



PHARMACY PRACTICES COMMITTEE

Application by **Dickies Pharmacy** for inclusion in the pharmaceutical list in respect of the address, Unit 2, Retail Centre, Hillside Road, Hillside, Portlethen, Aberdeenshire, AB12 4PA

The Pharmacy Practices Committee met at 11.00am on Friday 27th May 2016 in the Conference Room, Summerfield House, 2 Eday Road, Aberdeen to consider the above application in accordance with the National Health Service (Pharmaceutical Services) (Scotland) Amendment Regulations 2014.

In Attendance

Pharmacy Practices Committee

Mr Terry Mackie	(Chair)
Mrs Fiona Raeburn	(Non-contractor Pharmacist)
Mrs Samantha Reid	(Contractor Pharmacist)
Ms Sue Callan	(Contractor Pharmacist)
Ms Barbara Lamb	(Lay Member)
Mrs May Lyons	(Lay Member)
Mrs Leonora Montgomery	(Lay Member)

Observers

Mrs Gwen Gray	(Non-contractor Pharmacist)
Mrs Aileen Brown	(Lay Member)
Ms Marie Livingston	(Admin Assistant)

In Attendance

Mrs Lesley Anderson (Clerk to the Pharmacy Practices Committee)

1. At 11:00 hrs on Friday 27th May 2016 the Committee convened to consider an application for inclusion in the pharmaceutical list dated 23rd March 2016, by **Dickies Pharmacy** in respect of the address, Unit 2, Retail Centre, Hillside Road, Hillside, Portlethen, Aberdeenshire, AB12 4PA. A copy of the application had been circulated in advance to the Committee and all parties attending the meeting.
2. Written representations had been received from the Area Pharmaceutical Committee, ASDA Pharmacy, Boots UK Ltd, Cove Bay Pharmacy, the GP Sub Committee and Newtonhill Pharmacy. The applicant and the interested parties were entitled to comment on the representations received.

The following written representations had been received and circulated with the hearing papers to the Committee. Those identified as Interested Parties who responded during the 30 day

consultation had been provided with copies of written representations and the Consultation Analysis Report (CAR):

- a) Letter dated 2 May 2016 from John Fowlie, Newtonhill Pharmacy
 - b) Letter dated 3 May 2016 from Angus McNicoll, Charles Michie (Portlethen & Stonehaven)
 - c) Letter dated 4 May 2016 from Ann Smith, Chair - APC
 - d) Email dated 9 May 2016 from Faisal Tuddy, ASDA Pharmacy
 - e) Email dated 11 May 2016 from Dr Craig Beattie, Chair - GP Sub Committee
 - f) Email dated 11 May 2015 from Andrew Porter, Cove Bay Pharmacy
 - g) Consultation Analysis Report (CAR)
3. The Committee had before them maps of the area surrounding the proposed premises detailing the location of the nearest pharmacies and GP surgeries, deprivation categories and population density. They had details of the numbers of prescriptions dispensed during the months 1st September 2015 – 29th February 2016 by the pharmacies nearest to the proposed premises and the number of prescriptions they dispensed that were issued from the GP surgeries closest to the premises during the months 1st September 2015 – 29th February 2016. The Committee were also provided with “Pharmacy Profiles” of the nearest pharmacies detailing opening hours, premises facilities and services offered.
4. Under paragraph 5(10) of the Regulations the Committee was required to decide whether “the provision of pharmaceutical services at the premises named in the application is necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises are located by persons whose names are included in the pharmaceutical list.”
5. It had been confirmed prior to the meeting that the members present did not have an interest to declare.
6. The Committee agreed to invite the applicant, **Dickies Pharmacy** and those who were present who had made written representations to attend before them. They were:

Applicant

Mr B Arris

Dickies Pharmacy

Interested Parties

Mr S Parr

ASDA Pharmacy

Mr A McNicoll assisted by Mr J Michie

Charles Michie Pharmacy (Portlethen and Stonehaven)

Dr N MacRitchie

GP Sub Committee (representing the Area Medical Committee)

The Open Session commenced at 11:05am

The **Chair** began by welcoming everyone to the hearing and introductions were carried out. At this time the **Chair** advised all present that the meeting would be digitally recorded to ensure an accurate record of the hearing was obtained for the purposes of the minute. This digital recording would be deleted once the minute had been approved by the Board. No-one present objected to the hearing being digitally recorded.

7. The **Chair** explained the procedure that would be followed and no person present objected. At this time, the Chairman asked those present if they objected to observers being present during the open session of the meeting. Everyone present (Committee, Applicant and Interested Parties) agreed to the observers being present.
8. The procedure adopted by the Committee was that the applicant made an opening submission to the Committee, which was followed by an opportunity for the interested parties and the Committee to ask questions. The interested parties then made their individual oral representations with the applicant, remaining interested parties and the Committee then asked questions. The parties were then given an opportunity to sum up.
9. At 09:00hrs on Friday 27th May, 2016 the Committee undertook a site visit. The Committee noted the location of the proposed premises, the pharmacies nearest to the proposed premises, the nearest GP surgeries and the neighbourhood as defined by the applicant.

Neighbourhood

10. The Committee noted the applicant, **Dickies Pharmacy**, had defined the neighbourhood as encompassing existing and new housing in Hillside, Aberdeenshire which is bounded on the South and East by the A90 and to the North and West by a golf course and open fields.
11. The applicant clarified in their oral submission that the neighbourhood could be defined as encompassing existing and new housing in Hillside, Aberdeenshire which is bounded on the South and East by the A90 and to the North and West by a golf course and open fields.
12. The interested parties stated in their presentations that they considered the neighbourhood to be:

Mr S Parr, ASDA Pharmacy defined the neighbourhood as being Hillside which is the housing development and new Business Park to the West of the A90 at Portlethen.

Mr A McNicoll, Charles Michie Pharmacy defined the neighbourhood as being housing lying North West of the A90, bounded on the West, North and North East by the road which starts as Cookston Road where it goes under the A90 south of Hillside and continues around Hillside to join Old Stonehaven Road at the North East of Hillside.

Dr N MacRitchie, GP Sub Committee did not define the neighbourhood in his presentation.

Submissions

The Chair invited Mr B Arris to speak first in support of the application.

13. Mr B Arris, Dickies Pharmacy

Mr Arris commenced his oral presentation at 11:10am from written notes (a copy of which was provided to aid an accurate minute):

The Legal Test

Neighbourhood

The neighbourhood is the well-defined area known as Hillside, Aberdeenshire. It is bounded on the South and East by the A90 and to the North and West by the golf course and by open fields.

The population of the neighbourhood has expanded to 2500 with the recent addition of 800 new houses. The population has a relatively average demographic, but it is growing.

Hillside is a modern planned neighbourhood like e.g., Kingswells or Balmedie where we have already established successful pharmacy. In fact, Balmedie pharmacy celebrated its 10th Birthday yesterday. Hillside has a new primary school for education, a business park for employment and a new retail centre which will consist of a large co-op and four smaller shop units, one of which is the proposed pharmacy.

The next question we must answer is “what existing pharmaceutical services are provided to the neighbourhood”?

Well, there can be no dispute that there is no pharmacy in the neighbourhood. The vast majority of patients living in the neighbourhood will currently obtain prescription medicines from the dispensing GP’s at Portlethen Health Centre. This is a hugely significant fact which, I will return to and is the main reason that we have invested significant sums and time in this application.

To obtain NHS pharmaceutical services (excluding Acute Medication Service and Chronic Medication Service which cannot be provided by a dispensing GP) patients in the neighbourhood will likely use the pharmacies at ASDA or Michie’s in Portlethen. But, let’s be realistic, when patients do not obtain prescription medicines from a pharmacy e.g., a dispensing GP, collection from the paper shop or home delivery, the opportunity to promote the Minor Ailment Service or provide Public Health interventions are limited. In fact, I think it’s fair to say that the residents of Hillside do not benefit from an NHS pharmaceutical service.

The key question which must be answered by the PPC is whether or not the existing pharmaceutical services provided to the defined neighbourhood are adequate.

Before I answer that question, let’s remind ourselves how Control of Entry Actually works.

NHS Boards do not actively identify areas where there is an inadequate pharmaceutical service and then remedy the situation. What they do is they invite prospective contractors to identify

such areas and then the pharmacy contractor attempts to persuade a PPC that the area in question is indeed “inadequately” served like I’m doing today. So, it’s a passive process.

But there are certain circumstances where NHS Boards are required to take a more active role. It’s not where a pharmaceutical service is simply “inadequate”, there’s a much stricter definition and that is where patients in a particular area have a serious difficulty in obtaining medicines from a pharmacy.

If I can quote the relevant paragraph of the National Health Service (General Medical Services Contracts)(Scotland) Regulations 2004 (“the 2004 Regulations”) Schedule 5, Part 3, Paragraph 44 provides:

- (2) Where the Health Board is satisfied after consultation with the Area Pharmaceutical Committee that a person, by reason of -
 - (a) Distance;
 - (b) Inadequacy of means of communications; or
 - (c) Other exceptional circumstances,

Will have serious difficulty in obtaining from a pharmacist any drugs, medicines or appliances, other than scheduled drugs, required for that person’s treatment, the Health Board shall require or authorise the contractor with whom the person is a registered patient to supply such drugs, medicines and appliances to that person until further notice...”

So there you have it.

NHS Grampian has already determined that patients in the defined neighbourhood of Hillside have a serious difficulty in obtaining medicines from a pharmacy.

This isn’t opinion, its fact. The only circumstances where a patient can be dispensed to other than by a pharmacy is where they have a serious difficulty in getting their medicines from a pharmacy.

If this PPC as a statutory committee of the NHS Board were to take a different view – which, of course it might, then this would put the Board in a very difficult position in that it would simultaneously hold that patients in my defined neighbourhood of Hillside of having a serious difficulty in obtaining medicines from a pharmacy, but at the very same time they would have an adequate pharmaceutical service.

This would be a ridiculous position to place the NHS Board in! It would also mean that these patients can never benefit from a full NHS pharmaceutical service. It’s nonsensical.

It would be much more sensible to simply accept that patients in Hillside have an inadequate pharmaceutical service. So, why do I and NHS Grampian believe that they have an inadequate pharmaceutical service?

Well, the simple fact is that the A90 divides the neighbourhood from the rest of Portlethen and the closest pharmacy is over a mile from almost every resident (by foot). In fact, it’s a 26 minute walk and it’s uphill to Hillside all the way back. In a non-rural setting, it is completely

unacceptable to expect a population of this size to be forced to travel such a distance to access pharmaceutical services.

I'd like to now turn to the submission made by the interested parties.

The **GP Sub Committee** has claimed that a new pharmacy may “destabilise the viability of Portlethen Medical Centre”. Notwithstanding our huge scepticism that the loss of some dispensing income will affect the viability of a practice with a list size of 13,300 and growing, the viability of the practice is not something which can legally be considered by the PPC. Only where a dispensing practice is in a controlled locality do the 2014 amendments to the regulations allow for a “prejudice test” where the PPC can consider the risk to wider NHS services.

Hillside is not a controlled locality. A prejudice test as part of the Legal Test, is therefore not appropriate and would be legally incompetent.

A number of interested parties have mentioned opening hours. With respect, it is a simple fact that hours of opening are not a matter of any interest to a PPC. Why do I say this? Well, a contractor need only open for the hours covered by the NHS Board's Model Hours Scheme. An applicant can promise to open as much beyond these model hours as they like, but as soon as they open, they are open they are under no obligation to fulfil their promise. Interestingly, NHS Grampian is unique in being the only NHS Board in Scotland that doesn't have a published Model Hours Scheme, but I understand this is an oversight and is currently being corrected.

Where an NHS Board in any particular area believes that opening hours are required in excess of those stated in the model hours scheme, then the correct process to remedy this is to consult with the APC and the Area Contractor Committee and introduce a Rota. The correct remedy is not for the PPC to grant new contracts on the promise of additional opening hours?

The hours we propose to open will conform to the Board's model scheme hours.

Mr Fowlie (who is not here today) makes reference to the public consultation exercise. Whilst this received a disappointing response, the low level of respondents is typical across the country e.g., the new contract granted to Blackburn had a similar amount of responses recently. It cannot be assumed that this is due to “apathy” or in any way demonstrates that existing services are adequate. I find it particularly strange that Mr Fowlie believes that the residents of the neighbourhood “*already receive a first class pharmaceutical service...*” Is he not aware that the vast majority obtain their prescription medicines from a dispensing GP? Does he honestly believe that this constitutes a “first class pharmaceutical service”?

Mr Tuddy of ASDA Pharmacy seems to think that a pharmacy is merely a complementary service to a GP surgery and thinks that the distance from the GP surgery to the pharmacy is important. He is wrong. Local communities require easy-to-access pharmaceutical services within their community. The locality of a GP practice is only important to someone who needs to see a GP and has no relevance whatsoever to the vast proportion of visits to a pharmacy.

Mr Tuddy also talks about the “catchment area” of the ASDA supermarket and implies that since Hillside is within this catchment area, then Hillside must have an adequate pharmaceutical service. I therefore find it strange that ASDA are happy to accept the NHS Board's position with respect to the dispensing by the local GPs.

The catchment area of an ASDA supermarket is not a neighbourhood and when considering adequacy of access to pharmaceutical services, the two are not comparable. The catchment area of ASDA could include Stonehaven or even as far as Laurencekirk. I've always liked the explanation of neighbourhood which was given by the Chair of the NAP in a PPC training manual:

"A small convenience store in Abbotsinch would be in the "neighbourhood" of Abbotsinch. It would also have a catchment area which would be "Abbotsinch". An adjacent supermarket would also be in the neighbourhood of Abbotsinch. However, it would have a catchment area that might include Renfrew, parts of Paisley and possibly even Erskine. Right next to the convenience store and the supermarket is Glasgow Airport. The Airport is also in the neighbourhood of Abbotsinch. But it's catchment area? That would be the whole West of Scotland.

This example is intended to demonstrate the difference between a catchment area and a neighbourhood and the fact that a neighbourhood is for all purposes. In other words, no matter what the context, the neighbourhood remains the same. It's the catchment area that changes depending on the purpose for which you are defining it and so the two are not the same!

So, the ASDA catchment area is of no interest to us today and tells us nothing about the adequacy of pharmaceutical services in the neighbourhood in which the proposed premises are located.

Mr Tuddy also mentions the Prejudice Test as set out in Regulation 5(1)(a). There is no such paragraph in the regulations and I can only assume that Mr Tuddy thinks Portlethen is in England.

I also note that the **APC**, whilst believing a new pharmacy to be desirable, do not think it is necessary due to "*access to adequate pharmaceutical services in Portlethen....*"

I'm really not sure what the APC mean here. Do they mean that access to services is adequate or simply that the services that can be access are adequate, even though the means of accessing these services might be inadequate? I would suggest that the APC don't really understand the Legal Test. Further, they seem oblivious to the fact that the NHS Board has already determined that residents of Hillside have a serious difficulty in obtaining medicines from a pharmacy.

Finally, I'd like to thank my colleague **Mr Porter** for his support.

So, to summarise:

- the neighbourhood is the area to the West of the A90 known as Hillside
- the neighbourhood has a population in excess of 2500 and is growing
- the nearest pharmacy to the neighbourhood is more than a mile away.

Due to the location of the neighbourhood, NHS Grampian had already determined that residents of the neighbourhood have a serious difficulty in obtaining medicines from a pharmacy. This is a level of inadequacy far beyond the point at which "adequate" becomes

“inadequate”. This one indisputable fact means that this application must be granted. If the PPC believe that services in the neighbourhood are adequate, then the NHS Board will find itself in a contradictory and irrational position.

This is a neighbourhood with a significant population. It is a population that does not currently enjoy an NHS pharmaceutical service and which would have a serious difficulty in obtaining such services from the existing providers. This application indisputably passes the Legal Test and I would respectfully ask you to grant the application.

This concluded the presentation from Mr Arris.

Questions

The Chair invited questions to the Applicant from the interested parties. Mr S Parr of ASDA Pharmacy was invited to question Mr Arris first.

14. In answer to questions from Mr S Parr, ASDA Pharmacy

Mr Parr asked if Hillside had a population of 2500 residents, would it be able to support a Pharmacy.

Mr Arris replied by stating it could sustain a pharmacy and that Dickies have a pharmacy in a neighbourhood with a smaller population and it has been open for 10 years. He also stated if the pharmacy closed on a Bank Holiday, patients ask why. A neighbourhood pharmacy in the centre of a community is a good thing for residents.

Mr Arris was asked about his point about opening hours and that he stated that the proposed pharmacy would not have out-of-hours opening how would he define the additional service and care provision?

Mr Arris replied by stating the pharmacy would provide a 6 day service and a standard GP service is open 5 days a week. The pharmacy would be open on for a half day on a Saturday for the provision of urgent unscheduled care prescriptions.

Mr Arris was asked how he compared the proposed opening hours to ASDA Pharmacy?

Mr Arris replied by stating that opening hours is something that should not be discussed until a Model Hours Scheme was available. Model Hours Schemes by other Health Boards have asked for a 6 day service, allowing for two half day sessions per week and he would meet the requirements of this.

Mr Arris was asked if the Model Hours Scheme had been defined for the area and he replied no.

Mr Arris was asked to clarify his statement that the invitation was made by the NHS Board to apply for a new pharmacy in Hillside and because it was proposed by the NHS Board, that it was not within the gift of the PPC to deny that.

Mr Arris replied by saying he meant to say the Pharmacy Regulations are open for people to apply. It's an open passive process for people to apply for a pharmacy where they felt a pharmacy would benefit a community.

Mr Arris was asked to clarify that his was a passive application and not one that had been promoted by the NHS.

Mr Arris confirmed that yes, his was a passive application.

Mr Arris was asked to clarify why if it was identified that if the residents of Hillside had a serious difficulty in obtaining medicines, then why would the proposed pharmacy limit their opening hours? How would he address the serious issue of obtaining medicines as identified by the NHS Board?

Mr Arris replied that NHS Grampian instructed the GP practice to dispense medicines to the neighbourhood and made a decision that patients in Hillside had a serious difficulty in obtaining medicines from a pharmacy, so it was the NHS Board who had decided.

Mr Arris was asked about the original instruction and the fact that the GP surgery does dispense.

Mr Arris replied by stating the GP practices does not provide a full pharmaceutical service as it only dispenses medicines. It doesn't provide all the services under the Pharmacy Contract, such as the Chronic Medication Service, Minor Ailments, Public Health Service or Acute Medication Service. The surgery has only been instructed to dispense medicines to patients who have a serious difficulty in obtaining medicines from a pharmacy.

Having ascertained that Mr S Parr had no further questions, the Chair invited questions from Mr A McNicoll of Charles Michie Pharmacy.

Mr McNicoll asked Mr Arris if he was aware of any complaints received by NHS Grampian in the past twelve months from patients living in Hillside regarding lack of access to pharmaceutical services?

Mr Arris replied by stating none.

Mr Arris was asked what impact on pharmaceutical services provided by the existing pharmacies in Portlethen would the opening of a pharmacy in Hillside have?

Mr Arris said he felt the additional pharmacy might benefit the area as the doctors would no longer be dispensing, so there would be prescriptions available for all pharmacies in the area.

Mr Arris was again asked about his statement where NHS Grampian had instructed the GP surgery to dispense to patients living in Hillside. With that instruction in terms of time, if put on a timeline, how would it compare with when Michies and ASDA opened their pharmacies in Portlethen?

Mr Arris stated that if the doctors were instructed to dispense to that area, he was unsure of how long the doctor had dispensed to patients of Hillside for years. He was aware however,

that Portlethen Medicine Centre was asked to cease dispensing to patients of Newtonhill once the new pharmacy had opened there.

Mr Arris was asked how residents of Hillside would access shopping and DIY stores?

He replied anywhere they wished to shop, e.g., supermarkets, online shopping and the local co-op in Hillside when it opened.

He was asked

Mr Arris was asked if he had already purchased the unit?

Mr Arris replied yes.

Mr Arris was asked what would happen if the application wasn't approved.

Mr Arris replied by saying he didn't think that was relevant.

Mr Arris was asked if he knew if any further development was imminent in Hillside?

Mr Arris replied by stating he had already answered this question.

Mr Arris was then asked if he was aware of the numbers and timescale for completion of Hillside?

Mr Arris replied by saying it's an expanding area which will continue to grow and at the moment Hillside is a decent size for a pharmacy.

Mr Arris was asked to clarify his knowledge of future developments.

Mr Arris replied he had no specific details.

Mr McNicoll stated that the Aberdeenshire Council Housing and Land Audit published in November 2015 had stated the rest of the building had finished and would only extend as far as the Coull Cars site. He also stated that Aberdeenshire Council estimated only 20 houses would be built in 2016 in Hillside.

Mr Arris was then asked how much he felt Hillside would expand in the future?

Mr Arris replied by stating he had already answered that question.

Mr Arris was asked to confirm his estimated population of Hillside as being 2500 and where this had been obtained from?

Mr Arris stated he had already answered this question and that Hillside already had a small population before the additional 800 houses had been built. If you have an average of 3 people per house, this gives an estimated population of around 2500 including the original population.

Mr McNicoll stated there was a data zone which actually provides a very close approximation of the population in the defined neighbourhood.

The Chair asked Mr McNicoll at this point to refrain from making statements as this was a question and answer session only.

Mr McNicoll asked Mr Arris if he was aware of a data zone which provides a very good approximation of the population in the defined neighbourhood?

Mr Arris replied by saying there are various web-based data sites which provide population statistics and that Dickies Pharmacy had carried out extensive research before estimating the population at 2500.

Mr Arris was asked if he was surprised that in 2011 data said there was a population of 971 in Hillside?

Mr Arris replied that since then, 800 new homes have been built.

Mr Arris was asked if he would be surprised that Aberdeenshire Council had estimated a population for Portlethen and Hillside in 2014 to be 9066.

Mr Arris replied he was surprised.

Mr Arris was asked if he is aware of the Scottish average population per pharmacy is?

Mr Arris replied by stating he is an experienced operator and has opened new pharmacies before in Kingswells and Balmedie, both of which has smaller populations than Hillside and he is not concerned about the viability of the pharmacy.

Mr Arris was asked to confirm he was not concerned about the viability of the pharmacy?

Mr Arris replied by saying no he wasn't.

Mr Arris was asked where he felt his patients would come from?

Mr Arris replied by stating Hillside, but could come from further afield if the pharmacy had a reputation for providing a good service.

Having ascertained that Mr McNicoll had no further questions, the Chair invited questions from Dr N MacRitchie of the GP Sub Committee.

15. In Answer to Questions from Dr N MacRitchie, GP Sub Committee

Dr MacRitchie had no questions for the applicant.

Having ascertained that Dr MacRitchie had no questions, the Chair invited questions from the Committee.

16. In answer to questions from the Committee

Mr Arris was asked where was the information regarding the prescribing GP being the main prescriber for patients in the community of Hillside?

Mr Arris replied by stating NHS Grampian has different rules for different GPs to where they can dispense to. Some are formal and some are informal, for example, Skene Medical Practice in Westhill has a 2 mile radius outwith the nearest pharmacy where they can't dispense to patients. Mr Arris stated he knew that because when Kingswells Pharmacy opened, there were patients of Skene Medical Practice living close to Kingswells who lived within the 2 mile radius of Kingswell Pharmacy and therefore Skene Medical Practice could not dispense to these patients.

The roles for Portlethen are 1 mile, according to the sheet of paper he saw.

Mr Arris was asked to clarify the number of patients who were getting their prescriptions dispensed by the GP rather than Michies or ASDA pharmacy in terms of volume and did he have information supporting this?

Mr Arris stated the whole area is outwith the 1 mile radius and that's originally why Dickies Pharmacy applied for a new pharmacy contract, because NHS Grampian Board made the decision to instruct the GP to dispense medicines to patients of Hillside as NHS Grampian made the decision they had a serious difficulty in obtaining medicines from a pharmacy.

Mr Arris was then asked to clarify is houses were still being built in Hillside.

Mr Arris replied by saying there is still houses being built.

Mr Arris was asked if he knew where patients registered with Portlethen Medical Centre were resident?

Mr Arris replied by saying that patients of Portlethen Medical Centre includes people living in Portlethen, Netherley, Blairs, Ardo and all the way to Muchalls and Cookney to the South of Portlethen. Basically, the whole circle around the practice is the patient catchment area. This includes the new town of Chapleton of Elsie as it lies within the catchment area for Portlethen Medical Centre.

Mr was asked if the catchment area for Stonehaven Medical Practice extended to Hillside and if a patient of Stonehaven Medical Practice moved to Hillside, could they remain as a patient of Stonehaven Medical Practice?

Mr Arris replied by saying no, Stonehaven Medical Practice's catchment area does not extend as far as Hillside.

Mr Arris was asked if patients registered with Stonehaven Medical Practice who had moved to Hillside could keep their GP in Stonehaven or would they have to change to Portlethen Medical Centre?

Mr Arris replied by stating that nowadays patients have to have a choice of two GP's but the vast proportion of people living in Portlethen, Netherley, Blairs, Ardo and all the way to

Muchalls and Cookney to the South of Portlethen and encompasses the 13,300 registered patients of Portlethen Medical Centre. Portlethen Medical Centre's catchment area will also include the new development of

Mr Arris was asked if his estimated population of 2,500 for the neighbourhood of Hillside was included in the estimated census population of 9,000 for Portlethen?

Mr Arris stated that this was over and above the population of Portlethen. Mr Arris also stated that Hillside already had a population before, just like Kingswells and Balmedie. Mr Arris also stated that the census figures were out-of-date since the neighbourhood of Hillside had been extended with the new housing development of Chapelton of Elsie.

Mr Arris was asked about planned growth for Hillside.

Mr Arris said the Primary School is almost finished and there is still some building going on in the area. He also said he thought that one developer has around 50-100 acres in the area which is currently scrubland.

In ascertaining that the Committee had no further questions, the Chair then invited the Interested Parties to make their representations.

Interested Party Submissions

The Chair invited Mr S Parr of ASDA Pharmacy to make the representation on behalf of ASDA Pharmacy.

17. Mr S Parr, ASDA Pharmacy

Mr Parr commenced his oral presentation at 11:50am (a copy of which was provided to aid an accurate minute):

Mr Parr began by saying most of what will be covered today was in our letter of objection. One of the issues with regard to opening a new pharmacy would be on the basis of desirability and what would be the benefit to the local community to make the pharmacy itself desirable. Having discussed opening hours, an out-of-hours service would make the pharmacy desirable. There were in total 7 responses received to the press release that went out under the pre-application public consultation. Two of these responses stated there was nothing there that didn't add to what was there now. ASDA pharmacy is open from 9am-8pm Monday – Thursday, 8.30am – 8pm on a Saturday and 10am – 6pm on a Sunday. It is felt ASDA pharmacy offer a service to commuters, either North or South to a pharmacy that doesn't close at 5.30pm.

Community demand, of a population variously quoted as over 10,000 and this was approved through the NHS approved communication pathway, but there were only 7 respondents with the expressing concern at the potential negative impact on current services. So we've just been through a variety of elections in living memory which have probably worn us all down. But many of the points which the local two communities would have discussed at that point and highlighted would have given people to opportunity to object or suggest areas where they felt there were areas of lack of provision or care or support from their local MP or Government. That said, where it only took 7 people out of a population of 10,000 Mr Parr felt there was not an appetite in the environment or need to have another pharmacy in the area.

With regard to the location, 2 of the 7 respondents stated convenience as the reason to support the application. But the proposed pharmacy is further away from the GP surgery than the current two pharmacies. Google shows that to travel from the surgery to the various destinations by foot or car takes the following:

GP Surgery to ASDA Portlethen	-	15 minutes by foot and 4 minutes by car with a distance of 0.76 miles
GP Surgery to Charles Michie	-	1 minute by foot and n/a by car as the pharmacy is 325 feet from the surgery
GP Surgery to proposed pharmacy In Hillside	-	27 minutes by foot and 6 minutes by car with a distance of 1.3 miles

Therefore the distance to the proposed new pharmacy is approximately twice of that to ASDA pharmacy in Portlethen. Again, under desirability does the location of the new pharmacy add anything that is not already there for the local community?

Regarding catchment, the area defined by applicant for the proposed pharmacy is Hillside which is the housing development and new business park to the West of the A90 at Portlethen. As the majority of residents are upper quartile, there is potentially access to personal transport. ASDA's shopping catchment includes the Hillside area of Portlethen and further afield. There are far in excess of 30,000 transactions in ASDA per week which reflect the environment. To cut our boundary and state Hillside to be bounded by the dual carriageway to Aberdeen and claim one side of this as catchment to be unique and not the other is not practical nor does it reflect the shopping, travel or schooling patterns of the local population. There is also a regular bus route servicing this area of Portlethen.

Again looking at desirability, there are already 2 established pharmacies offering a choice of resident pharmacists. Similar to a GP surgery where experience or previous care dictates a preference of the patient regarding with whom to seek care from. Again, ASDA pharmacy has a choice of 3 resident pharmacists providing a choice of services across the hours. With two different pharmacies in the area, again there's a choice depending on the type of care and potentially male/female mix or for whatever reason, e.g., level of care, recommendation. In the environment this size, the population will already have choices established.

Looking at whether the new pharmacy is necessary, is there a need or lack of service provision or care? ASDA have 3 employed resident pharmacists and all staff is externally accredited and Dispensing Assistant, MCA training via Buttercups. ASDA pharmacy offers all of the "proposed services" that Dickies suggest with the exception of Needle Exchange, Condoms and Keep Well. However, if demand dictated, this would be implementation.

ASDA pharmacy doesn't current offer a delivery service, but do collect prescriptions from the GP surgery so that makes life easier for the patient/customer to collect their prescription if they choose to do their shopping in ASDA. This is already available elsewhere in the community, but ASDA as a company has already tested for viability on the grounds of Medicine Safety and have options on remote delivery using remote collection sites or the home shopping delivery service. This is something in the future that ASDA is looking to develop.

With regard to expansion, ASDA have the physical capability to expand their unit were it required to make it bigger, as there is an empty concession space next to the Pharmacy unit. Investment in developing our pharmacy and care provision can be sourced by ASDA centrally and therefore there is no major issue with adding to the pharmacy if demand increased.

Regarding capacity, ASDA pharmacy currently service around 3000 prescriptions per month in Portlethen. In Middleton Park, ASDA service around 9000 prescriptions per month and therefore the business model can be flexed to suit by tripling the capacity which ASDA already have, be it physically or be it by recruitment and training.

In relation to viability, the legislation states “if the PPC considers that the provision of existing services would be prejudiced by the granting of the application to the extent where either primary medical services or pharmaceutical services may no longer be sustainable or secure, then they must refuse the application”.

Extended hours viability could be compromised by the opening of an additional pharmacy in the area. ASDA would only consider this in extreme circumstances, but like the new application, it is a business there to provide care to the community. If it meant we had to restrict our hours to provide that care, then that is something that is a potential challenge to our unit. So that’s a viability issue that would need to be reviewed once the new pharmacy, if it was established was established.

On the points of need and desire, it’s not felt the new application does not meet either of these and that’s why ASDA objects to the new application.

This concluded the presentation from Mr S Parr.

Questions

The Chair invited questions to Mr S Parr from the applicant and other interested parties. Mr Arris of Dickies Pharmacy was invited to question Mr S Parr first.

18. In Answer to Questions from Mr B Arris, Dickies Pharmacy (applicant)

Mr Arris asked why ASDA has never challenged the Health Board for allowing Portlethen Medical Centre to dispense to residents of Hillside, Muchalls, Netherley and Ardo who live outwith the 1 mile embargo zone.

Mr Parr said he didn’t have an answer for this, but said it’s an established environment with the GP surgery that was dictated by the NHS to promote the service from the surgery. Michies was already there, ASDA was already there and the situation that works, works very well. Mr Parr again said he had no answer as to why ASDA specifically hadn’t challenged this, but when it comes to provision of care, it’s demonstrated between the environment and the option of the three, that there’s no lack of provision.

Having ascertained that Mr Arris had no further questions, the Chair invited questions from Mr A McNicoll of Charles Michie Pharmacy.

19. In answer to questions from Mr A McNicoll, Charles Michie Pharmacy

Mr McNicoll confirmed he had no questions.

Having ascertained that Mr McNicoll had no questions, the Chair invited questions from Dr N MacRitchie of the GP Sub Committee.

20. In Answer to Questions from Dr N MacRitchie, GP Sub Committee

Dr MacRitchie confirmed he had no questions.

Having ascertained that Dr MacRitchie had no questions, the Chair invited questions from the Committee.

21. In Answer to Questions from the Committee

The committee had no questions.

Having ascertained the Committee had no questions, the Chair invited Mr A McNicoll to make his representation on behalf of Charles Michie Pharmacy.

22. Mr A McNicoll, Charles Michie Pharmacy

Mr McNicoll commenced his presentation at 11:58 hrs (a copy of which was provided to aid an accurate minute):

Mr McNicoll began by saying this hearing is to consider the application for a new NHS contract for a pharmacy at Hillside, Portlethen. The main issue for this PPC to consider is whether the current provision of pharmaceutical services in the given neighbourhood is adequate and if not, whether the proposed services are necessary or desirable to secure adequate services.

A public consultation is also necessary to give the local population the opportunity of feeding their opinions into the process of determining if a new pharmacy would be necessary or desirable within the neighbourhood.

The neighbourhood has been defined by the applicant as "Hillside made up of existing and new housing West of the A90 at Portlethen". We would consider this definition to be somewhat imprecise. At the moment, the village of Hillside is reasonably well defined as the housing lying North West of the A90, bounded on the West, North and North East by the road which starts as Cookston Road where it goes under the A90 south of Hillside and continues around the back of Hillside to join Old Stonehaven Road at the North East of Hillside. Estimating the population of Hillside is difficult as it is usually included with Portlethen when assessing population figures. The 2011 census provides a figure of 7130 for Portlethen and Hillside. In recent years there has been very active building within both Hillside and Portlethen and this will have increased the population beyond that in 2011. Within Hillside itself, there are currently several areas earmarked for residential building. A new primary school is currently under construction and a new local shopping centre at Hillside Road, where the new pharmacy premises are proposed.

The applicant's definition appears to rely on "new housing" in addition to existing housing. During a very recent survey of the whole Hillside area, it would appear that current building progress has all but halted, probably as a result of recent oil business downturn in the area. There was no obvious visible new building taking place with several building sites looking as if there have been "mothballed". The only obvious building was the new school and the shopping centre. It would therefore seem presumptuous to base a proposed business on what might be, but also on what may never be. Sensibly, therefore, we should be considering the adequacy of pharmaceutical services into the existing Hillside area as it currently stands.

Desirable is an adjective which is defined in the Oxford dictionary as "wished for as being an attractive, useful or necessary course of action". The application for a new pharmacy contract must satisfy the legal test of being "necessary or desirable". Therefore by definition, for a pharmacy to be desirable it must be attractive and useful. The public consultation is designed to assist with this consideration. There was considerable activity around this as detailed in the very comprehensive Consultation Analysis Report. This included an advertisement in the Press and Journal, letters to all appropriate and neighbouring Community Councils and various electronic communications via NHS Grampian website, Facebook, Twitter, etc. In fact, there doesn't appear to be any missed opportunities. So I must say to you, well done for that one. There were all designed to encourage the local population to feedback their views. The result was a grand total of seven respondents, which is hardly a majority representation. Of these 7, only 2 could be identified with any certainty as actually living in Hillside. Five of the seven supported the application and two opposed it. Of the two respondents from Hillside, one of them thought that it might be convenient and the other highlighted convenience and beneficial to area or good for community as their reasons for supporting the application. In total four of the respondents quoted convenience as one of the reasons for supporting the application.

We would all wish to have a pharmacy within 100 metres of our home. After all, how convenient would that be and we are also all aware of the fantastic support that can be obtained from a local pharmacy. However, does convenience equate to desirability? This is highly unlikely because if we all had a pharmacy within 100 metres of our homes, then pharmacy would certainly not exist as a service. There would be insufficient business and income to keep them all running. Only one single respondent felt that a new pharmacy would be beneficial to the area or good for the community. Not exactly an overwhelming support. I would therefore contend that the applicant has spectacularly failed to canvass enough support and public opinion to prove conclusively that the proposed pharmacy is desirable.

Necessary would imply that the new contract is something which the local neighbourhood would struggle without. Something that would have an adverse effect on the health of that population or radically restrict their access to a full and proper pharmaceutical service. As the applicant has already said, a full pharmaceutical service would consist of access to Chronic Medication Service, Minor Ailment Scheme, Public Health Service, Acute Medication Service and Gluten Free Service. The applicant clearly states in his own application that the Hillside area is currently served by a mixture of dispensing doctor services and 2 pharmacies in Portlethen. For anyone not familiar with the areas, it may appear that residents of Hillside may well have difficulty in accessing a full pharmaceutical service, particularly with the main A90, a very busy dual carriageway between them and Portlethen. However, in truth, access between Hillside and Portlethen is very simple, via a very wide underpass under the A90 which includes wide pavements and there is even a bus service running between the two locations.

In fact, from many locations in Hillside you can actually see the large ASDA superstore which is open 9.00am – 8.00pm Monday to Thursday, 9.00am to 9.00pm on Friday, 8.30am to 8.00pm on Saturday and 10.00am to 6.00pm on Sunday, offering in that time the full range of pharmaceutical services. This equates to 75.5 hours of available pharmaceutical service, which when you look at it, is over 60% more than the hours for the proposed contract. Incidentally, ASDA is only 0.9 miles from the proposed site, has ample desirable parking and excellent disabled access.

However, we also have to consider where the residents of Hillside would obtain their prescriptions and how difficult it may be for them to have these prescriptions dispensed. The local GP surgery is located in Portlethen, exactly 1 mile from the proposed pharmacy. That's not too far from the proposed pharmacy, that is until you consider that there is actually one pharmacy, Michies which is located within the GP surgery building itself. This pharmacy is the busier of the two between ASDA and Michies. Michies also operates the full range of pharmaceutical services and operates a collection service from the surgery directly from the surgery, with numerous each day. Charles Michies currently has plans if anyone wishes to see them which have already shared with the GP surgery, which will result in a refitted pharmacy and dispensary which will include a dispensing robot to provide vastly increased dispensing capacity and efficiency. In addition, the GP surgery also currently dispenses NHS prescriptions from its own dispensary, although this is currently under review by NHS Grampian.

Between them, ASDA and Michies dispense an average of around 11,500 items per month. The average Scottish pharmacy dispenses just under 7,000 items per month so even if the dispensing GP service ceases, there is already amply capacity with the existing two pharmacies of ASDA and Michies to compensate.

I would wholeheartedly agree with the applicant that the residents of Hillside are currently very well served by the two pharmacies in Portlethen which are both within 1 mile of Dickies proposed pharmacy, considerably nearer to the GP surgery, offering the full range of pharmaceutical services and over a vastly greater number of hours than the proposed new pharmacy.

There are, as the panel will be aware, numerous examples from Pharmacy Practice Hearings and numerous National Appeal Panel Hearings that adequate pharmaceutical services, can be provided to a neighbourhood from pharmacies located outwith that neighbourhood. This would most definitely appear to be the case with Hillside. Therefore, I cannot accept that the proposed new contract is necessary for Hillside.

In conclusion, we potentially have a defined neighbourhood which has acceptable and convenient access to a full pharmaceutical services within a short and easily travelled distance from Hillside and where prescriptions can be readily dispensed much closer to the GP surgery with high quality established professional links and over extended hours including Sundays. This new contract is very clearly neither necessary nor desirable and should not be awarded.

This concluded the presentation from Mr A McNicoll.

Questions

The Chair invited questions to Mr A McNicoll from the applicant and other interested parties. Mr Arris of Dickies Pharmacy was invited to question Mr McNicoll first.

23. In Answer to Questions from Mr B Arris of Dickies Pharmacy (applicant)

Mr Arris asked why Charles Michie has never challenged the Health Board for allowing Portlethen Medical Centre to dispense to residents of Hillside, Muchalls, Netherley and Ardo who live outwith the 1 mile embargo zone. Is there something in the lease that stops them doing this?

Mr McNicoll replied there's nothing in the lease of the pharmacy which stops Charles Michie from challenging this. The issues lies with NHS Grampian and is therefore not pertinent to this particular hearing.

Having ascertained that Mr Arris had no further questions, the Chair invited questions from Mr S Parr of ASDA Pharmacy.

24. In Answer to Questions from Mr S Parr, ASDA Pharmacy

Mr Parr asked Mr McNicoll if he know the completion date for the refurbishment of Charles Michie located within the Portlethen Medical Centre?

Mr McNicoll answered it would be by the end of December 2016.

Mr Parr asked if this would result in additional provision?

Mr McNicoll replied yes and this will be carried out wither the GP surgery continues dispensing or not and was not dependent on the GP discontinuing dispensing.

Having ascertained that Mr S Parr had no further questions, the Chair invited questions from Dr N MacRitchie.

25. In Answer to Questions from Dr N MacRitchie, GP Sub Committee

Dr MacRitchie had no questions.

Having ascertained that Dr MacRitchie had no questions, the Chair invited questions from the Committee.

26. In answer to questions from the Committee

Mr McNicoll was asked if he had figures showing how many prescriptions are dispensed by Charles Michie for residents of Hillside?

Mr McNicoll replied by stating he didn't know the answer to the question.

Having ascertained the Committee had no further questions, the Chair invited Dr N MacRitchie to make his representation on behalf of the GP Sub Committee.

27. Dr N MacRitchie, GP Sub Committee

Dr MacRitchie commenced his presentation at 12:10 (a copy of which was provided to aid an accurate minute):

The GP Sub Committee considered this application at its meeting in April. I would note a couple of points. None of the members present at the meeting had any financial conflicts in the application and would not be directly affected by the application.

The GP Sub had previously agreed that Portlethen was not a protected locality under the guidelines and leave it to this hearing therefore to determine the weight given to this submission, if any.

It was considered by the Committee that there is already a significant pharmacy provision in Portlethen at the present time, with Charles Michie and ASDA pharmacies being in close range and Portlethen Medical Centre offering a dispensing service in addition. It wasn't felt by the Committee that another pharmacy in this locality would add any significant additional services to the population from the Committee's perspective.

The addition of another pharmacy could have the potential to destabilise the viability of Portlethen Medical Centre through the potential loss of dispensing income and the possibility of collapse of their dispensing service in the event that a significant number of patients had to stop using the dispensing service. This could have a negative impact on the remaining patients, not within Hillside but served by the dispensing service as well as potentially the staff employed in this service if redeployment was not possible.

Overall, the Committee felt that this pharmacy could create potential risk to the nearest GP primary care facility, Portlethen Medical Centre, without significant additional benefits to the community and as a result the GP Sub did not feel that it should be supported.

This concluded the presentation from Dr N MacRitchie.

28. In Answer to Questions from Mr B Arris, Dickies Pharmacy

Mr Arris had no questions.

Having ascertained that Mr Arris had no questions, the Chair invited questions from Mr S Parr of ASDA Pharmacy.

29. In Answer to Questions from Mr S Parr, ASDA Pharmacy

Mr Parr had no questions.

Having ascertained that Mr S Parr had no questions, the Chair invited questions from Mr A McNicoll of Charles Michie Pharmacy.

30. In Answer to Questions from Mr A McNicoll, Charles Michie Pharmacy

Mr McNicoll had no questions.

Having ascertained that Mr McNicoll had no questions, the Chair invited questions from the Committee.

31. In Answer to Questions from the Committee

In terms of the volume of dispensing for the Hillside area, Dr MacRitchie was asked if he knew the number of prescriptions which were dispensed by Portlethen Medical Centre to residents of Hillside?

Dr MacRitchie replied by stating he didn't know this information.

This concluded the presentations at 1210 hrs.

Summing Up

After the Chairman had confirmed that there were no further questions or comments from those present and participating in the hearing, the various parties were asked to sum up their arguments.

The Chair invited Dr N MacRitchie to sum up on behalf of the GP Sub Committee.

32. Dr N MacRitchie representing the GP Sub Committee summed up by making the following points:

Dr MacRitchie stated he had nothing further to add to his oral submission.

The Chair then invited summing up from Mr A McNicoll of Charles Michie Pharmacy.

33. Mr A McNicoll representing Charles Michie Pharmacy summed up by making the following points:

The application fails to provide any evidence that current services to the residents of Hillside are inadequate in any way and that these residents consider that a new pharmacy would be necessary or desirable.

The Chair then invited summing up from Mr S Parr of ASDA Pharmacy.

34. Mr S Parr of ASDA Pharmacy summed up by making the following points:

- No increase on service provision as ASDA and Charles Michie are already in place
- No increase in opening hours to suit the potential dormitory nature of the Portlethen workforce commuting to Aberdeen

- No strong Community demand for an additional pharmacy
- Primacy of location relating to the GP surgery not being achieved when compared to existing units
- The ability of existing pharmacies to accommodate increase prescriptions should home building increase, would be supported by ASDA and has already been demonstrated by Michies
- No indication via current legislation of why the new pharmacy was proposed
- Potential impact on prescription volume and therefore workforce

Therefore we request this application be denied.

Finally, the Chair then invited summing up from Mr B Arris of Dickies Pharmacy.

35. Mr B Arris of Dickies Pharmacy summed up by making the following points:

Due to the location of the neighbourhood, NHS Grampian has already determined that residents of the neighbourhood of Hillside already have serious difficulty in obtaining medicines from a pharmacy. This is a neighbourhood with a significant population. It is a neighbourhood which does not currently enjoy a NHS pharmaceutical service and which would have serious difficulty in obtaining such services from existing providers. This application indisputably passes the Legal Test and Mr Arris respectfully requested the application be granted.

36. **The Chair asked the applicant and interested parties if they felt they had received a fair and full hearing. Mr Arris nodded that he had received a full and fair hearing, whilst the interested parties of Mr Parr, Mr McNicoll and Dr MacRitchie stated that yes they had received a full and fair hearing.**

At 1220 hours the applicant, interested parties, Clerk to the PPC and observers left the proceedings.

At 1222 hours Committee deliberations on the Application, the presentations and all supporting documentation commenced

37. The Committee undertook a full and wide ranging discussion regarding the Application, taking account of the presentations by the applicant and the interested parties, all of the supporting documentation available to it and relevant to the Application, which included: Application Form and supporting documentation provided by the Applicant and Consultation Analysis Report. In addition, the following information was considered: general information in relation to the Application, details of individuals invited to comment and representations received, responses in relation to the public consultation by the Health Board, letters/information from the local Council on proposed development in the area of the Application and a guide map of the area showing the premises, local pharmacies and GP Practices.

38. The Committee also took into consideration its obligations in terms of the Equality Act 2010, including the requirement to eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the said Act, as well as to advance equality of opportunity between

people who share protected characteristics and those who do not and to foster good relations between people who share protected characteristics and those who do not.

39. 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. The Committee first discussed the neighbourhood.
40. The Committee agreed that the neighbourhood be that as defined by the applicant, namely the village of Hillside itself. It was noted that Mr McNicoll had a different view on the neighbourhood and this had been recorded in the minute.

Adequacy of Existing Provision of Pharmaceutical Services and Necessity or Desirability

41. Having reached a conclusion as to neighbourhood, the Committee was then required to consider the adequacy of pharmaceutical services in 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.
42. The Committee agreed there was no pharmaceutical provision within the neighbourhood of Hillside. However, there was adequate provision of pharmaceutical services from pharmacies located in the neighbourhood of Portlethen provided by the two existing pharmacies, namely ASDA Pharmacy and Charles Michie (located within Portlethen Medical Centre). Both of the existing pharmacies provide a full range of pharmaceutical services as required in the pharmacy contract.
43. The Committee considered whether these services were readily accessible and adequate outwith the neighbourhood. They considered that these were adequate as the existing pharmacies in Portlethen were easily accessible on foot, by car or bus via the underpass from Hillside to Portlethen. The existing pharmacies offer a full range of services as required in the pharmacy contract.

At 1225 hours, in accordance with the statutory procedures, the Chair asked the non-voting members to leave the meeting to allow voting to take place.

Decision

44. For the reasons set out above, the Committee considered that the provision of pharmaceutical services for the neighbourhood was **adequate** and that following from this, the granting of the application was **neither necessary nor desirable** in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the proposed premises were located.

At 1240 hours the Chair invited the non-voting Committee members to rejoin the meeting

45. The Chair confirmed that a decision had been reached to **decline** the Application. The reason for the decision was:
- Although there was no pharmaceutical service in the neighbourhood as defined by the Committee, pharmacist's outwith the neighbourhood provided a full range of pharmaceutical

services and also offered a collection and delivery service expected to fulfil aspirations for the current and future health of the population. The pharmacies outwith the neighbourhood of Hillside were easily accessible by foot, car and bus within a short travel time. Therefore pharmaceutical services to the neighbourhood of Hillside were **adequate**.

46. Having decided that current provision for the population of Hillside was adequate, the Committee agreed that the provision of pharmaceutical services at the premises **was neither necessary nor desirable** in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises were located by persons whose names are included in the pharmaceutical list.

47. In these circumstances, it was the Committee's unanimous decision that the application **should not be** granted in order to maintain adequate pharmaceutical services in the neighbourhood.

The meeting closed at 1245 hours.

Signed: 

Date: 3rd June 2016

Mr Terry Mackie
Chair
Pharmacy Practices Committee