

Meeting:	Trust Management Team (02)
Date:	
Paper No:	
Subject:	Pharmacy Practices Committee of
Presented by:	Charles Scott, Committee Chairman

ITEM No.

PPC[M]2002/02

Minutes of the Meeting of the Pharmacy Practices Committee
held on Thursday 19th September 2002 at 1.30pm
in Meeting Room 1, Trust Headquarters,
Gartnavel Royal Hospital, 1055 Great Western Road, Glasgow

PRESENT:

Charles Scott
Mrs Patricia Cox
William Reid
Dr James Johnson
Gordon Dykes
Colin Fergusson

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

IN ATTENDANCE:

David Thomson
Mrs Janine Glen

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.

Gordon Dykes explained that as Superintendent Pharmacist of A G Bannerman Ltd, he had made representation regarding one of the applications to be considered. A G Bannerman Ltd had since been taken over by another company, and therefore the company's interest in the application no longer existed.

No further declaration was made by any member present.

1. APOLOGIES

Apologies were received on behalf of Mrs S Robertson, Alan Fraser and Mrs C Anderson.

Action

2. MINUTES

The Minutes of the Pharmacy Practices Committee meetings held on Thursday 13th June 2002 [PPC(M)2002/3] were approved as a correct record.

3. MATTERS ARISING

Graham MacFarlane, 69 Gleddoch Road, Glasgow G52.4 – (Minute Number 4 Refers)

The Committee learned that Mr MacFarlane had lodged an appeal against the Committee's decision to refuse his application to establish a pharmacy at 69 Gleddoch Road, Glasgow G52.4

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

Case No: PPC/INCL06/02 – Elizabeth Roddick, 10 MacLaren Place, Glasgow G44.3

The Committee were asked to consider an application submitted on behalf of Elizabeth Roddick to provide general pharmaceutical services from premises situated at 10 MacLaren Place, Glasgow G44.3, according to 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 Mrs Roddick, 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) Mr D Aitken, T/A Merryvale Pharmacy – 15 Fenwick Road, Glasgow G46.6
 - ii) Lloyds Pharmacy – various branches
 - iii) Munro Pharmacy – 12 The Toll, Glasgow G76.
 - iv) Nigel Kelly Pharmacy – 9 Croftfoot Road, Glasgow G44.5
- b) the Area Medical Committee (General Practitioner Sub-Committee);
- c) the Greater Glasgow Area Pharmaceutical (General Practitioner Sub-Committee);
- d) Greater Glasgow Health Council.

The Committee also considered:-

- e) the location and level of general medical services in the area;
- f) demographic information regarding post-code sectors G44.3, G44.5 and G44.6;

- g) patterns of public transport;
- h) Primary Care Trust plans for the future development of services;
- i) Representations received from interested parties in the vicinity of the applicant's proposed premises. These were unsolicited representations.

CONCLUSION

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 10 MacLaren Place, Glasgow G44.3. The premises were already constructed, although not functioning as a pharmacy.

In considering this 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).

In forming an opinion on the neighbourhood, the Committee noted that the area was bound by two natural boundaries, to the East and to the West. These boundaries were Linn Park and the railway respectively. The Committee considered that the South boundary should be Eastwoodmains Road, and the North boundary Muirend Road.

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 domiciliary oxygen, supervised methadone, and collection and delivery services;
- iii) The Committee considered that the level of existing services ensured that satisfactory access to pharmaceutical services existed, to the identified neighbourhood. The Committee therefore considered that the existing pharmaceutical services in the neighbourhood were adequate;
- iv) Having considered the applicant's justification for additional pharmaceutical services in this area, the Committee did not agree that there was evidence of a sufficient need or desirability to justify the granting of an additional NHS dispensing contract. While the Committee accepted that most pharmacies were moving towards the provision of extended services as part of the new Pharmacy Contract, they did not consider that contracts should be granted based solely on the provision of these new services.
- v) Having regard to the overall services provided by the existing contractors within the vicinity of the proposed pharmacy, and the number of prescriptions dispensed by those contractors in the preceding 12 months, the Committee agreed that the neighbourhood was already adequately served.

- vi) The Committee noted that the defined neighbourhood covered two separate post-code sectors. Each of these was designated deocat 1 in the Carstairs Deprivation System. This was the category given to areas with the least deprivation. In attracting this score, the Committee considered that the neighbourhood to be served **by the applicant's proposed premises was not one of high deprivation.**

As part of the Committee's discussion regarding this application, they considered the various letters of support which had been received from various sources. The Committee agreed that the level of support did not necessarily show an unmet need in the neighbourhood. It was clear that the existing pharmaceutical network provided an adequate service to the neighbourhood; rather what the Committee considered it showed was that a pharmacy in the area would be convenient.

In considering the information at its disposal the Committee considered the applicant's proposed premises to be situated in a reasonably affluent area. There was a higher than average elderly population, although demographic information showed that the population as a whole was mobile with only 37% not owning a car. The level of local authority housing was low, the density of housing low also. The shopping patterns of the population suggested that they needed to move outwith the neighbourhood to access essential services. This demographic profile, along with the existence of other pharmacies in the neighbourhood, caused the Committee to conclude that a pharmacy in the area was not necessary.

The Committee noted that the density of the population in this area was not high and that the defined neighbourhood had a low population which was already well served by the existing two pharmacies located at the north and south of the neighbourhood. The Committee concluded that the granting of an additional contract within the neighbourhood would not be desirable as it could adversely impact on the existing pharmacies.,

In accordance with the statutory procedure, the chemist contractor members of the Committee, 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 10 MacLaren Place, Glasgow G44.3 for the provision of general pharmaceutical services be refused.

Family Health
Services Officer

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

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

Case No: PPC/INCL07/02 – Salman Shaikh, 1066 Argyle Street, Glasgow G3.8

The Committee were asked to consider an application submitted on behalf of Salman Shaikh to provide general pharmaceutical services from premises situated at 1066 Argyle Street, Glasgow G3.8, according to 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 Shaikh, 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) Hughes Chemists – 15 Fenwick 16 Admiral Street, Glasgow G41.1
- ii) Bannerman's Pharmacy – 100 Napiershall Street, Glasgow G20.6
- iii) Lewis Pharmacy – 5 Gardner Street, Glasgow G11.5
- iv) Park Road Pharmacy – 405 Great Western Pharmacy, Glasgow G4.9
- v) Joyce Morrison Pharmacy - 1278 Argyle Street, Glasgow G3.8
- vi) Boots the Chemists – various branches
- vii) R B MacRae Ltd – 66 St Vincent Street, Glasgow G3.8

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 and level of general medical services in the area;
- e) demographic information regarding post-code sectors G3.8 and G2.3;
- g) patterns of public transport;
- h) Primary Care Trust plans for the 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 premises situated at 1066 Argyle Street, Glasgow G3.8. The premises were already constructed, although not functioning as a pharmacy.

In considering this 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).

In considering the question of the neighbourhood, the Committee noted that they had previously considered applications for premises in this area on at least eight previous occasions over the last ten years. Although there had been considerable development in Glasgow, the Committee did not feel that there had been any significant changes in the area in which the applicant's proposed premises were situated. Accordingly, the Committee considered the neighbourhood to be that bound to the north by Great Western Road, to the east by Woodlands Road, to the West by the River Kelvin following down to the River Clyde, and to the south by the Clydeside expressway.

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 several pharmacies;
- ii) The current pharmaceutical network provided domiciliary oxygen, supervised methadone, and collection and delivery services;
- iii) The Committee considered that the level of existing services ensured that satisfactory access to pharmaceutical services existed, to the identified neighbourhood. The Committee therefore considered that the existing pharmaceutical services in the neighbourhood were adequate;
- iv) Having considered the applicant's justification for additional pharmaceutical services in this area, the Committee did not agree that there was evidence of a sufficient need or desirability to justify the granting of an additional NHS dispensing contract;
- v) Having regard to the overall services provided by the existing contractors within the vicinity of the proposed pharmacy, and the number of prescriptions dispensed by those contractors in the preceding 12 months, the Committee agreed that the neighbourhood was already adequately served.
- vi) The Committee did not consider that any significant changes had taken place in the neighbourhood to cause them to change the decision taken in previous applications.

In accordance with the statutory procedure, the chemist contractor members of the Committee, 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 1066 Argyle Street, Glasgow G3.8 for the provision of general pharmaceutical services be refused.

**Family Health
Services Officer**

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

6. APPLICATION TO ALTER CURRENT HOURS OF SERVICE

Case No: PPC/ALT03/2002 – Mr R McLean, T/A T McLean & Sons Ltd Pharmacy, 102 Stonelaw Road, Glasgow G73.3

The Committee were asked to consider an application submitted by Mr R McLean, seeking an alteration to the hours of service recorded in the Pharmaceutical List for the pharmacy situated at 102 Stonelaw Road, Glasgow G73.3

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.

CONCLUSION

The Committee noted that the applicant sought to reduce his current hours of service by closing on a Saturday. This proposal, if granted, would result in the contractor providing hours of service outwith the current Model Hours of Service Scheme.

The Committee noted that the applicant's proposal was to close the pharmacy completely on a Saturday, leaving the pharmacy open only five days; from 9.00pm to 6.00pm – Monday – Friday. The Committee noted that the reason behind the applicant's request appeared to be the difficulty the company were having securing locum services. While the Committee sympathised with this predicament, they did not agree that this was in itself a sufficient reason to grant the application.

The Committee were also aware that the pharmacy situated directly next door to the applicant had been granted authorisation to close on a Saturday several years ago. This situation would in the Committee's opinion have had a beneficial effect on the applicant. In addition, if granted the application would leave an entire element of the population devoid of services on a Saturday, as both pharmacies would be closed.

While the Committee were aware that they had just taken a decision to amend the current hours of opening in an attempt to introduce flexibility into the hours of service provided by contractors, they did not consider this application to be appropriate under the new scheme.

Given the above the Committee agreed that granting the applicant's proposals would effect the overall provision of services, and accordingly decided to refuse the application.

DECIDED/-

That the applicant's request to provide a level of service outwith that stipulated by the newly revised Model Hours of Service Scheme be refused.

Family Health
Services Officer

7. APPLICATION TO ALTER CURRENT HOURS OF SERVICE

Case No: PPC/ALT04/2002 – Mr R McLean, T/A T McLean & Sons Ltd Pharmacy, 144 Cumbernauld Road, Glasgow G69.9

The Committee were asked to consider an application submitted by Mr R McLean, seeking an alteration to the hours of service recorded in the Pharmaceutical List for the pharmacy situated at 144 Cumbernauld Road, Glasgow G69.9.

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.

CONCLUSION

The Committee noted that the applicant sought to reduce his current hours of service by closing on a Saturday. This proposal, if granted, would result in the contractor providing hours of service outwith the current Model Hours of Service Scheme.

The Committee noted that the applicant's proposal was to close the pharmacy completely on a Saturday, leaving the pharmacy open only five days; from 9.00pm to 6.00pm – Monday – Friday. The Committee noted that the reason behind the applicant's request appeared to be the difficulty the company were having securing locum services. While the Committee sympathised with this predicament, they did not agree that this was in itself a sufficient reason to grant the application.

The Committee noted that the applicant provided the only source of pharmaceutical services in the area, and that if granted the application would deprive the neighbourhood of access to pharmaceutical services on a Saturday. The Committee did not consider that there was sufficient alternative cover in the area, to allow them to grant the applicants request.

While the Committee were aware that they had just taken a decision to amend the current hours of opening in an attempt to introduce flexibility into the hours of service provided by contractors, they did not consider this application to be appropriate under the new scheme.

Given the above the Committee agreed that granting the applicant's proposals would effect the overall provision of services, and accordingly decided to refuse the application.

DECIDED/-

That the applicant's request to provide a level of service outwith that stipulated by the newly revised Model Hours of Service Scheme be refused.

Family Health
Services Officer

8. Case No: PPC/ALT05/2002 – A G Bannerman Ltd, T/A Possil Pharmacy, 171/173 Saracen Street, Glasgow G22.5

The Committee were asked to consider an application submitted by A G Bannerman Ltd, seeking an alteration to the hours of service recorded in the Pharmaceutical List for the pharmacy situated at 171 Saracen Street, Glasgow G22.

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.

CONCLUSION

The Committee noted that the applicant had applied to reduce his hours of service below those required by the newly revised Model Hours of Service Scheme.

The Committee noted that the application was based on the apparent reduction in demand for services experienced by the applicant. A G Bannerman Ltd had tried to take a pragmatic approach to addressing this issue, and had put forward a suggestion that they felt would meet both the remaining demand for services in the neighbourhood and the requirement for the provision of services under the pharmacy contract.

In considering the applicant's proposals the Committee noted that they wished to close the pharmacy at 171 Saracen Street on a Saturday morning, leaving the pharmacy open from 1.00pm to 5.00pm. The company owned another pharmacy situated only yards away on the same street, which would offer a service from 9.00am to 5.00pm on a Saturday.

The Committee were sympathetic to the reasons behind the applicant's request and considered that the solution put forward by the company was sensible. The Committee agreed that the applicant's request should be granted as it constituted a pragmatic approach to the issue of reduction in demand for services, while maintaining an adequate level of service for the neighbourhood. The Committee were mindful that their decision had been made easier by the fact that both premises were owned by the same company. They therefore added a caveat that any proposed change to the hours of service beyond that already agreed by the Committee, would require further authorisation.

DECIDED/-

That the applicant's request be granted.

Family Health
Services Officer

That any further amendment to the hours of service for either of the two premises required the authorisation of the Committee.

Family Health
Services Officer

9. MATTERS CONSIDERED BY THE CHAIRMAN SINCE THE LAST MEETING

The Committee having previously been circulated with Paper 2002/21 noted the contents, which gave details of applications considered by the Chairman outwith the meeting since Thursday 18th June 2002.

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

Case No: PPC/CO7/2002 – Margaret S Lewis, T/A Lewis Pharmacy, 5 Gardner Street, Glasgow G11.5

The Committee considered the action taken by the Chairman on an application for the transfer of the NHS Dispensing contract previously held by E & S Lewis at the above address.

The Committee noted that the Chairman had granted the application with effect from 1st June 2002, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

Case No: PPC/CO8/2002 – James Hart Chemists Ltd, T/A Bellahouston Pharmacy, 456 Paisley Road West, Glasgow G51.1

The Committee considered the action taken by the Chairman on an application for the transfer of the NHS Dispensing contract previously held by Mr S McLaren at the above address.

The Committee noted that the Chairman had granted the application with effect from 1st July 2002, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

Case No: PPC/CO9/2002 – James Hart Chemists Ltd, T/A Crookfur Pharmacy, 198B Harvie Avenue, Glasgow G77.6

The Committee considered the action taken by the Chairman on an application for the transfer of the NHS Dispensing contract previously held by Mr P Aslam & Mr G McLaren at the above address.

The Committee noted that the Chairman had granted the application with effect from 1st June 2002, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

Case No: PPC/CO10/2002 – Lloyds Pharmacy Ltd, T/A Lloyds Pharmacy
100 Napiershall Street, Glasgow G20.7
1421 Maryhill Road, Glasgow G20.9
1851 Paisley Road West, Glasgow G52.3
195 Knightswood Road, Glasgow G13.2
57 Milngavie Road, Glasgow G61.2
3/5 Main Street, Glasgow G69.9
56 Cowgate, Kirkintilloch G66.1

The Committee considered the action taken by the Chairman on an application for the transfer of the NHS Dispensing contract previously held by A G Bannerman Ltd at the above addresses.

The Committee noted that the Chairman had granted the application with effect from 1st September 2002, having been satisfied that the application fulfilled the requirements laid down in the Pharmaceutical Regulations.

ii) **Suspension of Contract**

Case No: PPC/SUS01/2002 – R B MacRae Ltd, T/A MacRae Pharmacy, 66 St Vincent Street, Glasgow G3.8

The Committee considered the action taken by the Chairman on an application for the suspension of the NHS Dispensing contract held by R B MacRae Ltd at the above address.

The Committee noted that the Chairman had granted the application for a period of two weeks from 18th July 2002 to 27th July 2002.

iii) **Minor Relocation of Existing Pharmaceutical Services**

Case No: PPC/MRELOC01/2002 – TVM Healthcare , 30A Cumberland Street, Glasgow G5.9

The Committee considered the action taken by the Chairman on an application for the minor relocation of the NHS Dispensing contract held by TVM Healthcare 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 Chairman agreed that the application could be granted.

DECIDED/-

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

10. NATIONAL APPEALS PANEL

The Committee having previously been circulated with Paper 2002/22 noted the contents which gave details of the National Appeal Panel's determination of appeals lodged against the Committee's decision in the following cases:

PHARMACY PRACTICE COMMITTEE: 19th SEPTEMBER 2002

ACTION

- Messrs Deveney & MacFarlane, 30 Alexander Street, Glasgow G81 – National Appeals Panel rejected appeal without oral hearing.

11. ANY OTHER COMPETENT BUSINESS

There was no other competent business

12. NEXT MEETING

The next meeting of the Committee would take place on Thursday 24th October 2002.

The Meeting ended at 3.30pm