

MINUTE: PPC/2010/03

Minute of Meeting of the Pharmacy Practices Committee held on 1st March 2010 in Meeting Room 1, Law House, Airdrie Road, Carluke, ML8 5ER.

Chair: Mrs Sandra Smith

Present: Lay Members Appointed by the Board

Mr Charles Sargent
Mrs Lynn Wilson
Mr John Woods

Pharmacist Appointed by The Royal Pharmaceutical Society of Great Britain

Mr E J H Mallinson

Pharmacist Nominated by Area Pharmaceutical Committee

Mr Parvez Aslam

In Attendance: Officers from NHS Lanarkshire - Primary Care

Mr G Lindsay, Chief Pharmacist – Primary Care
Mrs G Forsyth, Administration Manager – Primary Care
Miss L A Tannock, Personal Secretary – Primary Care
Mrs Gail Richardson, Head of Pharmacy, Wishaw General Hospital was in attendance for training purposes.

03

**APPLICATION BY MS SUMAN BARHAYA, [REDACTED],
[REDACTED], POLLOKSHEILDS, GLASGOW, [REDACTED]**

Application

There was submitted application by Ms Suman Barhaya for inclusion in the Pharmaceutical List of Lanarkshire Health Board in respect of a new pharmacy at 2 Nethercroy Road, Croy, G65 9JF (“the premises”).

Submissions of Interested Parties

The following documents were received during the period of consultation and submitted:

- (i) Letter received on 23rd February 2009 from Lindsay & Gilmour Pharmacy
- (ii) Letter received on 24th February 2009 from Boots UK Ltd
- (iii) Letter received on 26th February 2009 from M & D Green Dispensing Chemist Ltd
- (iv) Letter received on 12th March 2009 from Greater Glasgow & Clyde Health Board Area Pharmaceutical Committee
- (v) Letter received on 16th March 2009 from Greater Glasgow & Clyde Health Board Area Medical Committee GP Sub Committee

- (vi) Letter received on 17th March 2009 from M Farren Ltd
- (vii) Letter received by fax on 18th March 2009 from Lanarkshire Health Board Area Pharmaceutical Committee

Procedure

At 10:00 hours on Monday, 1st March 2010, the Pharmacy Practices Committee (“the Committee”) convened to hear application by Ms Suman Barhaya (“the applicant”). The hearing was convened under Paragraph 2 of Schedule 3 of The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009, (S.S.I. 2009 No.183) (“the Regulations”). In terms of paragraph 2(2) of Schedule 4 of the Regulations, the Committee, exercising the function on behalf of the Board, shall “determine any application in such manner as it thinks fit”. In terms of Regulation 5(10) of the Regulations, the question for the Committee is 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”.

It was noted that Members of the Committee had previously undertaken a site visit of the village of Croy and surrounds independently in order to gain a flavour of the natural patterns of travel of residents and visitors during various times of the day and week. All confirmed that in so doing each noted the location of the premises, pharmacies, general medical practices and other amenities in the area.

Prior to the arrival of parties the Chair asked Members to confirm that they had received and considered the papers relevant to the meeting.

The Chair then asked Miss Tannock to invite the applicant and interested parties who had chosen to attend to enter the hearing.

Attendance of Parties

The applicant Ms Suman Barhaya was unable to attend, however was represented by her father Mr K Barhaya in her absence. The sole interested party who had accepted the offer to attend the hearing was M & D Green Dispensing Chemist Ltd was represented by Mr Martin Green.

The Chair introduced herself, the Members and the officers in attendance from NHS Lanarkshire - Primary Care, prior to asking both parties to confirm that they had received all papers relevant to the application and hearing.

The Chair then explained that the meeting was being convened to determine the application submitted by Ms Suman Barhaya, for inclusion in the Pharmaceutical List of Lanarkshire Health Board in respect of a new pharmacy at 2 Nethercroy Road, Croy, G65 9JF according to the Statutory Test set out in Regulation 5(10) of the Regulations.

The Chair continued to explain the procedures to be followed as outlined within the guidance notes circulated with the papers for the meeting, and confirmed that all Members of the Committee had conducted a site visit, and that no members of the Committee or officers in attendance, had any interest in the application.

Evidence Led

The Chair then invited Mr K Barhaya to speak first in support of the application by Miss S Barhaya.

Mr Barhaya introduced himself and thanked the Committee for the opportunity to attend and advised that he would read the following pre-prepared statement on behalf of his daughter:

“Thank you for giving me this opportunity to read this written statement. The application for inclusion of this premises into the pharmaceutical list, I hope will be seen as a potentially positive addition in health care provision.

We are moving into an era where no more so than before patient experience and service delivery are paramount and being considered to be top of the NHS agenda. With world class commissioning in mind, all health authorities are focusing on services being delivered with QIPP in mind, quality, innovation, prevention and productivity.

With Quality being a focus, it is imperative that we consider what is best for the local population of any area. Sustainable quality should be the focus on any health care professional’s mind. It is with this in mind this application has been lodged.

The population of Croy deserve the same equality of provision as any other area. The low level of amenities in this area should cause concern and the nearest pharmacy being 1.4 miles from this site should highlight the need for a pharmacy in this area, making it necessary and desirable. Whilst in the objections it has highlighted there is a convenient delivery system in place, the delivery system only allows for the delivery of medications. This service is not unique but merely an added benefit that most pharmacies may offer for convenience. This does not replace the contact a patient may have with a healthcare professional. The opportunistic advice or signposting that may be done when a person walks in to pharmacy near where they live or work is valuable. The relationships which develop over a period of time between a patient and a healthcare professional gives rise to confidence and the ability to tackle issues such as obesity, smoking cessation and alcohol consumption. Three major priorities for the NHS.

The drive to optimise health gains really can be helped in this local area by the inclusion of these premises on to the pharmaceutical list.

The concept that pharmacies should only be viable if dispensing numbers are high should be moved away from. Dispensing alone does not address the need for service provision. This idea that all pharmacies do or should do should be made redundant. I believe this was a concern in one of the objections. I would like to state that the intention of this pharmacy is to serve the population of Croy, who would otherwise have to make a round trip of 2.8 miles to see a pharmacist. The next nearest pharmacy, if granted relocation would create a round trip of 3.4 miles.

To ask the residents of Croy to travel this distance to participate in the minor ailment service or smoking cessation or even Chlamydia testing service was unfair and also a hindrance in meeting NHS targets. I feel this fact makes it necessary and desirable for a pharmacy in Croy.

The neighbourhood can be defined by the railway tract between Croy and Craigmarloch and going north up towards Howe Road and along Manse Road, Mid Barrwood Road meeting Coach Road and back down. I refer to Sandra Gidley, the MP for Romsey who stated that in 2003 that 79% of the population had a community pharmacy within 0.6miles of their home. This is not the case for the population of Croy. I appreciate the population of Croy is small but the benefits to community would be great as over 60% of the population of Croy did not have a car and travelled either by Public transport or by foot. The advantage of having a pharmacy so close would prompt the local population to use the facilities offered and to seek advice more often than they would do normally having to travel to seek the same advice elsewhere. Being able to walk to the local chemist would allow the patient to obtain advice and counselling on medication face to face which would not be possible if their medication was delivered. Stresses would be made on wasted medication and medication returns and reviews on medication would be far simpler in a pharmacy allowing the pharmacy to work towards NHS agendas.

I can appreciate that most services are being offered in other pharmacies further away and the same services would be offered here too, with a further emphasis on needle exchange being offered if this were allowed. The pharmacy would be able to open within 6 months as the building is already in existence. The pharmacy interior would meet all necessary regulations with a comfortable size consultation room. The pharmacy would open on Monday to Saturday 8:30am till 6pm. This would allow the community to access the service six days a week. Working with the local GP service would allow patient to receive a complete care package close to their home.

I hope this application will be received with the same positivity as other applications in the extended area where contracts have been granted in the neighbourhoods of small populations. The population of Croy would be able to receive and access pharmaceutical expertise, skills, and services from a dedicated team close to home.”

The Chair then invited questions from Mr M Green, M & D Green Dispensing Chemists Ltd, to Mr Barhaya.

Mr Green’s first questions to Mr Barhaya were to establish he was a Pharmacist or had a reasonable understanding of the Pharmaceutical Contract and how it is funded. Mr Barhaya answered that he was not a Pharmacist and that he had no knowledge of the contractual funding of Pharmaceutical services. This led Mr Green to ask if Miss Barhaya had a business plan including establishment costs and timescales for reaching break even point. Mr Barhaya confirmed that they did and that he had experience of being in the property business and that the profit of the Pharmacy would not be a factor as his daughter wanted to provide a pharmacy service and that he was in the position to be able to support her to do that. Mr Green commented that this whilst this was an admirable gesture, a Pharmacy requires viability and sustainability to operate. Mr Barhaya then asked if he could talk about Cumbernauld Road, and Mr Green replied that whilst he did not see the relevance of asking he could confirm that he has a Pharmacy based there.

It was at this point that the Chair advised that they would follow the process outlined within the Guidance Notes provided for the hearing and that Mr Barhaya would be given the opportunity to ask questions of Mr Green later in the proceedings.

Mr Green then apologised for any confusion his earlier questions had caused, explaining that he was enquiring as to the business planning for the pharmacy and its viability in order to secure services, not Mr Barhaya's profits or personal wealth from it; for example had any thought been given about the amount of prescriptions needed to break even. Mr Barhaya replied that the proposed premises is a freehold shop which he bought some years ago, therefore there will be no rent to pay and therefore it could survive with little revenue as even if there was limited profit it would all go to his daughter. Mr Green then asked what other amenities are in Croy and was told that there are nearly 1000 people. Mr Green clarified that he was asking about amenities not population. Mr Barhaya replied that there is a grocers shop, a post office, Chinese take-away, café, Indian take-away, and until recently a public house which has now closed. Mr Green asked Mr Barhaya if he would agree that it is fair to say that there are therefore not many amenities in the Village. Mr Barhaya disagreed and said that there were amenities given that there is a post office and a good sized population. Green's final question was to ask if Mr Barhaya would be looking for the Pharmacy to be supported under the Essential Small Pharmacy Scheme, and was informed by Mr Barhaya that he would not look to claim any allowance as he only wants to open the Pharmacy for his daughter.

Having ascertained that Mr Green had no further questions, the Chair then invited questions from Members of the Committee in turn to Mr Barhaya.

Mrs Wilson was first to speak and asked Mr Barhaya to confirm that he owned the property and was advised that he did, when asked if the Pharmacy could be finished to a standard to open within six months he advised that it would be.

Mr Woods was next invited to question Mr Barhaya and stated that within the representation he outlined the services his daughter wished to provide and asked if he knew of any difficulties accessing those services from existing pharmacies elsewhere. Mr Barhaya replied that there are Pharmacies in Kilsyth and Twechar so why should people of Croy not have them. Mr Woods went on to ask about the availability and adequacy of public transport and the bus routes leading to neighbouring areas in which Pharmacies were looked. Mr Barhaya replied making an analogy of travelling to a café in another area if there is coffee available within the village, and having access to Pharmaceutical services - if patients are ill why have they to travel, there should be a service locally. Mr Woods then asked if the people of Croy use services in the area or do they require to travel outwith the village for daily needs and other services e.g. banking. Mr Barhaya confirmed that there is café, and a grocers with an off licence facility the only thing they don't have access to is Pharmaceutical Services. Mr Woods asked if Mr Barhaya knew of whether there were any plans for a GP Surgery in the area in the future, he replied that this could be a possibility in the future as there were empty premises which a GP could apply to move into. Mr Woods clarified that his question was prompted by reference within the representation to working with a GP surgery "close by" therefore in the absence of any knowledge regarding a proposed move by a GP was it their strategy to open a Pharmacy then encourage a GP to move to the area. Mr Barhaya replied that yes if they could get a pharmacy contract then people could canvas for GP within the area and that if they could be tempted then they would be closer to the patients. Mr Woods then stated that Mr Barhaya's argument seemed to be based on convenience for patients getting a pharmacy and he replied that yes it was for convenience for public to be able to use a pharmacy.

Mr Sargent was next to question Mr Barhaya and asked if he would be his daughter's employer and pay her a salary given that he owns the premises and has pledged to support her financially and not charge her any rental costs. He replied that he would provide the money to make it possible and that he has considerable experience of obtaining hot food planning permission and sound business experience. Mr Sargent then asked if the business plan included costings for staffing the pharmacy and the complement of staff they would require. Mr Barhaya replied that he had no intention to hire any additional staff as it would be a united family run business and that himself and his wife would help out, and that his daughter in law could also provide assistance. Mr Sargent then moved to talk about the population of Croy and commented that there was no sign of large scale new build housing developments, Mr Barhaya said that there were new houses - some on the Main Road in Croy, and one in front of the proposed premises, furthermore that he knew of further planning permission being pursued however the owner of the land was in dispute with the developer.

Mr Aslam was then invited to question Mr Barhaya, and asked if they had plans for the internal layout of the pharmacy, and was advised that when they were looking to obtain a hot food licence they required to have valid planning permission however the application was rejected and that no-one in the planning department told him about the outcome. Mr Aslam progressed his question and asked of their own plans and ideas for the internal layout of the premises as a Pharmacy. Mr Barhaya stated that they did not have any but he could ask an architect to produce them. Mr Aslam advised that the Committee needed to be able to be satisfied of their plans to establish a Pharmacy from scratch and was he even aware of how much it would cost to shopfit the premises to make them suitable for provision of services. Mr Barhaya replied that he could get quotes. Mr Aslam then stated that whilst he recognised that Mr Barhaya was not concerned about any profit he could draw from the Pharmacy would this change if it run at a loss of £70,000 loss per year, and how long would he expect to carry on supporting it. Mr Barhaya advised that he would support his daughter to run it until he died and that how did Mr Aslam know that such a loss would happen. Mr Aslam replied that he was only asking in order that the Committee could be satisfied that sufficient detail was included in their business plans in reference to costings and projected profit. Mr Barhaya stated that no-one had asked him for this information and that the Department should have advised him that it was needed, to which Mr Aslam replied that it was up to the applicant to provide sufficient detail on the preparedness of the application. Mr Aslam's final comment was to respond to Mr Barhaya's declaration that there would be no staff employed to assist in the running of the pharmacy other than the help provided by family members, and advised Mr Barhaya that they would require to be trained to NVQ level in order to act in this capacity. Mr Barhaya agreed that it would not be an issue for them to be trained.

Mr Mallinson was last to ask questions and stated that he only wished to ask Mr Barhaya to clarify the actual premises being proposed as there appeared to be two vacant units. Mr Barhaya proceeded to show a copy of a Whyte & Barrie building schedule for the unit from which Mr Mallinson was able to establish that it was the building at the side of the public house which had been on fire, and that Mr Barhaya had owned the property for approximately 10 years.

The Chair remarked that as there had been a significant amount of questioning in relation to the content of their business case and plans for the internal layout of the premises, and the need for the Committee to be satisfied of the applicant's ability to secure provision of services, was there any further information he could give in support of their ability to do so, perhaps by providing an indication of where Miss Barhaya studied and her vocational

experience. Mr Barhaya intimated that she graduated in Aberdeen 7 or 8 years ago and has worked in pharmacies in Byres Road and Newton Mearns, Glasgow, and that she has also been a Pharmacy Area Manager in London and is now a Manager in a London Hospital.

Having ascertained that there were no further questions for Mr Barhaya the Chair then asked Mr Green, M & D Green Dispensing Chemist to state his representation.

Mr Green thanked the Chair before reading the following pre-prepared statement:

“I would like to agree that the neighbourhood is the village of Croy.

I would also acknowledge that there are no existing pharmaceutical services in the village; however there are four pharmacies in nearby Kilsyth, one in Craigmarloch and my own pharmacy in Twechar, providing or offering services to the population of Croy.

My pharmacy offers a comprehensive collection and delivery service provided, not by drivers, but qualified pharmacy staff.

Additionally the No. 43 bus service through Croy to Kilsyth in one direction and Cumbernauld in the other stops in Croy every 15 minutes Monday to Friday in each direction resulting in a bus in or out of Croy every 15 minutes.

Ultimately I would contest that although there are no pharmaceutical services in Croy, service provision is not inadequate.

If a pharmaceutical service was granted with Croy, would it be secure? From the SNS web site, mid year population estimates based on 2008 for Croy = 607.

I would suggest that with a population this small a pharmacy would not be viable.

My own pharmacy in Twechar with a larger population is borderline viable. This is supported with Nursing Home business from outwith the immediate area, the prospect of a Doctors Surgery opening and regeneration plans to double the size of the village.

Using the average number of prescriptions per head of population as 1.1 per head, it could be projected that the pharmacy in Croy would generate at best 700 items per month.

This would not support a pharmacy. Even when we move to a capitation model the income generated will be similar to the item base model. The only hope for survival for the pharmacy would be an ESP allowance.

If awarded this would result in the service provision established in Croy costing approximately 2 ½ times the cost of the existing services, a cost that pharmacies global sum cannot support and I don't imagine the Health Board would be too keen to support in current climate.

This would only be a consideration if an ESP allowance was granted as the proposed pharmacy would appear not to fulfil all the criteria for an ESP and would most likely be refused.

Given the adequacy of existing service provision, the lack of evidence of inadequacy and the very small population of Croy I would recommend that the committee refuse this application.”

The Chair then invited Mr Mr Barhaya to ask questions of Mr Green.

Mr Barhaya asked was it not correct that until Mr Green opened his Pharmacy in Twechar 2 years ago the residents were not getting pharmaceutical services. Mr Green advised that he was approached by Twechar Community Action Group to help them combat the decline of the Village, as they were campaigning for a local GP Surgery which would have a better chance of being supported if pharmaceutical services were also being provided.

The Chair asked for clarification if he was saying that services were not currently being provided. Mr Green replied that patients required to travel to Kilsyth or Kirkintilloch to access pharmaceutical services and that there was an inadequate bus service between areas.

Having ascertained that Mr Barhaya had no further questions to ask of Mr Green, the Chair then invited Members of the Committee to pose questions.

Mrs Wilson asked if Mr Green knew of the number of patients who accessed his pharmacy lived in Croy, to which he replied that it accounted for approximately 10% of his business which was not related to Care Homes.

Mr Woods referred to the content of Mr Green’s letter of objection to the application and reference to the Healthy Living Centre in Twechar and his Collection & Delivery Service, asking if he was able to give an indication of the numbers of patients accessing services via both routes. Mr Green replied that most business not related to care homes into Croy is via Collection & Delivery, Mr Woods then asked what his trained staff would do if they identified an issue whilst making a delivery. Mr Green advised that they would alert the Pharmacist who would then telephone the patient to discuss in more detail.

Mr Sargent was next to ask questions and advised Mr Green that no-one that he spoke with during his site visit knew of the C&D service provided by his Pharmacy and that the majority of people tended to travel to Kilsyth to access pharmaceutical services. Mr Green was surprised by this as he had arranged for a leaflet drop to be done as well as advertising locally. Mr Sargent then asked Mr Green for detail on how patients in Twechar could access the services of any GP moving to the area given that it was bounded by two different Health Boards. Mr Green intimated that he was unaware of the regulations surrounding access to medical services.

When invited Mr Aslam advised that he had no questions to ask of Mr Green. Accordingly, Mr Mallinson was the last member of the Committee to speak asking for clarification as to whether the granting of a contract in Croy would seriously jeopardise the viability of Twechar Pharmacy, given that he estimated that only 10% of his non care home business was drawn from the area. Mr Green replied that realistically it would be unlikely to jeopardise the continuation of the Pharmacy however that he would need to review his operating costs which could compromise staffing levels given that he currently employs four full time Assistants. Mr Mallinson’s final question was to ask Mr Green if he knew if there was a formal Collection & Delivery service to Twechar from existing pharmacies within

Kirkintilloch or Kilsyth prior to his pharmacy opened. Mr Green replied that he was not sure of any service.

Having ascertained that there were no further questions from the Committee to either Mr Barhaya, the applicant's representative, or Mr Green the sole interested party in attendance, the Chair then invited Mr Green to sum up his representation.

Mr Green stated that quite simply the village of Croy is a small village with approximately only 600 residents, there is no demonstration of inadequacy in current pharmaceutical provision to the area, therefore the application is neither necessary or desirable to secure adequate provision of pharmaceutical services within the neighbourhood.

The Chair then invited Mr Barhaya to sum up in relation to the application.

There is no counter pharmaceutical services available in Croy. If I lived in Croy and needed cough medicine I could go to the local pharmacy and get it without needing to go to Cumbernauld or Kilsyth. The elderly, infirm, sick people, and parents with children could access the pharmacy, and it would not cost anyone anything so why not. If the Committee says "yes" then I am grateful to you, if you say no I am still grateful.

Retiral of Parties

The Chair then invited Mr Barhaya and Mr Green to confirm whether or not they considered that they had received a fair hearing, and that there was nothing further they wished to add.

It was at this point that Mr Barhaya asked if he could put more questions to Mr Green. The Chair allowed his request and he asked Mr Green for evidence of his claim that 10% of the population within Croy go to Twechar Pharmacy. Mr Green clarified that he said that 10% of his volume of business not taken from care homes was from Croy and that this information was extrapolated from the patient medication records in the Pharmacy. Mr Barhaya then asked him how many drivers he employed, and was advised that the C&D service is conducted by two trained members of staff per day. This led Mr Barhaya to ask what happens if a patient were to telephone asking for medication. Mr Green replied that the waiting time would be realistically around 4 hours maximum. When asked what would happen if the patient needed it before then Mr Green replied that there were two deliveries to the area a day. Mr Barhaya remarked that patients could get a better service if there was a local pharmacy in Croy to which Mr Green replied that it would not be better but local however convenience was not an issue for discussion. Mr Barhaya's last query was to present Mr Green with the scenario of a patient within Croy telephoning his Pharmacy just now asking for cough mixture, how long would it take to receive it. Mr Green replied that it would be delivered before lunch time.

Having established that there were no further questions from either party, and receipt of confirmation that both parties were satisfied that they had received a fair hearing, the Chair then informed them that the Committee would consider the application and representations prior to making 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 Chair's request Mr Barhaya and Mr Green withdrew from the meeting.

Supplementary Submissions

Following consideration of the oral evidence

THE COMMITTEE

noted:

- i. that they had each independently undertaken a site visit of the Village of Croy, and surrounds, noting the location of the proposed premises and the amenities within, as well as the pharmacies and general medical services located within neighbouring townships
- ii. map showing the location of the Doctors' surgeries in relation to existing Pharmacies in the towns of Kilsyth and Cumbernauld, and the site of the proposed pharmacy
- iii. prescribing statistics of the Doctors within the towns of Kilsyth and Cumbernauld, during the period September to November 2009
- iv. dispensing statistics of the Pharmacies within the towns of Kilsyth and Cumbernauld, during the period September to November 2009
- v. demographic information on the townships of Croy, Kilsyth and Cumbernauld taken from the 2001 Census
- vi. comments received from the interested parties including existing Pharmaceutical Contractors in the towns of Kilsyth, Cumbernauld and Twechar in accordance with the rules of procedure contained within Schedule 3 to the regulations
- vii. report on Pharmaceutical Services provided by existing pharmaceutical contractors within the townships of Kilsyth and Cumbernauld
- viii. Information on Needle Exchange Services in Cumbernauld & surrounding area

Decision

THE COMMITTEE

then discussed the oral representation of the Applicant and the Interested Parties 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 2009 (S.S.I. 2009 No. 183).

- (i) Neighbourhood

THE COMMITTEE

in considering the evidence submitted during the period of consultation and presented during the hearing, and recalling observations from their site visits defined the neighbourhood as being the village of Croy, bounded by the railway line to the South and Forth & Clyde Canal to the North.

(ii) Existing Services

THE COMMITTEE

having reached a conclusion on the neighbourhood, was then required to consider the adequacy of existing pharmaceutical services in that neighbourhood, and whether the granting of the application was necessary or desirable in order to secure adequate provision of pharmaceutical services in that neighbourhood

THE COMMITTEE

recognised that there were no existing contract Pharmacies within the defined neighbourhood, however from the evidence provided including the report collated by the office of the Chief Pharmacist – Primary Care, it was demonstrated that the population has ease of access to Pharmacies close by in the towns of Kilsyth and Cumbernauld, along with the village of Twechar. Indeed by car “your local Boots pharmacy”, in Kilsyth was only 1.3 miles, “your local Boots pharmacy, in Craigmarloch was only 1.5 miles, and Twechar Pharmacy was 2.8 miles from the proposed location, all of which provide a comprehensive range of Pharmaceutical Services alongside the core requirements of the new contract. Furthermore that Twechar Pharmacy provides a Collection & Delivery service to the neighbourhood by trained Pharmacy staff.

THE COMMITTEE

the Committee was of the belief that the characteristics of the neighbourhood are such that the population of Croy require to travel outwith by public car or regular public transport to access the majority of services with regards to their daily needs, therefore existing Pharmacies could be considered as providing Pharmaceutical services to residents within the neighbourhood from outwith.

(iii) Adequacy

THE COMMITTEE

discussed the test of adequacy and agreed that paying due regard to the reasons set out above and having noted the frequency of the public transport passing through Croy approximately every fifteen minutes due to the routes between Kilsyth and Cumbernauld, it was considered that existing services close by the neighbourhood could be deemed adequate as they provide a breadth and range of NHS Contract

services in line with contemporary standards and were easily accessible to residents of the neighbourhood.

Accordingly, following the withdrawal of Mr Parvez Aslam in accordance with the procedure on applications contained within Paragraph 6, Schedule 4 of The National Health Service (Pharmaceutical Services)(Scotland) Regulations 2009, the decision of the Committee was unanimous that the provision of pharmaceutical services at the Premises was neither necessary or desirable in order to secure adequate provision of Pharmaceutical Services within the neighbourhood in which the Premises were located by persons whose names are included in the Pharmaceutical List and that, accordingly, your application was rejected subject to the right of appeal as specified in Paragraph 4.1, Schedule 3 of The National Health Service (Pharmaceutical Services)(Scotland) Regulations 2009.

Mr Aslam was then requested to return to the meeting, and were advised of the decision of the Committee.