

**IN CONFIDENCE – FOR MEMBERS' INFORMATION ONLY**

**MINUTE: PPC/06/165**

Minute of Meeting of the Pharmacy Practices Committee held on Monday 27<sup>th</sup> November 2006 in Committee Room 1, Lanarkshire Primary Care Division Headquarters, Strathclyde Hospital, Airbles Road, Motherwell.

Chairman: Mr B Sutherland

Present: Lay Members Appointed by the Board

Mr A Baird  
Mrs M Nimmo

Pharmacist Appointed by The Royal Pharmaceutical Society of Great Britain

Mr I Calder

Pharmacist Nominated by Area Pharmaceutical Committee

Mr P Aslam  
Mr P Martin

Attending: Officers from NHS Lanarkshire - Primary Care

Mr G Lindsay, Chief Pharmacist  
Mrs G Forsyth, Administration Manager  
Miss C Oates, Administration Team Leader

**165**

**APPLICATION BY LLOYDS PHARMACY LTD, T/A LLOYDS PHARMACY, 59 MAIN STREET, COATBRIDGE.**

(a) There was submitted application by Lloyds Pharmacy Ltd, t/a Lloyds Pharmacy received 25<sup>th</sup> May 2006, to relocate Pharmaceutical contract from 39 Main Street, Coatbridge to 59 Main Street, Coatbridge.

(b) **Submissions of Interested Parties**

The undernoted documents were submitted:

Letter received 21<sup>st</sup> June 2006 from J E Robertson  
Letter received 23<sup>rd</sup> June 2006 from Area Pharmaceutical Committee  
Letter received 23<sup>rd</sup> June 2006 from H McNulty Ltd

(c) **Procedure**

Prior to arrival of parties the Chairman asked Members to confirm that they had both received and considered the papers relevant to the meeting. The Chairman also asked Members to confirm that they had received the additional letters and copy correspondence forwarded by Mrs G Forsyth, Administration Manager – Primary Care, from Mr M Cox, NHS Contracts Manager, Lloyds Pharmacy Ltd. Having ascertained that no Members had any personal interest in the application the Chairman confirmed that the Oral Hearing would be conducted in accordance with the guidance notes contained within the papers.

(d) **Attendance of Parties**

The applicant and interested parties entered the meeting.

The Chairman introduced himself and the Members, as well as the officers in attendance from NHS Lanarkshire - Primary Care, and asked that attendees confirm that they had received all papers, and additional correspondence, relevant to the application and hearing.

The Chairman explained that the meeting was being convened to determine the application submitted by Lloyds Pharmacy Ltd, t/a Lloyds Pharmacy, in respect of relocation of Pharmaceutical contract from 39 Main Street, Coatbridge to 59 Main Street, Coatbridge, according to the Statutory Test set out in Regulation 5(10) of The National Health Service (Pharmaceutical Services)(Scotland) Regulations, as amended (the Regulations)

The Chairman then continued to explain the procedures to be followed and ascertained that no member of the Committee had any interest in the application. The applicant Lloyds Pharmacy Ltd was represented by Mr James McKeever. From the interested parties who were entitled to attend the hearing, J E Robertson was represented by Mrs Janet Park, and H McNulty Ltd was represented by Mrs Marie Therese Rodgers (“Interested Parties”)

(e) **Evidence Led**

The Chairman invited Mr J McKeever to speak first on behalf of the application

Mr McKeever thanked the Committee for the opportunity to attend in order to present the case on behalf of Lloyds Pharmacy Ltd.

Mr McKeever then began his representation by stating that Lloyds Pharmacy Ltd believe that the relocation of Pharmaceutical contract is both necessary and desirable to secure adequate Pharmaceutical services in the neighbourhood which they agree is the town centre of Coatbridge.

Mr McKeever then provided the Committee with a brief resume of the history behind their application for relocation of Pharmaceutical contract, which included an attempt to acquire part of the adjacent premises occupied by Mackays however for logistical reasons this could not proceed, and an application for a minor relocation which had been rejected. Thus, Lloyds Pharmacy Ltd is of the opinion that a relocation to larger premises is the only solution to allow them to meet future needs - the only other option being a new Pharmaceutical contract being awarded as Lloyds Pharmacy are currently at capacity.

Mr McKeever continued by stating that they have an excellent Pharmacist who is completing her supplementary prescribing course and is a Pharmacy Champion. He advised that despite the cramped conditions the Pharmacy currently provides a wide range of services including for example compliance assessment, nutritional feeds scheme, palliative care, and methadone and needle exchange – two services for which demand is increasing, however they can do more in current premises and are operating at capacity with a small dispensary and no option to expand, thus when the services associated with the new Pharmacy contract are enforced he fears that they may not comply.

In respect of the proposed premises Mr McKeever advised that they are only 40m away from the current site, and would double the dispensary area from 10m<sup>2</sup> to 20m<sup>2</sup>. Lloyds Pharmacy Ltd would invest a significant amount to refit the shop in order that the Pharmacy would have a dedicated methadone and homes dispensary, methadone and needle exchange handover area, supplementary prescribing booth, and a care/consultation room. Mr McKeever stated that whilst current provision may well be adequate, the Committee should bear in mind recent decision by

Lord Drummond Young who stated that future probable developments should be taken into account, and that is what Lloyds Pharmacy Ltd are doing by thinking ahead and acknowledging that their current premises are unsuitable.

Mr McKeever intimated that there are approximately 22 GPs practising from Coatbridge Health Centre and only 3 within Church Street Practice, therefore the number of prescriptions generated by Church Street, and thus business, is small compared to the overall number available within Coatbridge, and it was point worthy to note that no objections had been lodged by Boots or Rowlands Pharmacy - which is closer than H McNulty Ltd. He then stated that whilst Lloyds Pharmacy Ltd believe that the relocation would have negligible effect and that no contractor would become unviable as a result, it is irrelevant given that Regulation 5(10) does not include consideration of appreciable effect, thus the Committee should not be concerned with financial matters in their decision making process.

Mr McKeever finished his representation by stating that their application was made after looking at "future probable developments", and that the adequacy bar would be set high with the refit/relocation, and allow delivery of services to patients that they cannot cater for within the existing store. Lloyds Pharmacy do not believe that there would be any affect on the viability of other contractors, and that due to a previous decision regarding an application for minor relocation they have been forced down a relocation route to satisfy a move of 40m.

**The Chairman then invited questions from Interested Parties to Mr McKeever.**

Mrs Park asked whether Mr McKeever would accept that the ASDA walkway meant that there was access to four Pharmacies within the town centre to which he agreed. She then asked him if he could provide an explanation of the term leapfrogging, and was advised that Lloyds Pharmacy Ltd did not agree that any Pharmacy was being leapfrogged or that the move would change the patient flow. Her next question to Mr McKeever was to ask when they purchased the business at 39 Main Street, and was advised that it was approximately August 2004. Mrs Park's final question was to enquire as to what Mr McKeever bases the statement that "supervised methadone and needle exchange demand in the area is increasing" to which he remarked that he was in receipt of a letter from Dr Conroy, LAADS dated 3<sup>rd</sup> July 2006. Mr Sutherland asked if this letter had been made available to any other party and was advised by Mr McKeever

that he had approached Dr Conroy direct to seek this information to help inform their business case and check demand.

Mrs Rodgers was next to question Mr McKeever and asked if they had conducted a needs assessment regarding capacity/services prior to acquiring the Pharmaceutical Contract, Mr McKeever advised that they did but it was based on accounts information as the vendor wanted the acquisition to be discrete so the only visit to the store was as a "mystery shopper". Mrs Rodgers then asked Mr McKeever to confirm what their current hours of service were, and if they had any plans to extend them should the relocation be granted, he advised that they would stick to the current contracted hours.

**The Chairman then invited questions from Members of the Committee to Mr McKeever.**

Mrs Aslam asked Mr McKeever if the town suffered from a lack of capacity or was his opinion based solely on Lloyds Pharmacy, and was advised that his concerns were for Lloyds Pharmacy and that if patients exercised their choice towards them they shouldn't have to turn them away. Mr Aslam then sought clarification that Mr McKeever wasn't aware of any capacity issues within the town and was advised that he wasn't.

Mr Calder asked if Mr McKeever had solicited the letter from the patient which had been circulated by Mrs G Forsyth, on behalf of Lloyds Pharmacy Ltd, and was advised that he didn't. Mr Aslam asked if the Pharmacy had actually accepted the patient to whom the letter referred and was advised that he thought so. Mr Aslam then asked if the patient would be given a full assessment to deem suitability and was advised that he didn't know as he doesn't work in the branch, and that the Pharmacy supplies this service as it guarantees them the script and thus business.

Mr Martin asked if the company has a policy for Compliance Assessment as it is a huge area of business growth, to which Mr McKeever replied that they don't like to have a waiting list for services and that they would like to do more. Mr Martin then asked Mr McKeever if they had a capacity plan for the proposed site, and was advised that they had draft drawings showing their plans for the 18-20m<sup>2</sup> dispensary area with more space for nursing home patients, potential for increased methadone dispensing, and CDS boxes. Mr Martin asked how many more CDS boxes they would like to provide and was advised that they

could increase this by approximately 100 over a three year period. Mr Martin then asked if Mr McKeever thought that the current premises were adequate at present and that the move was solely to expand. Mr McKeever replied that it was a great Pharmacy and that they do all they can from their current location however they want to be able to do and offer more, raising the bar of adequacy. Mr Martin asked if that is what Mr McKeever wanted the Committee to consider and was told that it was.

Mr Aslam asked Mr McKeever if Lloyds Pharmacy Ltd had considered other premises where they would perhaps be able to minor relocate e.g. further down the Main Street. Mr McKeever advised that they consider the area to the left of their current location to be a dying part of the town and not part of their game plan, that a bid for 56 Main Street had been rejected, they had considered unit at 52 Main Street but chose not to take it for commercial reasons, the deal to extend into Mackays had fallen through for DDA issues and was no longer an option, and that they didn't feel that a shop that had become vacant across from Boots would be approved.

Mr Baird asked if they had been approached by a Nursing Home to take on additional patients and if this was a driver to relocating, Mr McKeever confirmed that they had however it was commercially sensitive and he wouldn't wish to comment further on it.

Mr Sutherland asked if Lloyds Pharmacy Ltd would consider moving further to the left of the existing location if an excellent property became available. Mr McKeever advised that they didn't want to move further away to a worse location and the main pedestrian area, as currently patients can park outside the shop which can be seen from High Street. Mr Sutherland enquired about whether they had made plans to address the DDA issues which Mr McKeever had referred to, and was advised that there was a difference in floor level between the existing site and the Mackays store which couldn't be addressed thus they were no longer looking at it as a viable option. Mr Sutherland's final question was to seek confirmation from Mr McKeever that the Committee were being asked to consider the application as a relocation and that if it was granted the existing Pharmacy would close, and Mr McKeever confirmed his understanding.

Finally, Mr Baird asked whether or not Lloyds Pharmacy Ltd had told the Nursing Home that they were unable to cater for their patients at this time, and was advised that they were still in

discussion with them however it would not be possible if the relocation wasn't granted.

**The Chairman, having ascertained that there were no further questions to Mr McKeever, invited Mrs J Park, J E Robertson, to state her representation.**

Mrs Park thanked the Committee for the opportunity to attend the hearing and present her objections to the application. She then began her representation by referring to the concept of "leapfrogging", stating that although it was perhaps an unfortunate terminology, it is one which is used in Pharmaceutical circles to infer jumping over an existing Pharmacy to be nearer to a Doctor's surgery. She acknowledged that whilst no existing contract was being jumped over in respect of this particular application, she was in no doubt that the proposed premises at 59 Main Street are closer to the surgery in Church Street than any of the existing Pharmacies. Furthermore she contends that it is even closer to the surgery than the unit at 58 Main Street, the site of the minor relocation application which was rejected in June 2005.

Mrs Park then highlighted that Lloyds Pharmacy Ltd bought this particular Pharmacy only two years ago, and that they surely would have been aware of the size of the premises at the time of purchase, however despite this in a short time they have already made an unsuccessful minor relocation application and now an application for change of premises. She then advised that under the previous owners the Pharmacy was one of the first in Lanarkshire to be given financial assistance to create a private consultation area and carry out a refit in preparation for the new Pharmacy contract which came into existence earlier this year. She remarked that she now has to wonder that if they feel their present premises prevent them from facilitating the services they wish to give to their patients, why did Lloyds Pharmacy Ltd acquire this particular business?

Mrs Park stated that she contends that this application questions the adequacy of the existing services in Coatbridge. She advised that she is in regular contact with the local alcohol and drug addiction team workers and knows that there is no problem with the provision of supervised Methadone services in the area. She stated that she regularly takes on new clients and the only refusals are for previous clients who have proved to be a problem. Contrary to the statement in the letter from Lloyds Pharmacy Ltd, she has found that the numbers are fairly static at the moment, and that although new clients come along, others drop out of the programme for various reasons e.g.

going into prison, or hospital, or simply being put of the programme for being non compliant. As far as needle exchange is concerned she is satisfied that there are three Pharmacies in Coatbridge who offer this service and that this is higher than most towns in Lanarkshire.

She then went on to refer to the letter from Mr Cox, which states that there are outstanding DDA issues, and that whilst she appreciates that the size of the unit must inevitably impact upon access for someone in a wheelchair, the table which was issued with the papers for this hearing shows that they are considered DDA compliant.

With regards to the additional correspondence which she received by post only on Thursday, 23<sup>rd</sup> November, she noted that the original application was lodged at the end of May however the two letters which the Committee are being asked to consider were written shortly after that, in June, yet were not submitted to NHS Lanarkshire until last week. Why she wonders, was there such a delay? She stated that she has personally taken on patients who require compliance aids as a result of requests from pharmacists at Monklands Hospital and Kirklands Hospital, but she did not, nor expect to, receive a letter of thanks. Indeed she intimated that she noted that the second letter is not addressed to anyone by name, merely "to whom it may concern", and almost resembles a "round robin" style letter, of which we know nothing of the background or circumstances of the case.

Mrs Park stated that the filling of compliance aids is a very difficult area for community Pharmacists. Firstly, she receives regular requests from families to fill trays for elderly parents on the instructions of Social Services who insist that their home helps are not allowed to give their clients their medication unless it is in a compliance aid. She remarked that she has raised this question with a Health Board Pharmacist who assured her that this information is incorrect. She further stated that on the other hand the purpose of filling these trays is to allow patients to take control of their own medication and give them some independence. Trays should be for the patient's own use – if a case does not meet the criteria, she believes that Pharmacists cannot justify their decision to agree to supply a compliance aid. Secondly, under the new contract, she believes that the payment for carrying out the necessary assessment has been stopped.

Mrs Park then suggested that perhaps the writer of the second letter would have been better expressing her concerns to her



local MSP who might be more able to do something about the "sad state of affairs" which she refers to within the National Health Service, rather than a local community pharmacist. Thus, she again argued that this letter is not relevant to this application. She then advised that as recently as Friday, she carried out an assessment and agreed to provide this service for a patient, and on Wednesday she has an appointment to visit another patient to carry out an individual assessment. This she believes demonstrates that the service is available, but that we are required to look at each individual case and assess whether the patient meets the criteria.

Mrs Park reported that she had recently spoken with the manager of the Boots Pharmacy who was of the opinion that an objection had been lodged as she had requested. The reason for telephoning she advised was to ascertain that they had places available for methadone, needle exchange, and also for compliance aids, and that she was able to confirm that she had ample capacity for all three.

Accordingly, Mrs Park submitted that there is no shortfall in the existing provision of Pharmaceutical services within the centre of Coatbridge and that this application should therefore be rejected.

**The Chairman then invited Mr McKeever to pose questions to Mrs Park.**

Mr McKeever asked Mrs Park to clarify which Pharmacies were convenient to patients leaving John Street Surgery, to which she advised that patients could either travel to her Pharmacy from Church Lane down St John Street joining Muirhall Street to Main Street, or travel straight down John Street to Boots Chemist Ltd. Mr McKeever then replied by stating that if it their contract relocated it would be 50/50 choice between patients choosing them or Boots, and thus if leapfrogging or viability was such a concern why did Boots not submit any objection.

**No questions were posed to Mrs Park by Mrs Rodgers, the other Interested Party in attendance, thus the Chairman invited questions from Members of the Committee to Mrs Park.**

Mr Calder asked Mrs Park to clarify her comments regarding requests from carers/families and administration of medicines. Mrs Park replied that she was regularly put in a position with such requests e.g. when patients have home helps and social services dictate that they cannot help them take their medicines.

Mr Calder sought confirmation from Mrs Park that requests under such circumstances appeared to be for the benefit of social services' policies and not for the patient, to which Mrs Park agreed.

Mr Martin asked each of the interested parties if they had a capacity plan for potential growth given that Mrs Park had already spoken with the Pharmacist at Boots Chemist. Mrs Park replied that she was an individual proprietor and could easily increase capacity given that she has no immediate capacity issues. Mrs Rodgers confirmed that she had recently expanded the size of her Pharmacy thus capacity was not an issue.

**Having ascertained that there were no further questions, the Chairman then invited Mrs M T Rodgers, H McNulty Ltd, to state her representation.**

Mrs Rodgers introduced herself as principal Pharmacist and director of H McNulty Ltd Pharmacy which is situated at 5 Easton Place in Whifflet, Coatbridge, and thanked the Committee for giving her the opportunity to object to the proposed relocation of pharmaceutical contract by Lloyds Pharmacy Ltd from 39 to 59 Main Street, Coatbridge.

Mrs Rodgers then began her representation by stating that although the proposed move would only be approximately 40 metres closer to any surgery, this she feels would offer an unfair advantage over Boots and J E Robertson Pharmacies which are also situated on the Main Street. She considers that the totality of pharmaceutical services in the neighbourhood and Coatbridge Main Street, and the surrounding areas of Coatbridge, are adequate. She believes that the proposed new site would be the first shop, therefore the first Pharmacy, a patient would come across when exiting Church Street Practice, turning right and heading towards the Main Street endeavouring to access Pharmaceutical services.

She stated that at present Lloyds Pharmacy and Boots are almost equidistant from Church Street Practice, so if the move was to go ahead, she feels that Lloyds would be essentially leapfrogging Boots. Also, when leaving Coatbridge Health Centre, and heading towards the Main Street, the most direct route for pedestrians is to walk across the ASDA bridge and enter the main shopping precinct between 82 Main Street (Priceless Shoes) and 88 Main Street (Clinton Cards). Mrs Rodgers went on to advise that measuring from this point, Lloyds and J E Robertson Pharmacies are almost equidistant from Coatbridge Health Centre, with J E Robertson Pharmacy

being slightly closer according to the map provided in this application by Lloyds. However, she is of the opinion that the proposed relocation would place Lloyds nearer to Coatbridge Health Centre than J E Robertson, thus essentially leapfrogging it.

Mrs Rodgers continued remarking that she is of the opinion that there is no evidence to suggest that there is a shortage of supervised methadone or needle exchange services in the area. Indeed with regards to the provision of Monitored Dosage Systems or weekly boxes she has recently taken on far more patients, however the issue of whether a patient should obtain a weekly box is more complex one than whether a particular Pharmacy can supply one – the patient must fulfil certain criteria before they can be considered to receive a weekly box. She expanded this point by advising that the focus is being shifted onto training of carers to empower them to feel confident at helping patients administer their medication. Pharmacists are now spending more time counselling carers and patients to help find other solutions to their medication problems which takes up very little space. Mrs Rodgers finished by stating that for her, the making up of MDS is more of a time issue rather than a space issue, and that she feels that it is therefore neither necessary nor desirable to approve this relocation.

**No questions were posed to Mrs Rodgers by the Applicant, other Interested Party in attendance, or Members of the Committee. Thus the Chairman invited Mrs Park, J E Robertson, to sum up her representation.**

Mrs Park stated that she has heard the comment being made by applicants at these meetings that the contractors who object are doing so to preserve their existing business, and to be honest, there is some substance to that. She accepts that they are not charitable organisations, and we are all trying to run successful businesses, but she would like to think that we all strive to provide good Pharmaceutical services to the area we serve. As she has already stated Lloyds Pharmacy Ltd were aware of the size of the premises when they purchased the business. With eight Pharmacies in Coatbridge, one within the Health Centre, three on the Main Street, and four in the peripheral areas she would suggest that there is adequate provision of Pharmaceutical services, and that this application is an attempt by Lloyds Pharmacy Ltd to move into larger premises closer to one of the Doctor's surgeries in order to acquire a bigger slice of the cake. Thus she therefore asks the Committee to reject the application.

**Mrs Rodgers, H McNulty Ltd, was invited to sum up her representation.**

Mrs Rodgers confirmed that she had nothing further to add to her earlier presentation.

**Finally, Mr McKeever gave his summary in relation to the application.**

Mr McKeever reiterated that Lloyds Pharmacy Ltd did not believe that they were leapfrogging Boots the nearest contractor, and said that the fact that they had not responded confirmed this. He stated that no evidence had been presented to say that the application for relocation had been made solely on financial motivation, that they wanted a unit that they could provide an adequate service from. He highlighted that they have a Pharmacist who is clinically excellent and very skilled however is being restricted due to their premises. He stated that he is of the opinion that the objectors would like them to stay in their current location forever with no room to improve, and that adequacy does not remain static and that the Committee should consider the benefits to the town centre and Coatbridge area as a whole.

(f) **Retiral of Parties**

The Chairman then invited the Applicant and Interest Parties to confirm whether or not they had received a fair hearing, and that there was nothing further they wished to add.

Having being advised that all parties present were satisfied, the Chairman then informed them that the Committee would consider the application and their representations and make a determination, and that a written decision with reasons would be prepared, and a copy sent to them as soon as possible. Parties were also advised that anyone wishing to appeal against the decision of the Committee would be informed in the letter as to how to do so and the time limits involved.

At the Chairman's request the Applicant and Interested Parties withdrew from the meeting

(g) **Supplementary Submissions**

Following consideration of the oral evidence

## THE COMMITTEE

noted:

- (i) that members of the Committee had elected to undertake visits to the proposed site independently at a time most convenient for them
- (ii) the location of the Doctors' surgeries in relation to existing Pharmacies in Coatbridge, and the site of the proposed relocated pharmacy
- (iii) prescribing statistics of the Doctors within Coatbridge during quarter ended 31<sup>st</sup> December 2005
- (iv) the dispensing statistics of the Pharmacies in Coatbridge for the quarter ended 31<sup>st</sup> December 2005
- (v) demographic information on Coatbridge taken from the 2001 Census
- (vi) Comments received from Interested Parties including existing Pharmaceutical Contractors in Coatbridge
- (vii) Information containing the range of Pharmaceutical Services provided by all contractors within Coatbridge
- (viii) copies of correspondence from Marjorie McGhie, Clinical Pharmacist, Mental Health, NHS Lanarkshire, and Mrs M McMullan, forwarded by Mr Mat Cox, NHS Contracts Manager, Lloyds Pharmacy Ltd

(h) **Decision**

## THE COMMITTEE

noted that whilst the application was for a relocation of existing pharmaceutical contract the "statutory test" still applied, and that the application should be considered in the context of whether the location of existing Pharmacies in Coatbridge today provided an adequate Pharmaceutical service to the residents of the town, or whether a relocation of Lloyds Pharmacy was necessary or desirable to secure an adequate service.

## **THE COMMITTEE**

discussed the content of the additional correspondence submitted by Mr Mat Cox, NHS Contracts Manager, Lloyds Pharmacy Ltd, and noted that whilst Compliance Assessment would be given due consideration in discussions around the "statutory test", many requests for such a service were made inappropriately e.g. for convenience of carers or social services policies, rather than the suitability of the patient, and that many items such as medications with contraindications to other prescribed items, or ointments, were excluded.

Indeed, it was noted with regret that the letter "To Whom It May Concern" signed by Mrs M McMullan, appeared to have been submitted to the Pharmacy and retained by them for the purpose of supporting the application, and not passed on to the Chief Pharmacist – Primary Care, or Patient Services Department, who could have investigated any shortfall in access or capacity within Coatbridge for the benefit of all residents, as checks made at the request of the Administration Manager - Primary Care, confirmed that no complaints regarding service provision within this township had been received.

## **THE COMMITTEE**

then discussed the oral representations of both the Applicant and the Interested Parties, and the content of the supplementary submissions received, prior to considering the following factors in the order of the Statutory Test contained within Regulation 5(10) of The National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995, as amended

- (i) Neighbourhood

## **THE COMMITTEE**

deemed the neighbourhood in which the proposed premises were located to be the town centre of Coatbridge. In reaching its definition the Committee noted that this decision was in keeping with the neighbourhood referred to by the applicant, and interested parties in attendance, and concurred with the Area Pharmaceutical Committee

(ii) Existing Services

**THE COMMITTEE**

noted that there were three Pharmacies and one General Medical Practice located within the neighbourhood, and that Coatbridge Health Centre was located in very close proximity which hosted 4 surgeries (21 GMPs) and Coatbridge Dispensary.

**THE COMMITTEE**

concurred that from evidence presented during the hearing by the applicant and interested parties, which was supported by the report on the range of pharmaceutical services provided by Mr G Lindsay, Chief Pharmacist – Primary Care, it was evident that the three Pharmacies located within the neighbourhood not only were DDA Compliant and had Personal Advice Areas, but between them provided a broad range of Pharmaceutical Services e.g. Compliance Assessment, Safety Net Palliative Care Service Provision, Domiciliary Oxygen, supervised dispensing of Methadone, and Needle syringe exchange.

**THE COMMITTEE**

agreed that such services are consistent with the breadth and standards of service delivery which can reasonably be expected in 2006.

(iii) Adequacy

**THE COMMITTEE**

in considering adequacy paid due regard to the fact that there had been no objections or complaints received by NHS Lanarkshire, concerning the lack of provision of Pharmaceutical Services, or access to, by residents of the neighbourhood or the town of Coatbridge.

**THE COMMITTEE**

recalling the services provided within the neighbourhood and town of Coatbridge agreed that there was a broad range of services available to a contemporary standard, and that from

questions posed to the interested parties during the meeting it was confirmed that they had spare capacity to accept additional patients for such services.

#### **THE COMMITTEE**

paying due regard to the above, was satisfied that services available to patients within the neighbourhood and town of Coatbridge could be considered adequate.

(iv) Necessity

In considering the factor of necessity for the relocation of the existing Pharmaceutical Contract:

#### **THE COMMITTEE**

reviewed the existing Pharmaceutical Provision and standards against the criteria for adequacy, and recalled that no complaints had been received by NHS Lanarkshire, and that there was spare capacity within the neighbourhood. Thus, Members were of the opinion that no evidence had been presented to suggest that the relocation was necessary to provide an adequate Pharmaceutical service.

(v) Desirability

In considering the factor of desirability for the relocation of the existing Pharmaceutical Contract:

#### **THE COMMITTEE**

were conscious that services were deemed adequate and accessible, and that spare capacity to cater for additional patients was available.

#### **THE COMMITTEE**

further noted that standard Pharmaceutical services available to residents are adequate, and in line with expectations not only of this moment in time but the foreseeable future. Thus, the desirability for adequacy does not hold any sway as existing Pharmaceutical provision could be judged adequate.



Following the withdrawal of Mr P Aslam and Mr P Martin, in accordance with the procedure on applications contained within Paragraph 6, Schedule 4 of the National Health Service (Pharmaceutical Services)(Scotland) Regulations 1995, as amended.

#### **THE COMMITTEE**

agreed unanimously that the relocation of existing Pharmaceutical contract was neither necessary nor desirable to secure adequate Pharmaceutical Services within the neighbourhood, and agreed to reject the application subject to the right of appeal as specified in Paragraph 4.1, Schedule 3 of the National Health Service (Pharmaceutical Services)(Scotland) Regulations 1995, as amended.

**Mr P Aslam and Mr P Martin returned to the meeting.**