

READING HEALTH AND WELLBEING BOARD

DATE OF MEETING:	12 th OCTOBER 2018	AGENDA ITEM:	11
REPORT TITLE:	CONSULTATION - PHARMACEUTICAL SERVICES APPLICATION		
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ORGANISATION:	COMMISSIONING & WELLBEING TEAM		

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This paper is to update the Health and Wellbeing Board (HWB) on an application received to consolidate Boots UK Ltd, 45 St Martins Precinct, Church Street Reading, Berkshire RG4 8BA and Day Lewis PLC, Rankin Pharmacy currently at 30 Church Street, Reading, Berkshire, RG4 8AU.
- 1.2 Paragraph 19 (5), Schedule 2 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (as amended) requires the HWB to make representation on consolidation applications to NHS England.
- 1.3 Representation should be sent within 45 days of the date of the initial notice.
- 1.4 An application has been received (see Appendix A, B and C) and a response is needed by 29th October 2018.

2. RECOMMENDED ACTION

- 2.1 Note the impact on local provision (outlined in Section 4.2 and 4.3) of the application to consolidate (Appendix B).
- 2.2 To support the proposed response that if this application were to be granted, that the removal of premises from the local pharmaceutical list would not create a gap in local pharmaceutical service provision.

3. BACKGROUND

- 3.1 As outlined in the [Health and Social Care Act 2012](#) - as of the 1st April 2013 every HWB has had a statutory responsibility to publish, and keep up to date, a statement of the needs for pharmaceutical services in their area. This is referred to as the Pharmaceutical Needs Assessment (PNA). The most recent PNA was endorsed by the HWB and published 1st April 2018.
- 3.2 Paragraph 19 (5), Schedule 2 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (as amended) requires the HWB to make representations on consolidation applications to NHS England. Those representations must (in addition to any other matter about which the Health and Wellbeing Board wishes to make representations) indicate whether, if the application were granted, in the opinion of the Health and Wellbeing Board the proposed removal of premises from the pharmaceutical list would or would not create a gap in pharmaceutical services that could be met by a routine application (a) to meet a current or future need for pharmaceutical services, or (b) to secure improvements, or better access, to pharmaceutical services.

- 3.3 Applications to consolidate are dealt with as “excepted applications” under the 2013 Regulations, which means they are not assessed under the local PNA, rather they follow a simpler procedure. Their key focus is whether or not a gap in pharmaceutical service provision will be created as a result of the consolidation.
- 3.4 Some provision is made in respect of continuity of services – for example, if the NHS Commissioning Board (NHSCB) intends to commission from the applicant “enhanced services” (additional pharmaceutical services, such as minor ailments schemes, that are commissioned locally) that have been provided at or from the closing premises, the applicant is required to provide undertakings to continue to provide those services (regulation 11). If the NHSCB is satisfied that the consolidation would create a gap in pharmaceutical services provision, it must refuse the application (regulation 7).
- 3.5 The opinion of the HWB on this issue must be given when the application is notified locally and representations are sought (regulations 12 and 13). If the application is granted and pharmacy premises are removed from the relevant pharmaceutical list, if the HWB does not consider that a gap in service provision is created as a consequence, it must publish a supplementary statement published alongside its pharmaceutical needs assessment recording its view (regulation 3).
- 3.6 Also, if the NHSCB does grant the application, it must then refuse any further applications known as “unforeseen benefits applications” by other chemists seeking inclusion in the pharmaceutical list, if the applicant is seeking to rely on the consolidation as a reason for saying there is now a gap in provision, at least until the next revision of the PNA (regulations 5 and 6).
- 3.7 The Health and Wellbeing Board’s representations need to be returned within 45 days of an application being received. Comments submitted will be shared with other interested parties and the application, and may be shared under the Freedom of Information Act as requested.

4. CURRENT APPLICATIONS

- 4.1 The HWB received a letter from the NHSCB (Appendix A) dated 14th September 2018 notifying us of an application (Appendix B) for consolidation of Boots UK Ltd, 45 St Martins Precinct, Church Street Reading, Berkshire RG4 8BA and Day Lewis PLC, Rankin Pharmacy currently at 30 Church Street, Reading, Berkshire, RG4 8AU (see Appendix C for map).
- 4.2 If this application were to be granted, it is the opinion of Officers based on evidence from the PNA together with contractual information for locally commissioned services, that the proposed removal of premises from its pharmaceutical list would not create a gap in pharmaceutical service provision that could be met by a routine application by a routine application (a) to meet a current or future need for pharmaceutical services; or (b) to secure improvements, or better access to pharmaceutical services.
- 4.3 Both pharmacies provide locally commissioned services (LCS) for supervised consumption. The consolidation will have no impact on supervised consumption this is the proviso that staff delivering the services under the relevant patient group directives remain in post.
- 4.4 Both pharmacies have been offered contracts to deliver emergency hormone contraception [EHC] however only Rankin Pharmacy has a signed contract and has small activity. The consolidated site will have the opportunity to deliver this service, but this will be dependent on a signed contract and having appropriately trained staff onsite to deliver. There are other local provisions in the area which also deliver EHC but this is to be noted.

- 4.5 Neither site currently offer provision of needle exchange but should the need arise in the future a single provision would sufficiently meet the need in the community.
- 4.6 The consolidation will have no impact on opening hours nor will it create any significant additional travelling time to local residents.
- 4.7 The consolidation will have no impact on the community's access to a Health Living Pharmacy. Both sites are currently Healthy Living Pharmacies, and there is no plan to remove this function for the consolidated service.
- 4.8 Based on this evidence the sources of information available it is our assessment that the removal of this premises would not create a gap in local pharmaceutical service provision that will or could not be met.

5. SUPPORTING PAPERS

- Appendix A - Notification of Application to HWB 14.9.2018
- Appendix B - Consolidation Application
- Appendix C - attachments