

MINUTE: PPC/2010/06

Minute of Meeting of the Pharmacy Practices Committee held on 18th June 2010 in Meeting Room 1, Law House, Airdrie Road, Carluke, ML8 5ER.

Chair: Mrs Sandra Smith

Present: Lay Members Appointed by the Board

Mrs Margaret Carahar
Mrs Lynn Wilson
Mr Charles Sargent

Pharmacist Appointed by The Royal Pharmaceutical Society of Great Britain

Mr E J H Mallinson

Pharmacist Nominated by Area Pharmaceutical Committee

Mr David Sinclair

In Attendance: Officers from NHS Lanarkshire - Primary Care

Mr G Lindsay, Chief Pharmacist – Primary Care
Mrs G Forsyth, Administration Manager – Primary Care
Miss Catherine Oates, Administration Team Leader – Primary Care

06 APPLICATION BY APPLE PHARMACY, 23 CROW ROAD, GLASGOW, G11 7RT

Application

There was submitted application by Apple Pharmacy, received 29th January 2010, for inclusion in the Pharmaceutical List of Lanarkshire Health Board in respect of a new pharmacy at Unit 6A, Maxim 3, Parklands Avenue, Eurocentral, ML1 4WQ (“the premises”).

Submissions of Interested Parties

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

- (i) Letter received on 5th February 2010 from Boots UK Ltd
- (ii) Letter received on 8th February 2010 from New Stevenston Pharmacy
- (iii) Letter received on 22nd February 2010 from Lloydspharmacy
- (iv) Letter received by email on 2nd March 2010 from Area Pharmaceutical Committee of Lanarkshire Health Board

Procedure

At 10:00 hours on Friday, 18th June 2010, the Pharmacy Practices Committee (“the Committee”) convened to hear application by Apple Pharmacy (“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 Eurocentral 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 Oates to invite the applicant and interested parties who had chosen to attend to enter the hearing.

Attendance of Parties

The applicant Apple Pharmacy was represented by Mr Sanjay Majhu and was accompanied by Mr Harminder Shergill. The sole interested party, eligible to attend, and who had accepted the invitation was Lloydspharmacy, who was represented by Ms Melinda Setanoians.

The Chair introduced herself, the Members and the officers in attendance from NHS Lanarkshire - Primary Care, prior to asking the 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 Apple Pharmacy, for inclusion in the Pharmaceutical List of Lanarkshire Health Board in respect of a new pharmacy at Unit 6A, Maxim 3, Parklands Avenue, Eurocentral, ML1 4WQ, 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 Sanjay Majhu to speak first in support of the application. Mr Majhu read the following pre-prepared statement:

“Thank you for inviting me to attend this hearing, for our Pharmaceutical Application at Unit 6A, Maxim 3, Parklands Avenue, Eurocentral.

The building which will house our pharmacy is Maxim 3, also known as the Hub of the Maxim Development. It has a unique set up, mixed with retail, leisure and office space. It houses the park management and concierge services. The developers consider it the nucleus of Maxim, as it holds what's needed for the rest of the park.

There are ample parking facilities, including those for the disabled.

During your site visit, I'm sure you would have noticed the landscaped ponds, feature waterfall and timber decking. This is called the relaxation area. It really is a lovely place to hang out if you're working at Eurocentral.

Let's consider my application with regards to the Legal Test:

Neighbourhood

My neighbourhood is the entire development of Maxim and Eurocentral, as shown in the map included with my application. It can be defined as follows:

On the North – by the A8/M8 Motorway
On the East – by the B799 Bo'Ness Road
On the West – by the Railway Line
On the South – up to the A775 Holytown Road/Main Street

I say "up to" the Main Street, as I am not including this as part of my neighbourhood. There is no direct access to this from Eurocentral or Maxim.

You will all be familiar with Lord Nimmo Smiths' famous ruling in 1999 that stated that a neighbourhood "need not have any residents".

This Neighbourhood has a working population of 3355, comprising of the businesses already on the site as of this week.

These businesses include:

British Bakeries, Cisco Systems, City Link, Dakota Hotel, DHL, Eurocentral Rail Terminal, Laing O'Rourke, NCR, News International, Next, Scottish and Southern Energy, Scottish Power, TDG Logistics/Argos, Warburtons just to name a few brand names which you might recognise.

These businesses also create a population of approx 19,865 visitors, guests, suppliers, and such like each month. So potentially, there are 23,220 in my neighbourhood each month, just now. When the Development is completed, the working population alone will be 8,000. This shows that there is a huge transient population that are still entitled to and require the same access to healthcare that the rest of the population currently enjoys.

Existing Services to the neighbourhood & Adequacy of service.

There is no existing pharmaceutical service to the neighbourhood as defined.

The nearest pharmacies are located over 2 miles away and provide pharmaceutical services to their own distinct residential neighbourhoods.

The only access to the Maxim/Eurocentral Site is from the A8 Eurocentral junction, or from Bo'Ness Road and along McNeil drive. This makes accessing services difficult if you are based within the park, especially if you don't have a vehicle.

You would have to undertake a substantial journey if you were to walk or drive to access pharmaceutical services. These workers are entitled to have reasonable access to face-to-face pharmaceutical service.

Our premises are situated next to the other amenities available to the employees and visitors to the Park. These include the Dakota Hotel, Massimo bar and brasserie, Baguette Express, Amigo convenience store, Berits and Brown delicatessen, PGA accredited putting green, Royal Mail post box, and a Nursery, which at the moment has 81 children, with space for more. We are also next to the park management suite and concierge.

I hope this shows our application is not speculative, but will fit alongside the other amenities required and accessed by the employees and visitors.

The developers are also in talks with a dentist, a retail/showroom provider, hairdresser and health & fitness provider to slot into the leisure part of Maxim 3.

There are no G.P. practices within the neighbourhood, and in my view this indicates an even greater need for pharmaceutical services. This is backed up by the Governments' policy paper "The Right Medicine", and is reasonable to offer my population access to health services in the area through a pharmacy, in the absence of any G.P. provision, especially when they work full time at the site.

I accept that my population is highly mobile, in that they have had to travel many miles to come to work, leaving their G.P. service next to their house. They are only mobile on their way to work, and on their way home. Not during the day when they are at Maxim/Eurocentral. They will not leave the site to visit surrounding villages to access any kind of service. These people will never see a pharmacist, or have access to advice or health promotion.

The award of this contract will secure the provision of pharmaceutical services both currently and into the future, if you consider the changes in pharmaceutical practice that have occurred with the introduction of eMAS, the new Chronic Medication Service, Weekly medication dosettes, Public Health Services, and the generally expanding role of the pharmacist.

We plan to open a modern looking pharmacy in keeping with the look and style of the development. A comprehensive pharmaceutical service will be provided covering all aspects of the pharmacy contract. The services to be provided from the premises include:

- Dispensing of NHS prescriptions
- Private and Veterinary prescriptions
- Advice and Consultations
- Emergency Hormonal Contraception
- NRT
- MAS
- PHS
- Screening for diabetes
- BP reading
- Cholesterol testing
- Health Promotion
- Stoma appliances
- Methadone supervision
- Weekly dosettes

The current guidance given for resolving the issue of adequacy was expressed by Lord Drummond Young in *Lloyds v The National Appeal Panel* 2004. He stated “the decision maker must, however, determine the adequacy of the existing provision of pharmaceutical services at a specific time, the time of its decision. It must accordingly reach its conclusion on the adequacy of the existing provision on the basis of what is known at that time, together with future developments that can be considered probable rather than speculative.”

Necessary/Desirable

Since the existing pharmaceutical service to the population within the neighbourhood is not adequate, the question is “is it necessary or desirable to grant the application in order to make services adequate?”

I realise this is different from “is it convenient?”, as it’s always convenient to have a pharmacy on your door step.

I believe it is Necessary to grant this application in order for the pharmaceutical services in the neighbourhood to be considered adequate.

Accordingly, I ask the Committee to approve this application.

The Chair then invited questions from Ms Setanoians, to Mr Majhu.

Ms Setanoians asked Mr Majhu to provide information on the evidence he had used to reach his conclusion that the workforce travel to work and do not move outwith during the day, for example during their lunchtime, asking if he had conducted any market research. Mr Majhu replied that this was based on his findings during site visits in that the workforce did not seem to use their cars aside from commuting to work, furthermore that a workforce of 3500 people should not be expected to do so in order to access services. This led Mrs Setanoians to ask if he knew how many pharmacies were accessible within a five minute drive of the complex. Mr Majhu replied that there was probably around 3 or 4 however you had to negotiate an exit via McNeil Drive, and would exclude those employees using public transport to travel to work. Ms Setanoians questioned the level of employees using public transport given the infancy of the development and occupancy of the existing units.

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

Mrs Wilson was first invited to ask questions from Mr Majhu seeking an indication of how many patients he expected to cater for given that the majority of people would be healthy workforce. Mr Majhu agreed that they would have a healthier patient profile but they required to look at the services associated with the new contract and the benefits to that population of Nicotine Replacement Therapy, Emergency Hormonal Contraception, Chronic Medication Service, and also with a view to eMAS when free prescriptions are opened up to everyone.

Mr Sargent was keen to learn why the proposed to open all day on a Saturday given the working patterns of the development. Mr Majhu replied that some of the managers within existing units had indicated that a percentage of their staff would work weekends, however that Saturdays were normally quiet regardless of location and that they would look to offer delivery services to local areas and had taken cognisance of this within their business

planning. This led Mr Sargent to ask how many Pharmacists he would look to engage given the anticipated rush of patients and customers during lunchtimes and how they could cope with this. Mr Majhu intimated that he was confident of the efficiency of their Pharmacists and the support provided to them with a skill mix of back up staff within their teams, furthermore that the pharmacist would never be off site during the working day.

Mrs Carahar asked if he knew whether the Nursery had any plans to expand their business which may indicate an expansion in the development's occupancy. She was advised that they looked to expand to look after 120 children however at this moment in time 81 children could be considered a good number for a new business. Mrs Carahar then asked him how his pharmacy staff would look to occupy themselves outwith the peak lunchtime periods. Mr Majhu replied that he would expect them to contact local businesses and advertise the range and breadth of services they could provide. When asked if this would include delivery to their workplace he advised that they had explored this option but agreed that they would want to encourage patients to walk however that this may develop through time as their experience of the patient profile grows, however in the meantime he could reassure her that they would give a good service and that delivery wouldn't be an issue. She then asked him for an indication of the internal floor plan and layout of the unit. Mr Majhu advised that it was 1200 square foot and that whilst their interior designer was currently drawing up plans he could confirm that it will host a full consultation room. Mrs Carahar was also reassured that the pharmacy could be completed within a four week turnaround. Mrs Carahar's final question was in connection with the frequency of public transport to the site. Mr Majhu intimated that there was a bus service to Eurocentral morning and late afternoon, with no set time in the middle as the bus company was still trying to decide on the most efficient timetable options.

Mr Sinclair was then invited to ask questions of Mr Majhu asking him how he intended to make the pharmacy viable in the short term given the infancy of the development and the estimated current healthy working population. Mr Majhu replied that he was confident that they could look to capture a minimum of 3500 repeat prescriptions and that they have experience of supporting pharmacies within a population of 2500. Mr Sinclair then asked if he thought that businesses located on the edge of the development e.g. British Bakeries, would have difficulty accessing the hub of Maxim, when advised that this would only involve a short walk Mr Sinclair referred to his findings during the site visit suggesting that the development had not appeared to have been designed with internal travel by foot in mind, therefore would he not agree that the workforce would be quicker to access provision outwith the development. Mr Majhu replied that he did not agree.

Comment [11]: Does this sentence make sense? Should the final phrase be omitted?

Mr Mallinson was the last member of the Committee to ask questions of Mr Majhu. He was keen to learn if Mr Majhu would agree that the demography of the proposed population would mean that it would be a completely different experience from that of establishing a pharmacy within a village or High Street location with 2500 population. He replied that it depended upon your view of population, citing the Boots Pharmacy located within The Fort, Glasgow as an example of a transient population with differing social circumstances. Mr Mallinson highlighted the breadth of age groups visiting The Fort shopping development in contrast to the working population Mr Majhu expected to cater for, suggesting that the hub of his argument was based on convenience.

Prior to inviting Ms Setanoians to make her representation the Chair asked Mr Majhu to confirm the status of any lease agreement for the proposed unit. Mr Majhu advised that lease at heads of terms had been agreed and could be signed subject to award of contract.

Having ascertained that there were no further questions for Mr Majhu the Chair then asked Ms Setanoians to state her representation.

Ms Setanoians thanked the Chair for the opportunity to speak on behalf of Lloyds Pharmacy Ltd. She then advised that Lloydspharmacy objected to the granting of an additional contract on the basis that it is neither necessary or desirable as there are six existing pharmacies all located less than 2miles from the proposed site. She is of the belief that the majority of people, if not all, who visit Eurocentral do so using cars, therefore all six pharmacies are within a very short drive from the proposed site. Furthermore the National Appeal Panel as recently as March 2010 refused an application for a new contract in the nearby village of Chapelhall based upon the fact that pharmaceutical provision in the area is adequate.

Ms Setanoians continued that there is no evidence to suggest that the people who work at Eurocentral require or even want a pharmacy within the complex, indeed it is most probable that the people working there use pharmacies either within their own communities or in the surrounding areas of Calderbank, Chapelhall or Bellshill when commuting to work or during their breaks. There is also the possibility that the delivery service proposed by Apple Pharmacy may in fact reduce the pharmaceutical service people receive due to a reduction in patient/pharmacist contact.

It is highly unusual to have pharmaceutical services located in industrial areas and there is no evidence, compelling or otherwise, to suggest that it is desirable or necessary in this industrial area. Indeed the workflow during the day would be minimal with a surge at lunchtime which would mean that the pharmacist would be unlikely to be able to spend a significant amount of time with any patients requiring face to face consultations, and that there is no comparison to be drawn between the range of services and facilities offered by pharmacies such as the Boots store located in The Fort shopping centre. Also, given the extended hours of service of some of the existing, closely located pharmacies she is confident that the workforce can access the services of a pharmacy outwith their normal working day. Accordingly, the application should be refused as the applicant has failed to demonstrate the necessity or desirability of an additional contract.

The Chair invited Mr Majhu to ask questions of Ms Setanoians.

Mr Majhu wished Ms Setanoians to explain how she felt that the employees who travelled to the hub by bus would access the existing pharmacies outwith the development. Ms Setanoians advised that she did not believe that a large number of employees travelled using public transport a view which he himself had supported when confirming the limited frequency and infancy of the bus service and timetables. Mr Majhu confirmed that the existing bus service was well used and that did she really think it was acceptable for patients to wait on a bus to travel to access pharmaceutical services during limited breaks. Ms Setanoians replied that she felt that Mr Majhu was making a lot of assumptions such as expecting that all employees worked full time and had no access to a community pharmacy within their home town or village, indeed that the demography of the residents of the proposed neighbourhood actually required pharmaceutical services at all. This prompted Mr Majhu to respond saying that businesses require to speculate on assumptions and that if his were correct how would she expect that section of the workforce to access services. Ms Setanoians's response was that the very limited number of full time personnel, with no

community pharmacy close to their residence, requiring chronic medication would require to negotiate a journey outwith Maxim Park in order to access pharmaceutical services.

Mr Majhu then asked her if she would agree that the village of Calderbank is a separate neighbourhood so the fact that a new pharmacy was soon to open had no relevance to his application. Ms Setanoians replied that the villages of Calderbank and Chapelhall being some 2 to 5 miles from his proposed site meant that they were the most accessible pharmacies and thus relevant. He then asked her why she expected that employees would leave the site during their working day given that the facilities and shops within made it a self contained area. Ms Setanoians counter argued that whilst the store was very convenient for daily items it was not suitable for a “weekly shop” therefore she was confident that the workforce would travel outwith to access larger stores for more than sandwiches for lunch, banking services, or to drop or collect children at school.

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

Mrs Wilson enquired if Ms Setanoians had any knowledge or experience of any other examples of pharmacies being located within business parks, and was informed that she was not and considered it a highly unusual concept.

Mr Sargent wished to know if she could confirm that employees within the business park accessed Lloydspharmacy or indeed any of the other existing pharmacies. Ms Setanoians advised that she had tried to find this information out in anticipation of the hearing however it was not easily possible given that the prescriptions record the patients’ home postcodes. Mr Sargent then turned this question around to ask her if she thought that any of their patients would choose to access pharmaceutical services from a new pharmacy located within Eurocentral. Ms Setanoians intimated that she would doubt that they would given that it is not easily accessible and that the area has limited facilities compared to the areas the patients would travel from, therefore it would have little or no impact on them.

As Mrs Carahar had no questions for Ms Setanoians, Mr Sinclair was next invited to speak, asking if she believed that the pharmacies within Calderbank and Chapelhall currently service the proposed population. She confirmed this adding that she felt that the proximity of Bellshill and Coatbridge made it possible that patients would also be drawn to those townships. Mr Sinclair’s final question was to ask her if she felt that the Lloydspharmacy branch in Chapelhall was easily accessible by car with sufficient parking provision. Ms Setanoians advised that she felt it was and that this was supported by the view of the NAP when they reached the recent decision that an additional contract was neither necessary or desirable within the village.

Mr Mallinson asked her for confirmation of the opening times of their branch in Chapelhall seeking confirmation that it would afford adequate time for the workforce to access the Pharmacy after they had finished for the day rather than at lunchtime. She replied that the opening times of the pharmacy meant that they could easily access services after work, and that as you get a feel for patient expectations and attendance times you would be able to react to any identified need to increase contracted hours.

Having ascertained that there were no further questions to either the applicant or interested parties, the Chair then invited the Ms Setanoians to sum up her representation.

I have nothing further I wish to add than to highlight that there are six pharmacies located within 2 miles from the proposed site. Recently, the National Appeal Panel refused an application for an additional pharmaceutical contract in Chapelhall as there was no demonstrated need. This also applies to this application and as such it should be rejected as being necessary or desirable to secure adequate pharmaceutical services.

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

We have had a lot of discussion today and heard arguments around working times, I wish to highlight that we have a population working in hub that spend most of their time there, it's a way of life for them and it is unreasonable to expect them to rush around outwith their neighbourhood to travel to access Pharmaceutical Services. I have also provided evidence to show that the neighbourhood population is increasing and that they do not have easy access outwith their environment during the working day. I would simply wish to reiterate the comments contained within my statement regarding the necessity and desirability for this contract to be granted.

Retiral of Parties

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

Having being advised that all parties in attendance were satisfied, 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 Mahju and Ms Setanoians 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 Eurocentral to note the location of the proposed premises, and also visited the surrounding townships and villages noting the location of the existing pharmacies, general medical practices, and facilities and amenities available

- ii. map showing the location of the Doctors' surgeries in relation to existing Pharmacies in the townships of Chapelhall and Calderbank, and the site of the proposed pharmacy
- iii. prescribing statistics of the Doctors within the townships of Holytown, New Stevenston, and villages of Chapelhall and Calderbank, during the period December 2009 to February 2010
- iv. dispensing statistics of the Pharmacies within the townships of Holytown, New Stevenston, and villages of Chapelhall and Calderbank, during the period December 2009 to February 2010
- v. demographic information on the townships of Holytown, New Stevenston, and villages of Chapelhall and Calderbank taken from the 2001 Census
- vi. comments received from the interested parties including existing Pharmaceutical Contractors 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 Holytown, New Stevenston, and villages of Chapelhall and Calderbank.

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, deemed the neighbourhood to be the Eurocentral Development. In reaching this decision the Committee was of the opinion that the neighbourhood constituted a distinct self contained area bounded by the A8/M8 Motorway to the North, East the B799 Bo'ness Road, the railway line to the West, with the open ground at the edge of Eurocentral up to Holytown Main Street being the Southern boundary.

- (ii) Existing Services

THE COMMITTEE

acknowledged that there were no existing Pharmacies within the defined neighbourhood, however that there were three located in close proximity (Calderbank Pharmacy, 37 Main Street, Calderbank and Lloydspharmacy, 30a Russell Street, Chapelhall, Alliance Pharmacy, 58 High Street, Newarthill).

(iii) Adequacy

THE COMMITTEE

discussed the test of adequacy and members were of the unanimous opinion that existing services were adequate, as the applicant did not propose to provide anything in addition to those currently being provided by existing contractors – this was also confirmed via the report compiled by the office of the Chief Pharmacist, Primary Care demonstrating the provision of a comprehensive range of Pharmaceutical Services alongside the core requirements of the new contract to the neighbourhood.

Leading to the opinion of adequacy the Committee gave thought to whether the existing services were accessible to patients and in so doing noted that the neighbourhood was a solely commercial facility which required the transient workforce to have good private transport arrangements due to its location, and infancy of the bus service which the applicant acknowledged. Furthermore, due to the security and parking arrangements around the Maxim Park hub it was considered that the workforce within the wider Eurocentral development would require to drive to the proposed site therefore would be able to access the existing pharmacies on the periphery given that they would pass the exit points en route (the opening times of the contractors would cater for this). There was no requirement to consider access for vulnerable members of society e.g. those who are elderly, non ambulant, on low incomes, or parents with young children in prams, given that the neighbourhood hosts a transient population of working age which you would expect to have relatively good health.

Accordingly, following the withdrawal of Mr D Sinclair in accordance with the procedure on applications contained within Paragraph 6, Schedule 4 of the National Health Service (Pharmaceutical Services)(Scotland) Regulations 2009, as amended, 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, the 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 1995, as amended.

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