

## **Minutes of the meeting of the Pharmacy Practises Committee (PPC) held on Monday 16th of December 2024 at 1000 hrs via MS Teams**

The composition of the PPC at this Hearing was.

Chair: Mr Martin Connor

Present: **Lay Members Appointed by NHS Lothian**  
Mr Michael Ash  
Mr John Niven  
**Pharmacist Members Nominated by the Area Pharmaceutical Committee**  
Mr Vinny Bilon Included in Pharmaceutical list  
Mr Mike Embrey Included in Pharmaceutical list  
Mr Barry Chapman Not included in Pharmaceutical list

### **1. NAP Chairman's Appeal decision on application by Calderwood Pharmacy Partnership Limited**

1.1 The NAP Chairman ruled in the applicant's favour in terms of Grounds of Appeal 1 in relation to the fact that at the Hearing on the 28<sup>th</sup> of August 2024 the Board had failed to properly narrate the facts and reasons upon which their determination of the application was based. In particular the Board had failed to properly consider the CAR. The NAP has therefore remitted it back for a panel to reconsider the CAR and clearly narrate the information used to evaluate the CAR and its consideration in the decision.

### **2. Meeting of PPC**

2.1 The Chair established that the hearing was quorate and asked the panel to reconsider the issue of the CAR and determine after a full discussion whether the original decision should stand or be overturned.

2.2 The Panel noted that many issues highlighted in the CAR had been the subject of questions and debate in the original hearing and in the private decision session but accepted that there had been a failure to fully consider each aspect of the CAR and narrate the deliberations that led to accepting or rejecting information. The panel therefore moved on to debate the CAR and its relevance in detail. The panel noted that the response to the CAR had been good in terms of other panels that members had attended.

2.3 The panel noted that in question 1 of the CAR the vast majority of responses accepted the neighbourhood as accurate. The original Panel had not accepted the proposed neighbourhood due to the area applied for being extremely small, and lacking in infrastructure, apart from a convenience store. The reconvened panel saw no reason to change that view. The panel noted that this meant that people in the original proposed neighbourhood would have to travel outside the area to access shopping, GP surgeries and secondary education. The panel noted that the change to the neighbourhood reduced the percentage of CAR responses against a larger population. It also

meant that the views of people outside the original area but inside the larger neighbourhood may be different from the original responders.

- 2.4 In question 2 just over 50% said they did not receive their prescriptions in a timely manner. The panel noted that the main criticisms were around wait times for prescriptions, waiting times at the pharmacy and stock shortages. The panel noted that most of the adverse comments were about the nearest pharmacy in East Calder but also noted that there were another eight pharmacies within a three-mile radius.
- 2.5 The pharmacist members of the committee gave evidence that the period of the CAR was in the winter when demand on all pharmacies is high and will involve delays. The pharmacist members also evidenced that stock shortages were a national problem at the time of the application through to the present day.
- 2.6 The panel noted that since the CAR Lindsay & Gilmour in East Calder had taken on more staff to help with prescription fulfilment and had installed a prescription collection robot to reduce the need to queue.
- 2.7 The panel recognised the issues by some responders but did not believe there was evidence of a structural inadequacy of the delivery of pharmacy services in the area.
- 2.9 In Question 3 just over 80% of respondents thought that there were gaps/deficiencies in the existing provision. The panel noted that a lot of the comments again were about waiting times and queuing rather than gaps in provision and mirrored the issues in question 2 or were about access issues which appear in question 4. The panel noted that other comments tended to be about convenience or about services which were not part of the required pharmacy provision.
- 2.10 In question 4 just over 54% of respondents had issues with access to the current pharmaceutical services. The comments were mainly around parking, distance lack of buses and waiting times. Some comments were from respondents with disabilities. The panel noted that again a lot of the comments were about the nearest pharmacy whereas there are other providers within a 3-mile radius.
- 2.11 The panel noted that on their visits (all at different times) the nearest pharmacy did lack parking, but all members managed to park. The panel had no parking difficulties at any of the other pharmacies. Some members of the panel did encounter a queue at the East Calder pharmacy, but this was contained within the shop. No queues were encountered at any of the other pharmacies. The panel noted that one of the members had used the bus service and found an adequate service serving both the nearest pharmacies. The panel noted that all the pharmacies in the area provided delivery services for people who could not get to a pharmacy

- 2.12 The panel again discussed the fact that the lack of infrastructure meant that people would have to travel outside the area to access services and therefore could access pharmacy services outside the area. The panel noted that no formal complaints had been lodged against any of the providers.
- 2.13 The committee discussed the responses to questions 5 to 12 and agreed that the responses were very positive in support of the application. The committee noted that almost all the comments to questions 5 to 12 were about convenience rather than inadequacy.
- 2.14 The committee noted that the answer to question 7 where 71% of respondents did not think anything was missing from the proposed list of services seem to contradict the responses to question 3 where 80% believed there were gaps in services even though the present and proposed provision was the same.
- 2.15 Having fully discussed the CAR the pharmacist members were asked to retire to allow the committee to come to a decision.

### **3. Conclusion**

- 3.1 The committee concluded that after reconsideration of the CAR that the weight of evidence provided did not demonstrate any inadequacy of the existing pharmaceutical services to the defined Neighbourhood.**
- 3.2 Accordingly, the decision of the committee was unanimous that the original decision to reject the application was correct.**

Signed by the Chair

Date 16 December 2024