

Extract from Minute of the NHS Forth Valley Pharmacy Practices Committee Meeting – held 17th August 2017 – to Consider the Application by Westburn Pharmacy Ltd to provide NHS Pharmaceutical Services under a new Contract from premises at 13 Maggie Wood’s Loan, Falkirk, FK1 5HR

Committee deliberations on the Application, the presentations, all supporting documentation and the decision

29.0 Supplementary Information

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

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- i. That they had separately and independently undertaken site visits of Bantaskine 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 Bantaskine and the surrounding area.
 - iii. Community Council Map
 - iv. 2011 Census Profile for Falkirk
 - v. Falkirk Council Ward Profile – Ward 7
 - vi. Council Information/Local Development Papers
 - vii. Bus timetable for services 3,4,4A,4B
 - 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.

30.0 Summary of Consultation Analysis Report (CAR)

30.1 Introduction

30.2 NHS Forth Valley undertook a joint consultation exercise with Westburn Pharmacy regarding the application for a new pharmacy in 13 Maggie Wood’s Loan, Falkirk FK1 5HR.

30.3 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.

30.4 Method of Engagement to Undertake Consultation

30.5 The consultation was conducted by placing advertisements in the Falkirk Herald (29 September 2016 & 12 January 2017); displaying details of the potential application on the Forth Valley public website (www.nhsforthvalley.com/get-involved/public-consultations); displaying details on the Applicant's website (www.westburnpharmacy.co.uk); 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. The Applicant also undertook a door to door mail drop to distribute 1500 copies of the questionnaire, with a cover letter, copy of the advertisement in the Falkirk Herald; a pre-addressed (not stamped) envelope for return of completed questionnaires. The Applicant also undertook to speak to as many residents as possible.

30.6 The Consultation Period lasted for 90 working days and ran from 29 September 2016 until 9 February 2017.

30.7 Summary of Questions and Analysis of Responses

30.8 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.

30.9 In total 253 responses were received. All submissions were made and received within the required timescale, thus all were included in the Consultation Analysis Report. A further 30 questionnaires and one letter were received after the cut-off date and were not included in the figures analysed.

30.10 From the responses 230 were identified as individual responses, 13 responded on behalf of a group/families and four from organisations. Six respondents did not provide any indication.

30.11 214 respondents supported the proposed application.

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

- 64 with the Applicant's proposed area
- 13 outwith the proposed area
- 1 part in, part out of the proposed area

31.0 Discussion

31.1 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.

31.2 Neighbourhood

31.3 In discussing the neighbourhood the committee noted the following points:

- That Tamfourhill was described as being in the catchment area but

not the neighbourhood and was not included in the statistics

- The Applicant had made access his main argument for inadequacy
- Where the population currently accessed services and that they did this by public transport, car, bicycle or foot.
- The proposed neighbourhood had a school and some small shops plus a mix of social and private housing. However there were no banks or post offices.
- The possible boundaries which included the canal, railway lines, major roads.
- The nature of the population within the proposed neighbourhood
- The large GP practice within the neighbourhood but with a significant number of patients from elsewhere

31.4 The Committee agreed that the neighbourhood should be as described by the Applicant, which was also agreed by the APC. It was therefore defined by the following boundaries:

North – Camelon Road from Rosebank roundabout to West Bridge Street

East – Cockburn Street/Majors Loan and Drossie Road

South – Edinburgh/Glasgow railway line and Union Canal including Gartcows Road, Majors Loan, Bantaskine Street, Summerford Road and Greenbank Road

West – Glenfuir Road from Rosebank roundabout along the canal up to and including Carradale Avenue, Cumberae Drive and Kilbrennan Drive

31.5 Adequacy of existing provision of pharmaceutical services and necessity or desirability

31.6 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.

31.7 The Committee noted that, although there were no pharmacies within the defined neighbourhood, there were 4 pharmacies within approximately one mile of the proposed pharmacy. These were Lloyds, and Graeme Pharmacies in Camelon and Callander and Boots in High Street, Falkirk and a further three within approximately 1.5 miles.

31.8 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.

31.9 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.

31.10 The Committee looked for evidence of inadequacy in the existing pharmacy provision from the joint Consultation Analysis Report. They noted from Question 4 about gaps and deficiencies that one third mentioned that there was no pharmacy nearby and only 3 used the word inconvenient to describe the existing services. This did not indicate that there was

overwhelming support for an additional pharmacy. In Question 5 about accessing current services 114 used a car, 80 walked, and a further 80 used bus, cycle or taxi, with only two saying that it was too far to walk. In Question 6, 95 people had no issues or problems accessing the services. In Question 8 those who would use a new pharmacy gave reasons primarily of convenience rather than adequacy of the existing service.

- 31.11 Mr Grahame from Callander Pharmacy had capacity to grow, Lloyds had just moved to larger premises and none of the others had indicated that they were close to capacity. Current dispensing figures showed a reasonably stable amount each month. All were confident that they could meet the needs of an ageing population. In addition, from the District Council information, the population was not forecast to grow significantly.
- 31.12 The Applicant himself acknowledged that the existing pharmaceutical services, including delivery services and repeat prescription service to the neighbourhood, were adequate.
- 31.13 The population would normally go into the town centre to conduct the day to day business of living and could access pharmaceutical services when there.
- 31.14 Whilst the contribution from the Residents' Association was appreciated the committee considered the argument to have been based on convenience rather than inadequacy and no mention had been made of public transport being inadequate.
- 31.15 The Chair checked that the Lay Members had sufficient information on which to base a decision. Upon receiving assurance that they did, Mr Hill, Mr Shimmins, Mr Hutchison and Mrs Gordon then withdrew from the hearing at 1400 hours in accordance with the procedure to allow the vote to be taken.

32.0 Decision

- 32.1 Mr Hill, Mr Shimmins, Mr Hutchison and Mrs Gordon returned to the meeting at 1415 hours and were advised that because:
- There were 4 pharmacies within a mile and more outwith this distance
 - The CAR did not provide evidence of inadequacy or gaps in service and it was felt that if the service had been deficient then there would have been a greater response to the CAR
 - The majority of responses were on the basis of convenience rather than deficiency
 - Access did not appear to be a problem with the majority accessing services by car. They had noted in the site visits that the majority of houses in the neighbourhood had at least one car and access to existing pharmacy services was not an issue
 - The existing contractors all had capacity to grow
 - The application was not supported the APC
 - The Pharmacy Care Service Plan did not mention any inadequacy in pharmacy provision
 - The proposed opening hours were shorter than those of existing providers and did not offer a Saturday afternoon.

- The Applicant had offered no evidence which demonstrated inadequacy of the existing service and had stated that the services were adequate in his submission.

32.2 It was, therefore, the unanimous decision of the Committee for the reasons set out above 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 subject to the right of appeal as specified in Paragraph 4.1, Regulations 2009, as amended.