

Appendix A

Extract from the Minute of the meeting of the NHS Forth Valley Pharmacy Practices Committee (PPC) held on Friday 17 June 2016 to consider the Application by Pill Box Scotland Ltd to provide NHS Pharmaceutical Services under a new contract from premises at Unit 4, Polmont Bank Shopping Centre, Greenpark Drive, Polmont, FK2 0PZ

29.3 The hearing adjourned at 1250 hours for a short break before deliberations began.

29.4 The Committee reconvened at 1300 hours to deliberate on the written and verbal submissions.

30.0 Supplementary Information

30.1 Following consideration of the oral evidence, the Committee noted:

- 30.2
- i. That they had separately and independently undertaken site visits of Polmont and the surrounding area noting the location of the proposed premises, the pharmacies, general medical practices and the facilities and amenities within.
 - ii. A map showing the location of the proposed Pharmacy in relation to existing Pharmacies and GP surgeries within Polmont and the surrounding area.
 - iii. Community Council Map
 - iv. 2011 Census Profile for Polmont
 - v. Falkirk Council Ward Profile – Ward 8
 - vi. Falkirk Local Development Plan
 - vii. Bus timetable for service number 1 between Linlithgow/Maddiston and Hallglen.
 - viii. PPC Information Paper including GP practice list sizes/prescribed items, dispensing statistics of the Community Pharmacies in the area and complaint information
 - ix. Report on Pharmaceutical Services provided by existing pharmaceutical contractors to the neighbourhood
 - x. Local GP Practices & Community Pharmacy Opening Times & Distances
 - xi. Local GP Practices Information
 - xii. Falkirk CHP Area Community Pharmacy List
 - xiii. NHS Forth Valley Pharmaceutical Care Services Plan 2013
 - xiv. The application and supporting documentation including the Consultation Analysis Report provided by the Applicant.

31.0 Summary of Consultation Analysis Report (CAR)

31.1 Introduction

31.2 NHS Forth Valley undertook a joint consultation exercise with Pill Box Scotland Ltd regarding the application for a new pharmacy in Unit 4, Polmontbank Shopping Centre, Greenpark Drive, Polmont, FK2 0PZ.

31.3 The purpose of the consultation was to help in the assessment of the adequacy of the current provision of pharmaceutical services within the neighbourhood of the proposed premises.

31.4 Method of Engagement to Undertake Consultation

31.5 The consultation was conducted by placing advertisements in the Falkirk Herald (8th October 2015 & 13th January 2016); displaying details of the potential application on the Forth Valley public website (www.nhsforthvalley.com/get-involved/public-consultations); making available the electronic questionnaire on the NHS Forth Valley public website and having paper copies available from the Health Board. It was agreed general written comments would also be accepted in response to the joint consultation.

31.6 The Consultation Period lasted for 90 working days and ran from 8 October 2015 until 16 February 2016.

31.7 Summary of Questions and Analysis of Responses

31.8 Questions covered: the neighbourhood; anticipated users of the service; benefits of the proposed community pharmacy; perceived gaps/deficiencies in existing services; issues/challenges accessing existing services; proposed location; current methods used to access pharmacy services; effect of proposed pharmacy on accessing services.

31.9 In total 223 responses were received. All submissions were made and received within the required timescale, thus all were included in the Consultation Analysis Report.

31.10 From the responses 212 were identified as individual responses, three responded on behalf of a group/organisation and one from a local business. Seven respondents did not provide any indication.

31.11 All respondents supported the proposed application.

31.12 From the addresses and post codes provided, respondents were identified from the following areas:

- Polmont (98)
- Redding (12)
- Brightons (10)

- Reddingmuirhead (4)
- Avonbridge (4)
- Wallacestone (4)
- Maddiston (4)
- Falkirk Area (4)
- Standburn (2)
- Grangemouth (2)
- Rumford (2)
- Westquarter (1)
- Shieldhill (1)
- Denny (1)

32.0 Discussion

32.1 The Committee in considering the evidence submitted during the period of consultation, presented during the hearing and recalling observations from site visits, first had to decide the question of the neighbourhood in which the premises, to which the application related, were located.

32.2 Neighbourhood

32.3 The Committee noted the neighbourhood as defined by the Applicant and the view of Mr Gulzar that the railway line was easily crossed at Polmont Station so the southern boundary should be extended to the union canal. This would include Apple Pharmacy in the neighbourhood.

32.4 It was recognised that the neighbourhood should be a neighbourhood for all purposes. A number of factors were taken into account when defining the neighbourhood, including those resident in it, natural and physical boundaries, general amenities such as schools/shopping areas, the mixture of public and private housing, the provision of parks and other recreational facilities, the distances residents had to travel to obtain pharmaceutical and other services and also the availability of public transport.

32.5 The Committee agreed with the Applicant that the neighbourhood should be defined by the following boundaries –

Northern boundary – Smiddy Brae until it met the A905

Eastern boundary – the A803 until the Lathallan roundabout

Southern boundary – the railway line passing through Polmont station

Western boundary – Salmon Inn Road until the A803

32.6 The Committee unanimously agreed that it was immaterial whether the neighbourhood definition proposed by Mr Gulzar or the Applicant was used because the legal test required the panel to consider pharmacy services provided in or to the neighbourhood. The services provided by Apple Pharmacy would therefore have to be taken into account in both neighbourhood definitions.

- 32.7 The definition of neighbourhood provided by the Applicant was favoured by the Committee. This definition had been reached because the railway line was, in the most part, a physical boundary.
- 32.8 Adequacy of existing provision of pharmaceutical services and necessity or desirability**
- 32.9 Having reached a conclusion as to neighbourhood, the Committee was then required to consider the adequacy of pharmaceutical services within or to that neighbourhood and, if the committee deemed them inadequate, whether the granting of the application was necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood.
- 32.10 The Committee noted that Meadowbank Pharmacy was in the neighbourhood and Apple Pharmacy just out with the boundary. The location of the four other existing pharmacies that provided pharmaceutical services to the neighbourhood were also noted namely Deans Pharmacy, Lloyds Pharmacy, Shieldhill Pharmacy and Hallglen Pharmacy. All of which were within 3.7 miles of the proposed pharmacy location.
- 32.11 This application was not supported by the Area Pharmaceutical Committee and there was no inadequacy of pharmacy services apparent in the Pharmaceutical Care Services Plan.
- 32.12 The non-contractor pharmacist clarified the position with regards to monitored dosage boxes (MDS boxes) by explaining that many factors including local Council policy was driving the use of these boxes. The Health Board was however working with the council and other stakeholders to consider alternative options to support people to manage their own medicines when dispensed in original containers. It was also noted that supply of MDS boxes was not a core NHS service.
- 32.13 There had been no formal complaints made to the Health Board about pharmaceutical services in/to this neighbourhood so could not be used to demonstrate any inadequacy.
- 32.14 The Committee looked for evidence of inadequacy in the existing pharmacy provision from the joint Consultation Analysis Report. In particular from the comments received in response to question 4 about gaps and deficiencies in existing services. The Committee noted that all comments received for question 4 related to Meadowbank Pharmacy. Over 50 comments were received about Meadowbank Pharmacy being too busy and another 50 comments were made about long waiting times/queues at the same pharmacy. Concern was expressed by some Members of the Committee about the lack of waiting space in Meadowbank Pharmacy but acknowledged that patients could choose to go elsewhere. The prescription figures did not reflect any inadequacy at Meadowbank Pharmacy which dispensed 13000 items per month and had an increasing trend in dispensing pattern. Although just around the corner from Meadowbank Pharmacy, Apple Pharmacy only dispensed 6000 items per month. If the service provided by Meadowbank Pharmacy was in any way

inadequate then it would have been expected that more prescriptions would have been dispensed from Apple Pharmacy when in fact the number of prescriptions dispensed from there had decreased. The Committee also concluded that given the 28000 combined list size of all four medical practices located in Meadowbank Health Centre the amount of negative feedback concerning this pharmacy in the CAR was very low. No gaps/deficiencies had been identified from the responses to question 4 for any of the other pharmacies serving the neighbourhood in the CAR.

- 32.15 The comments made by a District Nurse in response to question 4 were considered by the Committee. It was explained that just in case boxes were part of anticipatory care planning to cater for periods when pharmacies were closed. The non-contractor pharmacist explained the palliative care situation from a Health Board perspective in that it was a locally negotiated service not funded for every pharmacy. Pharmacies were chosen to provide the service based on geographical location in order to provide widespread access within Forth Valley. Despite this it was apparent from the oral presentations that several interested parties providing services to the neighbourhood did stock palliative care medicines at their own expense. This service was not really relevant when considering adequacy as a new pharmacy would not automatically be granted it and was out with the applicant's gift to give. Although Meadowbank Pharmacy was too limited in space to provide palliative care services the pharmacist could have asked another pharmacy to provide the service but it did not seem that anyone else had been asked. The PPC concluded that the District Nurse's comments did not really show an inadequacy of pharmaceutical provision as this service could be provided in another way.
- 32.16 The Committee then considered the responses for question 5 "Do you or your representatives experience any issues or challenges accessing NHS pharmaceutical services/or do you already have ease of access to NHS pharmaceutical services?" Seven respondents said there was no Minor Ailments Service (eMAS). Meadowbank Pharmacy dispensed 15 eMAS prescriptions per month. The Committee were of the opinion that this service was not really needed when the pharmacy was located in a health centre. Many eMAS prescriptions were provided on a Saturday when Meadowbank Health Centre and pharmacy was closed which could also be a factor for low eMAS prescriptions numbers. Additionally it was uncertain whether these respondents were eligible for eMAS registration in the first place. Two people were unhappy that there were no over the counter items (OTC) however if these were required then they could be accessed elsewhere in the neighbourhood.
- 32.17 It was clear from some of the comments recorded in the CAR for question 1, e.g. "ideal, central, excellent, convenient location", that respondents did not understand the concept of neighbourhood. It was also the opinion of 18 respondents to question 4 that there was "not enough provision/no pharmacy provision in Polmont". More thought needed to be given to the consultation questions in order to draw out information the PPC required. It was also noted that that the applicant (Pill Box Scotland Ltd) had given out 600 questionnaires at public involvement meetings that deviated from the

methodology stated in the report. The Chairman agreed to raise these matters with NHS Forth Valley's Primary Care Contracts Manager.

- 32.18 Deans, Apple and Lloyds pharmacies (as well as Shieldhill and Hallglen) had all confirmed available capacity in service provision to accommodate future population growth and ageing population trends.
- 32.19 There were no accessibility issues with any of the existing pharmacies. In fact Apple Pharmacy had disabled parking access right outside its door. Even although the landscape was hilly this was not a barrier to accessing services given the high levels of car ownership.
- 32.20 Whilst the contribution from the community council was appreciated the committee considered the argument to have been based on convenience rather than inadequacy.
- 32.21 The Committee also noted that many people never need to go near a GP to obtain a repeat prescription. In such cases the distance from the health centre to the pharmacy was irrelevant.
- 32.22 The opening of another pharmacy was not the only solution for increasing pharmacy provision as the number of pharmacists working in each existing pharmacy could potentially be increased if required.
- 32.24 The Committee concluded that there was no evidence provided to demonstrate any inadequacy of the existing pharmaceutical services to the defined neighbourhood. When asked by the Chairman confirmation was received that the Lay Members were ready to vote.
- 32.25 Mr Paterson, Ms Stewart and Ms Ferguson then withdrew from the hearing in accordance with the procedure on applications contained within Paragraph 6, Schedule 4 of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009, as amended and the vote taken.

33.0 Decision

- 33.1 Mr Paterson, Ms Stewart and Ms Ferguson returned to the meeting and were advised of the decision of the Committee.
- 33.2 Accordingly, the decision of the Committee for the reasons set out above was that the provision of pharmaceutical services at the proposed premises was neither necessary nor desirable in order to secure adequate provision of pharmaceutical services within the neighbourhood in which the premises were located by persons whose names were included in the pharmaceutical list, and accordingly the application was rejected. This decision was made **not to grant** the application for a new pharmacy contract to Pill Box Scotland Ltd subject to the right of appeal as specified in Paragraph 4.1, Regulations 2009, as amended.

33.3 The meeting closed at 1400 hours