

Extract from Minute of the NHS Forth Valley Pharmacy Practices Committee – 3rd April 2013 -Walter Davidson & Sons Ltd, Eastmost Shop, Myrtle Grove, Killin

Committee deliberations on the Application, the presentations and all supporting documentation

The Committee undertook a full and wide ranging discussion regarding the Application, the presentations that it had just heard and all of the supporting documentation available to it and relevant to the Application. The Committee also took into consideration its obligations in terms of the Equality Act 2010, including the requirement to eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the said Act, as well as to advance equality of opportunity between people who share a protected characteristics and those who do not and to foster good relations between people who share protected characteristic and those who do not.

Neighbourhood

The Committee considered the evidence presented to it on the issue of neighbourhood, including that provided by the Area Pharmaceutical Committee and the Committee's own observations from its site visit. It also took account of existing Community Council boundaries and data zone information.

The Committee noted that there were a number of factors to be considered in defining the neighbourhood. These included its rural locality and character and the fact that it would effectively form a catchment area for services, such as shops, schools, banks, post offices and general medical practices. A further factor was the ease of vehicular transport access into and out of Killin, as opposed to other centres of population in the surrounding area. The Committee decided that the neighbourhood in which the premises were located comprised both the village of Killin and the area surrounding the village, being bound on the North by a straight line drawn westwards from Lawers to Kenknock; on the West by a straight line drawn from Kenknock, southwards to the intersection of the A85, adjacent to the Caravan Park; on the South following the A85 eastwards, to the junction at Lix Toll, and then taking a straight line on to Ardeonaig and on the East by a line drawn in a northerly direction, across Loch Tay, to Lawers. The Committee considered that the neighbourhood, as defined by the Applicant, incorporated too large a proportion of the countryside surrounding Killin, taking in areas to the North, to which vehicular access was difficult, even outwith winter months. It also considered that small centres of population in the outlying parts of the neighbourhood as defined by the Applicant would be more likely to gravitate to centres other than Killin for their regular service requirements. Within this neighbourhood boundary, as defined by the Committee, and based on data available to the Committee, it was considered that the neighbourhood population was approximately 1,000 people.

Adequacy of Existing Provision of Pharmaceutical Services and Necessity or Desirability

Having reached a decision on the neighbourhood, the Committee was then required to consider the adequacy of existing pharmaceutical services in the neighbourhood, and whether granting the Application was necessary or desirable to secure adequate provision of pharmaceutical services in the neighbourhood.

Within the neighbourhood, as defined by the Committee, it was noted that there were currently no pharmacies providing pharmaceutical services. All pharmacies that could provide pharmaceutical services to the neighbourhood, from outwith, were far distant from the main centre of population of the neighbourhood, necessitating a round trip of approximately 45 miles, by road.

The Committee noted the evidence before it regarding both the size of the resident neighbourhood population and that such population was not forecast to grow substantially in the next few years due to any sizeable new housing development. It also noted that the neighbourhood population rose significantly each year, on a seasonal basis, and that Killin provided a year round focus for recreational pursuits and outdoor events. The Committee took account of the evidence available on the issue of population demographics, concluding that there was, generally, an aging residential population within the neighbourhood, with a care home being located within its boundaries. The Committee also noted that car ownership in the neighbourhood was at a fairly high level, as would be anticipated in such a rural situation.

On the issue of access to existing pharmaceutical services located outwith the neighbourhood, the Committee considered that it had relatively little information before it regarding where the neighbourhood population currently accesses the full range of pharmaceutical services. However, the Committee did take particular account of the fact that all pharmacies located outwith the neighbourhood were located a significant number of miles from the centre of the neighbourhood population. The Committee considered that such outlying pharmacies all lay too far distant from the neighbourhood to reasonably expect its population to access pharmaceutical services by road, either by using private vehicles or public transport.

The Committee considered the issue of the viability of a pharmacy at the premises. It was the view of the Committee that there would be no likely significant viability issues for a pharmacy at the premises. This view was based on the financial information made available to the Committee by both the Applicant and the Interested Party, which could be accepted by the Committee, and also the information available to it regarding the levels of prescription activity currently handled under dispensing arrangements by the practice. The Committee did not consider that any other pharmacies outwith the neighbourhood would be significantly affected by the opening of a new pharmacy at the premises, given their location far distant from the neighbourhood, and their apparent provision of only very low levels of pharmaceutical service for residents of the neighbourhood. The Committee was also satisfied that there would be no likely delays in opening a pharmacy at the premises and it welcomed assurances made by the Applicant that existing delivery arrangements would be maintained and the frequency of deliveries to drop off points improved.

The Committee was both appreciative and mindful of the expressed views of those people who had written to the Board in respect of the Application, or had otherwise communicated their position by taking part in the consultation process, including the petitioning exercise. However, in that the dispensing services currently being provided to patients by the practice did not constitute pharmaceutical services in terms of the Regulations, the Committee was unable to take such dispensing services into account in its consideration of adequacy of pharmaceutical services within the neighbourhood.

In accordance with the statutory procedures, non voting Committee members and the representative from the CLO left the meeting to allow voting to take place

Decision

For the reasons set out above, the Committee considered that the provision of pharmaceutical services in the neighbourhood was inadequate. The decision of the Committee was that the provision of pharmaceutical services at the premises was necessary in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises were located by persons whose names are included in the Pharmaceutical List and that, accordingly, the Application was granted.