

Notice of Meeting



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Pharmaceutical Needs Assessment Sub-Committee

Tuesday, 23 January 2024 at 2.00 pm
in Council Chamber Council Offices
Market Street Newbury

This meeting can be viewed online at: www.westberks.gov.uk/hwbblive

Date of despatch of Agenda: Monday, 15 January 2024

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Gordon Oliver on (01635) 519486
e-mail: gordon.oliver1@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk.



**Agenda - Pharmaceutical Needs Assessment Sub-Committee to be held on Tuesday, 23
January 2024 (continued)**

To: Councillor Alan Macro (Executive Portfolio Holder: Adult Social Care and Health Integration) (Chairman), Sarah Webster (Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board) (Vice Chairman), Prof John Ashton (Director of Public Health) and April Peberdy (Acting Service Director - Communities and Wellbeing)

Agenda

Part I

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1	Apologies To receive apologies for inability to attend the meeting (if any).	1 - 2
2	Declarations of Interest To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' Code of Conduct .	3 - 4
3	Unforeseen Benefits Application - Kingsland Centre, Thatcham Purpose: To consider the application offering unforeseen benefits for a new pharmacy at Kingsland Centre, The Broadway, Thatcham, RG19 3HN by LP SD One Hundred Seven Limited.	5 - 28
4	Application offering Unforeseen Benefits - Newbury Town Centre Purpose: To review representations made in relation to an application offering unforeseen benefits for a new pharmacy in Newbury Town Centre by C-A-Health Ltd and consider whether to submit any further comments in response to the matters raised in the other parties' representations.	29 - 64

Sarah Clarke
Service Director: Strategy and Governance

If you require this information in a different format or translation, please contact Stephen Chard on telephone (01635) 519462.

Agenda Item 1

PNA Sub-Committee – 23 January 2024

Item 1 – Apologies

Verbal Item

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Agenda Item 2

PNA Sub-Committee – 23 January 2024

Item 2 – Declarations of Interest

Verbal Item

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Application offering Unforeseen Benefits – Kingsland Centre, Thatcham

Report being considered by:	Health and Wellbeing Board – Pharmaceutical Needs Assessment Sub-Committee
On:	23 January 2024
Report Author:	Gordon Oliver
Report Sponsor:	John Ashton
Item for:	Decision



1. Purpose of the Report

This report provides details of an application offering unforeseen benefits for a new pharmacy at Kingsland Centre, The Broadway, Thatcham, RG19 3HN by LP SD One Hundred Seven Limited.

2. Recommendation(s)

The Pharmaceutical Needs Assessment Sub-Committee is asked to agree the written representation to be submitted to Primary Care Support England in response to the application on behalf of the West Berkshire Health and Wellbeing Board.

3. Executive Summary

- 3.1 The West Berkshire Health and Wellbeing Board has a duty to keep its Pharmaceutical Needs Assessment (PNA) under review in the light of any notifications of changes in provision of pharmaceutical services within the district.
- 3.2 The Health and Wellbeing Board is also a statutory consultee on any application for a new pharmacy within West Berkshire that offers benefits that were unforeseen when the PNA was prepared.
- 3.3 A notification was received on 27 December 2023 advising of an application for a new pharmacy at the Kingsland Centre in Thatcham by LP SD One Hundred Seven Limited, which offered unforeseen benefits.
- 3.4 The implications for the above change has been assessed in accordance with national guidance and legislative requirements.

4. Supporting Information

Background

- 4.1 The Health and Social Care Act 2012 established health and wellbeing boards and made them responsible for developing and updating PNAs from 1 April 2013. The NHS Act 2006, amended by the Health and Social Care Act 2012, sets out the requirement for health and wellbeing boards to develop and update PNAs. The NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013, as amended, set out the minimum information that must be contained within a PNA and outline the process that must be followed in its development.

- 4.2 PNAs are used and referred to by those wishing to open a new pharmacy or dispensing appliance contractor premises. They are used by Integrated Care Boards to determine applications, and NHS Resolution refers to them when applications go to appeal.
- 4.3 Following publication of a PNA, health and wellbeing boards must assess the impacts of any changes in provision of pharmaceutical services in their area.

Unforeseen Benefits Application for a New Pharmacy

- 4.4 A notification was received on 27 December 2023 from Primary Care Support England (which administers applications on behalf of NHS England), advising of an unforeseen benefits application for a new pharmacy in Thatcham town centre by LP SD One Hundred Seven Limited. The proposed location for the pharmacy is Unit 7, Kingsland Centre, The Broadway, Thatcham, RG19 3HN. A copy of the notification and the associated application is provided in Appendix A.
- 4.5 Proposed opening hours are set out below:

	Core Opening Hours	Total Opening Hours
Monday	09:00 – 17:00	08:30 – 18:00
Tuesday	09:00 – 17:00	08:30 – 18:00
Wednesday	09:00 – 17:00	08:30 – 18:00
Thursday	09:00 – 17:00	08:30 – 18:00
Friday	09:00 – 17:00	08:30 – 18:00
Saturday	-	09:00 – 17:00
Sunday	-	10:00 – 16:00
Total	40 hours	61.5 hours

- 4.6 In addition to the Essential Services provided by all pharmaceutical contractors, the application indicates that the new pharmacy would provide the following Advanced and Enhanced Services:
- New medicine service
 - Community pharmacy seasonal influenza vaccination
 - Community pharmacy consultation service
 - Hypertension case-finding service
 - Smoking cessation service
 - Home delivery service
 - Medication review service
 - Needle and syringe exchange service
 - Out of hours service
 - Patient group direction service

- Supervised administration service
- Emergency supply service

4.7 As a statutory consultee, the Health and Wellbeing Board is invited to submit comments on the application within 45 days of the notification date, which would be 10 February 2024. However, there is no requirement to do so.

4.8 To be given permission, the applicant needs to prove that a new pharmacy would provide “significant benefits”. Factors that are considered whether to grant the application include:

- 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.

4.9 The Lloyds Pharmacy that was previously in the Kingsland Centre closed in August 2022 and the Boots Pharmacy at Thatcham Medical Centre is scheduled to close on 17 February 2024. This leaves just two pharmacies in Thatcham – Halo Pharmacy at Crown Mead and Thatcham Pharmacy at the Burdwood Centre. The Health and Wellbeing Board did not consider that the above closures created a gap in the provision of pharmaceutical services that was sufficient to justify a review of the PNA or publication of a Supplementary Statement, since no additional households would be outside a 1 mile / 20 minute travel time to their nearest pharmacy as a result of the closures. Also, reassurance was provided by the Local Pharmaceutical Committee that there was sufficient capacity at the two remaining pharmacies in Thatcham to be able to accommodate the displaced activity. The lack of a declared significant gap in provision is the reason why this is an ‘unforeseen benefits’ application.

4.10 Notwithstanding the lack of a declared significant gap in provision of pharmaceutical services in Thatcham, the proposed pharmacy would help to improve capacity and choice for local patients, and it would help to improve the overall resilience of the pharmacy sector as a whole within West Berkshire.

4.11 The proposed pharmacy would be the only one in Thatcham to open seven days per week. Currently, Thatcham residents have to travel to Newbury to get to a pharmacy that is open on a Sunday.

4.12 Also, the proposed location would be in a central location that is accessible by walking, cycling and local bus routes. It would be adjacent to the Thatcham Kingsland Centre Car Park and on-street parking within Thatcham town centre, with level access

from both. Therefore, it is considered that accessibility for patients would be enhanced.

- 4.13 No significant negative effects are considered likely to occur as a result of the proposed pharmacy opening.

5. Options Considered

The options available to the Health and Wellbeing Board are:

- (a) to make representations in support of the application;
- (b) to make representations opposing the application;
- (c) to not make any representations in relation to the application.

6. Proposal(s)

Having undertaken appropriate analysis and consultation, it is proposed that the Health and Wellbeing Board should make representations in support of the application.

7. Conclusion(s)

The changes in pharmaceutical services have been assessed in accordance with national guidance and relevant legislation.

8. Consultation and Engagement

- 8.1 Local ward councillors have been informed of the application for a new pharmacy and several have expressed their support for the scheme.

- 8.2 Healthwatch West Berkshire has been consulted to understand what feedback has been received from residents in relation to pharmacies in Thatcham. While they have not directly received many comments about pharmacies, those that have been received relate to wait times, lack of medication, and the availability of branded medication. They have also indicated that monitoring of local social media platforms has highlighted concerns about wait times, availability of medication, opening times, and most recently concern about how pharmacies will be able to deliver the Pharmacy First Service.

- 8.3 It should be noted that the Integrated Care Board has committed to undertake investigations regarding the resilience of pharmacies across West Berkshire and this report is due to come to the next meeting of the Health and Wellbeing Board on 22 February 2024. Also, Healthwatch is looking to perform a survey of waiting times at local pharmacies.

9. Appendices

Appendix A – Application

Appendix B – Draft Letter of Support

Background Papers:

[West Berkshire Pharmaceutical Needs Assessment 2022-2025](#)

[Pharmaceutical Needs Assessments: Information pack for local authority health and wellbeing boards, DHSC, October 2021](#)

Health and Wellbeing Priorities Supported:

The proposals will support the following Health and Wellbeing Strategy priorities:

- Reduce the differences in health between different groups of people
- Support individuals at high risk of bad health outcomes to live healthy lives
- Help families and young children in early years
- Promote good mental health and wellbeing for all children and young people
- Promote good mental health and wellbeing for all adults

The proposals contained in this report will support the above Health and Wellbeing Strategy priorities by ensuring that there are sufficient pharmaceutical services in the District to meet the needs of the local population.

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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 'Faiza 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.)

2 of 8

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

4 of 8

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.

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Appendix B: Draft Letter of Support

23 January 2024

PCSE Enquiries
PO Box 350
Darlington
DL1 9QN

West Berkshire District Council
Council Offices
Market Street
Newbury
RG14 5LD

Our Ref: PNA-2023-11-01
Your Ref: CAS-246897-K9Z7F5
Tel: 01635 519486
e-mail: Gordon.Oliver1@westberks.gov.uk

Dear Ms Asif,

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

Thank you for consulting the West Berkshire Health and Wellbeing Board in relation to the above application. The Board wishes to make written representations as set out below.

When the Pharmaceutical Needs Assessment (PNA) was undertaken in 2022, there were four pharmacies in Thatcham. By the time the PNA was approved in October 2022, the Lloyds pharmacy in the Kingsland Centre had closed. Also, the Boots pharmacy at Thatcham Health Centre is due to close on 17 February 2024. These closures will result in a 50% reduction in the number of pharmacies serving the Thatcham area.

When the Health and Wellbeing Board considered the above closures, it did not consider that they had created a significant gap in the provision of pharmaceutical services in the Thatcham area sufficient to justify a review of the PNA or publication of a Supplementary Statement. This was because there were no additional households placed outside a 1 mile / 20 minute travel time to their nearest pharmacy as a result of the closures, and because the Local Pharmaceutical Committee had provided reassurance that there would be sufficient capacity at the remaining pharmacies to be able to process the displaced activity.

Notwithstanding this decision, the Board would welcome an additional pharmacy within Thatcham town centre as means of helping to increase capacity and choice for patients and to improve the overall resilience of the pharmacy sector within West Berkshire. This would also help to support the Pharmacy First Service, which will see greater numbers of referrals to pharmacies for a variety of conditions and minor illnesses.

The proposed pharmacy would enhance accessibility for patients, since the Kingsland Centre is well served by local walking, cycling and public bus networks. The pharmacy would also be close to the Thatcham Kingsland Centre Car Park and on-street parking within the town centre, with level, step-free access from both directions.

The proposed pharmacy would be the only one in Thatcham to open seven days a week, which is welcomed, since patients currently have to travel to Newbury to access a pharmacy that is open on Sundays. The application also indicates that the pharmacy will offer free home delivery, which will deliver significant benefits for patients who are less mobile and / or on low incomes.

In summary, the Board is supportive of the application and believes that it will deliver significant additional benefits for patients. The Board does not foresee any significant negative effects as a result of the proposal.

Please let us know if you have any queries in relation to the above comments.

Yours sincerely,

Councillor Alan Macro

Chairman of West Berkshire Health & Wellbeing Board

Application offering Unforeseen Benefits – Newbury Town Centre

Report being considered by:	Health and Wellbeing Board – Pharmaceutical Needs Assessment Sub-Committee
On:	23 January 2024
Report Author:	Gordon Oliver
Report Sponsor:	John Ashton
Item for:	Decision



1. Purpose of the Report

This report provides details of representations made in relation to an application offering unforeseen benefits for a new pharmacy in Newbury Town Centre by C-A-Health Ltd and invites Members of the Pharmaceutical Needs Assessment Sub-Committee to consider whether they wish to submit any further comments in response to the matters raised in the other parties' representations.

2. Recommendation(s)

It is recommended that the Pharmaceutical Needs Assessment Sub-Committee agrees that the Chairman should write to Primary Care Support England to make comments on points raised in the other parties' representations made in response to the unforeseen benefits application by C-A-Health Ltd, as set out in paragraph 4.7 of this report.

3. Executive Summary

- 3.1 At the meeting of the Health and Wellbeing Board, on 7 December 2023, it was resolved that the Chairman write to Primary Care Support England on behalf of the Board in support of the unforeseen benefits application for a new pharmacy in Newbury town centre by C-A-Health Ltd.
- 3.2 On 10 January 2024, Primary Care Support England wrote to advise the Health and Wellbeing Board of the responses received and invited comments on these representations by 24 January 2024.

4. Supporting Information

Background

- 4.1 A notification was received on 21 November 2023 from Primary Care Support England (which administers applications on behalf of NHS England), advising of an unforeseen benefits application for a new pharmacy in Newbury town centre by C-A-Health Ltd. The area being considered for the new pharmacy includes: 1-154 Bartholomew Street (Including Kennet Shopping Centre), 5-19 Market Street, 1-29 Market Place, and 1-41 Cheap Street. A copy of the notification and the associated application is provided in Appendix A.

- 4.2 At the Health and Wellbeing Board meeting on 7 December 2023, it was resolved that the Chairman write to Primary Care Support England on behalf of the Health and Wellbeing Board in support of the application. A copy of the response is included within Appendix B.
- 4.3 On 10 January 2024, Primary Care Support England wrote to advise the Board of representations made in relation to the application and invited comments on these representations by 24 January 2024. The representations are provided in Appendix B. In total, four responses were received from:
- Day Lewis Pharmacy;
 - Boots Pharmacy;
 - Community Pharmacy Thames Valley (the Local Pharmaceutical Committee);
 - West Berkshire Health and Wellbeing Board.
- 4.4 With the exception of the Health and Wellbeing Board, all of the representations expressed opposition to the application. The following points were highlighted in the other responses:
- missing evidence in support of the application;
 - new residential developments highlighted in the application are not within the town centre where the applicant proposes to open its pharmacy, and there are several pharmacies spread evenly throughout Newbury, so residents would have a choice of pharmacies close to home;
 - failure to mention the Day Lewis pharmacy at Strawberry Hill and other pharmacies that serve Newbury, apart the Boots pharmacies in the town centre and retail park;
 - selective use of demographic information by the applicant, which ignores the fact that Newbury is an affluent town with high levels of car ownership and a mobile, healthy population;
 - a lack of evidence to support allegations of service shortfalls at other pharmacies;
 - unsubstantiated claims about innovative services to be offered by the new pharmacy;
 - the Pharmaceutical Needs Assessment (PNA) does not identify a gap in provision;
 - no evidence is provided within the application of specific patient groups who experience difficulty in accessing pharmaceutical provision;
 - the applicant has not applied to offer any core hours at the weekend and only supplementary hours on Saturday morning, which can be withdrawn with five weeks' notice;

- the applicant has not offered any pharmaceutical services that are not already provided by other pharmacies in the area.
- 4.5 PCSE has indicated that any comments on representations will carry little or no weight unless it can be demonstrated that the comments are being presented in response to representations submitted by another party that are believed to be untrue or incorrect.
- 4.6 Some of the above points were reflected in the Board's own response, including:
- failure to identify the Day Lewis Pharmacy at Strawberry Hill, which is located just to the north of the town centre;
 - failure to mention that there are five pharmacies that currently serve Newbury;
 - failure to mention that no gap in provision has been identified in the current PNA and no supplementary statement has been published.
- 4.7 Of the remaining points raised in the other representations, most are considered to be valid, but it is proposed that the Board may wish to comment on some of the issues raised in the Day Lewis Pharmacy representation as follows:
- While there was no active hyperlink to the to the Meridian Broadcast within the application, the supplied web address was correct:
<https://www.itv.com/news/meridian/2023-08-18/cancer-patient-left-in-excruciating-pain-as-chemists-run-out-of-medication>
 - The representation indicates that new developments referred to in the application are not in the town centre, where the applicant proposes to open its pharmacy. While the new developments listed are mostly dispersed around the fringes of the town, they will be served by public transport, walking and cycling networks that will link to the town centre (this has been confirmed by Planning Officers). There are other developments within the town centre, such as the Market Street development that are not mentioned in the application, but which would be in close proximity to the proposed site.
 - Existing pharmacies are not 'spread evenly throughout the town' – three of the pharmacies (Boots, Tesco and Wash Common Pharmacy) are on the town's southern fringe, at the top of a large hill, and are not within easy walking distance for much of the town's population.
 - While Newbury may be 'an affluent town with high levels of car ownership and a mobile and healthy population', there remain pockets of deprivation and households that do not have access to a car, including those on low incomes, and elderly / disabled residents. Services should be designed to meet the needs of all users not just those who have access to a car and should be designed to help address inequalities.

5. Options Considered

The options available to the Health and Wellbeing Board are:

- (a) to make comments in relation to issues raised in the other representations;
- (b) to make no further comment.

6. Proposal(s)

it is proposed that the Health and Wellbeing Board PNA Sub-Committee should make comments on points raised in the other representations made in response to the unforeseen benefits application by C-A-Health Ltd, as per paragraph 4.7 of this report.

7. Conclusion(s)

The proposed comments will serve to highlight to PCSE any points made in the other representations that are considered by the Sub-Committee to be incorrect or untrue.

8. Consultation and Engagement

- 8.1 Local ward councillors have been informed of the application for a new pharmacy and several have expressed their support for the scheme.
- 8.2 Healthwatch West Berkshire has been consulted to understand what feedback has been received from residents in relation to pharmacies in Newbury. While they have been contacted by a number of residents who are concerned about recent pharmacy closures, there have not been any recent, formal complaints.
- 8.3 It should be noted that the Integrated Care Board has committed to undertake investigations regarding the resilience of pharmacies across West Berkshire and this report is due to come to the next meeting of the Health and Wellbeing Board on 22 February 2024. Also, Healthwatch is looking to perform a survey of waiting times at local pharmacies.

9. Appendices

Appendix A – Application

Appendix B – Representations Received

Background Papers:

[West Berkshire Pharmaceutical Needs Assessment 2022-2025](#)

[Pharmaceutical Needs Assessments: Information pack for local authority health and wellbeing boards, DHSC, October 2021](#)

[Changes to Pharmaceutical Services, West Berkshire Health and Wellbeing Board \(7 December 2023\)](#)

Health and Wellbeing Priorities Supported:

The proposals will support the following Health and Wellbeing Strategy priorities:

- Reduce the differences in health between different groups of people
- Support individuals at high risk of bad health outcomes to live healthy lives
- Help families and young children in early years
- Promote good mental health and wellbeing for all children and young people
- Promote good mental health and wellbeing for all adults

The proposals contained in this report will support the above Health and Wellbeing Strategy priorities by ensuring that there are sufficient pharmaceutical services in the District to meet the needs of the local population.

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Appendix A – Unforeseen Benefits Application, Newbury Town Centre

Our Ref: CAS-246897-K9Z7F5

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

Sent via email to all interested parties on the distribution list

21st November 2023

Dear Sir/Madam,

Re: Application offering unforeseen benefits at 1-154 Bartholomew Street (Including Kennet Shopping Centre), 5-19 Market Street, 1-29 Market Place, 1-41 Cheap Street by CA-Health Ltd

We have received the above application, a copy of which is enclosed and NHS Buckinghamshire, Oxfordshire and Berkshire West ICB 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 **5th January 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 Buckinghamshire, Oxfordshire and Berkshire West ICB 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.

As the location for the proposed pharmacy is within 1.6km of a controlled locality if it is granted and the pharmacy opens, dispensing doctors will normally lose the right to dispense to patients living within 1.6 km of the pharmacy when it opens. However, under regulation 50(2), NHS Buckinghamshire, Oxfordshire and Berkshire West ICB may postpone for such period as it sees fit, the discontinuation of dispensing rights if it considers that the dispensing practice will be adversely affected¹. Your written representations may, therefore, include views on this matter.

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

¹ The purpose of postponement (often referred to as “gradualisation”) is to allow the affected patients time to adjust to the change from being a dispensing patient to a prescribing patient. It is also to give affected practices time to make whatever alterations to their working practices may be necessary, such as reducing stock holdings and altering staff duties.

Yours Sincerely,



Arton Xhemajli
Pharmacy Market Administration Services

Enc.

How we will involve patients in decisions on pharmacy applications

Primary Care Support England

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.

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.

Chapter 15

Annex 1

Application Form

Application offering unforeseen benefits

Application for inclusion in the pharmaceutical list for the area of

West Berkshire Health & 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.

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'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

CA-Health Limited

70 Sir Frank Williams Avenue

Didcot

Oxfordshire

OX11 6DR

1.2 Applicant's legal entity

I/we am/are applying as a:

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

Sole trader My GPhC registration number is

Partnership

Please list each partner and their GPhC registration number:

Please continue on a separate sheet if necessary.

Corporate Body

Superintendent's name and GPhC registration number is	Chaudhry Khawar Abbas 2063578
---	----------------------------------

1.3 Provision of fitness information required by Part 1, Schedule 2 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, as amended

(Please tick relevant box)

I/We have provided the required fitness information on a previous occasion to NHS England 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 cannot locate the information previously supplied after using reasonable efforts to locate it, you will be asked to provide it again.

I/We have already provided the fitness information on a previous occasion to NHS England 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 already has and when and to whom it was provided, and confirm the missing information that is being provided. If NHS England 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 estimate¹ of the proposed premises

1 – 154 Bartholomew Street (including Kennet shopping centre), 5 -19 Market Street, 1 - 29 Market Place, 1 - 41 Cheap street,

Please continue on a separate sheet if necessary.

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

The premises above are currently in my/our possession* Yes No

* by rental, leasehold or freehold

3 Opening hours

3.1 Proposed core opening hours²³

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
9am to 1pm 2pm to 6pm	9am to 1pm 2pm to 6pm	9am to 1pm 2pm to 6pm	9am to 1pm 2pm to 6pm	9am to 1pm 2pm to 6pm			40

3.2 Total proposed opening hours⁷⁰

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
9am to 1pm 2pm to 6pm	9am to 1pm 2pm to 6pm	9am to 1pm 2pm to 6pm	9am to 1pm 2pm to 6pm	9am to 1pm 2pm to 6pm	9am to 1pm		44

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)

¹ 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.

² 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.

³ The total opening hours includes the core hours and any supplementary opening hours.

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

None

Please give details of any advanced and enhanced services⁴ you intend to provide. 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 cannot be provided please set out the reasons for this.

Service	Accredited to provide (Y/N/NA)	Premises accredited (Y/N/NA)	Consultation area (Y/N/NA)
Appliance User Reviews	Y	Y	Y
Flu Vaccination Service	Y	Y	Y
New Medicine Service	Y	Y	Y
Supervised consumption and needle exchange service	Y	Y	Y
Pharmacy Contraception service	Y	Y	Y
Community Pharmacy Consultation Service	Y	Y	Y
Smoking Cessation Service	Y	Y	Y
Hypertension case-finding service	Y	Y	Y
Weight Management service	Y	Y	Y
Gluten Free Food Supply	Y	Y	Y
Independent Prescribing by Pharmacists	Y	Y	Y

⁴ Please note that enhanced services are those commissioned by NHS England. Do not include services which are commissioned by the local authority/council or the clinical commissioning group (CCG).

Pharmacist Supervised Consumption of Prescribed Opiate Substitution Therapy	Y	Y	Y
Guaranteed Provision of Palliative Care Drugs in the Community	Y	Y	Y
Treatment of Uncomplicated Urinary Tract Infections (UTI) in Women by Community Pharmacists	Y	Y	Y

Please continue on a separate sheet if necessary.

Floor plan showing consultation area

A floor plan will be provided in due course when premises have been secured.

Please continue on a separate sheet if necessary.

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:

Not applicable.

Please continue on a separate sheet if necessary.

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.

Location:

Newbury is an urban market town with a population of 113,400 according to the 2021 census (<https://www.ons.gov.uk/visualisations/customprofiles/build/>). The current resident population is likely to be higher than this figure as it continues to grow with remarkable ongoing housing developments, namely Willow Grange (200 new homes), The Chase (1500 new homes), Donnington heights (222 new homes) and Shaw Valley (179 new homes), New Warren Farm (1089 new homes) & Sandleford Park West (500 new homes), Knights Grove homes, Larkfield homes, totalling in the region of 4000 new homes. The older established residential area has also seen multiple smaller scale new developments.

The town is divided vertically due to main carriage way (A339) and horizontally via river Kennet. Majority of the Northeast region is an industrial estate whilst the Southeast is concentrated with supermarkets and retail parks.

The Northeast, Southeast and East houses the Newbury town centre. The high street consists of express supermarket, newsagents, banks, charity and stationary shops, hairdresser, takeaways, restaurants, post office, several patisserie and coffee shops, in simple terms: a hub of activity frequented by the local population on a daily basis, naturally becoming a centre for all the commercial, economic and social activities.

There is absolute lack of availability and choice of pharmaceutical service on the high street especially exacerbated by planned closure of nearby "Lloyds pharmacy" in Sainsbury and also unexpected closure of "Superdrug pharmacy", leaving the "Boots Chemist" as the sole provider of pharmaceutical services.

There has been an increase of 33.8% in people aged >65 years in West Berkshire between 2011 till 2021 and the area contains a large number of residents who share a relevant protected characteristic. In particular:

113,400 people (47,100 households) living in Newbury. Of those:
17.9% are aged 15 and under (0.6% above than national average)
19.3% are aged 65 and above (1% above the national average)

This would have resulted in an increase in demand for pharmaceutical services but the recent closures have resulted in greater pressure on the only locally available Boots Pharmacy with customers often complaining about long wait times, lack of product availability, not having the capacity to respond to phone call queries to name a few.

The report shows that 44.2% of the population is deprived in one or more dimension, 14.8% of the population are considered disabled, 12.8% households do not have a car or van and 38.5% households have only one car. These individuals in particular rely on the local healthcare service, including pharmacies, for the fulfilment of their healthcare needs. Thus,

town centre location is most convenient for this population as it is well served by train and bus links. Due to recent closure of 2 community pharmacies within this area, the local population is reliant on the only pharmacy (Boots) on the high street for the provision of their pharmaceutical needs which has placed Boots under immense pressure.

Newbury has a community hospital as well as a large GP medical centre and multiple private doctors and several care homes / nursing homes in the vicinity of the proposed location. There are 13 schools (primary and secondary) with a student population of around 8000. In addition to the resident population, it is anticipated that several hundred people visit Newbury from the industrial estate on a daily basis. Having another pharmacy in this area will offer the local and visiting population more freedom of choice and possibly greater range of services to meet their needs.

Please see attached satellite imagery of Newbury.

Another Pharmacy would confer significant benefits in terms of:

1. Access

The reliant population has difficulties accessing pharmaceutical service provision as both the Lloyds pharmacy on Hectors Way, RG14 5AB and Superdrug on 81-82 Northbrook Street, RG14 1AE recently closed therefore customers / patients had no choice but to transfer to Boots pharmacy – the only pharmacy on the 0.8mile long high street now.

Consequently, Boots pharmacy has been overwhelmed with demand for pharmaceutical services and patients are suffering long waiting times, inability to have alternative choice of supplier/wholesaler when Boots haven't been able to fulfil prescription for items out of stock (OOS). On occasions, there has been a total absence of pharmaceutical service when Boots pharmacy has been unable to open their doors due to shortage of staff (either no locum pharmacist or no support staff). Social media reviews and customer complaint log validate above issues.

Since Boots is the only pharmacy in the town centre, if they are not able to fulfil the prescription within a timely manner, the patients have no choice but to travel to Newbury retail park, 2 miles away, accessible only via car or otherwise a 35 minute walk. This can prove difficult given the number of patients with no access to car (51.3% of the population either have no car or only one car which may be in use by another member of the household e.g. commute to work). Needless to say, a large proportion of residents will take objection to use of car even if available as its perhaps counterintuitive to the environmentally greener conscious. Also, there is a high number of elderly residents in the area who may have issues with mobility and long term debilitating illnesses, affecting their ability to drive. Granting the application would secure better access to pharmaceutical service provision. In particular, it would confer significant benefits on the reliant population in terms of easy access to pharmacy in a timely manner.

2. Reasonable choice

Boots Chemist being the only pharmacy serving the Newbury city centre population, potentially in excess of 113000, with long waiting times, restricted choice of medicine supply due to contractual obligations to particular wholesaler and significant barriers to access pharmacies in other locations means that there are not enough reasonable choices for patients. The clear and obvious pressure on Boots pharmacy is best evidenced by the fact

that patients are forced to wait for a very long time in order to receive their prescribed medication. Some patients wait even before the pharmacy doors open at 9:30am in bad weather in order to be seen the same day and long queues building towards the end of the day due the fact that Boots pharmacy closes at 5.30pm. Noteworthy there 2 large schools for special needs children in nearby vicinity which may require urgent and specialist services that Boots may not be able to respond to.

The lack of reasonable choice is particularly relevant to this application given the size and nature of the reliant population (both resident and visiting). Similarly, as mentioned above, existing pharmacies in surrounding locations do not secure a reasonable choice of pharmaceutical service provision for reason of access difficulties.

Granting the application would secure improvements in the provision of pharmaceutical services. It would confer significant benefits on the reliant population since it would give patients a reasonable choice.

Please find attached the Google reviews of the current one and only Pharmacy (Boots). From the reviews, it is apparent that since the closure of Lloyds Pharmacy and Superdrug, standards have dropped and customer dissatisfaction heightened at Boots Pharmacy (note: Future health is separate department to pharmacy)

3. Innovation in service delivery

As mentioned previously, patients cannot access essential pharmaceutical services due the pressure of demand on the only exiting pharmacy (which are not limited to the dispensing of medicines on prescription but also include, for example, support for self-care and healthy lifestyle advice). Pharmacy at proposed site will undertake all essential and advanced pharmaceutical services together with such public health and enhanced services.

As per NHS long term plan and RPS published principle 12 where all patient facing pharmacist should be independent prescribing pharmacists (IP). Therefore, the responsible pharmacist at the new pharmacy will be an IP providing all services listed above in addition to the ability to amend/correct prescriptions, prescribe alternatives for OOS, enact the seriously short protocols (SSP) and take off the burden from local GP surgeries.

The proposed pharmacy will provide services during extended hours from 9am to 6pm Monday to Friday. The provision of pharmaceutical services during these hours would confer significant benefits on the reliant population, e.g. Boots on high street closes at 5:30pm Monday to Friday. This significantly impairs access to pharmaceutical service provision, particularly for those who are in work during the week.

Newbury's neighbourhood development plan steering group meeting attended by various members of the council and public (20.4.22) has highlighted the need for increased access for NHS healthcare services as a means to improve community facilities.

More recently, the lack of choice of available pharmacies and therefore, medication is so severe in Newbury that it has been televised by ITV Meridian on 18/08/23. It reported that patients are typically waiting in long queues both inside and outside of the reduced number of pharmacies available in Newbury. They interviewed a patient suffering from cancer who spoke about how his wife waited 1.5hours only to find out that his pain relief medication was out of stock. As a result, he suffered from 'excruciating pain over a weekend' due to lack of availability of the drugs needed to manage his symptoms. Another patient in need of regular

medicines also complained about the unreasonably long wait times and how the recent closures of pharmacies in Newbury area has made the situation 'go from bad to worse'.
<https://www.itv.com/news/meridian/2023-08-18/cancer-patient-left-in-excruciating-pain-as-chemists-run-out-of-medication>

Please continue on a separate sheet if necessary.

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

Having regard to the reliant population, including the population with a protected characteristic, granting this application would bring improvements in, and better access to, the reliant population.

1) Access to pharmaceutical services. Currently the existing access to pharmaceutical service is very restricted and overwhelmed with demand. The only pharmacy, Boots pharmacy, in the area is serving a population size that will typically be served by numerous high street pharmacies in any other town.

2) Choice. The unexpected closure of Lloyds pharmacy and Superdrug in the area has resulted in a lack of reasonable choice for local population. This application would secure better access to service provision by enabling the reliant population to restore choice on the high street.

3) Innovation in service delivery. A replacement pharmacy for Superdrug & Lloyds pharmacy will provide a range of enhanced, advanced and public health services at times that would meet the needs of those in Newbury. Pharmacist prescribing services will safely expedite the clinical services and reduce the burden on local GP surgeries or 111 services resulting in more comprehensive pharmaceutical service to patients.

Please continue on a separate sheet if necessary.

7 Undertakings

By virtue of submitting this application I/we undertake to notify NHS England 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 1) 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 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.

Signature 

Name Sadia Ahmad.....

Position Director.....

Date 7/10/23.....

On behalf of the company/partnership CA-Health LTD.....

Contact phone number in case of queries.....

Contact email number in case of queries.....

Registered office

CA-Health Limited
Arena Business Centre - Berkeley St. 100 Berkshire Drive Wharfdale Road,
Winnersh, Wokingham, England, RG41 5RD

Please send the completed form to:

Email: PCSE.marketentry@nhs.net

Post: Primary Care Support England, PO Box 350, Darlington, DL1 9QN

NHS England's [Privacy Notice](#) describes how we use personal data and explains how you can contact us and invoke your rights as a data subject. We will protect your information in line with the requirements of the Data Protection Act 2018.

Chapter 29

Annex 7

Unforeseen benefits application – best estimate

Application by CA-Health Ltd (the applicant) to open a pharmacy at one of these addresses, 1-154 Bartholomew Steet including The Kennet Centre, 5-19 Market Street, 1-29 Market Place or 1-41 Cheap Street

Explanatory notes by Buckinghamshire, Oxfordshire and Berkshire West ICB

1. What is this application for?

The applicant wishes to open an NHS pharmacy at one of these addresses, 1-154 Bartholomew Steet including The Kennet Centre, 5-19 Market Street, 1-29 Market Place or 1-41 Cheap Street.

A pharmacy can only give patients medicines prescribed by NHS GPs if it has Buckinghamshire, Oxfordshire and Berkshire West 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.

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

You are being invited to make comments on the application before Buckinghamshire, Oxfordshire and Berkshire West ICB's 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 Berkshire West ICB's will consider any comments it has received and any response to those comments from the applicant.

3. 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 services that the applicant is offering to provide are listed in section 4 of the application form. Although the applicant has listed lots of other services, at the moment only the following services listed in the application are paid for in West Berkshire.

4. 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.

5. How will Buckinghamshire, Oxfordshire and Berkshire West 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.

6. When will a decision be made?

We expect to make a decision by 11 February 2024.

7. 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.

8. 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.

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Appendix B – Representations on Unforeseen Benefits Application, Newbury Town Centre

Our Ref: CAS-246897-K9Z7F5
To be quoted on all future correspondence

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

**To Applicant & All Interested Parties
who made representations during
the 45 day consultation**

10th January 2024

Dear Sir/Madam,

Re: Application offering unforeseen benefits at 1-154 Bartholomew Street (Including Kennet Shopping Centre), 5-19 Market Street, 1-29 Market Place, 1-41 Cheap Street by CA-Health Ltd.

Further to my letter of **21st November 2023**, please find enclosed copies of the written representations that we have received regarding the above application.

If you wish to make any comments on these representations, they should be sent to me at the above address within 14 days of the date of this letter i.e. by **24th January 2024**. Please note that any new information that you submit at this stage will have little or no weight placed upon it unless it can be demonstrated that you are presenting it in response to representations submitted by another party that you believe are not true or are incorrect.

Yours sincerely,

Stamatina Sarafoglou

Stamatina Sarafoglou
Pharmacy Market Administration Services Officer

NHS England's [Privacy Notice](#) describes how we use personal data and explains how you can contact us and invoke your rights as a data subject. We will protect your information in line with the requirements of the Data Protection Act 2018.

21 December 2023

Arton Xhemajli
Pharmacy Market Administration Services Officer
PCSE Enquiries
PO Box 350
Darlington
DL1 9QN
Email PCSE.enquiries@nhs.net

Your ref: CAS-246897-K9Z7F5

Dear Arton

Re: Application offering unforeseen benefits at 1-154 Bartholomew Street (Including Kennet Shopping Centre), 5-19 Market Street, 1-29 Market Place, 1-41 Cheap Street by CA-Health Ltd

Thank you for your letter dated 21st November informing us of the above application.

On behalf of Day Lewis Plc, who provide pharmaceutical services from premises at Access House, Strawberry Hill, Newbury RG14 1GE, I wish to object to this application and make the following comments in response:

As a preliminary matter we note that the applicant refers in the application form to attaching a satellite image and copies of Google reviews. We do not appear to have received these attachments so it may be that the applicant has forgotten to supply them, or they have not been circulated with the application. We also note that the link provided by the applicant to a television broadcast does not appear to work.

If the applicant's case is reliant on this supporting evidence, the ICB will not be in a position to take the matters raised into account without seeing this evidence.

Addressing the other matters raised by the applicant in part 6 of the application form:

- i. Whilst it may be the case that, like many similar sized towns, there is residential development underway in Newbury, the developments highlighted are not within the town centre where the applicant proposes to open its pharmacy. There are several pharmacies in Newbury that are spread evenly throughout the town, so residents of these new developments will have a choice of pharmacies close to home.
- ii. The applicant acknowledges that there is already pharmaceutical services provision within the town centre that is provided by Boots, so its application will not meaningfully improve the accessibility of pharmaceutical services. However, it fails to mention our pharmacy on Strawberry Hill at the northern end of the town centre, less than 10 minutes' walk away from Boots.
- iii. The applicant provides selective demographic information which ignores the fact that Newbury is an affluent town with high levels of car ownership and a mobile and healthy population.

- iv. Several comments are made about service levels at Boots but there has been no evidence provided to back up these comments. Furthermore, there is no evidence of any shortfall in provision at our pharmacy or any other pharmacy in Newbury for that matter.
- v. The applicant states that “if Boots are not able to fulfil the prescription within a timely manner, the patients have no choice but to travel to Newbury Retail Park”. This is simply not true. As discussed earlier our pharmacy is short walk away and there are several other pharmacies less than 2 miles away.
- vi. The applicant refers to innovation, but nothing discussed within this application is innovative in the context of Regulation 18(2)(b)(iii).

Importantly, the applicant has provided no evidence whatsoever that there is currently any shortfall in the provision of pharmaceutical services in the area it intends to open a pharmacy.

The burden of proof rests with the applicant when making an application for inclusion in the pharmaceutical list but the applicant has actually provided very little relevant information.

In conclusion, this application falls a long way short of providing any evidence that might lead the ICB to conclude that granting it would secure improvements or better access to the provision of pharmaceutical services in the area. For that reason, the application should be refused.

Should the ICB decide to hold an oral hearing I can confirm that either I or my appointed representative would wish to attend.

Yours sincerely
For and on behalf of Day Lewis Plc

Catherine Reid
Pharmacy Contracts Coordinator

19 December 2023

PCSE Enquiries
PO Box 350
Darlington
DL1 9QN

West Berkshire District Council
Council Offices
Market Street
Newbury
RG14 5LD

Our Ref: PNA-2023-12-01
Your Ref: CAS-246897-K9Z7F5
Tel:
e-mail:

Dear Mr Xhemajli,

Re: Application offering unforeseen benefits at 1-154 Bartholomew Street (Including Kennet Shopping Centre), 5-19 Market Street, 1-29 Market Place, 1-41 Cheap Street by CA-Health Ltd

Thank you for consulting the West Berkshire Health and Wellbeing Board in relation to the above application. The Board wishes to make written representations as follows.

When the Pharmaceutical Needs Assessment (PNA) was approved in October 2022, there were seven pharmacies in Newbury. Since then, we have lost two pharmacies – Lloyds in Sainsbury's Superstore, Hectors Way and Superdrug, 81/82 Northbrook Street. There have also been reductions in operating hours at some of the other remaining pharmacies.

The Health and Wellbeing Board did not consider that the above closures / changes had created a gap in the provision of pharmaceutical services that was sufficient to justify a review of the PNA or publication of a Supplementary Statement, since there were no additional households placed outside a 1 mile / 20 minute travel time to their nearest pharmacy as a result of the closures, and it was judged that there was sufficient capacity at the remaining pharmacies to be able to process the displaced activity. However, patients have since reported issues with long queues at the remaining pharmacies, as confirmed by Healthwatch West Berkshire. Therefore, the Board would welcome an additional pharmacy within Newbury Town Centre as means of further helping to increase capacity and choice for patients and to improve the overall resilience of the pharmacy sector within West Berkshire.

The proposed pharmacy would enhance accessibility for patients. The existing Boots pharmacy at 4-5 Northbrook Street is located within the pedestrianised area of the town centre, so it is difficult for residents who have mobility issues to park nearby while the access restrictions are in force (10am to 5pm). Buses are also excluded from the pedestrianised area, and the nearest bus stop is around 300m away. The proposed location for the new pharmacy would be close to existing car parks and areas of on-street parking, and it would also be closer to local bus routes.

In summary, the Board is supportive of the application and believes that it will deliver significant additional benefits for patients. The Board does not foresee any significant negative effects as a result of the proposal.

Although broadly supportive of the application, the Board would like to highlight some errors in the supporting evidence as follows:

- The population of Newbury is only around 44,000 (mid-2020 estimate). The application repeatedly refers to the population as being 113,400, which is nearly double the population of Newbury and Thatcham combined.
- Although Boots is the only other pharmacy within the town centre, the Day Lewis Pharmacy is located a short distance away at Strawberry Hill (approximately 600m to the north of Boots). This is not mentioned in the application. Newbury is served by five pharmacies in total, three of which offering extended opening hours on weekday evenings and four are open on Saturdays, and three on Sundays.

If you have any queries in relation to the above, then please let us know.

Yours sincerely,

Councillor Alan Macro

Chairman of West Berkshire Health & Wellbeing Board

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

28 November 2023

Dear Sir/Madam

Your reference: CAS-246897-K9Z7F5

Re: Application offering unforeseen benefits at 1-154 Bartholomew Street (Including Kennet Shopping Centre), 5-19 Market Street, 1-29 Market Place, 1-41 Cheap Street by CA-Health Ltd

The LPC is pleased to have the opportunity to comment on this application. An application offering to secure unforeseen benefits must be judged against the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 having particular concern to regulations 18 and 19. This current application is being submitted as a routine application. An application under these regulations needs to meet certain criteria including:

1. **Evidence of how granting the application would secure unforeseen benefits** – The LPC does not believe the applicant has demonstrated this. There is no evidence that the pharmacy will provide additional services that are not available elsewhere.

The 2022 PNA does not identify a gap in provision in Newbury

The LPC would therefore encourage NHS England to refuse this application.

I trust the LPC views will be of interest to NHS England and we would ask to be kept informed at all stages in the process.

Yours sincerely,

David Dean
Chief Executive Officer
chiefofficer@cptv.org.uk

Community Pharmacy Thames Valley
cptv.org.uk

Tel: 07702 209197



Boots Support Office,
Core pharmacy development
D90 East F07
Thane Road,
Beeston,
Nottingham,
NG90 1BS.

CAS-246897-K9Z7F5

19th December 2023

Arton Xhemajli
Pharmacy Market Administration Services
PCSE Enquiries
P O Box 350
Darlington
DL1 9QN

Re: Application offering unforeseen benefits at 1-154 Bartholomew Street (including Kennet Shopping Centre), 5-19 Market Street, 1-29 Market Place, 1-41 Cheap Street by CA-Health Ltd.

Thank you for your letter dated 21st November 2023 advising us of the above application. Boots UK Limited have the following comments to make.

Whilst we accept that the application is based on benefits not foreseen when drafting the Pharmaceutical Needs Assessment (PNA), it is clear that this application is based on the closures of a Lloyds pharmacy within Sainsburys & Superdrug.

As the ICB will be aware, the closure(s) of a pharmacy within an area does not automatically create a gap and should a gap have arisen as a consequence of such a closure(s), then the PNA should be updated to reflect this.

The pharmacies closed many months ago now, so there has been plenty of time for the production of supplementary statements and the amendment of the PNA to have taken place if there was a requirement to do so.

Lloyds have closed many pharmacies, standard 40-hour contracts as well as the 100-hour ones and we have seen PNAs updated since if gaps in pharmaceutical provision have been created. It is of note that, the applicant has not applied to offer any core hours at the weekend and only supplementary hours on Saturday morning, which can be withdrawn with 5 weeks' notice. The applicant has not offered any commissioned services that are not already provided here either.

We believe that patients also have access to Day Lewis Pharmacy at Strawberry Hill Medical Centre, which the applicant has failed to mention.

As the ICB will be aware, we have also recently increased our opening times at our Northbrook Street Pharmacy that is open 7 days a week. Our pharmacy at Newbury Retail Park is also open extended hours & 7 days a week and is located 1.2 miles away. Both pharmacies also offer a delivery service

The applicant has not provided any evidence of any specific patient groups that are experiencing difficulty when accessing pharmaceutical provision. We are unaware of any patients submitting a complaint since the closure of the Lloyds or Superdrug to us or NHS England with regards to accessibility or any concerns regarding services or opening hours.

We believe that patients have already access to providers and choice in the area and do not believe that the applicant is offering to secure any innovation by way of services or delivery.

For these reasons we respectfully urge the ICB to refuse this application.

Please be aware that we may wish to make further representations at a later stage and attend any oral hearing that may be held in relation to the application. We would therefore be most grateful if you could keep us informed of the progress of this application.

Yours sincerely

Claire Brittain
NHS Contracts Lead

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