

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

**MINUTE: PPC/08/180**

Minute of Meeting of the Pharmacy Practices Committee held on Thursday 11<sup>th</sup> December 2008 in Meeting Room 1, Ground Floor, Law House, Airdrie Road, Carluke, ML2 0DP.

Chairman: Mr B Sutherland

Present: Lay Members Appointed by the Board

Mr J Murray  
Mr C Sargent  
Mr J Woods

Pharmacist Appointed by The Royal Pharmaceutical Society of Great Britain

Mr E J H Mallinson

Pharmacist Nominated by Area Pharmaceutical Committee

Mr I Allan

Attending: Officers from NHS Lanarkshire - Primary Care Organisation

Mr G Lindsay, Chief Pharmacist – Primary Care  
Mrs G Forsyth, Administration Manager – Primary Care  
Ms K Beattie, Personal Secretary - Primary Care

Mrs Sandra Smith, Non Executive Director of NHS Lanarkshire was in attendance for training purposes.

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**APPLICATION BY Mr JAMES SEMPLE, 169a EARLSTON  
CRESCENT, CARNBROE, COATBRIDGE, ML5 4UJ**

(a) There was submitted application by Mr James Semple, received 16<sup>th</sup> October 2007, for inclusion in NHS Lanarkshire’s Pharmaceutical List.

(b) **Submissions of Interested Parties**

The undernoted documents were submitted:

Letter received 23<sup>rd</sup> October 2007 from Alliance Pharmacy  
Letter received 30<sup>th</sup> October 2007 from Monklands Pharmacy  
Letter received 31<sup>st</sup> October 2007 from Munro Pharmacy (contract now owned by Lloyds Pharmacy Ltd)  
Letter received 9<sup>th</sup> November 2007 from Rowlands Pharmacy  
Letter received 12<sup>th</sup> November 2007 from H McNulty Ltd  
Letter received 14<sup>th</sup> November 2007 from J E Robertson  
Letter received 15<sup>th</sup> November 2007 from Health Pharmacy  
Letter received 16<sup>th</sup> November 2007 from Area Pharmaceutical Committee - NHS Lanarkshire

(c) **Procedure**

Prior to arrival of parties the Chairman asked Members to confirm that they had received and considered the papers relevant to the meeting. 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 their papers. The Chairman then asked each Member and Board Officer present to give a brief introduction and announced that Mrs Smith was in attendance for training purposes as he hoped that she would chair subsequent meetings of the Committee

(d) **Attendance of Parties**

The applicant Mr James Semple was in attendance and was unaccompanied. Mr David Young represented Rowlands Pharmacy Ltd and was unaccompanied, no other interested parties attended. Both parties entered the meeting.

The Chairman introduced himself, the Members, and the officers in attendance from NHS Lanarkshire - Primary Care, as well as Mrs Smith and confirming that her attendance was in a training capacity only, prior to asking both parties to confirm that they had received all papers relevant to the application and hearing.

The Chairman explained that the meeting was being convened to determine the application submitted by Mr James Semple, for inclusion in the Pharmaceutical List in respect of 169a Earlston Crescent, Carnbroe, Coatbridge, ML5 4UJ 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, and that all had conducted a site visit.

(e) **Evidence Led**

The Chairman then invited Mr J Semple to speak first in support of his application.

Mr Semple introduced himself and began his presentation by stating that he considered this an interesting application for the Committee to consider in that it is for premises within which an application has already been granted by The National Appeal Panel (NAP).

He then advised that he considered that this fact made his job today relatively straightforward, prior to stating that he was not naive enough to believe that a NAP decision is the final say on any particular application at any particular premises - particularly when there have

been no significant changes to services in or to the neighbourhood in which the proposed premises are located. However, that the previous decision of the NAP carries significant weight, and cannot be ignored, and that, of course, he believed that it was the correct decision.

He then asked the Committee to consider his application with his view of the Legal Test as follows:

#### Neighbourhood

The neighbourhood is the village of Carnbroe, and it should be defined as follows – on the north and east, by the North Calder Water, on the south, by the M8 and on the east, by the railway line. The boundaries are either manmade or natural and form significant lines of demarcation. Carnbroe is a distinct neighbourhood and is residential in nature, and furthermore there are ongoing housing developments by Bellway and Stuart Milne.

#### Existing Services

Services are currently provided by a number of pharmacies in Coatbridge and Airdrie. There is no pharmacy in the neighbourhood.

#### Adequacy of Existing Services.

The population is in the region of 4,000 persons. This was calculated using Scottish Neighbourhood Survey statistics at the recent NAP hearing. He then gave a report on what the NAP considered when considering the previous application by Mr D F Doyle:

“A pharmacy located within the neighbourhood would serve a population of just under the Scottish national average of 4,500 persons per pharmacy. The population of Carnbroe are at present only able to access pharmaceutical services in Whifflet, Coatbridge and Airdrie.

The distance for the residents of Carnbroe, including the elderly and mothers with young children, over which they had to travel to obtain pharmaceutical services was unreasonable, particularly if they had to proceed on foot or by bus. The residents were entitled under the new pharmaceutical contract, to have reasonable access to face-to-face service provision under the contract for eMAS services. The Panel noted that there were no general medical practices in the area and consequently given the evidence of the Government’s policy paper “The Right Medicine”, it was reasonable to offer the population of Carnbroe access to health services in their area through a pharmacy, in the absence of any general medical practice provision located in the area”.

Mr Semple remarked that in his view you couldn’t “say fairer than that”.

Necessary / Desirable

Mr Semple then stated that since the existing services are not adequate, the question is "is it necessary or desirable to grant the application in order to make services adequate?" Which he believes is not the same as asking "is it convenient?" For him the answer is simple: It is indeed necessary to grant this application in order for services in the neighbourhood to be considered adequate.

Accordingly, he asked that the Committee grant his application.

**The Chairman then invited questions from Mr David Young, Rowlands Pharmacy, being the only Interested Party in attendance, to Mr Semple.**

Mr Young asked why Mr Semple referred to Carnbroe as a village, and was told that it was because he did not consider it big enough to call a town. Mr Young then asked if Mr Semple thought that the residents considered themselves to be "disadvantaged". Mr Semple replied that he did not think that people understood what is involved in getting a contract or establishing a pharmacy, and that sometimes the public just see them as a shop and would not think to write to their Health Board to complain in the same way as they would do about a lack of medical services, thus a lack of complaints is more to do with an ignorance of the procedure not dissatisfaction. Mr Semple then stated that it was not his style to go around canvassing for local support or for people to complain about a lack of service, and for that reason he has no additional correspondence to submit in support of his application.

**Having ascertained that Mr Young had no further questions, the Chairman then invited questions from Members of the Committee to Mr Semple.**

Mr Mallinson was first to question Mr Semple and asked for clarification as to the exact location of the proposed site referred to as "ground adjacent to 169 Earlston Crescent". Mr Semple said the project was complicated as the site was currently a newsagents however the premises were not big enough to incorporate both, so his plans were to extend the unit to be big enough to host a shop and a pharmacy. He also stated that the current owner had been holding back taking any steps to start the extension process due to the length of time it had taken to consider Mr Semple's application for inclusion on the Pharmaceutical List, however that he had told him of his need to have plans to demonstrate that the pharmacy could open within 6 months should the contract be granted, and has agreed that the necessary work will take place in order that the pharmacy could open with the grocery area being less of a priority.

Mr Mallinson went on to ask what part of the ground surrounding the current shop he intended to develop. Mr Semple replied that as you look at the shop the architect's plans were to build on the narrow garden strip area, which although looked quite small from the front was actually a fair size which could easily accommodate the additional unit, and that whilst it seemed a bit of a

jumble he was not concerned as to how it could be achieved other than to be reassured that it could happen, and do so within six months. Mr Semple confirmed that he didn't have any formal plans nor planning permission but has been told there were no worries, so he was happy that things could be achieved within six months and the contingency was that he would be able to use the existing unit until such times as the extension was complete. Mr Mallinson enquired as to how long it would take to get planning permission, to which Mr Semple replied that he was not going to estimate how long, as the contingency plans allowed him to get invoiced for the current owner's business to decant until such times as build was completed. Mr Mallinson enquired as to how formal the contingency plans were, and was advised that they were based on a handshake and verbal agreement. Mr Mallinson then asked Mr Semple his views on the opportunity to extend his period of inclusion in the provisional pharmaceutical list for a further period of nine months due to unforeseen circumstances, to which Mr Semple replied that whilst he was perfectly aware of this facility he was of the opinion that it would not be required as he could achieve having the premises suitable for inspection by The Royal Pharmaceutical Society of Great Britain within six months of the contract being granted.

Mr Mallinson sought clarification that in the event of planning permission being delayed and Mr Semple moved into the 169 Earlston Crescent site (being the existing store) would he intend staying there or move into the extension when complete. Mr Semple stated that it would be highly unlikely that the pharmacy would move, as we would keep the area that had been shopfitted in addition to the assumption that the current owner would want to move into the new area, furthermore that he was aware that any move to a different address would need more paperwork. Mr Mallinson's final question was to ask Mr Semple if it was his absolute intention to open within six months. Mr Semple confirmed that, in the absence of any unforeseen circumstances, he fully intends to open in order to catch the CMS registration when it commences in April, as any new pharmacy looking to open and missing this deadline would not be worth it, thus he needs to ensure that he was ready for this as it would be "commercial suicide" to 'miss the bus' and have your patients register with another Pharmacy. Mr Semple then gave a brief overview of the CMS at request of Mr Sutherland.

Mr Woods then stated to Mr Semple that he had difficulty in understanding why he did not have any formal plans or exact layout worked out if meeting this registration period is so vital. Mr Semple appreciated Mr Woods' concern and agreed that it was difficult to work with people who have a slower approach and don't understand the finer detail of the pharmaceutical contracting aspect, however confirmed that if the contract was granted he would immediately take control and, having opened ten pharmacies, he has a close association with shopfitters so as soon as the exact floor plan is known he could apply a formulaic approach to fitting out the pharmacy, furthermore that internal works didn't require any walls to be knocked down so should be a fairly easy process to start and complete.

Mr Murray asked Mr Semple about access to the pharmacy and the availability of car parking spaces as during his site visit he could see only room to park

two cars and had he given any thought to people with prams and disabled parking. Mr Semple advised that the plans allowed for four spaces round the back in addition to what was already there, which he considered adequate as he didn't anticipate the pharmacy being that busy. Mr Murray commented that he didn't think there was sufficient space for four cars, and Mr Semple replied that his catchment of the population was not those with cars but the elderly, infirm and mothers with buggies, as in his opinion car owners would go elsewhere.

Mr Allan stated that Mr Semple must have a reasonable idea of viability, and whether or not he considered it a secure business option or relied upon an Essential Small Pharmacy allowance, and asked him to give an overview of his opinion to the lay members of the committee. Mr Semple obliged and stated that if the population to be served by a pharmacy was 2000 or over then it was okay, however if under 2000 then probably not viable, however for a village with 4000 residents then it was no problem. Mr Allan then asked him his views on the effect the lack of GP services would have. Mr Semple replied that he did not consider this necessary given that around 90% of prescriptions are on repeat and collected from the GP surgery or by electronic transmission so this is no longer a necessary element, furthermore that none of his existing pharmacies are within 1 mile of a GP surgery and are viable.

Mr Sutherland asked Mr Semple what services he intended to provide. Mr Semple advised that there was no option around provision of the four core services and that whilst he was happy to give an overview he didn't think it was necessary to expand on eMAS, PHS, AMS and CMS, and that as far as he was aware NHS Lanarkshire didn't currently have any additional services to consider. Mr Sutherland then asked Mr Semple what space he would need and changes to configuration should he require to open in the existing shop. Mr Semple advised that his Drumtocher pharmacy was set up in an area  $\frac{3}{4}$  the size of this store, and that he would have sufficient room to fit a dispensary tight enough to put day to day stock and OTC medicines, a consultation room which could double as quiet area, and a waiting area for patients, and that less space simply equals less room for nappies and toilet rolls.

Mr Woods then stated that he was interested in his definition of viability and inadequacy, and that as Mr Semple readily admits that people are required to, and used to, going outwith the village elsewhere to access services, and the lack of evidence to suggest current service provision is inadequate, how would he suggest the panel consider the concept of adequacy. Mr Semple remarked that the Committee asks applicant's for proof of inadequacy which he doesn't think they can provide, and that he doesn't consider letters from patients prove inadequacy as they may be getting confused with convenience. He believes that it is a simple matter to look at neighbourhood and ask whether the current services are adequate, making your own valued judgement as to whether they are okay or inadequate, and that within Scotland there is virtually no population of 4000 or more residents left where the nearest pharmacy is one mile or more away, so adequacy is assumed as what everyone else has and that this is his proof.

Mr Woods asked for his views upon the fact that the residents of Carnbroe require to travel outwith for shopping, Post Office, dental services etc. Mr Semple replied that fundamentally in all NAP hearings that as soon as a neighbourhood is defined, and it is considered large enough to support a pharmacy then it is automatically approved, and that whilst people need to travel to access a supermarket in Coatbridge, it is irrelevant when they are ill and need the services of a pharmacy. Mr Woods asked if he thought that this could be covered by a Collection & Delivery service. Mr Semple informed that a Collection & Delivery service merely supplies products not advice, and that it is reasonable to expect that medical provisions are accessible when you are ill and makes more of a need for a pharmacy to be embedded in a neighbourhood.

Mr Sargent asked for clarification around the proposal that Mr Semple move into the existing shop with the agreement that the current business vacates. He confirmed that as the current form of the premises was not big enough to incorporate two businesses then the landlord has given him priority in order that he may comply with the statutory timescales, with the agreement that Mr Semple will pay him loss of earnings until the extension is completed.

Mr Sutherland stated that Mr Semple has made a strong play on previous application for this site which was heard by this Committee in the applicant's absence and granted by the NAP on appeal, which did not open, so given his references to the NAP's views on population and adequacy, could he help us understand why this pharmacy didn't open within the shop when you appear to have found the current owner so malleable. Mr Semple advised that he knew that it was down to the statutory processes of pharmaceutical applications not being explained to the landlord and a formal agreement not being reached regarding allocation of internal space, and that through an acquaintance he was able to discuss all aspects of his application, associated timescale and the benefits of his business co-existing with a pharmacy with the landlord, that is why he is able to state that he is happy and content with the arrangement they have. Mr Sutherland then asked Mr Semple how much space he was being allocated, and was advised that he would need and be given the whole area, as it was impossible to get both businesses in at the same time. Mr Sutherland asked for confirmation that Mr Semple had agreed and was prepared to pay the current occupier the associated costs of vacating his business until the extension was ready, and was advised by Mr Semple that he would. Mr Sutherland then asked if it was his definite intention to be open in April 2009, and was advised that it was his plan to open that month albeit no final date, as he needed to work towards being ready for CMS registration commencing. Mr Sutherland's final question centred around Mr Semple's view on what the impact of any appeal would have on his plans. Mr Semple stated that he could work around this as not all appeals end in a hearing by the NAP however, if this did then he would estimate that the opening date would move to August which he could deal with.

**Having ascertained that there were no further questions for Mr Semple, the Chairman then asked Mr Young, Rowlands Pharmacy to state their representation.**

Mr Young thanked the panel prior to beginning his presentation by addressing the issue of the neighbourhood which whilst he agreed it to be Carnbroe itself, he wanted to talk around this a bit more.

Mr Young stated that he believed that whilst you can class Carnbroe as a neighbourhood and that people from there would say they lived in Carnbroe, he thinks that we have to be realists here for a moment - Carnbroe is simply an area of housing in Coatbridge.

He is of the opinion that it is an area which you could say is relatively affluent. All the houses are bought houses and nearly all the people in the area have access to a car. Mr Young went on to say that Mr Semple himself acknowledges that for the ones that don't there is an excellent bus service every half hour including one that is commonly known as the "buggy bus" which is for mothers or fathers with prams.

Mr Young reiterated his belief that every single amenity in Coatbridge is in the town centre: two supermarkets, large health centre, dental practices, vets, pubs, nightclubs, shops and more importantly here, a number of pharmacies. Indeed, having lived all his life in Coatbridge, he knows it like the back of his hand and considers that the town centre is really one main street.

Indeed he remarked as a fact, that if you were to ask anyone in the greater Coatbridge area where they would go for day to day shopping they would tell you they were going either "up the street" or "down the street" depending on their geographical location. For him, to suggest that a pharmacy is either necessary/debate or desirable in Carnbroe is quite ludicrous. Indeed he asked what would be next "Do we have to look to grant a pharmacy contract every time Barratt, Persimmon or Bryant build a new housing estate?" He then talked over Mr Semple's statement that services were inadequate because a population of 4000 residents did not have a Pharmacy, prior to remarking that applications for new contracts are now starting to get beyond a joke.

To support this remark Mr Young advised that he stayed in an area of housing of similar size to Carnbroe and that he didn't think it had ever crossed his mind that a pharmacy is needed. Furthermore, there has been no demonstration of an inadequacy in pharmaceutical services whatsoever. Indeed, the Area Pharmaceutical Committee are happy to state that there is "more than adequate provision in the neighbouring centres of Airdrie and Coatbridge" Accordingly, he asks the Committee that this application be refused, and thanked them for the opportunity to present his objections.

**The Chairman then invited questions from the applicant (Mr Semple) to Mr David Young, Rowlands Pharmacy**

Mr Semple asked Mr Young what neighbourhood within Coatbridge he stayed, and was advised that he lived within Drumpellier. Mr Semple asked Mr Young to clarify where this area was located on the map and confirm that it was near the location of the pharmacy numbered 6 (Rowlands), and

therefore Mr Young had a pharmacy within the neighbourhood in which he resided. Mr Young advised that he did not agree as he considered that Blair Road cuts across his neighbourhood making a boundary.

Mr Semple then enquired of Mr Young that if he considered his description of inadequacy ludicrous – does that therefore mean he considers the National Appeal Panel to make ludicrous decisions? Mr Young refuted this suggestion, stating that it was his personal opinion of Mr Semple’s application.

**Having ascertained that Mr Semple had no further questions, the Chairman then invited questions from Members of the Committee to Mr Young, Rowlands Pharmacy**

Mr Mallinson asked Mr Young if he agreed with Mr Semple’s belief that the population of Carnbroe didn’t gravitate towards one particular pharmacy in Coatbridge, instead accessing various ones equally. Mr Young replied that Coatbridge was a bit of an “enigma town” in that there was a very high demand for collection services (around 90% in his opinion). Mr Mallinson then asked Mr Young to clarify if he was saying that the population of Carnbroe do go to one Pharmacy in particular or if the patients exercise their own personal choice. Mr Young confirmed that the patients were led by their own personal choice, and therefore the population probably access them all.

Mr Sargent stated that during his site visit he spoke to people who would disagree that there was an adequate bus service including those who cannot always guarantee access to a car, and asked Mr Young if he thought that it was reasonable for example for pensioners or young mothers to have to use a bus to access pharmaceutical services. Mr Young replied that he had spoken to people too, who indicated that travelling two miles to the town centre may not be not ideal but that his research indicated that the bus service was okay. Mr Sutherland then asked Mr Young of his view on people having to travel to get the new services such as eMAS. Mr Young replied that if Carnbroe was less affluent and mobile, given it was equidistant between Glasgow and Edinburgh and therefore had a lot of commuting residents, he would say that it was unreasonable, however given the circumstances of most of the residents he would say that the majority of them would simply use their cars to go shopping and thus could access both local Pharmacies in Coatbridge or for example Boots located within the Glasgow Fort Shopping Centre. Also, that the commuting and working population returning home at night, could easily access Monklands Pharmacy who has extended opening hours. Mr Sutherland then asked if Mr Young was able to provide any details around the Collection and Delivery Services provided to the village. Mr Young said that they did provide a service to patients within the village however that he agreed with Mr Semple that it was better to have face to face contact with a pharmacist rather than simply delivery of a product, however he was of the firm belief that the majority of residents had no difficulty in doing so.

**Having ascertained that there were no further questions to either party, the Chairman then invited Mr Young, Rowlands Pharmacy Ltd to sum up their representation.**

Mr Young stated that he had nothing further to add to his initial representation as he felt that he had covered all points he wished to make, other than to thank the Committee for the opportunity to attend.

**Mr Semple was then invited to sum up in relation to his application.**

Mr Semple concluded that the village of Carnbroe was not the most affluent in Scotland, and that yes, the townships of Airdrie and Coatbridge do have poorer health statistics than many in Europe, however this is just like most of the West of Scotland. With regards to the discussions around population he is of the belief that if 10% of the population of Carnbroe were not healthy, car driving people then it is for those 400+ people who are unable to travel and go elsewhere that he is looking to open for and provide a service.

(f) **Retiral of Parties**

The Chairman then invited the Applicant and Interested Party in attendance to confirm whether or not they had received a fair hearing, and that there was nothing further he wished to add.

Having being advised that both Mr Semple and Mr Young were satisfied, the Chairman then informed them that the Committee would consider the application and representation 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 Mr Semple and Mr Young withdrew from the meeting

(g) **Supplementary Submissions**

Following consideration of the oral evidence

**THE COMMITTEE**

noted:

- (i) that all members of the Committee had visited the proposed site
- (ii) the location of the Doctors' surgeries in relation to existing Pharmacies in Airdrie and Coatbridge, and the site of the proposed pharmacy
- (iii) prescribing statistics of the Doctors within Airdrie and Coatbridge during the period February to April 2008.
- (iv) the dispensing statistics of the Pharmacies in Airdrie and Coatbridge during the period February to April 2008.

- (v) demographic information on Airdrie and Coatbridge taken from the 2001 Census
- (vi) Comments received from Interested Parties including existing Pharmaceutical Contractors in Airdrie and Coatbridge
- (vii) Information containing the range of Pharmaceutical Services provided by all contractors within Airdrie and Coatbridge

(h) **Decision**

**THE COMMITTEE**

then discussed the oral representation of the Applicant and the Interested Party in attendance, 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**

accepted the applicant's description of the neighbourhood in which the proposed premises are located to be the area bounded on the North and East by the North Calder water, on the South by the M8, and the East by the railway line, given that they form significant lines of demarcation.

(ii) **Existing Services**

**THE COMMITTEE**

noted that there were no existing pharmaceutical services within the neighbourhood so defined, other than those brought in by collection and delivery services provided by existing local pharmaceutical contractors.

(iii) **Adequacy**

**THE COMMITTEE**

discussed the notion of adequacy and agreed in light of the distance between the neighbourhood and the nearest community pharmacy, the relatively infrequent bus service to and from the neighbourhood, and the view of the recent NAP hearing for the previous application for this

area by Mr Daniel F Doyle, pharmaceutical services to the neighbourhood were less than adequate.

(iv) Necessity

**THE COMMITTEE**

in considering the factor of necessity was mindful that the current level of service was deemed inadequate. There was however an inability by the applicant to satisfy the Committee that he could open within the prescribed six months of entry on the provisional pharmaceutical list given the absence of written plans, and formal agreement with the landlord. Furthermore;

**THE COMMITTEE**

was unconvinced of the contingency plans to support the owner decanting from the premises until planning consent had been granted and the proposed extension to the existing building had been completed - this is especially pertinent given the lack of discussion with the architect nor had they been submitted to North Lanarkshire Council.

**THE COMMITTEE**

therefore could not be satisfied that the granting of this contract could secure adequate pharmaceutical services.

(v) Desirability

**THE COMMITTEE**

in considering the factor of desirability agreed that the concerns raised during discussions around the factor of necessity applied equally to the consideration of desirability

Accordingly, following the withdrawal of Mr I Allan 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**

voted unanimously that it was not necessary to grant the application to secure adequate Pharmaceutical Services within the neighbourhood.

**THE COMMITTEE**

then considered whether or not it was desirable to grant the application to secure adequate Pharmaceutical Services within the neighbourhood and voted unanimously that it was not.

**THE COMMITTEE**

therefore 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 I Allan returned to the meeting.**