



**GREATER GLASGOW
PRIMARY CARE
NHS TRUST**

Meeting: Trust Board (06)
Date: Thursday, June 2000
Paper No: 2000/107
**Subject: PHARMACY PRACTICE
COMMITTEE**
**Presented by: Chairman of Committee –
Mrs Marian Jacobs**

PPC[M]2000/03

Minutes of the Meeting of the Pharmacy Practice Committee held in Board Room B, Dalian House, 350 St Vincent Street, Glasgow on Thursday 15 June 2000 at 9.00am

PRESENT:

Mrs Marian Jacobs
Mrs Patricia Cox
William Reid
Joe McKie
Dr James Johnson
Gordon Dykes
Mrs Carol Anderso

Chairman
Lay Member
Lay Member
Lay Member
Deputy Non Contractor Pharmacist Member
Contractor Pharmacist Member
Contractor Pharmacist Member

IN ATTENDANCE:

Norman McGregor Edwards
David Thomson
Mrs Janine Glen

General Manager (North) – Primary Care
Director of Pharmacy
Family Health Services Officer (Pharmaceutical/Ophthalmic)

OBSERVERS:

Ms Susan Murray
Ms Susan Sutherland
Mark Richards

Central Legal Office
Scottish Executive – Legal Department
Scottish Executive – Legal Department

1. DECLARATION OF INTEREST

Before the consideration of business, the Chairman invited members to declare any personal interest that they had in any application being considered.

Mrs P Cox (Lay Member) and Bill Reid (Lay Member) reminded the Committee that in terms of Agenda item 4 ii) – Minute Number 7 refers – the pharmacy was situated within the neighbourhood in which they lived. The Committee was aware that neither members had any personal or pecuniary interest in the application, and it had previously been agreed (in discussion of previous applications concerning their home areas) that this would not compromise their eligibility to take part in the consideration of the application. Mrs Cox and Mr Reid were thanked for reminding the Committee of this situation.

Action

2. WELCOME

The Chair welcomed the observers from the Scottish Executive and Central Legal Office to the meeting. The observers were present as part of an information gathering exercise for the development and delivery of training for Pharmacy Practice Committee Members and Administrators.

3. APOLOGIES

Apologies for absence were submitted on behalf of Mr Terry Findlay (Divisional General Manager – Primary Care), Dr J Bunney (Non Contractor Member) and Mr Nick Zappia (General Manager – South).

4. MINUTES

The Minutes of the Pharmacy Practices Committee meeting held on 13th April 2000 [PPC(M)2000/02] were approved as a correct record subject to the undernoted amendment:

Page 5 – Minute Number 6 - In the 3rd paragraph of the conclusion 4.5 should read 405.

5. MATTERS ARISING

Joyce Morrison Ltd, 8 Rozelle Avenue, Glasgow G15

Regarding Minute 4 – the Committee were informed that one of the interested parties had submitted an appeal against the Committee's decision to grant the application from Joyce Morrison Ltd to establish a pharmacy at the above address.

Indications from the National Appeals Panel suggested that any decision taken where the Committee had omitted to give a clear definition of the neighbourhood relevant to the application would normally be considered by means of an oral hearing.

As such, it was likely that the Joyce Morrison application would be subject to an oral hearing, although a provisional date had yet to be arranged.

NOTED

**6. APPLICATION FOR INCLUSION IN THE HEALTH BOARD'S PHARMACEUTICAL LIST
RELOCATION OF EXISTING SERVICES (NOT CONSIDERED MINOR)**

Case No: PPC/INCL05/00 – Buchanan & Campbell (Chemists) Ltd, Unit 5 West End Retail Park, Crow Road, Glasgow G12.7

The Committee were asked to consider an application submitted by Buchanan & Campbell (Chemists) Ltd to provide general pharmaceutical services from premises situated at Unit 5 West End Retail Park, Crow Road, Glasgow G12, according to Regulation 5(2) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 as amended as a relocation from their existing premises at 364A Dumbarton Road, Glasgow G11.6

The Committee had to determine whether the granting of the application was necessary or

desirable to secure 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 Buchanan & Campbell (Chemists) Ltd, were satisfied that the application could be determined based on the written representations, and that an oral hearing was not required.

The Committee considered views and representations received from:-

- a) Chemist contractors within the vicinity of the applicant's premises;
- b) the Area Medical Committee (General Practitioner Sub-Committee);
- c) the Greater Glasgow Area Pharmaceutical (General Practitioner Sub-Committee);

The Committee also considered:-

- d) the location of the nearest existing pharmaceutical services and the level of NHS dispensing carried out during the preceding 12 months;
- e) the location and level of general medical services in the area;
- f) demographic information regarding post-code sectors G11.5, and G11.6;
- g) patterns of public transport;
- h) Primary Care Trust plans for the future development of services; and
- i) information regarding future developments in the area from the Department of Planning and Development, Glasgow City Council.

CONCLUSION

The Committee noted that the applicant had applied for inclusion in the Trust's Pharmaceutical List for the provision of general pharmaceutical services from premises situated at Unit 5 West End Retail Park, Crow Road, Glasgow G11. The premises were already constructed and were functioning as a non-contract pharmacy.

The premises were situated in a purpose built retail park on Crow Road, Glasgow G11.6. Crow Road was situated off the main Dumbarton Road.

In considering the application the Committee was required to take into account all relevant factors concerning the issues of neighbourhood and adequacy of the existing pharmaceutical services in the neighbourhood particularly in the context of Regulation 5(10).

In terms of neighbourhood, the Committee concluded that the premises in the retail park would in fact serve two neighbourhoods:

- i) being the residential population who lived in and around the areas of Dumbarton Road, Thornwood and Crow Road, who may travel on foot to use shopping facilities in the area.
- ii) being the wider shopping population who would travel to the Retail Park from areas further afield.

In terms of adequacy the Committee noted that currently there were 12 existing pharmacies within a one-mile radius of the applicant's proposed premises. The nearest

pharmacy to the proposed premises was situated at 510 Dumbarton Road, which was situated in G11.6. The number of premises would suggest an adequacy of service, however the positioning of the existing pharmacies in the area was considered less than adequate, given the changed patterns of shopping flow created by the retail park in which the proposed new pharmacy would be sited.

The Committee did not believe the granting of the application to be necessary, as the number of pharmacies in the area as a whole was sufficient to meet the current demands for pharmaceutical services.

The applicant's existing premises were directly next door to another pharmacy (a situation which pre-dated the current regulations). Further along Dumbarton Road at 510 was another pharmacy. Behind this area of Dumbarton Road, however there was no pharmaceutical provision until further up Crow Road.

The Committee were aware that if the application were granted two pharmacies would remain at this area of Dumbarton Road, which would be able to adequately cater for the needs of the population using the facilities in the area. This element of the neighbourhood would not, in the Committee's opinion be disadvantaged by the relocation of one of the pharmacies to the Retail Park, as an adequate level of service would remain. The relocation, as proposed by the applicant would in fact result in a better distribution of pharmaceutical services in the area.

The Committee considered that the application was desirable in order to create a more equitable and appropriate distribution of services, when the topography of the area was taken into consideration.

As well as pedestrian shoppers along Dumbarton Road, there would be incoming shoppers to the area travelling by car and using facilities such as the Retail Park. Traffic calming measures due to be introduced in the area would in effect close much of Dumbarton Road to parking by motor vehicles, and as a result limit the access of those travelling by car to the shopping facilities along this stretch of road. Bearing this in mind the Committee considered that the provision of pharmaceutical services at premises in the Retail Park (which offered off road parking) would be desirable.

The Committee reached its conclusion on the following grounds:-

The population to be served by the applicant's proposed premises could fall within two distinct neighbourhoods:

- a) the neighbourhood consisting of the population who resided in an around Dumbarton Road, Crow Road and Thornwood;
- b) the wider neighbourhood consisting of people who would travel specifically to the retail park from other areas.

The Committee noted that the population defined as a) might be less likely to use the Retail Park than the shopping facilities along Dumbarton Road. The pharmacies on Dumbarton Road provided an adequate service to this element of the population, and therefore it was not necessary that the applicant should have a contract in order to secure adequate provision of pharmaceutical services.

This having been said, the Committee's view was that the relocation of the applicant's existing pharmacy on Dumbarton Road would not adversely affect the element of the population defined as a). Conversely, the Committee's view was that a more rational distribution of services would be achieved by relocation that would more adequately address the needs of both elements of the population. The Committee therefore agreed that the granting of the applicant's contract was desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood.

In accordance with the statutory procedure, the chemist contractor members of the Committee, Mrs C Anderson and Mr GJ Dykes were excluded from the decision process of the meeting prior to a decision on the application being made.

DECIDED/-

That the granting of the application was desirable to secure the adequate provision of pharmaceutical services in the neighbourhood of the proposed premises, and accordingly that the application seeking inclusion in the Primary Care Trust's Pharmaceutical List at Unit 5 West End Retail Park, Crow Road, Glasgow for the provision of general pharmaceutical services be granted.

Family Health
Services Officer

Mr Dykes, having declared an interest in the next application remained withdrawn from the meeting process during consideration of this application.

**7. APPLICATION FOR INCLUSION IN THE HEALTH BOARD'S PHARMACEUTICAL LIST
RELOCATION OF EXISTING SERVICES (NOT CONSIDERED MINOR)**

Case No: PPC/INCL06/00 – New Kirk Pharmacy Ltd, 1 Kirklee Road, Glasgow G12

The Committee were asked to consider an application submitted by New Kirk Pharmacy Ltd to provide general pharmaceutical services from premises situated at 1 Kirklee Road, Glasgow G12, according to Regulation 5(2) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 as amended as a relocation from their existing premises at 119 Clevedon Road, Glasgow G12.

The Committee had to determine whether the granting of the relocation was necessary or desirable to secure 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 New Kirk Pharmacy Ltd, were satisfied that the application could be determined based on the written representations, and that an oral hearing was not required.

The Committee considered views and representations received from:-

- a) Chemist contractors within the vicinity of the applicant's premises;
- b) the Area Medical Committee (General Practitioner Sub-Committee);
- c) the Greater Glasgow Area Pharmaceutical (General Practitioner Sub-Committee);

The Committee also considered:-

- d) the location of the nearest existing pharmaceutical services and the level of NHS dispensing carried out during the preceding 12 months;
- e) the location and level of general medical services in the area;
- f) demographic information regarding post-code sectors G12.0, G12.8 and G12.9;
- g) patterns of public transport;
- h) Primary Care Trust plans for the future development of services; and

- i) information regarding future developments in the area from the Department of Land Services, Glasgow City Council.

CONCLUSION

The Committee noted that the applicant was providing services from 119 Cleveden Road, Glasgow G12, and had applied to relocate to premises at 1 Kirklee Road, Glasgow G12. The applicant proposed to relocate into new premises because they considered that they would offer more space in which to develop and extend the services provided.

The applicant had stressed that the area surrounding the current premises would continue to be served by New Kirk Pharmacy Ltd by means of a collection and delivery service, which the applicant would apply to set up and operate from Cleveden Road Post Office. The Committee did not agree that this was a suitable way in which to provide continuing pharmaceutical care to the neighbourhood and did not share the applicant's view that it would result in an improved service to the area.

The Committee recognised that the applicant's proposed premises were situated just off Great Western Road, in an area that was currently being served by five other pharmacies. In contrast the applicant provided the only means of pharmaceutical provision in the neighbourhood of Cleveden Road, and would, if the application were granted, denude this population of much needed services. The Committee therefore did not consider this application to be desirable.

The Committee considered the existing pharmaceutical network in the neighbourhood surrounding the applicant's proposed premises, to provide a more than adequate level of service. The applicant had not provided any evidence, nor had evidence arisen from any other source to suggest that the service in the area surrounding Kirklee Road was inadequate.

The applicant had mentioned the provision of extended hours to support their application, and the Committee was mindful that any hours operated by contractors outwith the Model Hours of Service Scheme, were provided on a purely voluntary basis, and this was not in itself sufficient reason to grant an application.

Having regard to the above, to the overall services provided by the existing contractors within the vicinity of the proposed premises, and the number of prescriptions dispensed by those contractors in the preceding 12 months, the Committee agreed that the neighbourhood was well served. The granting of the relocation was therefore not, in the Committee's opinion, necessary or desirable.

In accordance with the statutory procedure, the chemist contractor members of the Committee, Mrs C Anderson withdrew from the decision process of the meeting prior to a decision on the application being made.

DECIDED/-

That the granting of the application was neither necessary or desirable to secure the adequate provision of pharmaceutical services in the neighbourhood of the proposed premises, and accordingly that the application seeking inclusion in the Primary Care Trust's Pharmaceutical List at 1 Kirklee Road, Glasgow for the provision of general pharmaceutical services be not granted.

**Family Health
Services
Officer**

Mrs Anderson and Mr Dykes rejoined the meeting process at this stage

8. APPLICATION TO ALTER CURRENT HOURS OF SERVICE

Case No: PPC/ALT01/2000 – Mr A Taylor T/A RG & V Catterson (Chemists), 25

Shawbridge Arcade, Glasgow G43.1

The Committee were asked to consider an application submitted by Mr A Taylor, seeking an alteration to the hours of service currently provided from the pharmacy situated at 25 Shawbridge Arcade, Glasgow G43.

In considering the application in accordance with Regulation 8(3) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 as amended, the Committee had to determine whether the alteration of hours would affect the adequacy of services in the neighbourhood in which the premises were located.

The Committee noted that at present the applicant's pharmacy was open Mon-Fri: 9.00am – 5.45pm; Sat: 9.00am – 12.00pm; Sun: Closed. This level of provision complied with the requirements of the Model Hours of Service Scheme.

The applicant's proposal was to close the pharmacy on a Saturday morning, thus reducing service provision to less than the level of provision required by the Model Hours of Service Scheme. The applicant's reason for this was that since the advent of the Glasgow Emergency Medical Service, the requirement for pharmaceutical services had markedly decreased on Saturday mornings to the extent that on occasions no prescriptions were presented.

The Committee recognised that the days and hours stipulated in the Model Hours of Service Scheme, represented the minimum level of service required by contractors included in the Trust's List. The Committee noted that in accordance with Para 3 of the Scheme, the Trust could agree to a contractor providing less than the level required by the Scheme, and in agreeing such an arrangement could impose such conditions as it felt appropriate.

Both the proposal, and the concept of contractors providing services outwith the Model Hours as a whole were discussed at some length. The Committee were aware that they had in the past granted applications from other contractors seeking permission to close on Saturday mornings. It was noted however that each application had been determined based on its own merit and applications had been granted only in instances where the Committee was satisfied that the neighbourhood would not be adversely affected by the resulting change in circumstances.

The Committee considered that the Model Hours of Service Scheme was devised to reflect the times during which members of the public would reasonably expect pharmaceutical services to be available. The Committee asserted that the provision of adequate pharmaceutical services would not be, in the public's opinion, confined only to the dispensing of prescriptions.

The Committee agreed that in this instance the proposed reduction would diminish pharmaceutical services in the area and would be an unacceptable deviation from the Model Hours Scheme, leading to the pharmacy service provided to the neighbourhood being adversely affected.

DECIDED/-

That the application seeking an alteration to the hours of service currently provided from 25 Shawbridge Arcade, Glasgow G43.1 be refused.

**Family Health
Services
Officer**

9. MATTERS CONSIDERED BY THE CHAIRMAN SINCE THE LAST MEETING

Extension to Authorisation for Suspension of an NHS Dispensing Contract

Case No. PPC/SUS01/1999 – Donald Munro Ltd, 263 Alderman Road, Glasgow G13.3

The Committee considered the action taken by the Chairman on an application for an extension to the time limit given to suspend the NHS Dispensing Contract held at 263 Alderman Road, Glasgow G13.3.

DECIDED/-

That the Chairman's action in agreeing that the time limit given to Donald Munro Ltd for the suspension of the NHS Dispensing Contract at 263 Alderman Road is extended to 25 June 2000 be homologated.

10. PROGRESS REPORT

Paper Number 2000/15 updating the Committee on applications previously considered was submitted.

i) Sainsbury's Supermarkets Ltd – Braehead Shopping Centre, Kings Inch Road, Glasgow G51 (PPC/INCL13/99)

The above application seeking inclusion in the Trust's Pharmaceutical List was considered by the Committee in November 2000. The application was refused.

An appeal was lodged against the Committee's decision and this was considered by the National Appeals Panel, who dismissed the appeal on the grounds that no valid grounds of appeal had been shown.

The file concerning this application had therefore now been closed.

ii) Mr Neeraj Salwan – 33/35 Bank Street, Glasgow G12 (PPC/INCL04/2000)

The above application seeking inclusion in the Trust's Pharmaceutical List was considered by the Committee in April 2000. The application was refused.

No appeals were received during the consultation period that followed the Committee's decision.

The file concerning this application had therefore now been closed.

iii) Buchanan & Campbell (Chemists) Ltd – Unit 5 West End Retail Park, Crow Road, Glasgow G12 (PPC/MRELOC03/2000)

The above application seeking a minor relocation of services was considered by the Committee in April 2000. The application was refused.

The applicant was informed of the Committee's decision and the reasons for it.

The file concerning this application had therefore now been closed.

Applications Which Were Granted By The Committee And The Files Are Now Closed

A G Bannerman Ltd – 100 Napiershall Street, Glasgow G20.6 (PPC/MRELOC02/00)

The above application seeking a minor relocation of services was considered by the Committee in April 2000. The application was granted.

Bannerman's moved into their new accommodation and commenced the provision of services on 1 May 2000.

The file concerning this application had therefore now been closed.

NOTED

11. PROGRAMME OF MEETINGS FOR REMAINDER OF SESSION 2000

Having previously been circulated with Paper 2000/16, the Committee noted the proposed programme of meetings for the remainder of session 2000.

NOTED

12. ANY OTHER BUSINESS

a) Clinovia Ltd – 7 Arthur Street, Glasgow G76 (PPC/INCL01/00)

The Committee were advised that a provisional date had been set for the National Appeals Panel to consider the appeals submitted against the decision of the Committee to grant Clinovia's application for a contract.

The hearing was due to take place on 6 July 2000 at Dalian House.

b) National Appeals Panel

A verbal update was given on appeals outstanding.

On a proposal by the Chairman, it was:

DECIDED/-

that a regular Agenda Item be set aside to receive updates on the National Appeals Panel in general, and the progress of cases concerning Glasgow in particular.

**Family Health
Services Officer**

13. LAY MEMBERS

The Committee noted that for two members of the Committee Prof J Mr W Reid and Mr W Reid this was to be their last meeting as lay members, although their commitment to the Committee would continue as deputy lay members.

The Chairman, on behalf of the Committee expressed her sincere thanks and appreciation for their contribution over the years and wished both members well for the future.

14. NEXT MEETING

The next Meeting was noted as 1.30 p.m. on Thursday, 24th August 2000.

The Meeting ended at 11.00 a.m.