

<b>Meeting:</b>	<b>Trust Management Team (02)</b>
<b>Date:</b>	<b>Thursday, 3rd April 2003</b>
<b>Paper No:</b>	<b>2003/032</b>
<b>Subject:</b>	<b>Pharmacy Practices Committee Minutes of 20th March 2003</b>
<b>Presented by:</b>	<b>Charles Scott, Committee Chairperson</b>

## **ITEM No. 23**

PPC[M]2003/02

Minutes of the Meeting of the Pharmacy Practices Committee  
**held on Thursday 20 March 2003 at 12.30 p.m.**  
in Meeting Room 2, Trust Headquarters,  
Gartnavel Royal Hospital, 1055 Great Western Road, Glasgow

### **PRESENT:**

Charles Scott	Chairperson
Mrs Patricia Cox	Lay Member
Mrs Susan Robertson	Lay Member
Dr James Johnson	Non-contractor Pharmacist Member
Colin Fergusson	Deputy Contractor Pharmacist member
Gordon Dykes	Contractor Pharmacist Member

### **IN ATTENDANCE:**

David Thomson	Director of Pharmacy
Mrs Janine Glen	Contractor Services Manager
Mrs Kate McGloan	Family Health Services Officer (Medical)
Grace Watson	Family Health Services Officer (Pharmaceutical)

**Prior to the consideration of business, the Chairperson asked members if they had an interest in any of the applications to be discussed.**

**No members declared an interest.**

**The Chairperson also apologised for the cancellation of the last meeting on 20 February 2003.**

1. **APOLOGIES**

Apologies were received on behalf of Alan Fraser.

2. **MINUTES**

The minutes of the Pharmacy Practices Committee meeting, held on Thursday 21 November 2002 (PPC(M)2002/05) were approved as a correct record.

The minutes of the Pharmacy Practices Committee Meeting of 23 January 2003 (PPC(M)2003/01) were approved as a correct record subject to the removal of the word 'unanimous' from the decision on page 8. The Committee agreed that the minute be amended to show 'majority'.

3. **MATTERS ARISING**

There were no matters arising from previous minutes.

**SECTION 1 – APPLICATIONS UNDER REGULATION 5 (10)**

4. **Applications for Inclusion in the Trust's Pharmaceutical List**

i) **Case No: PPC/INCL/01/2003 - Mr Neeraj Salwan, 14 Barholm Square, Garthamlock, Glasgow, G33**

The Committee were asked to consider an application submitted by Mr Neeraj Salwan to provide general pharmaceutical services from premises situated at 14 Barholm Square, Garthamlock, Glasgow, G33 under Regulation 5(2) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 as amended.

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 Mr Salwan, 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, namely;
  - i) Rowlands Pharmacy – 69 Gilbertfield Street, G33.3
  - ii) Lloyds Pharmacy – Unit 38, Shandwick Square, G34.9
- b) The Area Medical Committee (General Practitioner Sub-Committee);
- c) The Greater Glasgow NHS Board Area Pharmaceutical Committee.

The Committee also considered:

- d) The location of the nearest existing pharmaceutical services;
- e) The location and level of general medical services in the area;
- f) Demographic information regarding post code sectors G33 and G34;

Action

- g) Patterns of public transport;
- h) Primary Care Trust plans for future development of services.

### CONCLUSION

The Committee noted that the applicant had applied for inclusion in the Trust's Pharmaceutical List for the provision of pharmaceutical services from the premises situated at 14 Barholm Square, Glasgow, G33. The premises were already constructed, though not functioning as a pharmacy. Members noted that the unit operated as a pharmacy until 1996.

In summary, the Committee agreed that the neighbourhood in which the premises was situated, was an area of considerable deprivation, whose residents did not at present, enjoy access to adequate pharmaceutical services. There are no GPs in the immediate vicinity.

A previous application by Mr Salwan for the same site, was granted in 1997, however, due to financial and personal reasons, Mr Salwan could not commit to opening the pharmacy at that time and accordingly, his name was removed from the provisional pharmaceutical list.

Members considered and discussed the methadone needs in the post code area G33 and noted there was no indication in Mr Salwan's application that he would participate in the supervised methadone administration service if this application were granted. Gordon Dykes intimated that there had been no significant changes in the area, however, he felt the need to provide methadone services was now higher.

In considering this 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).

The neighbourhood was therefore agreed to constitute the area bound to the South by the M8 following West onto Stepps Road and Avenue End. Turning off before the A80, and along the farm track at the playing fields past Frankfield Loch and bound by the farm track leading to Blackfaulds Farm and onto Garthamlock Road.

Having reached that conclusion, the Committee was then required to consider the adequacy of existing pharmaceutical services in 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:

- i.) Three pharmacies were located within postcode areas G33.4 and G34.9. which were in existence in 1997 when Mr Salwan's previous application was granted.
- ii.) Methadone requirements were likely to be high in the defined area and David intimated that ideally, every pharmacy should consider providing methadone as a core service and meet the pharmaceutical care needs of the population. David further advised that a needle exchange programme is already planned for this area.
- iii.) The Chairperson indicated that he felt the granting of this pharmaceutical contract was necessary as this particular area did not have a pharmacy and the other aforementioned pharmacies were not easily accessible. The area was one of high deprivation and car ownership was low. Patricia also felt there was a need for this application to be granted as the population per pharmacy

figures were above 7000, which was considered to be very high.

**In accordance with the statutory procedure Gordon Dykes and Colin Fergusson was excluded from the decision process.**

***DECIDED/-***

That the granting of the application was necessary and 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 14 Barholm Square, Glasgow, G33 for the provision of general pharmaceutical services be granted.

**Family Health  
Services Officer**

**The chemist contractor members of the Committee rejoined the meeting at this stage.**

**ii) Case No: PPC/INCL/02/2003 - Mr Jim Rae, 3 Kennishead Road, Thornliebank, Glasgow, G46**

The Committee were asked to consider an application submitted by Mr Jim Rae to provide general pharmaceutical services from premises situated at 3 Kennishead Road, Thornliebank, Glasgow, G46, under Regulation 5(2) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 as amended.

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 Mr Rae, 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, namely;
  - i. Stuart Chemists, 154 Fenwick Road, Giffnock, Glasgow, G46 6XW
  - ii. W D Gerrard MPS, Dispensing Chemist, 60 Kyleakin Road, Arden, Glasgow, G46 8DF
  - iii. Moss Pharmacy, Fern House, 53 – 55 High Street, Feltham, Middlesex, TW13 4HU
- b) The Area Medical Committee (General Practitioner Sub-Committee);

The Committee also considered:

- c) the location of the nearest existing pharmaceutical services;
- d) The location and level of general medical services in the area;
- e) Demographic information regarding post code sectors G46.8, G46.7 and G46.6.
- f) Patterns of public transport;

- g) Primary Care Trust plans for the future development of services.

### CONCLUSION

The Committee were advised that due to an oversight, the Greater Glasgow Area Pharmaceutical General Practitioner Sub Committee had been omitted from the consultation exercise.

The Committee noted however, that in previous applications, the Committee had recommended that similar applications for this area be not approved.

The Committee noted that the applicant had applied for inclusion in the Trust's Pharmaceutical List for the provision of pharmaceutical services from premises situated at 3 Kennishead Road, Thornliebank, Glasgow, G46 8NY. The premises were already constructed although not functioning as a pharmacy.

The Committee noted that they had previously considered two applications within the same area in 1994 and 1996.

The Committee had, on those occasions, refused the applications on the grounds that the neighbourhood in which the premises were situated was adequately served by the existing contractors.

In considering this most recent application the Committee were 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).

The Committee noted the applicant's definition of the neighbourhood included the areas of Carnwadric, Thornliebank and Darnley. The Committee further noted that the applicant had provided demographic statistics for these areas. The Committee did not agree with the applicant's definition and felt the statistics provided were not helpful.

The Committee agreed that the neighbourhood constituted the area bound to the North by Kennishead Road along to the railway line and East down the A77 to the "MacDonald" roundabout and South along the A726 and travelling up West boundary on M77. Includes Arden and excludes Hillpark and Giffnock.

Having reached that conclusion, the Committee were then required to consider the adequacy of existing pharmaceutical services in 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:

- i) Within the neighbourhood, as defined by the Committee, there were three pharmacies;
- ii) The current pharmaceutical network provided supervised methadone, domiciliary oxygen and participated in the emergency dispensing service;
- iii) The Committee considered that the level of existing services ensured that satisfactory access to the pharmaceutical services existed, to the identified neighbourhood. The Committee therefore considered that the existing pharmaceutical services in the neighbourhood were adequate;
- iv) The Committee could not see that any developments had taken place since the time the Committee considered the previous applications initially, which would

cause them to come to a different conclusion.

- v) The Trust regret that no information was sought from the GP Sub-Committee due to an administrative error at Family Health Services and will ensure that this error not be repeated. In considering similar applications in the past, the G P Sub-Committee had not approved the applications.
- vi) There were no indications that the nearest pharmacy was not coping with the demand for services from the resident population. As a result, the Committee agreed that there was no unmet need in the area. The Committee's definition of the neighbourhood was considerably smaller than that of the applicant.
- vii) Page 46 of the Committee's papers showed examples of facilities and supplementary services which Mr Rae proposed, which the Committee felt would require very tight scheduling. These services, however, were not part of the pharmaceutical contract and the provision of these could not be enforced if the application were granted. These services were also offered within the Health Centre situated next door. The Committee instead based their decision on the core pharmacy services to be provided.
- viii) Looking at the census information provided to the Committee, the location of the proposed premises did not improve the spread of pharmacy practices in the neighbourhood for disadvantaged members of the public. The deprivation levels for the area were normal.

In view of the above, the Committee concluded that the granting of an additional NHS Contract for the premises situated at Kennishead Road was not necessary or desirable in order to secure the adequate provisions of pharmaceutical services in the neighbourhood in which the premises were situated.

**In accordance with the statutory procedure Gordon Dykes and Colin Fergusson were excluded from the decision process.**

***DECIDED/-***

That the granting of the application was not 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 3 Kennishead Road, Thornliebank, Glasgow, G46 8NY for the provision of general pharmaceutical services be refused.

**The chemist contractor members of the Committee rejoined the meeting at this stage.**

- iii) **Case No: PPC/INCL/03/2003 - Mrs Carol Anderson, Unit 1 or 2, St Andrews Cross, Pollockshaws Road, (Corner of Maxwell Road), Glasgow, G41**

The Committee were asked to consider an application submitted by Mrs Carol Anderson to provide general pharmaceutical services from premises situated at Unit 1 or 2, St Andrews Cross, Pollockshaws Road, (corner of Maxwell Road), Glasgow, G41. under Regulation 5(2) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 as amended.

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 deferred this application for inclusion in the pharmaceutical list on the

**Family Health  
Services Officer**

basis that Mr John Gilbride had appealed against the PPC's decision of 23 January 2003 not to grant a pharmaceutical contract at 668 Eglinton Street, Glasgow. The Committee therefore decided to defer Mrs Anderson's application until the National Appeal Panel had decided on Mr Gilbride's case.

**DECIDED/-**

That consideration of the application be deferred.

Family Health  
Services Officer

**SECTION 2 – OTHER MATTERS FOR THE COMMITTEE'S CONSIDERATION**

**5. Temporary Suspension of Contract**

**Donald Munro Ltd, 7 Arthur Street, Clarkston, Glasgow, G76 8BQ**

The Committee was asked to consider an application submitted by Donald Munro Ltd, seeking to temporarily suspend the NHS Dispensing Contract held at premises situated at 7 Arthur Street, Clarkston, Glasgow G76 8BQ.

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 temporary suspension of the NHS Dispensing Contract would affect the adequacy of services in the neighbourhood in which the premises were located.

The Committee, having previously been circulated with Paper 2003/04 were aware of the circumstances surrounding the application. The Committee noted that Clinovia Ltd had relocated premises to Baillieston and so withdrawing from their arrangement with Donald Munro Ltd. The Committee felt that Donald Munro Ltd would have been aware of Clinovia's intentions prior to the withdrawal from the arrangement and would have expected them to make their application at that time. The emergent situation was now that Donald Munro Ltd were applying to suspend the NHS Contract as they no longer had premises from which to conduct business.

The Committee considered advice issued by the Central Legal Office. In terms of the Regulations, an applicant must provide sufficient reason to suspend the contract. The suspension had not resulted from fire, flood or accidental purposes. In this case Donald Munro Ltd's difficulties had arisen due to a now terminated business arrangement, which had resulted in their having no premises from which to conduct business. In the Committee's opinion, this should be viewed as a lapsed contract.

The Committee agreed that the Trust should take steps to remove Munro's name from the Pharmaceutical List in accordance with the regulations. The Committee agreed that no-one would suffer hardship as a result of the removal of this service as there were other pharmacies available in the area.

**DECIDED/-**

That the application from Donald Munro Ltd, seeking a temporary suspension to the NHS Dispensing Contract held at 7 Arthur Street, Clarkston, Glasgow, G76 8BQ be not granted and that Donald Munro Ltd's name be removed from the Pharmaceutical List in accordance with the provisions contained in the regulations as a lapsed contract.

Family Health  
Services Officer

6. **Matters Considered by the Chairperson Since the Last Meeting**

**Minor Relocation of Existing Pharmaceutical Services**

- i) **Case No: PPC/RELOC/01/2003 – Moss Chemists, 25 Main Street, Cambuslang, Glasgow, G72, 7HB**

The Committee considered the action taken by the Chairperson on an application for the minor relocation of the NHS Dispensing contract held by Moss Chemists at the above address.

The Committee noted that the Greater Glasgow Area Pharmaceutical General Practitioner Sub-committee and the Director of Pharmacy both considered that the application fulfilled the criteria of a minor relocation. On this advice, the Chairperson agreed that the application could be granted.

- ii) **Case No: PPC/RELOC/02/2003 – Easterhouse Health Centre Pharmacy, 9 Auchinlea Road, Glasgow, G34**

The Committee considered the action taken by the Chairperson on an application for the minor relocation of the NHS Dispensing contract held by Alston's Chemist at the above address.

The Committee noted that the Greater Glasgow Area Pharmaceutical General Practitioner Sub-committee and the Director of Pharmacy both considered that the application fulfilled the criteria of a minor relocation. On this advice, the Chairperson agreed that the application could be granted.

- iii) **Case No: PPC/RELOC/03/2003 – Townhead Health Centre Pharmacy, 16 Alexandra Parade, Glasgow, G31.**

The Committee considered the action taken by the Chairperson on an application for the minor relocation of the NHS Dispensing contract held by Moss Chemists at the above address.

The Committee noted that the Greater Glasgow Area Pharmaceutical General Practitioner Sub-committee and the Director of Pharmacy both considered that the application fulfilled the criteria of a minor relocation. On this advice, the Chairperson agreed that the application could be granted.

**Transfer of National Health Service Dispensing Contract Where a Change of Ownership Has Taken Place**

- i) **Case No: PPC/CO/01/2003 – Mount Florida Pharmacy, 1047 Cathcart Road, Glasgow, G42 9AF.**

The Primary Care Trust received an application from Denis Houlihan seeking inclusion in the Trust's Pharmaceutical List at a pharmacy previously listed as Mount Florida Pharmacy at the address given above, with effect from 28 February 2003.

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



Given the above, the Chairperson agreed that the criteria required by the Regulations were fulfilled and accordingly approved the application.

**ii) Case No: PPC/CO/02/2003 – Paul Forrester MPS, 1009 Cathcart Road, Glasgow, G42 9XJ**

The Primary Care Trust received an application from Sanjay Majhu seeking inclusion in the Trust's Pharmaceutical List at a pharmacy previously listed as Paul Forrester MPS at the address given above, with effect from 1 March 2003.

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

Given the above, the Chairperson agreed that the criteria required by the Regulations were fulfilled and accordingly approved the application.

**DECIDED/-**

That the Chairperson's action in the above applications in accordance with Regulations 5(3) and 5(b) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 as amended be homologated.

**Family Health  
Services Officer**

**7. NATIONAL APPEALS PANEL**

The Committee, having previously been circulated with Paper 2003/06 noted the contents which gave details of the National Appeal Panel's (NAP) determination of appeals lodged against the Committee's decision in the following cases:

- i) Graham MacFarlane – 69 Gleddoch Road, Glasgow, G52 – National Appeals Panel rejected appeal after oral hearing.
- ii) Elizabeth Roddick – 10 MacLaren Place, Glasgow, G34 – National Appeals Panel upheld the appeal after oral hearing.

The Chairperson and members present expressed concern at the decision of the NAP to overturn the result of the PPC in the case of Elizabeth Roddick.

The Chairperson was unconvinced by the statistics put to the NAP by Mrs Roddick which differed greatly from the up to date information held by the Chairperson. The NAP also defined the neighbourhood very differently to that of the PPC and the Chairperson felt that this was cause for concern. The members were confused as to why new information was considered at the time of the NAP and discussed the possibility that the information required by the PPC, needed to be reviewed.

**DECIDED/-**

That the Chairperson liaise with the Director of Pharmacy to prepare a letter to the National Appeals Panel detailing the Committee's concerns.

**Chairperson /  
Director of  
Pharmacy**

**8. OFT REPORT**

The Committee, having previously been circulated with a copy of the OFT report, learned that the Trust had responded to the OFT report in writing on 4 March 2003. The response had been copied to community pharmacies. In their response, the Trust attempted to summarise and incorporate all the comments received from staff and practitioners.

The Committee discussed the implications of their reservations about some of the proposals. The Committee felt that abolition of the current entry regulations would result in services being affected. Initiatives such as the Florence Street project for example were aiming to provide methadone to local residents. The current pharmacy regulations did not allow for this provision.

The Committee agreed that current regulations were not ideal, could be archaic and would benefit by being updated. A 'free for all' approach was a bad idea.

**NOTED**

**9. EMERGENCY DISPENSING SERVICE**

The Director of Pharmacy highlighted the various difficulties encountered through this service which is currently operated by Strathclyde Police. Members were asked to consider transferring the point of contact to GEMS Centres or NHS 24, therefore removing the police from the process. Members felt that NHS 24 would offer a reliable service, however it was agreed that GEMS would be most suitable as patients could directly enter a healthcare environment.

**DECIDED/-**

That the operation of the Service be transferred to GEMS and NHS 24 and the Police removed from the process.

**Family Health Services Officer**

**10. BEARSDEN AND MILNGAVIE ROTA**

Six pharmacists currently participated in a Sunday rota service which was financially supported by the Trust to the value of £2000 per year. The Director of Pharmacy asked members to consider withdrawal of this support and the rota service. However, members felt patients, in particularly elderly residents, may rely on these local services, and asked that the views of the participants and GPs in the area be obtained before a decision was made.

**DECIDED/-**

That the views of pharmacists and GPs in the areas covered by the rota be sought for report to the Committee.

**Family Health Services Officer**

**11. MODEL HOURS SCHEME**

Following on from the PPC's decision of 13 June 2002, detailing revised model hours for pharmacists, the revised hours would commence from 1 April 2003. A covering letter had been written and would be sent to community pharmacists advising of the new arrangements.

**Family Health Services Officer**

**12. DATE OF NEXT MEETING**

Thursday, 17 April 2003 at 1.30 p.m., (1.00 p.m. for sandwich buffet) Meeting Room 2, Trust HQ, Gartnavel Royal Hospital, 1055 Great Western Road, Glasgow.