

<b>NHS Greater Glasgow &amp; Clyde</b>	<b>Paper No. 21/78</b>
<b>Meeting:</b>	<b>Board Meeting</b>
<b>Date of Meeting:</b>	<b>26 October 2021</b>
<b>Purpose of Paper:</b>	<b>Assurance</b>
<b>Classification:</b>	<b>Board Official</b>
<b>Name of Reporting Committee</b>	<b>Pharmacy Practices Committee</b>
<b>Date of Reporting Committee</b>	<b>Wednesday 1 September 2021</b>
<b>Committee Chairperson</b>	<b>Mrs Margaret Kerr</b>

**Paper Title:**

**Application for Inclusion in the Board's Pharmaceutical List - CASE No: PPC/INCL02/2021 - NSJ Ltd, 421 Mearns Road, Mearnskir, G77 5RY**

**Recommendation:**

That the Board note the decision taken at the recent meeting of the Pharmacy Practices Committee as set out below.

<b>13.</b>	<b>DISCUSSION</b>
<b>13.1</b>	The PPC in considering the evidence detailed above submitted during the period of consultation, presented during the hearing and recalling observations from the individual site visits, first had to decide the question of the neighbourhood in which the premises, to which the application related, were located.
<b>13.2</b>	The PPC considered the neighbourhoods as defined by the Applicant, and by each of the Interested Parties; examined the maps of the area and considered what they had seen on their site visits.
<b>13.3</b>	The PPC questioned the Applicant's assertion that the Co-op facility on Mearns Road would become the heart of the community. Several of the PPC members confirmed that the area had not been busy when they had visited and described the shop as being a place where you might stop off to buy a pint of milk rather than a place where you would buy a lot of provisions. The offering of grocery shopping in the wider Newton Mearns area was considerable with, Aldi, Waitrose, Marks and

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	Spencer and Asda. All of these were outwith the Applicant's defined neighbourhood and the PPC did not feel that the Co-op facility detracted from these other providers.
<b>13.4</b>	<p>The PPC discussed in general terms the area of Newton Means highlighted in the two miles radius from the Applicant's proposed site.</p> <p>The PPC discussed the main boundary roads of the M77 and the dual carriageway of the A77 that are key roads in the area. The varying proposals for neighbourhood that were presented by the Applicant and certain IPs were discussed.</p>
<b>13.5</b>	<p>The PPC discussed each of the Applicant's proposed boundaries in turn:</p> <p>West: All members agreed that the M77 provided a physical and natural boundary to the west.</p> <p>South: All members agreed that the A726 formed a natural neighbourhood boundary between the community and farmland.</p> <p>East: Again, while, as pointed out by an IP, the Applicant's east boundary was not a main road, it did provide a natural divide between housing and countryside which reflected the nature of the neighbourhood. The PPC did however feel that the extent to which the east boundary extended north required further debate. The PPC members felt from site visits the Eaglesham Rd/Waterfoot Rd end to the neighbourhood did not reflect either natural boundaries or their experience of the community.</p> <p>North West: the PPC debated whether the wider Newton Mearns area (east and west of the A77) should be considered as one neighbourhood. It was agreed that the A77 did provide a physical boundary for the neighbourhood to be defined, extending to the railway line at Whitecraigs.</p> <p>North East: Given the range of housing and the affluent and mobile nature of the area, a more natural north east boundary to the neighbourhood was following the green spaces of Cathcart Golf Course and Greenbank Gardens which for a natural boundary to the east of the neighbourhood.</p>
<b>13.6</b>	The PPC after discussion decided against fully accepting the neighbourhood put forward by the Applicant. They pointed particularly to the North boundary suggested by the Applicant and agreed that there were no apparent distinguishable features between the housing on either side of Eaglesham Road. This was the case in terms of where the residents would go to shop, the types of housing and even at the basic level of garden style. The PPC determined that residents on both sides would consider themselves neighbours and part of the same community.
<b>13.7</b>	After considering all relevant factors and seeking to identify natural boundaries, the PPC agreed that the neighbourhood should be defined as:
<b>13.8</b>	<p>West: M77 (at Junction 5) – travelling North to meet Ayr Road;</p> <p>North: A77 travelling North-East to intersection of railway line at Whitecraigs;</p> <p>East – line of housing bordering Cathcart Golf Course, through Greenbank Gardens to Waterfoot Road;</p> <p>South: A726 following West to meet the M77 (at Junction 5).</p>

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<b>13.9</b>	The defined area was marked by natural and physical boundaries. The housing stock within it was very similar and the PPC was confident that residents throughout the neighbourhood would consider themselves to be from the same area.
<b>13.10</b>	The PPC agreed that the main amenities for the defined neighbourhood were located at the edges of the neighbourhood, with further provision at the parade of shops in Mearns Road.
<b>13.11</b>	Having reached a conclusion as to neighbourhood, the PPC was then required to consider the adequacy of pharmaceutical services within or to that neighbourhood and, if the PPC deemed them inadequate, whether the granting of the application was necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood.
<b>13.12</b>	The PPC considered the Applicant's assertion that the increased population created by the Maidenhills development rendered the current provision within the defined neighbourhood inadequate. They were mindful that there had been various views put forward during the hearing. Estimated current population and the rate of completion differed between the Applicant and Interested Parties so that it was difficult to reach a definitive number. The PPC agreed that the population within the area was growing however within the area defined by the PPC the relative increase in population was less significant. There was uncertainty as to the extent of how quickly this growth would take place. For the sake of consideration, the PPC suggested that even taking the Applicant's mid number of projected population in the next 6 months (1,500 – 2,000), with the current infrastructure the Applicant's proposed premises would not be easily accessible for the vast majority of the new housing. The PPC noted that there were no barriers to the existing CPs providing services to the residents of the new build houses (whether within or outside the Applicant's proposed neighbourhood).
<b>13.13</b>	The CAR had elicited 57 responses. The PPC noted that this was a low response rate, however many of the respondents had expanded their responses to the questions by leaving comments. The rate of comments appeared higher than in other CARs and concluded that there were no gaps in the current network (78%). While the PPC recognised the Applicant's comments that the rate of response rendered the report unusable, the PPC were mindful that the current regulatory framework required them to take the CAR into consideration when making their deliberations. This having been said, the responses to the CAR, albeit low in number appeared to support the Interested Parties' assertion that the current pharmaceutical network was adequate and that a new pharmacy was not required.
<b>13.14</b>	The PPC considered the CAR and noted that many of the responses received during the consultation period were overwhelmingly negative, although the overall response rate was extremely low. The PPC were mindful that it was unusual for respondents to be so negative about a new pharmacy proposal because often respondents are warm to the idea of a new pharmacy in an area as they view this as convenience so typically negative comments were minimal. In this case the negative comments were considerable and many said there was no need for an additional pharmacy in the area. This was surprising to the PPC given the role that community pharmacy had played throughout the COVID pandemic over the last 18 months. The PPC were confident in concluding that there was little to no support for

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	the Applicant's proposal in the neighbourhood.
13.15	The PPC noted that the Applicant's assertion that a more positive response rate in the CAR would have resulted in more favourable views for a new pharmacy. The PPC did not agree with this assumption, as there was no evidence to suggest that an increase in volume of responses would result in a shift towards support of a pharmacy or provide evidence of inadequacy.
13.16	The PPC discussed the Applicant's assertions that once a population reached a certain level, the current provision to the neighbourhood must be inadequate if that population required to move outwith the neighbourhood to access that provision i.e. if there were no pharmacy <b>within</b> the neighbourhood. The PPC didn't agree that a change in population in itself meant that services were inadequate. They were mindful that the increase in population had been occurring for a number of years and there appeared to be no recent complaints about the level of current service. There had been some suggestion during the oral hearing that patients didn't tend to complain about pharmaceutical services, however the PPC did not agree with this assertion and were confident that members of the public would make a complaint if they weren't satisfied with any element of a service. The PPC noted from information provided by the Board that there had only been one complaint received about services provided by the existing network in the last two years. The PPC didn't feel that they could draw any conclusions from such a low number.
13.17	The Applicant hadn't in the PPC's opinion provided any evidence to show that existing services were inadequate. The resident population enjoyed easy access to services provided by the existing network. The Applicant had relied on the apparent increase in population and that it would overwhelm the existing pharmacies. This was in the PPC's opinion an entirely theoretical argument of inadequacy and not based on any evidence of inadequacy around existing services.
13.18	All interested parties who attended offered a full range of services from their pharmacies, both core and non-core and had indicated that they were far from being at capacity. Other pharmacies in the area all offered a range of services. Two of the existing pharmacies offered Sunday opening.
13.19	<b><i>In accordance with the statutory procedure the Pharmacist Members of the PPC, Mr Ewan Black and Mrs Margaret Ryan left the hearing at this point.</i></b>
14.	<b>DECISION</b>
14.1	In determining this application, the PPC was required to take into account all relevant factors concerning the definition of the neighbourhood served and the adequacy of existing pharmaceutical services in the neighbourhood in the context of Regulation 5(10).
14.1	Taking into account all of the information available, and for the reasons set out above, it was the view of the PPC that the provision of pharmaceutical services in or to the neighbourhood (as defined by it in Paragraphs 13 – 13.18 above) and the level of service provided by the existing contractors in the neighbourhood, was currently adequate and it was neither necessary nor desirable to have an additional pharmacy.
14.2	It was the unanimous decision of the PPC that the application be refused.

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<b>15.</b>	<b>MARGARET RYAN</b>
<b>15.1</b>	The Chair advised that this would be Mrs Ryan's last meeting as a Non-Contractor Pharmacist member. She was stepping down from the PPC due to other commitments.
<b>15.2</b>	The Chair thanked Margaret for her considerable contribution to the work of the PPC over the last three years and wished her well for the future.