



**GREATER GLASGOW
PRIMARY CARE
NHSTRUST**

Meeting: Board Meeting ()
Date: Thursday, 2001
Paper No: 2001/
Subject: Pharmacy Practices Committee
– Minutes
Presented by: Marian Jacobs, Committee
Chairman

PPC[M]2001/03

Minutes of the Meeting of the Pharmacy Practice Committee
held on Thursday 21 June, 2001 at 1.30pm
in the Meeting Room, Ground Floor, Trust Headquarters,
Gartnavel Royal Hospital, 1055 Great Western Road, Glasgow

PRESENT:

Mrs Marian Jacobs
Mrs Susan Robertson
Mrs Patricia Cox
Alan Fraser
Dr James Johnson
Mrs Carol Anderson
Gordon Dykes

Chairman
Lay Member
Lay Member
Lay Member
Non-contractor Pharmacist Member
Contractor Pharmacist Member
Contractor Pharmacist Member

IN ATTENDANCE:

Nic Zappia
David Thomson
Mrs Janine Glen

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

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

No declaration of interest was made.

1. APOLOGIES

There were no apologies.

2. MINUTES

The Minutes of the Pharmacy Practices Committee meetings held on Thursday 15 February 2001 [PPC(M)2001/2] and Thursday 24 May 2001 [PPC(M)2001/3] were approved as a correct record and signed by the Chairman.

3. MATTERS ARISING

Action

Methadone Review

The Chairman asked for an update on the publication of the Methadone Review, and was advised that this had been widely distributed recently.

The Chairman requested that copies of the Review be made available to members of the Committee in light of previous discussions regarding earlier applications.

**Family Health
Services Officer**

4. ORAL HEARINGS

In determining whether the first item of business could be considered based on the written representations received, the Committee discussed the issue of oral hearings. The Committee discussed how practical difficulties in determining all applications by oral hearing should be tempered with the organisation of oral hearings where one was genuinely required.

The Committee agreed that they should be able to determine each application in the manner most suitable for that particular application, and that it should be the responsibility of the Committee themselves to determine whether an application should be considered by oral hearing.

AGREED/-

That all applications would initially be presented to the Committee who would then decide whether an oral hearing was required.

5. APPLICATION FOR INCLUSION IN THE PRIMARY CARE TRUST'S PHARMACEUTICAL LIST

Case No: PPC/INCL05/01– Boots the Chemist Ltd, Unit 5 West End Retail Park, Crow Road, Glasgow G12.7

The Committee were asked to consider an application submitted by Boots the Chemist 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 368 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 Boots the Chemist 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 Development and Regeneration Services, 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.

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.

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).

For the purposes of considering the application, the Committee accepted the definition of neighbourhood put forward by the National Appeals Panel in their consideration of the appeals lodged against the Committee's previous decision. This being Broomhill Drive to the west, Turnberry Road to the north, Hyndland Street to the east and Dumbarton Road to the south.

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.

In terms of adequacy the Committee noted that currently within the defined neighbourhood there were 5 contract pharmacies and one non-contract pharmacy. The nearest pharmacy to the proposed premises was situated at 510 Dumbarton Road, in the G11.6 post-code area. The Committee considered these services to be not wholly adequate given the changes that have taken place in the development of the neighbourhood and the redevelopment that was on going at present. The Committee learned that the Primary Care Trust had agreed a redevelopment of their Sandy Road Clinic complex which represented a significant investment in the neighbourhood. This further supported the view that the area was undergoing redevelopment.

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 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. This taken with the changes in shopping patterns affected by the establishment of the retail park, and the expanding population, made the granting of the application desirable.

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

Mrs C Anderson and Mr G J Dykes rejoined the meeting at this stage.

5. APPLICATION FOR THE MINOR RELOCATION OF EXISTING PHARMACEUTICAL SERVICES

Case No: PPC/MRELOC03/2001 – Donald Munro Ltd, c/o Clinovia Ltd, 7 Arthur Street, Glasgow G76.8

The Committee had to consider and determine whether an application by Donald Munro Ltd seeking relocation of existing pharmaceutical premises situated at 44 Busby Road, Glasgow G76.7 to premises situated at c/o Clinovia Ltd, 7 Arthur Street, Glasgow G76.8, was minor in nature in terms of Regulation 5(4) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 (as amended).

The Committee, having previously been circulated with all the papers regarding the application from Donald Munro Ltd proceeded to consider whether the application fulfilled the criteria of a minor relocation as set out in the Regulations.

CONCLUSION

The Committee noted that this application was submitted by Donald Munro Ltd who were applying to relocate their contract held at 44 Busby Road, Glasgow to Clinovia Ltd's premises which were situated at 7 Arthur Street, Glasgow.

Several members of the Committee were aware of the history of Clinovia's situation, and a summary of events was provided for those members of the Committee who were not.

The Committee noted that while Donald Munro Ltd had applied to relocate their NHS dispensing contract in its entirety, they did not envisage providing a full pharmaceutical service as a matter of routine. There would, however be a pharmacist on site on a full time basis, who would be able to deal with any requests received.

In giving consideration to the applicant's proposals, the Committee were aware that the application could only be granted if it fulfilled both criteria required for a minor relocation. In measuring the application against the first criterion, the Committee agreed that the applicant would be provided services to the same neighbourhood. Both premises were situated in the G76 post-code area, and were part of an area, which was generally known as Clarkston. In measuring the application against the second criterion, the Committee

determined that when a literal interpretation of the wording of the regulation was applied, the application may not fulfil the initial part of the criterion as there could in the Committee's view be an appreciable effect on the pharmaceutical services provided by the applicant. The Committee recognised that while a full pharmaceutical service could be provided from Clinovia's premises, it was not the contractor's intention to do so. This in the Committee's opinion could be construed as an appreciable effect to the provision of services.

This having been said, the Committee were satisfied that the application fulfilled the second part of the criterion, that there would be no appreciable effect on the Pharmaceutical services provided by any other person whose name was included in the Pharmaceutical List. The Committee agreed that conversely, the granting of the application would be beneficial to the other contractors in the area, as it would reduce the number of existing pharmacy premises in the Clarkston area, but not to an extent that patient care would be compromised.

The Committee recognised that this application was borne from a unique set of circumstances, and while not literally fulfilling all aspects of the criteria required for minor relocation, it did fulfil what the Committee considered to be the most significant parts i.e. that there would be no significant change in the neighbourhood population, and that there would be no appreciable effect on the service provided by any other person included in the Pharmaceutical List.

After a comprehensive discussion regarding the merits of the application, the Committee averred that the current regulations did not seem to make provision for the consideration of applications that were perhaps a little unusual, as this one undoubtedly was. The Committee felt the Regulations restricted innovation, and did not take into account situations, which did not conform to the conventional. The Committee in wishing to take a common sense approach to the consideration of this application were of the view that the application should be granted, given the unique set of circumstances. In granting the application, the Committee felt that essential services would be secured for vulnerable patients, while existing patients in the Clarkston area would not be disadvantaged with the reduction in services.

DECIDED/-

That the application fulfilled the most significant criteria under Regulation 5(4) of the Regulations, and accordingly that the application seeking relocation in the Primary Care Trust's Pharmaceutical List to c/o Clinovia Ltd, 7 Arthur Street, Glasgow G76.8 be granted.

Family Health Services Officer

6. TRANSFER OF NHS CONTRACT WHERE A CHANGE OF OWNERSHIP HAS TAKEN PLACE

Case No: PPC/CO7/2001 – Alston's Ltd, 92 Kirkintilloch Road, Glasgow G66.4

The Committee considered the application from Alston's Ltd seeking inclusion in the Primary Care Trust's Pharmaceutical List at a pharmacy currently listed as H & T McCracken Ltd.

The Committee noted that the new contractor agreed that the current level of service would not be reduced following the transfer of the contract, and that the applicant was suitably registered with the Royal Pharmaceutical Society of Great Britain.

DECIDED/-

That the application fulfilled the criteria under Regulation 5(5) of the Regulations, and accordingly that the application seeking inclusion in the Primary Care Trust's

Family Health Services Officer

Pharmaceutical List at 92 Kirkintilloch Road, Lenzie, Glasgow G66.4 be granted.

7. COMMUNITY PHARMACY OPENING HOURS – A CONSIDERATION OF THE CURRENT ARRANGEMENTS

The Director of Pharmacy presented Paper 2001/11, which had previously been circulated to the Committee.

The Paper gave consideration to the current provision of pharmacy opening hours, with a view to reviewing the minimum requirement, and taking a more relaxed approach to certain aspects of the existing Model Hours of Service Scheme.

The Committee recognised that the current requirement didn't reflect on-going changes in shopping pattern and access requirements of users. These changes coupled with the drastic reduction in GP practices providing Saturday morning surgeries made it necessary for the current hours of service scheme to be reviewed.

In considering the recommendations proposed by the Director of Pharmacy, the Committee agreed that any change to the current situation should be implemented in a staged fashion, so ensure the minimum disruption to patients, and so that the effects of changes could be closely monitored.

DECIDED/-

That the Director of Pharmacy take this issue forward, initially by drafting changes to the minimum hours of service, and submit to the Area Pharmaceutical Committee for their recommendations.

Director of
Pharmacy

8. MATTERS CONSIDERED BY THE CHAIRMAN SINCE THE LAST MEETING

The Committee having previously been circulated with Paper 2001/17 noted the contents, which gave details of applications, considered by the Chairman outwith the meeting since Thursday 24th May 2001.

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

**Case No: PPC/CO8/2001 – Lloyds Pharmacy Ltd
317 Hallhill Road, Glasgow G33
83 Seres Road, Glasgow G76
491 Victoria Road, Glasgow G42
523 Clarkston Road, Glasgow G44
39 Eastwoodmains Road, Glasgow G46**

The Committee considered the action taken by the Chairman on an application for the transfer of five NHS Dispensing contracts held by Acme Drug Co Ltd at the above addresses.

The Committee noted that the Chairman had granted the applications with effect from 1 June 2001, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

DECIDED/-

That the Chairman's action in granting the above application in accordance with Regulation 5(3) of the National Health Service (General Pharmaceutical Services) (Scotland) Regulations 1995 as amended be homologated.

9. INFORMATION AVAILABLE TO THE COMMITTEE – DISCUSSION PAPER

The Committee having previously been circulated with Paper 2001/18 noted the contents, which gave details of information made available to Pharmacy Practice Committee's in other Trust areas.

DECIDED/-

In light of the amount of information given, and the lateness of the hour it was agreed that consideration of this particular item would be deferred until the next meeting.

10. COMMUNITY PHARMACY USER SATISFACTION STUDY

The Director of Pharmacy updated the Committee on the above study. He advised that the response from community pharmacies had generally been encouraging, and that the Local Health Council were about to begin analysis of the findings.

Members of the Committee thought it might be useful for a delegate from the Local Health Council to attend a meeting of the Pharmacy Practices Committee to present findings of the survey once these were available. This it was hoped would be helpful in the Committee's deliberations of future applications.

**Director of
Pharmacy**

11. ANY OTHER COMPETENT BUSINESS

Case No: PPC/INCL04/01 – T S McNee Ltd, 227 Wallacewell Road, Glasgow G21.3

The Committee were advised that an appeal against the Committee's decision to grant a contract to T S McNee Ltd for inclusion in the Trust's Pharmaceutical List at the above premises, had been received today. The appeal submitted by Asda Stores Ltd would be forwarded to the National Appeals Panel for their determination.

12. NEXT MEETING

The next Meeting was noted as 1.30 p.m. on Thursday, 23th August 2001

The Meeting ended at 3.30pm