

**Minutes of the meeting of the NHS Forth Valley Pharmacy Practices Committee (PPC)
held on Wednesday 27th May 2026 at 10am via Microsoft Teams.**

Committee:	John Stuart	Chair
	Clare Colligan	Non-Contractor Pharmacist Member
	Arif Hanif	Contractor Pharmacist Member
	Martin Kenny	Lay Member
	Sheila McGhee	Lay Member

Secretariat:	Julie Innes	NHS Forth Valley Administration
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Reconvening of PPC to reconsider the application by Web Pharmacy relating to Unit 6, Kinnaird Village, McIntyre Avenue, Larbert, FK5 4XT in line with the Decision of the Chair of the National Appeal Panel, 21 January 2026.

1. Application by Web Pharmacy and Appeal

- 1.1 There was an application and supporting documents submitted from WEB Pharmacy, received by Forth Valley Health Board on 2nd December 2021, for inclusion in the pharmaceutical list of a new pharmacy at Unit 6, Kinnaird Village, McIntyre Avenue, Larbert, FK5 4XT.
- 1.2 The initial PPC was held at NHS Forth Valley HQ, Board Room, Carseview House, Castle Business Park, Stirling, FK9 4SW on 22nd September 2022. The PPC approved the application for the new pharmacy's inclusion on the pharmaceutical list.
- 1.3 Appeals were submitted to the National Appeals Panel (NAP) by two appellants on 31st October 2022 and 1st November 2022. One ground of appeal was upheld and as such the Committee was reconvened on 9th July 2024 to consider adequacy of pharmaceutical services in the area.
- 1.4 Further appeals were submitted to the NAP following the reconvened Committee of 9th July 2024, and the PPC were directed to provide sufficient reason as to why inadequacy of pharmaceutical services in the area had been established.
- 1.5 The committee reconvened once again on 22^{nd of} January 2025 to provide sufficient reasons for their decision. Once again, they concluded that the current level of pharmaceutical services was inadequate and granted the application.
- 1.6 A further appeal was submitted to the NAP including, on the ground of whether there had been a procedural defect, whether the PPC was quorate when it reconsidered the application. This ground of appeal was upheld, with the NAP Chair advising that all members of the PPC required to be present at the time of the meeting rather than having submitted their views in writing. A further PPC hearing was arranged.

1.7 The committee reconvened on 29th July 2025, now quorate, reconsidered the application, and reaffirmed their decision that current services were inadequate and the application was approved.

1.8 A further appeal was submitted to the NAP which was considered by the National Appeals Panel Chair on 21 January 2026. The NAP Chair upheld one ground of appeal, advising that the PPC must provide a “meaningful reconsideration” of the application.

1.9 The application was remitted back to the Board, with the NAP Chair, advising.
“ how a Board determines an application at a reconsideration stage is, subject to the terms of the Regulations, a matter for it to decide. Most Boards reconvene to address the issues on appeal. A full reconsideration will not normally be necessary, and this includes an oral hearing.”

1.10 In further advising the PPC that they require to give meaningful reconsideration to the application, the NAP Chair raised an issue as to “whether a PPC can properly assess adequacy and apply the legal test if at the date of the reconsideration decision, the information before the PPC is considered to be out of date.” The Board recognised that some of the information available to it that would be set before the PPC required to be updated,” including:

- the pharmaceutical care services plan,
- the GP Practice list sizes covering the area of Kinnaird,
- prescribing data,
- population and housing figures.

The updated information being presented before the PPC would allow them, when assessing adequacy and applying the legal test, to make their decision based on more up to date information.

1.11 In line with the advice of the National Appeals Panel, the PPC reconvened to provide “meaningful reconsideration” of the application in terms of the legal test rather than reaffirming any previous decision.

1.12 This minute is a record of the reconvening of the PPC where the Committee gave their full consideration of the application in order to assess whether services in the defined area were either adequate or inadequate.

2. Supporting Documentation

2.1 Consultation Analysis Report (CAR)

2.2 National Appeal Panel Decision

2.3 Pharmaceutical Services Plan

2.4 Services provided within the area

2.5 Minutes from previous PPC meetings

2.6 Information Asset of Updated Data as listed above.

3. Welcome and Interests

- 3.1 The Chair welcomed all to the meeting and introductions were made. The Chair reminded the Committee members that they met originally in September 2022 to consider the application by Web Pharmacy, and this was granted. He then proceeded to talk them through a detailed timeline of the application, outlining the sequence of appeals, remits and procedural issues leading up to the current meeting. The Chair advised the Committee members that it is important that they are not simply reaffirming their earlier decision, but the matter is being remitted back to them for meaningful reconsideration, applying the legal test as set out in the regulations and considering the information set out in the supporting documentation.
- 3.2 The Chair explained that the Committee could consider the updated data including population growth, GP practice population and prescription data as being a refresh based on information relevant today rather than “new” information, having considered the NAP Chair’s advice in his decision of 21 January 2026. The boundary area, transport links and distances to alternative pharmacies remain unchanged.
- 3.3 In making their decision, the Committee considered fully if the current services were adequate or inadequate, and in doing so reviewed and discussed the distance to an alternative pharmacy, the public transport links, the growth in the population and the responses within the original CAR. It was highlighted that the age profile of those who did provide responses to the CAR will have shifted upwards and this may be reflected in the increase of 24% in prescriptions. There was a discussion regarding the ownership of local pharmacies at the time of the original application and now, where some Lloyds branches have changed ownership. It was noted in the updated information provided by the pharmacy team, in relation to prescriptions being dealt with by current providers, that the initial information in 2021 was just before Lloyds changed hands.
- 3.4 Accessibility and safety concerns were raised by the committee, who reported increased traffic and industrial development along the main road defining the boundary, as well as persistent issues with footpaths and zebra crossing which had been discussed at previous meetings. This reinforced their concerns of the hazards in relation to the challenges of accessing pharmacies outside the immediate neighbourhood of Kinnaird Village.
- 3.5 The legal test was applied when considering the sustainability of existing pharmacy providers and of the prospective pharmacy. The updated data did not evidence any decreased prescription numbers or decrease in population, and the committee reported having no reason to believe that the granting of this application would affect the viability of current providers or that of the new contractor. The Committee felt that the updated data in terms of population growth and increase in prescription numbers, indicated increased demand and concluded that there was no obvious material risk in

respect of viability. The Committee also considered and agreed the rationales of their previous decisions in respect of the application as set out in the previous minutes.

- 3.6 Ms Colligan and Mr Hanif left the meeting in order for the voting members of the Committee to make their decision.
- 3.7 Following further deliberations, the voting members of the Committee were unanimous in their decision that current services were inadequate following their reconsideration as set out above, and they approved the application.

Signed:

A handwritten signature in black ink that reads "John Stuart". The signature is written in a cursive style with a large initial 'J'.

John Stuart

Chair Pharmacy Practices Committee.

Date: 27th May 2026