

Appendix A: Application

Our Ref: ME3093



Primary Care Support England
PCSE Enquiries, PO Box 350
Darlington, DL1 9QN
Email PCSE.marketentry@nhs.net
Phone 0333 014 2884

To all interested parties on the
enclosed distribution list

27th December 2023

Dear Sir/Madam,

**Re: Application offering Unforeseen benefits at Kingsland Centre, The Broadway,
Thattham RG19 3HN by LP SD One Hundred Seven Limited**

We have received the above application, a copy of which is enclosed, and NHS England has completed its preliminary checks. We are now notifying interested parties of the application.

If you wish to make written representations on this application they should be sent to me at the above address within 45 days of the date of this letter i.e. by 10th February 2024. You should note that any comments submitted will be shared with other interested parties and the applicant, and may be shared under the Freedom of Information Act as requested.

NHS England will consider all representations that are received and will arrange an oral hearing to determine the application if it identifies a matter on which it wishes to hear further evidence.

I can confirm that no information that has been received in relation to this application is being withheld under paragraph 21(4), Schedule 2 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013.

Yours faithfully,

A handwritten signature in cursive script that reads 'F. Asif'.

Faiza Asif
Pharmacy Market Administration Services
Primary Care Support England

Chapter 15

Annex 1

Application Form

Application offering unforeseen benefits

Application for inclusion in the pharmaceutical list for the area of

West Berkshire (name of health and well-being board).

This is an application offering unforeseen benefits and as such is a routine application under regulation 18 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (the Regulations).

Please complete this form as legibly as possible.

Applicants should note that information provided in this form may be disclosed where this application is required to be notified to other parties or in response to a request made under the Freedom of Information Act 2000. Applicants are referred to paragraph 21 of Schedule 2 of the Regulations which sets out NHS England or the relevant delegated integrated care board's responsibilities in relation to information provided in this application form which an applicant advises is confidential.

1 Information regarding the applicant

1.1 Full name and correspondence address of the applicant

LP SD ONE HUNDRED SEVEN LIMITED

1.2 Applicant's legal entity

I/we am/are applying as a:

(Please tick relevant box. Only one box may be selected. GPhC/PSNI registration numbers only need to be provided for pharmacy applications.)

Sole trader

**My GPhC/PSNI
registration number is**

Partnership

Please list each partner and their GPhC/PSNI registration number:

Corporate Body

**Superintendent's name and GPhC
registration number is**

Mr. Nishaan Amin 2218036

1.3 Provision of fitness information required by Part 1, Schedule 2 of the Regulations

(Please tick relevant box)

I/We have provided the required fitness information on a previous occasion to NHS England or the relevant delegated integrated care board or, before 1 April 2013, to a home primary care trust, and there is no missing information. I confirm that the previously provided information remains up-to-date and accurate.

Please set out below when and to whom the information was provided. If NHS England or the relevant delegated integrated care board cannot locate the information previously supplied after using reasonable efforts to locate it, you will be asked to provide it again.

CAS-119535-T1H5V8 2/3/2022 and, CAS-3261214-T2L7L7 22/4/2022, and CAS-26468-ROP3C8 5/10/2020 and COD - CAS-259015-L3C9Y4

I/We have already provided the fitness information on a previous occasion to NHS England or the relevant delegated integrated care board or, before 1 April 2013, to a home primary care trust, but there is missing information. I confirm that the remainder of the previously provided information remains up-to-date and accurate.

Please indicate what information NHS England or the relevant delegated integrated care board already has and when and to whom it was provided, and confirm the missing information that is being provided. If NHS England or the relevant delegated integrated care board cannot locate the information previously supplied after using reasonable efforts to locate it, you will be asked to provide it again.

I/We have provided the required fitness information with this application.

1.4 Relevant fee

I/we include the relevant fee for this application.

2 Proposed premises

(Please tick relevant box. Only one box may be selected.)

I/we know the address of the proposed premises

I/we provide a best estimate of the location of the proposed premises

Please provide the address or best estimate of the proposed premises

Best estimates are to be precise as possible. Phrases such as "in the vicinity of" and "within 100m of the junction of the High Street and Church Lane" are unlikely to be considered acceptable.

Kingsland Centre, The Broadway, Thatcham, RG19 3HN

There are several units available in the Kingsland Centre that would be fit for purpose for usage having previously been a tenant of a Lloyds Pharmacy. The plus code that will take you to the location of the proposed contract is: CP3V+35 Thatcham. The proposed location is also flagged with a red pin in the attached screenshot.

Screenshot 2023-11-15 at 20.53.21.png

(Only complete the question below if you know the address of the proposed premises)

These premises are currently in my/our possession*

* by rental, leasehold or freehold

Yes No

3 Opening hours

3.1 Proposed core opening hours

Core opening hours must total 40 hours per week for pharmacies or not less than 30 hours for DACs, unless the applicant is proposing more core opening hours to secure unforeseen benefits in which case NHS England or the relevant delegated integrated care board will need to agree with you when these additional core opening hours would be.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	0	0	40:00

3.2 Total proposed opening hours

The total opening hours includes the core hours and any supplementary opening hours.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
08:30 - 09:00; 09:00 - 17:00; 17:00 - 18:00	08:30 - 09:00; 09:00 - 17:00; 17:00 - 18:00	08:30 - 09:00; 09:00 - 17:00; 17:00 - 18:00	08:30 - 09:00; 09:00 - 17:00; 17:00 - 18:00	08:30 - 09:00; 09:00 - 17:00; 17:00 - 18:00	09:00 - 17:00	10:00 - 16:00	61:30

4 Pharmaceutical services to be provided at these premises

Essential services (paragraphs 3 to 22, Schedule 4 – pharmacies)

Or

Terms of service (paragraphs 3 to 12, Schedule 5 – DACs)



If you are undertaking to provide appliances, specify the appliances that you undertake to provide (or write 'none' if the pharmacy does not provide appliances).

Please give details of any advanced and enhanced services you intend to provide.

Please note that enhanced services are those commissioned by NHS England or the relevant delegated integrated care board. Do not include services which are commissioned by the local authority/council or any other commissioner.

These details should include:

- confirmation that you are accredited to provide the services where that accreditation is a prerequisite for the provision of the services;
- confirmation that the premises are accredited in respect of the provision of the services where that accreditation is a prerequisite for the provision of the services; and
- a floor plan showing the consultation area where you propose to offer the services, where relevant. Where a floor plan showing the consultation area cannot be provided please set out the reasons for this.

Service	Accredited to provide (Y/N/NA)	Premises accredited (Y/N/NA)
New medicine service (NMS)	Y	Y
Community Pharmacy Seasonal Influenza Vaccination	Y	Y
Community Pharmacist Consultation Service (CPCS)	Y	Y
Hypertension Case Finding Service	Y	Y
Smoking Cessation	Y	Y
Home Delivery Service	Y	Y
Medication Review Service	Y	Y
Needle and Syringe Exchange Service	Y	Y
Out of hours service	Y	Y
Patient Group Direction Service	Y	Y
Supervised Administration Service	Y	Y
Emergency Supply Service	Y	Y

I/we confirm that the pharmacy premises will have a consultation room that meets the requirements of paragraph 28A, Schedule 4 of the Regulations.

Yes



Floor plan showing consultation area

The floor plan attached shows the layout of the kingsland centre and highlights an example of the unit which we would secure. the layout of the property will easily accommodate a minimum of two consultation rooms.

Screenshot 2023-11-15 at 21.00.42.png

5 Applications in relation to premises that are in close proximity to other listed chemist premises

This section should only be completed if the premises included in section 2 above are adjacent to, or in close proximity to, another pharmacy or dispensing appliance contractor premises.

In my/our view this application should not be refused pursuant to Regulation 31 for the following reasons:

6 Information in support of the application

In making this application I/we am/are offering to secure improvements or better access that were not included in the HWB's pharmaceutical needs assessment.

Please describe the unforeseen benefit(s) that you are offering to secure and how it will secure improvements or better access to pharmaceutical services, or pharmaceutical services of a specified type in the HWB's area.

Since the last PNA the HWB published a review of the pharmacy provisions which considered whether there was a gap in provisions or not in April 2023 when Lloyds Pharmacy Ltd submitted notice of their intentions to close two contracts:
<https://decisionmaking.westberks.gov.uk/documents/s112552/11.%20Pharmacy%20Closures.pdf>

Since the last PNA the number of closures stands as 3 and now with recent news that Boots-FE788 will be closing the contract on 17th January 2024 the number of closures will stand at 4. With no remaining contract offering 7 day a week service that cover the opening hours of the main two GP surgeries in Thatcham.

Currently if a patient within the area of Thatcham requires pharmacy service provisions on a Sunday they will have to travel and have the means of travelling over 3 miles away to access these services.

There are two contracts in the area that will remain operational in 2024 and that is Halo Pharmacy and Thatcham Pharmacy, both of which are independently operated. Only Thatcham Pharmacy offers a free delivery service 5 days a week with no restrictive parameters surrounding the service. Neither of the two contracts operate Sunday access.

The closure of the 3 pharmacies (excluding the boots closure that is in sight) saw a reduction in the overall availability of essential provision in the district. The closures have led to an increase in the average number of items dispensed in other pharmacies. Remaining contractors were able to accommodate an increase in capacity but since they have absorbed the pharmacy provision needs since the said closures, it is unlikely they have more capacity to cover the dispensing volume of the boots that is closing (roughly 14,000 items per month)- specifically the corporate operators.

Please explain how you intend to secure the unforeseen benefit(s).

There has been huge worry seen in social media from the residents of thatcham and newbury voicing their concerns at the lack of pharmacy provisions. We have the support of local GP surgeries who believe there is a gap in the pharmacy provisions and this is currently acting as an antagonist against the run of the grain that is the world of pharmacy at the moment. We are being relied on more every day by GP surgeries to help reduce the pressures they face by being more accessible and also a source of care for patients that need to be seen more urgently than the earliest GP appointment that is available- with the closures this area is facing the pressures are only getting worse for the surgeries.

Patients in the area currently have no source of door step delivery for medication if they need or request it, other than turning to distant selling pharmacies. These pharmacies rely on the likes of Royal Mail and face difficulties delivering cold chain and controlled drug products. With the lack of reliability with the postal services, especially with Thatcham recently being labelled the most troubled sorting facility for mail in the UK, we would be negligent to essentially force patients to turn to this form of pharmacy provisions when the opportunity to give them a locally operated service is a choice.

We have approximately 201 parking spaces at The Kingsland Centre and a huge weekly footfall, giving us the biggest car parking facility available to customers and the residents of the local area. We have off road access and are situated in a dedicated centre which has been designed to have good public transport links.

Our delivery service will run 7 days a week as well as our Pharmacy opening provisions.

Not only will we be able to help improve the provisions in the area for patients but also by being more accessible with opening times and location will mean other service providers will have a means of providing seamless care to patients that require it out of hours e.g. on a Sunday.

There is also several large developments going ahead in Thatcham and the PNA also did not account for the increase in housing/population

7 Undertakings

By virtue of submitting this application I/we undertake to notify NHS England or the relevant delegated integrated care board within 7 days of any material changes to the information provided in this application (including any fitness information provided under paragraph 3 or 4, Schedule 2) before:

- the application is withdrawn,
- while the application remains the subject of proceedings, the proceedings relating to the application reach their final outcome and any appeal through the courts has been disposed of, or
- if the application is granted, I/we commence the provision of the services to which this application relates,

whichever is the latest of these events to take place.

I/We also undertake to notify NHS England or the relevant delegated integrated care board if I/we am/are included, or apply to be included, in any other relevant list before:

- the application is withdrawn,
- while the application remains the subject of proceedings, the proceedings relating to the application reach their final outcome and any appeal through the courts has been disposed of, or
- if the application is granted, I/we commence the provision of the services to which this application relates,

whichever is the latest of these events to take place.

I/We also undertake:

- to comply with all the obligations that are to be my/our terms of service under Regulation 11 if the application is granted, and
- in particular to provide all the services and perform all the activities at the premises listed above that are required under the terms of service to be provided or performed as or in connection with essential services.

The following only applies where the applicant is seeking to provide directed services. I/We:

- undertake to provide the directed services mentioned in this application if they are commissioned within 3 years of the date of grant of this application or, if later, the listing of the premises to which this application relates,
- undertake, if the services are commissioned, to provide the services in accordance with an agreed service specification, and
- agree not to unreasonably withhold my/our agreement to the service specification for each directed service I/we are seeking to provide.

I confirm that to the best of my knowledge the information contained in my/our application is correct.

Organisation Name	Address1	Address2	Address3	Address4	PostCode
Applicant					
FE788	BOOTS	THATCHAM HEALTH CENTRE	BATH ROAD	THATCHAM	RG18 3HD
FJ120	HALO PHARMACY LIMIT	3-5 CROWN MEAD	BATH ROAD	THATCHAM	RG18 3JW
FP715	LLOYDSPHARMACY	UNIT 2 BURDWOOD CENTRE	STATION ROAD	THATCHAM	RG19 4YA
Boots H/O					
West Berkshire HWB Berks, Bucks & Oxon LMC Community Pharmacy Thames Valley. Healthwatch West Berkshire					
Commissioning Board					

Chapter 29

Annex 7

Unforeseen benefits application – best estimate

Application by LP SD One Hundred Seven Limited (the applicant) to open a pharmacy at Kingsland Centre, The Broadway, Thatcham RG19 3HN.

Explanatory notes by Buckinghamshire, Oxfordshire and West Berkshire ICB

Q1.What is this application for?

The applicant wishes to open an NHS pharmacy at Kingsland Centre, The Broadway, Thatcham RG19 3HN

A pharmacy can only give patients medicines prescribed by NHS GPs if it has Buckinghamshire, Oxfordshire and West Berkshire ICB's permission. We give permission if we think that another pharmacy is needed in the area.

These notes explain the process we follow when deciding whether to give permission.

Q2.Why have I been sent a copy of the application?

You are being invited to make comments on the application before Buckinghamshire, Oxfordshire and West Berkshire ICB takes a decision on whether the pharmacy can go ahead. Any comments must be received before the end of the 45-day period mentioned in the letter.

Applications are not confidential. If you want, you may share details with anyone else who might be interested. They can also make comments within the same 45-day period.

Any comments we receive will be sent to the applicant. They will have a chance to respond to us about those comments.

When we come to make a decision, Buckinghamshire, Oxfordshire and West Berkshire ICB will consider any comments it has received and any response to those comments from the applicant.

Q3.What would the pharmacy's opening hours be and what services would it provide?

Section 3 of the application form includes the proposed opening hours.

"Core opening hours" are those which the pharmacy would be unable to change without our permission.

The pharmacy may also open for longer. This is called having "supplementary opening hours". The pharmacy would be able to change these by giving us five weeks' notice.

Every pharmacy must dispense NHS prescriptions, accept unwanted medicines for disposal and give advice on how to treat minor illnesses yourself.

Pharmacies may also offer other services. Most pharmacies offer:

- the community pharmacist consultation service, which is where your GP practice refers you to a pharmacy for help with a minor ailment,
- the New Medicines Service, which is advice when someone starts a new drug, and
- vaccinations against flu.

The Applicant has also listed, in section 4 of the application, several other services which are paid for by West Berkshire County Council, Buckinghamshire, Oxfordshire and West Berkshire ICB, NHS England or other organisations.

Q4. Why does the applicant want to open a pharmacy?

To be given permission the applicant needs to prove that a new pharmacy would provide “significant benefits”. The reasons why the applicant thinks that there would be significant benefits are included in section 6 of the application form.

Q5. How will Buckinghamshire, Oxfordshire and West Berkshire ICB decide whether to give permission for a new pharmacy?

When considering whether to grant the application, we will look at:

- whether or not there is already a reasonable choice of pharmacy
- how easy it is for people who live or work near the applicant’s proposed pharmacy to travel to existing pharmacies
- walking routes, bus services and access by car (including parking)
- whether people who are disabled, elderly, have young children or have other particular needs currently have problems using local pharmacies, and would benefit from the proposed pharmacy
- whether opening another pharmacy would have any significant negative effects.

Q6. When will a decision be made?

We expect to make a decision by 22nd March 2024

Q7. What will happen if permission is given?

If we decide to give permission for the pharmacy to open, this does not automatically mean that it will happen. Other local pharmacies may be able to appeal against the decision. Appeals are dealt with at national level by NHS Resolution.

If no appeals are received or if they are rejected by NHS Resolution, the applicant would then have six months to tell us the exact address of the pharmacy. The applicant would then have a further 12 months to open the pharmacy, although this could be extended to 15 months. If those deadlines were not met, then the permission would expire.

Q8. What if permission is refused?

The applicant would be able to appeal.

[NHS England’s [Privacy Notice](#) describes how certain services are provided on behalf of Integrated Care Boards and how personal data is used. It also explains how you can invoke your rights as a data subject. We will protect your information in line with the requirements of the Data Protection Act 2018.

How we will involve patients in decisions on pharmacy applications

When we receive an application to move an existing pharmacy or to open a new pharmacy we must write to:

- nearby pharmacies
- in some cases, nearby doctors' surgeries
- the Health & Wellbeing Board which is a committee of the borough, county or city council, and
- the local Healthwatch organisation, which exists to represent local patients in general

We send them a copy of the application and invite them to make comments within 45 days. Comments can be made by letter or email.

In addition, the law requires us to involve patients in our decision-making. We may do this by sending copies of pharmacy applications to:

- city/district and county councillors covering the area involved
- the town or parish council covering the area. In areas which do not have a town or parish council we may instead contact prominent community, neighbourhood or residents' groups
- patient representative groups attached to nearby doctors' surgeries.

They will also be invited to make comments within 45 days.

When we send them a copy of an application we will also send notes to explain:

- what the application is about
- why they are being asked for comments
- what we will consider when making a decision, and
- what happens next after a decision is made.

Applications are not confidential. If they want, councillors or patient groups may share details with local people so they can also make comments within the same 45 day period.

Any comments we receive will be sent to the pharmacy applicant. They will have a chance to respond to us about those comments.

Most applications are decided using written information, including any comments received.

In general, we will not hold public meetings about pharmacy applications. This is because an applicant cannot be made to attend to respond directly to any questions from members of the public.

However, we may hold a hearing if we need more information before making a decision. Where written comments from councillors or patient groups suggest that local people hold strong views, we will invite those councillors or patient groups to attend the hearing.

The hearing will be held in public so that (although members of the public will not be able to ask questions) they will be able to hear the arguments for and against the application. These will include any comments made by their representatives and the responses received.

All comments at the meeting will be taken into account in making a final decision on the pharmacy application.



The floor plan attached shows the layout of the kingsland centre and highlights an example of the unit which we would secure. the layout of the property will easily accommodate a minimum of two consultation rooms.