position from NAP, the PPC agreed that the current process should continue for the time being. The PPC asked the CPDT to obtain advice from NAP regarding this issue to see if the Chair could provide advice on an acceptable way forward.

The Committee discussed the various issues raised by the NAP and in particular to the decision relating to Case No: PPC/INCL04/2012. The PPC noted that at Para 1.3.6, the Applicant had cited as a point of appeal *“There was a lack of understanding by the PPC on the non-NHS facility in that the PPC did not appreciate that were the Application granted there would be a six month period in which the premises would be refitted to be more in line with a NHS service with a larger, dispensing area and a pharmacist.”* Members of the committee were concerned that the current non-contract pharmacy may be operating in the absence of a Pharmacist. The members who attended the Hillhead PPC explained the process behind the current operation and the members were of the view that prescriptions were currently being collected from the facility in the absence of a pharmacist. This gave the PPC cause for concern given the implications that could derive from such a situation.

**Contracts  
Manager**



In addition at point 2.2.1 of the determination the evidence of the Applicant contained the following statement “*Currently, the premises are served as a collection point for prescribed medication which had been prepared at a NHS contract pharmacy and that this was the service model that was currently in place.*” It was the PPC’s contention that the service, as described by the Applicant, could be classed as “*regulated activity*”.

The PPC were keen that advice be sought from the GPhC regarding the current model of services provided by the University pharmacy and whether this met the professional and ethical requirements of the regulatory body.

**AGREED/-**

**That Mr Gillespie makes contact with the GPhC with a view to discussing the issues identified above and feed back to the PPC once a definitive position had been agreed.**

Lead –  
Community  
Care

**7. Practice Notes Issued by the National Appeals Panel**

The Committee having previously been circulated with Paper 2014/05 noted the practice notes issued by the National Appeals Panel since July 2012.

**NOTED/-**

**8. Pharmaceutical Care Services Plan**

The Committee having previously been circulated with Paper 2014/06 considered the draft Pharmaceutical Care Services Plan for 2013/2014.

The PPC discussed the document and its evolution over the last couple of years. It remained the Committee’s opinion that the current plan did not address the identification of unmet need. It was noted that a no definitive response was issued by SG in regard to submissions by Health Boards of draft plans in 2009. Mr Gillespie explained that there had been discussions at a national level on PCSP and that work was underway. The Control of Entry regulations consultation and also the publication of the Scottish Government policy document “Prescription for Excellence” highlighted the need for HBs to develop these plans.

The PPC welcomed the renewed focus on this piece of work and looked forward to the development of the document in the future.

**NOTED/-**

**9. Non Contractor Pharmacist Member Nominations**

The Committee having previously been circulated with Paper 2014/07 considered nominations for co-opted members to the PPC.

This had come about due to the rehearing of several applications remitted back to the PPC from the NAP which required that new Committees be formed. This requirement made it necessary for members to be drafted in from other Health Boards. The PPC was asked to agree the nomination of the following co-opted members:

- **Mr David Sinclair;**
- **Ms Yvonne Williams;**

- **Mr Wallace Stevenson; and**
- **Mr Edward Mallinson.**

**AGREED/-**

**10. PPC Members Terms of Office**

The Committee having previously been circulated with Paper 2014/08 considered an extension to the Terms of Office for the following members:

- **Mrs Joan Miller – Non-contractor Pharmacist Member;**
- **Mr Ian Mouat – Non- contractor Pharmacist Member; and**
- **Mr James Wallace – Non-contractor Pharmacist Member.**

All three members had agreed to extend their terms of office for a period of two years from December/January 2013.

**AGREED/-**

**11. Remit of the Pharmacy Practices Committee**

The Committee having previously been circulated with Paper 2014/09 considered the Remit of the Pharmacy Practices Committee.

The PPC noted that in accordance with the Health Board’s annual review of corporate governance arrangements, it was required to consider and agree the remit of the PPC.

The PPC agreed that the remit remained appropriate for 2014 and that no further changes were required.

**AGREED/-**

- **The PPC asked that the term “Deputy” be removed from all communications, address books etc.**

**Contracts Supervisor**

**12. Model Hours of Service Scheme**

The Committee having previously been circulated with Paper 2014/10 considered an update on the Model Hours of Service exercise undertaken by the CPDT.

The Committee noted that an on-going exercise to encourage community pharmacies to provide hours of service in line with the current Model Hours of Service Scheme had resulted in all but one community pharmacy now adhering to the minimum requirements. Mrs Glen advised the Committee that of the community pharmacies who were physically able to open, only one remained outwith the current Scheme. This despite making assurances to the Board that it would bring its hours into line.

**AGREED/-**

The PPC agreed that the CPDT should draft a letter for the Chair’s signature drawing the contractor’s attention to the fact that 99% of pharmacies in the Health Board’s area adhered

**Contracts Manager**

to the minimum requirement and seeking their plans to comply with the provisions of the Scheme within the next three months.

### 13. Proposed Training Programme – 2014

The Committee having previously been circulated with Paper 2014/11 discussed a proposed training programme for 2014.

Mrs Glen advised the PPC that in previous years, training had been arranged for the Committee very much on an ad hoc basis. The proposal was to develop a programme which would see the Committee attend three training sessions per year covering mandatory aspects including Equality and Diversity and also items specific to community pharmacy i.e. Prescription for Excellence.

After comprehensive discussion, the PPC agreed that the three sessions should be arranged on a half day basis unless any contentious issues were raised by applications or if the NAP identified any issues with the PPCs processes through an appeal. In such instances the programme could be extended to include a “mock” PPC which would extend the event to a full day.

#### **AGREED/-**

**The PPC agreed that a programme of training be developed for 2014. This would consist of three half day sessions covering issues of relevance to the Committee which would ensure their knowledge and skills were kept up to date. Mrs Glen would circulate details once the programme was organised.**

Contracts  
Manager

### 14. Control of Entry Consultation

The Committee having previously been circulated with Paper 2014/12 considered the Scottish Government consultation document “Applications to Provide NHS Pharmaceutical Services – A consultation on the Control of Entry Arrangements and Dispensing GP Practices.

The Committee broadly welcomed the review which they felt was necessary in light of issues raised by the new arrangements which had been introduced in 2011. It was, however, disappointed to note some of the proposals in the document and questioned whether the consultation covered all aspects of the Regulations which it would have expected it to.

After comprehensive discussion, the PPC agreed that the CPDT should develop a response covering all 11 proposals. This should be circulated to the full membership of the PPC for comment prior to a consolidated response being made to the SG by the end of the timescale of 20<sup>th</sup> February 2014.

The Committee agreed that a response would be made to each of the 11 proposals. In addition, the PPC considered the consultation as an opportunity to raise issues not included as proposals. They agreed that their response should address the contribution of Board Officers to the PPC process in light of the Chair of NAPs determination which has seen them removed from the provision of technical and regulatory advice to the PPC.

#### **AGREED/-**

The PPC agreed that a draft response be developed and shared with all members with a view to agreeing a joint response with CPDT before the end of the consultation period.

**15. Any Other Competent Business**

**Health Centre Pharmacies** – Mr Gillespie advised the PPC of developments currently being undertaken with a number of the Board's Health Centres. Several of the Board's Health Centres were being rebuilt, making it necessary for the pharmacies within these Health Centres to seek relocation of their current services to the new location. The CPDT were working with the Capital Planning section of the Board to ensure awareness of the regulatory framework in advance of any building work being undertaken. Mr Gillespie asked the PPC to consider that applications of this nature may require to be heard by the PPC.

**NOTED/-**

**16. Date of Next Meeting**

The date for the next meeting dealing with Section 2 business would be communicated to members in due course.

The meeting ended at 1.00 pm