

SUMMARY OF REPORT OF MEETING OF THE PHARMACY PRACTICES COMMITTEE

1. **DATE OF MEETING** - Friday 7th September 2012
2. **MEMBERS** - **Appointed by Tayside NHS Board**
Mrs L Miller
Mrs A Simpson
Mr I Wightman
- **Appointed by Area Pharmaceutical Committee**
Mr E Jenkin
Mr K McPherson
Mrs K Melville

Mrs J Golden in the Chair

3. **OFFICERS OF THE BOARD** - Miss J Haskett, Practitioner Services Manager
Mrs F Gordon, Secretarial/Administration Support Officer
4. **APPLICANT** - Mr C Tait, Boots UK
(assisted by Mr D Henderson)
5. **PROPOSED PREMISES** - Unit 2A Kingsway West Retail Park,
Cleington Road, Dundee DD3 8QF
6. **PERSONS HAVING MADE REPRESENTATION** - Mr S Majhu, Apple Pharmacy
Mr C Flood, Cleington Road Pharmacy
Ms F McIntyre, Area Pharmaceutical Committee
Mr A McNicoll, Davidson's Chemist
Mr B Ramsay, Bruce Ramsay (Dundee) Ltd
Mr C Houston, Houston Pharmacy
Ms E Griffiths, Co-operative Pharmacy
(assisted by Mr A Cargill)

7. PURPOSE OF MEETING

The meeting was called in terms of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009, as amended, to consider an application for inclusion in the Board's Pharmaceutical List from Boots UK in respect of premises at Unit 2A Kingsway West Retail Park, Clepington Road, Dundee DD3 8QF.

The application is in respect of the dispensing of medicines and supply of drugs and listed appliances as specified in the Drug Tariff.

8. CONSIDERATION

The Committee noted that within the Kingsway West Retail Park, the site of the proposed pharmacy was located to the rear of the retail store which Boots had been operating since early 2012.

The Committee noted that the Applicant had defined the neighbourhood of the proposed pharmacy to be that of the Kingsway West Retail Park in its own right but were disappointed to note the lack of consideration that the Interested Parties appeared to have given to this fundamental question.

Having considered the evidence presented and the observations from the site visit, the Committee did not concur with the Applicant's definition. The members were of the view that the Kingsway West Retail Park formed part of a wider neighbourhood which included not only other retail facilities, but also a school, a hospital and a number of mixed residential areas.

The Committee defined the neighbourhood to be bound to the north by the Kingsway dual carriageway, to the west by Kings Cross Road, to the South by Harefield Road, following on to Strathmore Avenue and travelling in a north easterly direction along Caird Avenue and up Old Glamis Road back to the dual carriageway.

In coming to this decision, the Committee considered the Kingsway West Retail Park to be a car park surrounded by inward facing retail and commercial outlets with no wider purpose or other type of facilities available. The members acknowledged both the estimated number of people who worked on the site and the high volume of transient shoppers and visitors. However, as these people would change day and daily and would access the site from their own respective neighbourhoods, the members were in full agreement that the site could not be considered as having any sense of nearness or community.

The Committee noted there to be two entrances to the retail park. One via a slip road flowing directly from the dual carriageway, the other from a junction at the traffic lights located to the west end of Clepington Road. Although there was a flyover allowing traffic to travel freely in either direction over the carriageway, there were no pedestrian crossings or walkways making journey on foot extremely treacherous. A lack of adequate pedestrian crossings and footpaths within the retail park itself, restricted crossing the retail park and did not lend towards a safe environment for those who chose to access the site on foot.

The Committee agreed that the dual carriageway formed a natural boundary separating four very distinct communities to the north, i.e. Ardler, St Marys, Downfield and Kirkton, from similarly distinct communities to the south, i.e. Lochee,

Fairmuir, the Law and Fleming Gardens. Given the demographics and facilities available within each of these areas, including ease of access to closely located pharmaceutical services, the Committee were of the view that these distinct communities were self contained and would each be considered as a neighbourhood in its own right by the residents who lived there.

Whilst the Committee noted that there was no pharmacy in the defined neighbourhood, the members were mindful that there are currently ten pharmacies located within an approximate 1 mile radius of the site of the proposed pharmacy and that this number would increase to eleven as a result of an impending minor relocation in the New Year.

The Committee acknowledged that whilst a pharmacy, particularly within an already existing particularly well known branded retail store, may be perceived as convenient to members of the public, this was not grounds to support the application as either necessary or desirable under the legal test.

The members noted there had been no evidence provided by the Applicant or had been made available to the Committee via another source, which demonstrated that the services currently being provided to the neighbourhood were inadequate. The Area Medical Committee's response to the application had been impartial and although the Area Pharmaceutical Committee's response was not quorate due to a number of conflicts of interest from members, the members who were entitled to vote had strongly opposed the application. There had been a poor response to both the Applicant and the Board's public consultation exercises, despite the Board having cascaded notices widely on two separate occasions. The members noted that the 16 contacts made to the Board, appeared in the main to have been in response to the dashed expectations of opportunistic members of the public who had accessed the retail store.

The Committee were concerned at the strong inference of convenience upon which this application was based. The members felt that the Applicant's proposal was a quick and convenient way in which shoppers could have prescriptions dispensed but that it was far removed from the current ethos of the community pharmacy as it is laid out in the Pharmaceutical Regulations. The Committee did not concur with the Applicant's suggestion that patients would introduce accessing the proposed pharmacy as routine within their normal lives and were concerned that the need for community pharmacy to work with other care services in the community and to build practitioner/patient relationships would not be possible.

The members noted that they should grant an application only if they were satisfied that the provision of pharmaceutical services at the premises named in the application was necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises were to be located by persons whose names were included in the Pharmaceutical List. The Committee agreed that, whilst the proposed pharmacy may be considered as a means of convenience to those who may visit the retail park, this in itself was not sufficient justification for awarding a contract. The Committee agreed that the neighbourhood is currently adequately served.

9. DECISION

The members of the Committee appointed by the Area Pharmaceutical Committee withdrew from the meeting. The remaining members unanimously decided that the

proposed pharmacy was neither necessary nor desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises were to be located.

The Committee refused the application.

Practitioner Services Manager
20th September 2012