

Notice of Meeting



Scan here to access the public documents for this meeting

Pharmaceutical Needs Assessment Sub-Committee

Wednesday, 17th April, 2024 at 9.30 am
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: Tuesday, 9 April 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 Wednesday,
17 April 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), John Ashton (Interim Director of Public Health) and April Peberdy (Acting Service Director - Communities and Wellbeing)

Agenda

Part I

		Page No.
1	Apologies To receive apologies for inability to attend the meeting (if any).	1 - 2
2	Minutes To approve as a correct record the Minutes of the meeting of the Sub-Committee held on 23 January 2024.	3 - 4
3	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 .	5 - 6
4	Unforeseen Benefits Applications - Gaywood Drive Shops and Kingsland Centre, Thatcham Purpose: To consider two applications offering unforeseen benefits for new pharmacies at Gaywood Drive Shops, Newbury, RG14 2PR by Bolcer Ltd and at Kingsland Centre, The Broadway, Thatcham, RG19 3HN by LP SD One Hundred Seven Limited.	7 - 54

Sarah Clarke
Service Director: Strategy and Governance

If you require this information in a different format or translation, please contact Gordon Oliver on telephone (01635) 519486.



Agenda Item 1

PNA Sub-Committee – 17 April 2024

Item 1 – Apologies

Verbal Item

This page is intentionally left blank

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

PHARMACEUTICAL NEEDS ASSESSMENT SUB-COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY, 23 JANUARY 2024

Present: Councillor Alan Macro (Chairman), April Peberdy and Mike Bridges (In place of John Ashton)

Attending Remotely: Sarah Webster (Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board)

Officers in Attendance: Zoe Campbell (Interim Service Lead Public Health and Wellbeing), Gordon Oliver (Principal Policy Officer – Scrutiny and Democratic Services)

Apologies for inability to attend the meeting: John Ashton (Interim Director of Public Health)

PART I

4 **Declarations of Interest**

There were no declarations of interest received.

5 **Unforeseen Benefits Application - Kingsland Centre, Thatcham**

Mike Bridges (Consultant in Public Health) presented the report on the Unforeseen Benefits Application for the Kingsland Centre, Thatcham (Agenda Item 3).

During the debate on the item, the following points were raised:

- Support was expressed for the proposal.
- Concerns had been expressed at previous Health and Wellbeing Board meetings about pharmacies closing in the area.
- There was a new retirement living development close to the Kingsland Centre, and two sheltered living facilities nearby. It was proposed that this could be highlighted in the Sub-Committee's response to the consultation.
- It was highlighted that this would be the only pharmacy within the town centre, which was considered to be an accessible location, although it was recognised that the Halo Pharmacy was just outside the town centre, at Crown Mead.

RESOLVED to submit the representation to Primary Care Support England in support of the application for the new pharmacy at the Kingsland Centre on behalf of the West Berkshire Health and Wellbeing Board as per the wording in Appendix B of the report, with additional text to highlight the presence of the retirement living and sheltered housing sites in the vicinity of the proposed location.

6 **Application offering Unforeseen Benefits - Newbury Town Centre**

Mike Bridges (Consultant in Public Health) presented the report on the Application Offering Unforeseen Benefits for Newbury Town Centre (Agenda Item 4).

During the debate on the item, the following points were raised:

**PHARMACEUTICAL NEEDS ASSESSMENT SUB-COMMITTEE - 23 JANUARY 2024 -
MINUTES**

- Support was expressed for the application for a new pharmacy in Newbury Town Centre.
- There had been pharmacy closures in the area.
- The Health and Wellbeing Board and local ward members were concerned by the pharmacy closures and the ability of local residents to access pharmaceutical services.
- Another pharmacy in the Newbury area was seen as a positive development to help serve local residents.
- If people were able to walk to the pharmacy rather than driving, then that was a benefit.
- It was noted in their response to the original consultation, the Day Lewis Pharmacy had highlighted that they were a nearby alternative to Boots in Northbrook Street and that there were other pharmacies within 2 miles. Members queried the distance. It was confirmed that Wash Common Pharmacy, Boots Pharmacy at Newbury Retail Park and Tesco Pharmacy at the Tesco Extra at Pinchington Lane were all within 2 miles. However, it was noted that these were all on the southern fringe of the town and were located at the top of a steep hill, which made walking access difficult.

RESOLVED: 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.

(The meeting commenced at 2.02 pm and closed at 2.15 pm)

CHAIRMAN

Date of Signature

PNA Sub-Committee – 17 April 2024

Item 3 – Declarations of Interest

Verbal Item

This page is intentionally left blank

Application offering Unforeseen Benefits – Gaywood Drive Shops, Newbury and Kingsland Centre, Thatcham

Report being considered by:	Health and Wellbeing Board – Pharmaceutical Needs Assessment Sub-Committee
On:	17 April 2024
Report Author:	Charlotte Pavitt (Interim Consultant in Public Health) Gordon Oliver (Principal Policy Officer)
Report Sponsor:	John Ashton
Item for:	Decision



1. Purpose of the Report

This report provides details of applications offering unforeseen benefits for two new pharmacies at Gaywood Drive Shops, Newbury, RG14 2PR by Bolcer Ltd and 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 (PCSE) in response to the above applications on behalf of the West Berkshire Health and Wellbeing Board and to delegate final approval of the wording of the response to the Interim Director of Public Health in consultation with the Chairman in accordance with the decision of the Sub-Committee.

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 13 March 2024 advising of an application for a new pharmacy at Gaywood Drive Shops in Newbury by Bolcer Ltd, which offered unforeseen benefits. PCSE indicated that it intends to consider this application together and in relation to the unforeseen benefits application for a new pharmacy at Kingsland Centre, Thatcham, RG19 3HN by LP SD One Hundred Seven Ltd, which the PNA Sub-Committee previously considered at its meeting on 23 January 2024. The 45 day consultation period has been reopened for this application to allow the two applications to be considered together.
- 3.4 The implications of these applications have 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 New Pharmacy at Gaywood Drive

- 4.4 A notification was received on 13 March 2024 from Primary Care Support England (which administers applications on behalf of NHS England), advising of an unforeseen benefits application for a new pharmacy at Gaywood Drive Shops in Newbury by Bolcer Ltd. 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 – 13:00, 14:00 – 18:30	09:00 – 18:30
Tuesday	09:00 – 13:00, 14:00 – 18:30	09:00 – 18:30
Wednesday	09:00 – 13:00, 14:00 – 18:30	09:00 – 18:30
Thursday	09:00 – 13:00, 14:00 – 18:30	09:00 – 18:30
Friday	09:00 – 13:00, 14:00 – 18:30	09:00 – 18:30
Saturday	10:00 – 13:00	10:00 – 13:00
Sunday	-	-
Total	45.5 hours	50.5 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:
- Substance misuse
 - Needle exchange
 - Antiviral provision
 - Palliative care
 - Smoking cessation

- Community pharmacy consultation service*
- Flu vaccination
- Pharmacy contraception service
- Hypertension
- New Medicine service
- Minor ailments

* *The Community Pharmacy Consultation Service ended on 30 January 2024. From 31 January 2024, this was incorporated into the Pharmacy First service.*

Unforeseen Benefits Application for a New Pharmacy at Kingsland Centre

4.7 A notification was also received on 13 March 2024 from PCSE, 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 B. This was previously considered by the PNA Sub-Committee on 23 January 2024, but the 45 day consultation period has been reopened for this application to allow the two applications to be considered together.

4.8 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

4.9 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

** The Community Pharmacy Consultation Service ended on 30 January 2024. From 31 January 2024, this was incorporated into the Pharmacy First service.*

Analysis

4.10 As a statutory consultee, the Health and Wellbeing Board is invited to submit comments on the above applications within 45 days of the notification date (i.e., 26 April 2024), however, there is no requirement to do so.

4.11 In order to be given permission, the applicant needs to prove that a new pharmacy would provide “significant benefits”. Factors that are considered when deciding 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.

4.12 Four pharmacies have closed in Newbury and Thatcham since the Pharmaceutical Needs Assessment was originally carried out in 2022, including:

- The Lloyds Pharmacy in the Kingsland Centre, Thatcham, which closed in August 2022
- The Lloyds Pharmacy in Sainsbury’s, Hector Way, Newbury, which closed in April 2023
- The Superdrug Pharmacy in Northbrook Street, Newbury, which closed in September 2023
- Boots Pharmacy at Thatcham Medical Centre, which closed in February 2024.

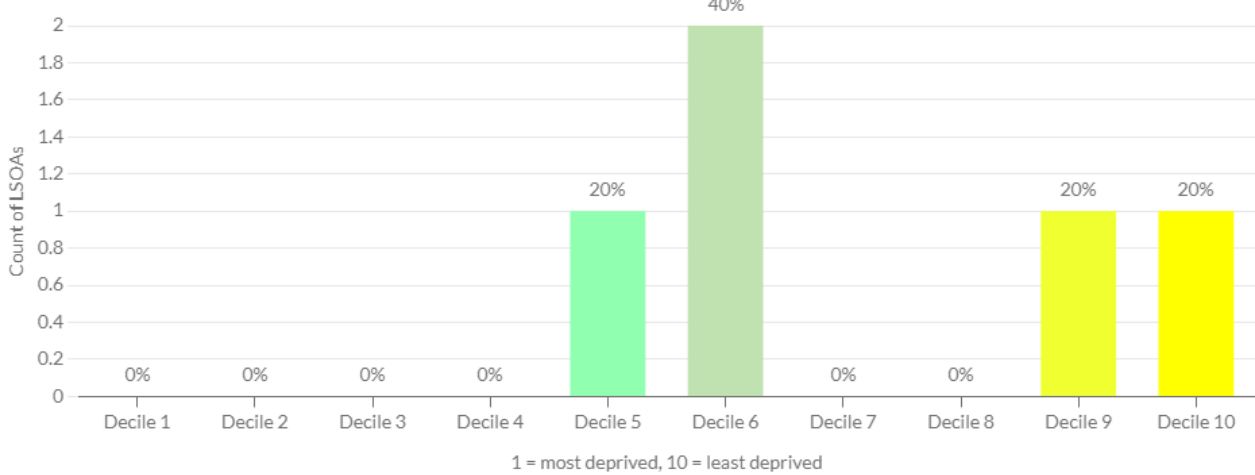
- 4.13 There are currently two pharmacies in Thatcham and five pharmacies in Newbury. However, notification was received on 28 April that a recent application for a new pharmacy in Newbury Town Centre has been approved, subject to any appeal.
- 4.14 When the PNA was undertaken the ratio of pharmacies per 10,000 population was 1.3 in West Berkshire, compared to 2.2 for England as a whole. As a result of pharmacy closures across the district in the period since the PNA was completed, the ratio has fallen to 1.0 per 10,000 population. Assuming the new pharmacy in Newbury town centre opens, the ratio would increase slightly to 1.1 per 10,000 population. If the pharmacies at Gaywood Drive and Kingsland Centre were to be approved, then ratio would be 1.2 per 10,000 population, which is still below the baseline and significantly below the figure for England as a whole, even taking into account pharmacy closures elsewhere.
- 4.15 However, the above information needs to be considered with the following caveat: the ratio doesn't take account of location, catchment or the number of items dispensed. Previous experience has shown that two efficient pharmacies can provide better access than four inefficient ones and so the overall decision should be guided by the LPC as to the number of scripts they can process.

Gaywood Drive

- 4.16 The application indicates that there is no pharmacy situated in Clay Hill or Thatcham West Wards and that recent closures have created a significant gap in pharmaceutical services for Newbury and Thatcham. However, the Health and Wellbeing Board did not consider that the closures 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 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 remaining pharmacies 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.
- 4.17 Notwithstanding the lack of a declared significant gap in provision, the proposed pharmacy would help to improve capacity and choice for local patients.
- 4.18 The proposed pharmacy would be the only one within the Newbury Clay Hill Ward to the north-east of the town centre which has a population of 7,547 residents according to the 2021 Census. The area has relatively low levels of deprivation (20% of LSOAs within this ward are within the 5th decile on the Index of Multiple Deprivation and 20% of LSOAs are within the 4th decile for the income domain).

Application offering Unforeseen Benefits – Gaywood Drive Shops, Newbury and Kingsland Centre, Thatcham

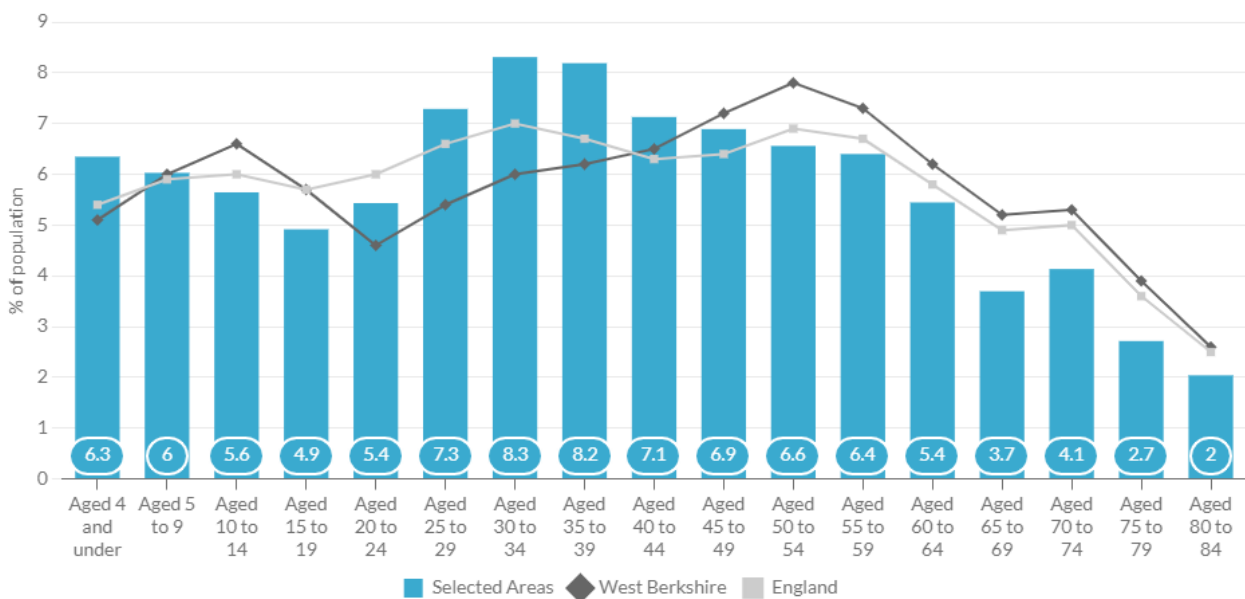
Index of Multiple Deprivation - LSOAs by decile in Newbury Clay Hill (2019)



Source: MHCLG

4.19 In terms of its age profile, Newbury Clay Hill has lower numbers of older people (aged 65 and older), but higher numbers of very young children (aged 4 and younger) compared with the West Berkshire and England averages. These groups are likely to have higher demands for pharmacy services.

Population by five-year age groups (2021)

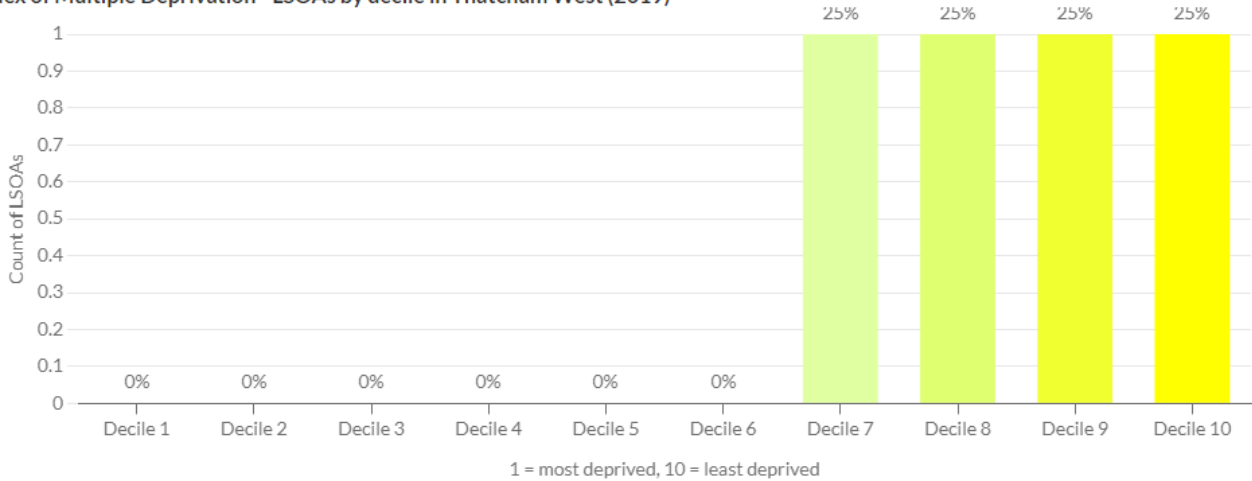


Source: ONS, Census 2021

4.20 Gaywood Drive would also be the closest pharmacy for some residents of Thatcham West Ward, which has a population of 7,322 according to the 2021 Census. However, only those living in a small portion to the west of Pound Lane would benefit. For those living further east, Halo Pharmacy at Crown Mead would be the closest pharmacy. The application has assumed that the catchment would include the entirety of both wards (circa 15,000 residents), which is misleading. This area has low levels of deprivation with no residents within deciles one to six.

Application offering Unforeseen Benefits – Gaywood Drive Shops, Newbury and Kingsland Centre, Thatcham

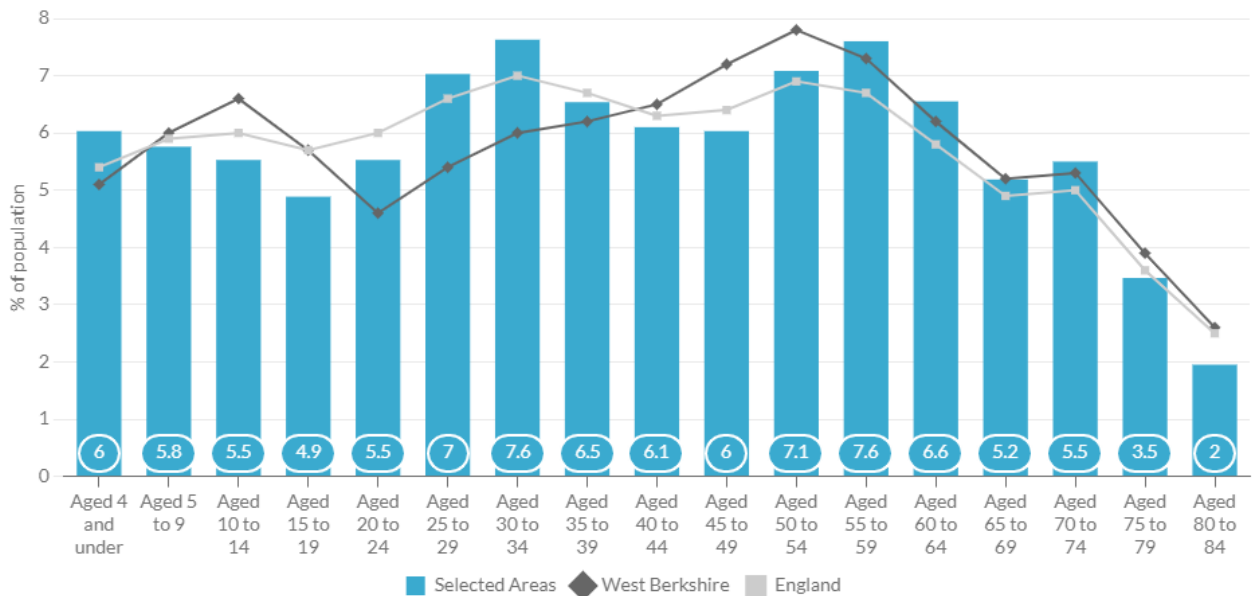
Index of Multiple Deprivation - LSOAs by decile in Thatcham West (2019)



Source: MHCLG

4.21 The age profile for Thatcham West Ward is shown below. This shows that the number of people aged 65 to 74 are similar to the West Berkshire average, but the numbers of people aged 80 to 84 are lower than the average for West Berkshire and England as a whole. As with Newbury Clay Hill, the ward has higher numbers of very young children (aged 4 and younger) compared with the West Berkshire and England averages.

Population by five-year age groups (2021)



Source: ONS, Census 2021

4.22 Currently, Clay Hill residents have journeys of up to 2 miles to access pharmacies in Newbury or Thatcham, taking up to 44 minutes on foot, or at least 26 minutes by bus. It should be noted that very northernmost parts of the ward fall within a controlled locality where dispensing doctors provide services to patients due to the lack of community pharmacies.

4.23 The proposed location would have average levels of accessibility typical of a suburban location, being served by a limited number of local walking routes and one local bus route (Jet Black 1). There is no public car park in the vicinity of the proposed site, so patients would have to park at the kerbside on surrounding roads, which may have a negative impact in terms of road safety.

- 4.24 Pharmacies that remain open after 6pm are considered to have late-evening opening. The Gaywood Drive application indicated that it would remain open until 6.30pm Monday to Friday.
- 4.25 The PNA did not report any gaps in out of hours provision and three of the five pharmacies in Newbury have late-evening opening, but these are all located on the southern fringe of the town. Prior to closing in 2023, the Lloyds Pharmacy in Sainsbury's would have been the closest one to offer late evening opening for many residents of Newbury Clay Hill. The proposed pharmacy would improve access to pharmacy services in the evenings.
- 4.26 The pharmacy would also be open for limited hours on Saturdays. Four out of the five existing pharmacies in Newbury currently open on Saturdays and the new pharmacy approved for Newbury town centre would also open on Saturdays.
- 4.27 The applicant is not proposing to introduce any innovative measures to enhance the offer, such as home delivery.
- 4.28 It is not clear whether opening another pharmacy would have any significant negative effects on other pharmacies in the area. While no gap in provision has been declared as part of the Pharmaceutical Needs Assessment, there is anecdotal evidence by way of comments to the Health Scrutiny Committee, Healthwatch and social media to suggest that patients have experienced significant waiting times at other pharmacies in Newbury, particularly at Boots in Northbrook Street. However, the application by CA Health Ltd for an additional pharmacy within Newbury Town Centre has just been approved and will provide additional capacity within Newbury.
- 4.29 In summary, although the PNA does not identify a gap in provision, the proposed pharmacy would provide additional coverage in an area of Newbury that is currently under-served. As noted in 4.14 above, the ratio of pharmacies per 10,000 population is currently 1.0, which is below the value of 1.3 for West Berkshire and 2.2 for England at the time the PNA was carried out. It would also enhance the late-evening offer in the town, increasing accessibility to pharmacy services as highlighted within the PNA.

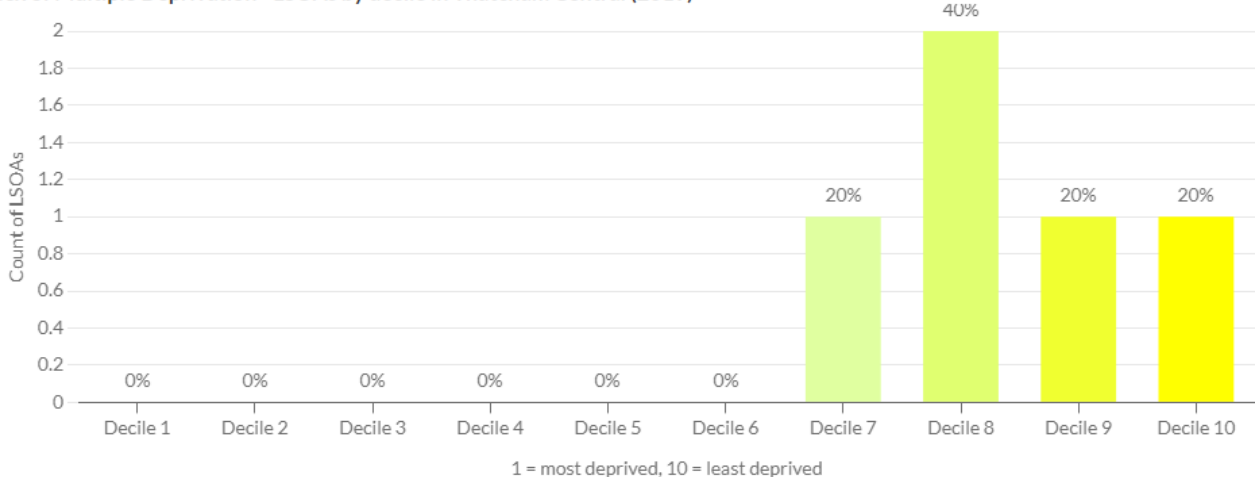
Kingsland Centre

- 4.30 This application was previously considered by the PNA Sub-Committee on 23 January 2024, when it was agreed that representations be made in support of the application.
- 4.31 The closure of Lloyds Pharmacy previously in the Kingsland Centre the Boots Pharmacy at Thatcham Medical Centre leaves just two pharmacies in Thatcham – Halo Pharmacy at Crown Mead and Thatcham Pharmacy at the Burdwood Centre.
- 4.32 As mentioned previously, the Health and Wellbeing Board did not consider that these 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. (A Supplementary Statement was published on the Berkshire Observatory website in error, but this has since been removed.) Also, reassurance was provided by the Local Pharmaceutical Committee that there was sufficient capacity at the two remaining pharmacies in Thatcham to be

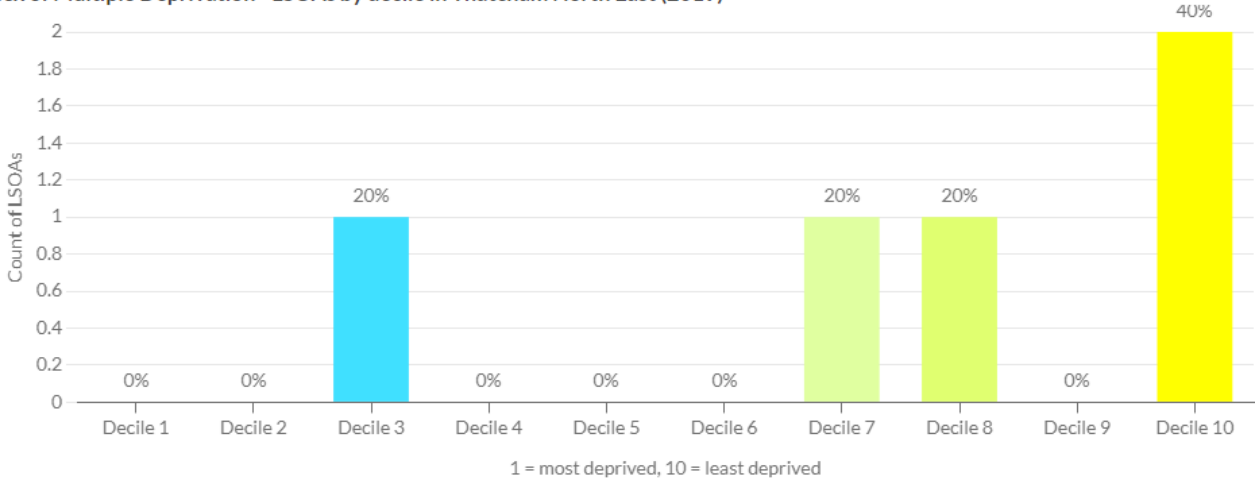
able to accommodate displaced activity. The lack of a declared significant gap in provision is the reason why this is an ‘unforeseen benefits’ application.

- 4.33 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. As noted in in 4.14 above, the ratio of pharmacies per 10,000 population is currently 1.0, which is below the value of 1.3 for West Berkshire and 2.2 for England at the time the PNA was carried out.
- 4.34 Although the pharmacy would be in Thatcham Central ward, which has low levels of deprivation, realistically it would be expected to be used by all Thatcham residents, including those living in Thatcham North East, which has pockets of deprivation (20% of LSOAs within this ward are in the third decile on the Index of Multiple Deprivation).
- 4.35 We see a correlation between poorer health (and health behaviours such as smoking and substance misuse) and increased deprivation. We would therefore expect to see a greater demand on pharmacy services (including Advanced and Enhanced Services such as smoking cessation and needle and syringe exchange services) serving more deprived areas.

Index of Multiple Deprivation - LSOAs by decile in Thatcham Central (2019)



Index of Multiple Deprivation - LSOAs by decile in Thatcham North East (2019)

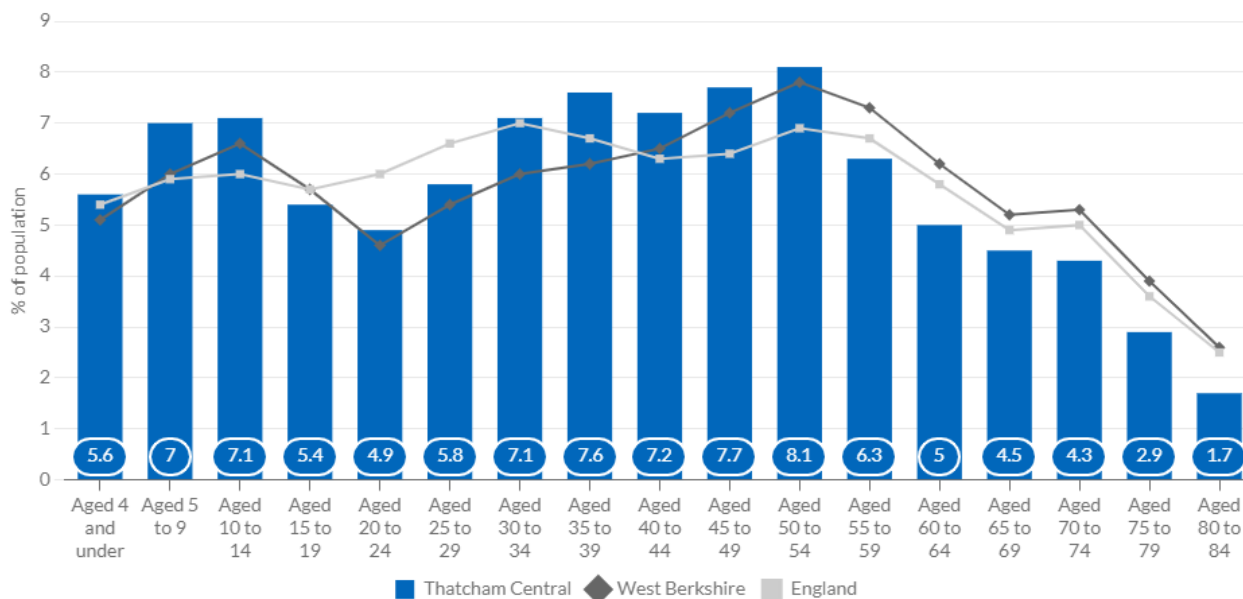


Source: MHCLG

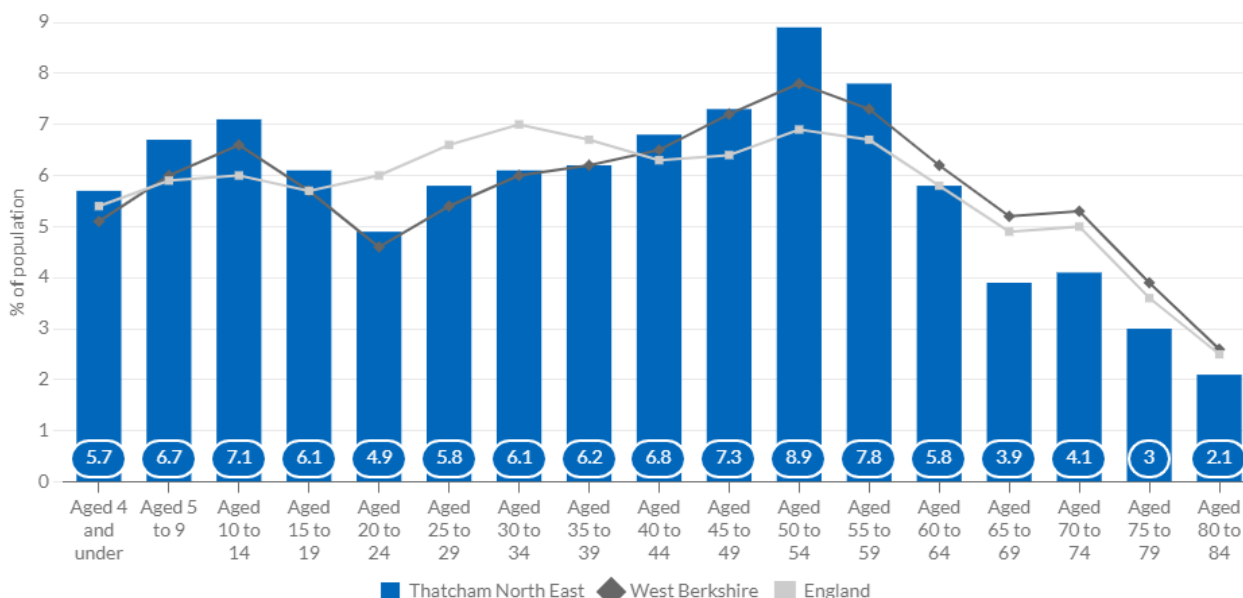
- 4.36 The age profiles for Thatcham Central and Thatcham North East are very similar, with slightly higher numbers of school aged children and slightly lower numbers of older people (aged 65 and over) than the West Berkshire or England averages.

Application offering Unforeseen Benefits – Gaywood Drive Shops, Newbury and Kingsland Centre, Thatcham

Population by five-year age groups (2021)



Population by five-year age groups (2021)



Source: ONS, Census 2021

4.37 The PNA did not report any gaps in out of hours provision. Both of the other pharmacies in Thatcham currently offer late evening services. While the applicant is not proposing to have early morning or late evening opening, the 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.

4.38 Also, the proposed location would have a good level of accessibility by walking, cycling and local bus routes commensurate with its town centre location. 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. Furthermore, the pharmacy proposed to operate a home delivery service seven days a week.

4.39 It is not clear whether there would be any significant negative effects that would occur as a result of the proposed pharmacy opening. Anecdotal evidence at Health Scrutiny Committee suggests that both of the existing pharmacies in Thatcham are working

well and appear to be coping with current demand. However, the effects of the recent Boots closure are only just being felt and demand for services are likely to increase within the winter months. The applicant also owns one of the other two pharmacies in the town and it is reasonable to expect that they would have taken the commercial decision that there is sufficient demand to sustain an additional pharmacy.

- 4.40 In summary, although the PNA does not identify a gap in provision, the application would enhance coverage within Thatcham and would provide additional resilience. It would also provide much needed access to pharmacy services on Sundays for Thatcham residents.

5. Options Considered

The options available to the Health and Wellbeing Board are:

- (a) to make representations in support of one / both of the applications;
- (b) to make representations opposing one / both of the applications;
- (c) to not make any representations in relation to the applications.

6. Proposal(s)

Having undertaken appropriate analysis and consultation, it is proposed that the representations should be made on behalf of the Health and Wellbeing Board in support of both applications, but with the proviso that the cumulative impacts associated with both the Thatcham Town Centre and Gaywood Drive pharmacies are considered in relation to the operation of existing and proposed pharmacies.

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 both applications have found support.
- 8.2 Healthwatch West Berkshire has been consulted to understand what feedback has been received from residents in relation to pharmacies in both Newbury and Thatcham. They have indicated that pharmacy concerns have reduced dramatically, with only two concerns raised this year, neither of which were around waiting times. They are proposing to undertake a study in 2024/25 to seek patients' feedback on local pharmacy services following implementation of the Pharmacy First initiative. This will cover a variety of aspects, including waiting times.
- 8.3 It should be noted that the Integrated Care Board provided an update on Community Pharmacy Provision across Buckinghamshire, Oxfordshire and Berkshire West to the Health and Wellbeing Board on 22 February 2024. This documented the improvements that had been put in place to improve resilience of the sector, which had considerably reduced the number of unplanned closures.

9. Appendices

Appendix A – Application for Gaywood Drive Shops, Newbury

Appendix B – Application for Kingsland Centre, Thatcham

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.

Our Ref: CAS-270183-Q5R4N4

Please quote this reference on all correspondence

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

To interested parties being notified of this application – see enclosed distribution list – sent by email only

13th March 2024

Dear Sir/Madam,

Re: Application offering Unforeseen Benefits at Gaywood Drive Shops, Newbury, RG14 2PR (best estimate) by Bolcer Ltd

We have received the above application, a copy of which is enclosed, and NHS commissioning 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 us at the above address within 45 days of the date of this letter i.e. by **26th April 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 commissioning 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.

Please ensure you include our reference (see above) in the subject line of your email as this will help us file your representations with the correct application as quickly as possible.

We 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.

NHS commissioning intends to consider this application together and in relation to the following application...

- ME3093 – LP SD One Hundred Seven Ltd – Unforeseen Benefits – RG19 3HN (best estimate) – CAS-261308-H8K8C7

Primary Care Support England provides administrative and support services for primary care on behalf of NHS England and is part of Capita PLC. 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.

Yours faithfully,

L Hyde

Lewis Hyde
Market Entry Officer
Primary Care Support England

Chapter 29

Annex 7

Unforeseen benefits application – best estimate

Application by Bolcer Ltd (the applicant) to open a pharmacy at Gaywood Drive Shops, Newbury, RG14 2PR – Map covering best estimate area depicted below [in application], with best estimate sites located within blue box

Explanatory notes by Buckinghamshire, Oxfordshire and Berkshire West ICB

Q1. What is this application for?

The applicant wishes to open an NHS pharmacy at Gaywood Drive Shops, Newbury, RG14 2PR – Map covering best estimate area depicted below [in application], with best estimate sites located within blue box.

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.

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 Berkshire West 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 Berkshire West 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 Berkshire West 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 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.

Q6. When will a decision be made?

We expect to make a decision by 29th June 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.

Chapter 15

Annex 1

Application Form

Application offering unforeseen benefits

Application for inclusion in the pharmaceutical list for the area of

.....West Berkshire..... (insert 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 applicant¹

Bolcer Ltd c/o Healthcare Plus Consulting Ltd
--

Is this a personal address? Yes No

1.2 Applicant's legal entity

I/we am/are applying as a:

¹ This is the name of the legal entity applying, not the person who is completing the application.

(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

<p>Please list each partner and their GPhC/PSNI registration number:</p> <p>Please continue on a separate sheet if necessary.</p>
--

Corporate Body

Superintendent's name and GPhC registration number is	Tanzil Ahmed 2075626
---	----------------------

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.

<p>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.</p>

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

<p>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.</p>
--

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.)

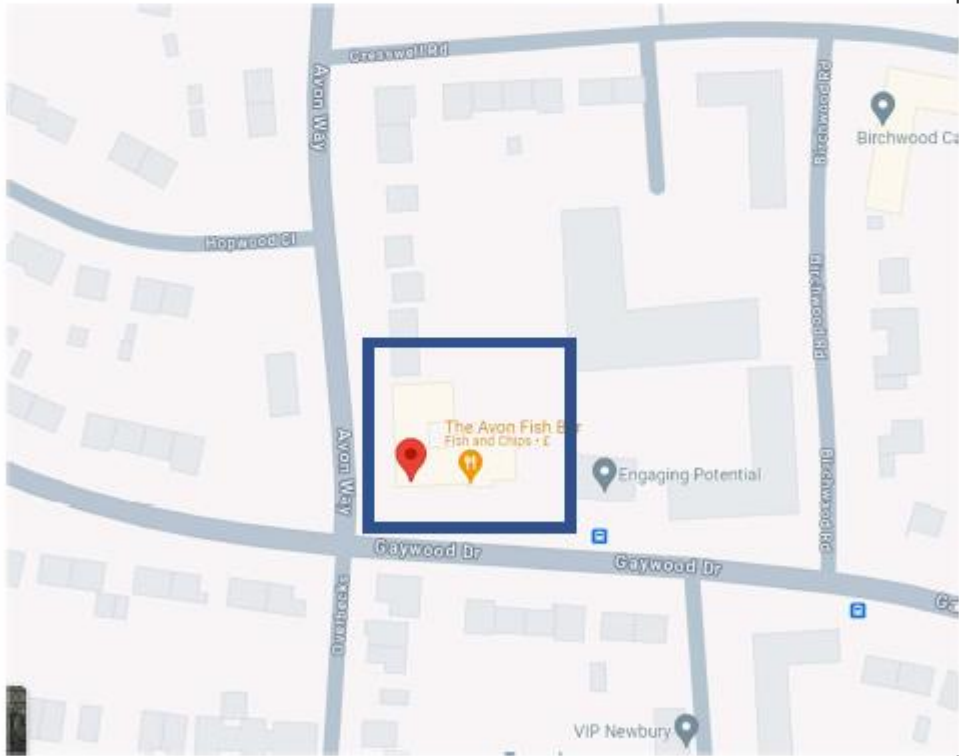
I/we know the address of the proposed premises

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

Please provide the address or best estimate² of the proposed premises

Gaywood Drive Shops
Newbury
RG14 2PR

Map covering best estimate area depicted below, with proposed best estimate sites located within blue box.



² 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.

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 hours³

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
09:00-13:00 14:00-18:30	09:00-13:00 14:00-18:30	09:00-13:00 14:00-18:30	09:00-13:00 14:00-18:30	09:00-13:00 14:00-18:30	10:00-13:00	Closed	45.5

3.2 Total proposed opening hours⁴

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
09:00-18:30	09:00-18:30	09:00-18:30	09:00-18:30	09:00-18:30	10:00-13:00	Closed	50.5

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 it is intended that the pharmacy will not provide appliances).

None

Please give details of any advanced and enhanced services⁵ you intend to provide. These details should include:

³ 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.

⁴ The total opening hours includes the core hours and any supplementary opening hours.

⁵ 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.

- 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.

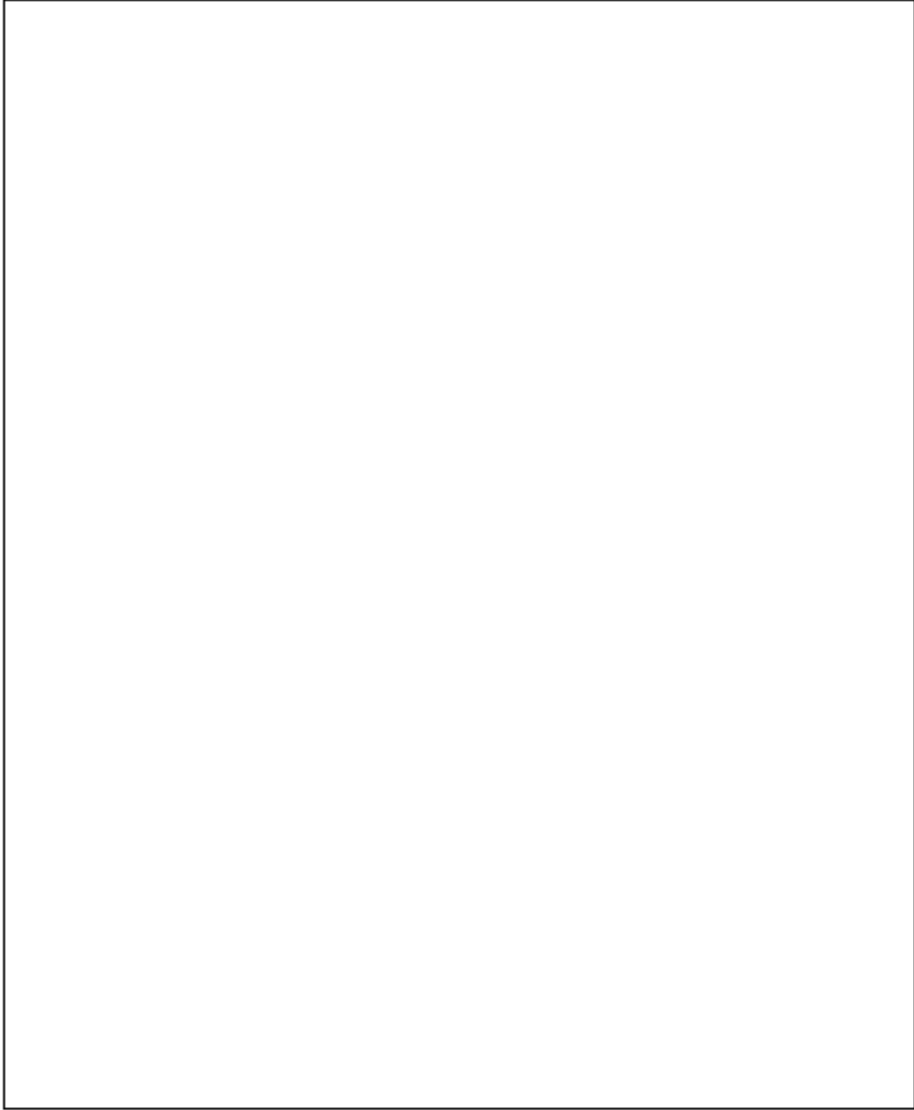
Service	Accredited to provide (Y/N/NA)	Premises accredited (Y/N/NA)
Substance misuse	Y	N
Needle Exchange	Y	N
Antiviral provision	Y	N
Palliative Care	Y	N
Smoking cessation	Y	N
CPCS	Y	N
Flu vaccination	Y	N
Pharmacy Contraception Service	Y	N
Hypertension	Y	N
New Medicine Service (NMS)	Y	N
Minor Ailments	Y	N

Please continue on a separate sheet if necessary.

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

To follow
 We are unable to currently provide a floor plan of the proposed premises as we do not have one from the shopfitters
 Once the premises have been secured (currently not in our possession as per application), they will be registered with the GPHC and will comply with all relevant legal & ethical requirements for the operation of a retail pharmacy business



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:

N/A

There is no pharmacy currently trading from/ adjacent to the proposed site.

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.

Please see enclosed supporting Information

Please continue on a separate sheet if necessary.

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

The Lloyds in Sainsbury's, Hectors Way, Newbury, RG14 5AB;
The Superdrug, Northbrook Street, Newbury, RG14 1AE;
The Boots, Thatcham Health Centre, Thatcham, RG18 3HD

were open with no plans for closure at the time of the PNA being written. This application is therefore submitted under Regulation 18 as an unforeseen benefits application.

An increase in local pharmacy capacity and improved choice to meet the needs of the local population.

Better access and choice to pharmaceutical services given the closure of the above pharmacies.

See enclosed Supporting information for further detail.

Please continue on a separate sheet if necessary.

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 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 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.

NameNikhil Koria.....

PositionDirector.....

Date24/01/24.....

On behalf of the company/partnershipBolcer Ltd.....

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

Contact email number in case of queries

Registered office

17 Kilderkin Court, Coventry, CV1 2UF
--

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 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.

Newbury New Contract Supporting Information

Background

This application is in respect of opening up a new pharmacy in order to provide better access for patients requiring access to pharmaceutical services in Newbury and Thatcham. Specifically, residents of the Newbury Clay Hill Ward; the Thatcham West Ward; and the surrounding areas.

We understand that there is currently no pharmacy situated in either ward. We believe that the recent closure of the following pharmacies have left/ will leave a significant gap in pharmaceutical services for Newbury and Thatcham:

- Lloyds in Sainsburys, Hectors way, Newbury, RG14 5AB – Closed June/ July 2023
- Superdrug, Northbrook Street, Newbury, RG14 1AE – Closed 16/09/2023
- Boots, Thatcham Health Centre, Thatcham, RG18 3HD – Closing 17/02/2024

Hence this application is offering unforeseen benefits not captured within the PNA.

The best estimate of the proposed site we wish to open up a new pharmacy is located on Gaywood Drive Shops, Newbury, RG14 2PR. This is a different location to the closures above, however we believe that a pharmacy located here would provide better access to the resident population, especially patients residing in the Newbury Clay Hill and Thatcham West wards.

Per PNA data, the Newbury Clay Hill Ward houses 7323 residents, and the Thatcham West Ward houses 7209 residents. For nearly 15,000 residents' access to pharmaceutical provision is evidently poor.

For further context, it is prudent to analyse overall pharmaceutical provision across Newbury and Thatcham. Per the 2021 census, Newbury has a resident population of 42,265 served by 5 pharmacies; and Thatcham has a resident population of 25,547 soon to be served by only 2 pharmacies.

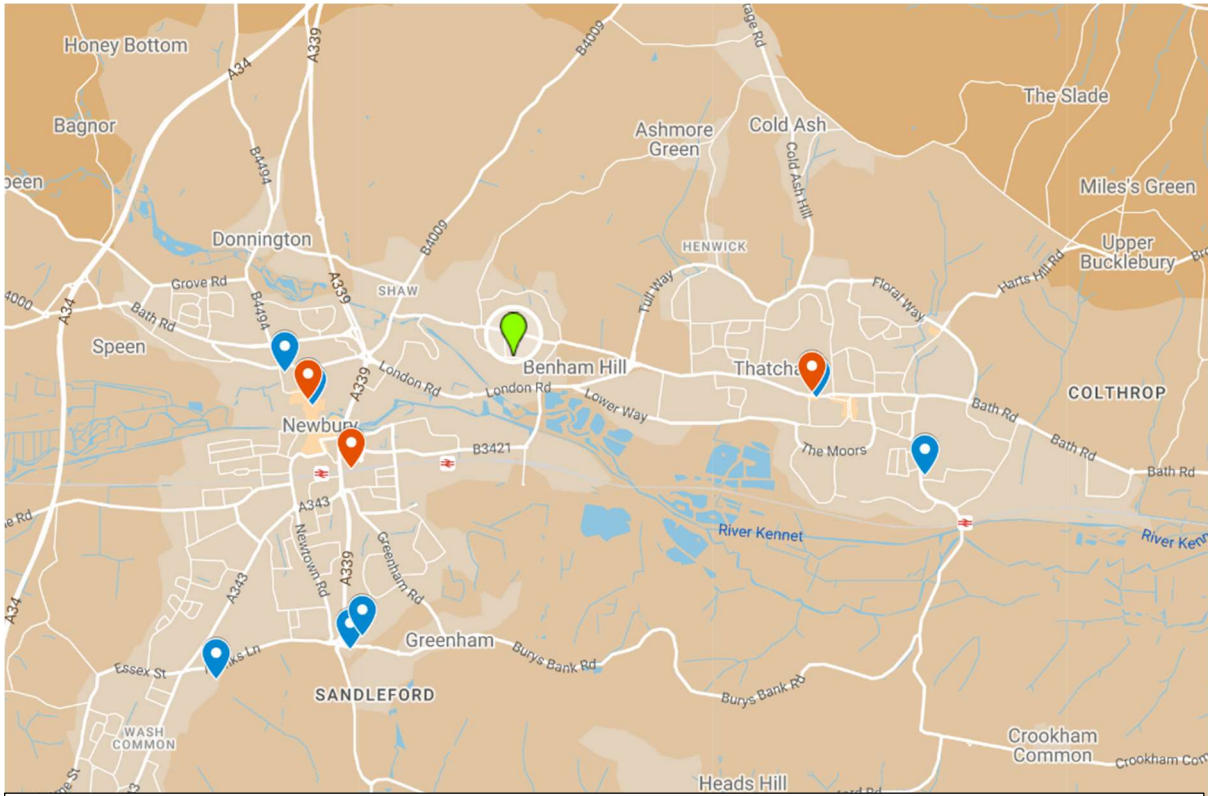
Aggregating and extrapolating the above figures allows us to conclude that Newbury and Thatcham only have 10.3 pharmacies per 100,000 people – half the average for England (20.6/100,000). Such pharmaceutical access and choice could be described as dire, especially when we consider that Newbury and Thatcham are very much urban areas. Common sense alone would dictate that there is a requirement for another pharmacy to serve Newbury and Thatcham, however we have set out distinct benefits of granting this application further on within this document.

Proposed Location

The proposed location is situated amongst a well utilised parade of shops, at the heart of the Newbury Clay Hill Ward, around the corner from Birchwood care home.

The parade is home to a Convenience Store; a Chinese takeaway; and a Fish & Chips shop. These are typical amenities that would be found within the local community; all with ample parking and wide walkways to access local services. There is good access by foot, car, and public transport.

The map overleaf illustrates the location of current pharmaceutical provision; the location of the recently closed/ closing sites; and the location of the proposed site.



Green marker - depicts the location of the proposed site, RG14 2PR
 Blue marker - depicts current pharmaceutical provision
 Red marker – depicts recently closed pharmaceutical provision

It is clear from the map above that there is a huge gap in geography where pharmaceutical services are required; a gap this application proposes to fill.

Site images



Image depicting the parade, with wide walkways and parking available outside the proposed site.



Image depicting sheltered Bus stop outside the proposed site.



Image depicting further street parking adjacent to proposed premises.

Regulations

We are required by NHS England to address the overarching question in an Unforeseen Benefits application:

“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 area”.

When considering the above question, the provisions of Regulation 18(2)(b) should be noted:

(b) whether, notwithstanding that the improvements or better access were not included in the relevant pharmaceutical needs assessment, it is satisfied that, having regard in particular to the desirability of—

(i) there being a reasonable choice with regard to obtaining pharmaceutical services in the area of the relevant HWB (taking into account also the NHSCB’s duties under sections 13I and 13P of the 2006 Act(b) (duty as to patient choice and duty as respects variation in provision of health services)),

(ii) people who share a protected characteristic having access to services that meet specific needs for pharmaceutical services that, in the area of the relevant HWB, are difficult for them to access (taking into account also the NHSCB’s duties under section 13G of the 2006 Act(c) (duty as to reducing inequalities)), or

(iii) there being innovative approaches taken with regard to the delivery of pharmaceutical services (taking into account also the NHSCB’s duties under section 13K of the 2006 Act(a) (duty to promote innovation)),

granting the application would confer significant benefits on persons in the area of the relevant HWB which were not foreseen when the relevant pharmaceutical needs assessment was published;

We note that points on reasonable choice; protected characteristics; and innovation are desirable, however, they are merely supporting considerations when determining whether in fact the overarching test in regulation 18(2)(b) has been met: an application should be granted should it provide *improvements or better access to pharmaceutical services, or pharmaceutical services of a specified type in the HWB’s area.*

For the benefit of the committee, this application does not seek to rely on Regulation 18(2)(b)(iii).

We have addressed these regulations overleaf.

Patient Journeys

Above we identified approximately 15,000 residents of the Newbury Clay Hill and Thatcham West wards who would likely access pharmaceutical services at the proposed site. When considering securing better access, we must consider what a typical patient journey would currently look like. We also consider the reasonable choice within these journeys, alongside how those with protected characteristics find those journeys.

In assessing patient journeys below, we would like to highlight the comments from the PNA steering group within the PNA on distance and access to pharmaceutical services in West Berkshire:

“The PNA Steering Group agreed that the maximum distance for residents in West Berkshire to access pharmaceutical services, should be no more than 1 mile. This distance equates to about a 20-minute walk.”

From the above we highlight that 1-mile/ 20 minutes by foot is the **maximum** distance that residents should have to travel to access pharmaceutical services in urban areas. This observation should be kept in mind for the scenarios below.

Using the proposed site, RG14 2PR, as an arbitrary marker to represent these residents; we can see that the next nearest pharmacy is the Boots in Newbury town centre (RG14 1DJ), which is 1.5 miles away. It must be noted that distance in itself is a barrier to access. For residents currently residing near the proposed site, current pharmaceutical services are difficult to access by foot and public transport.

By Foot from Proposed site to current nearest pharmacy (Boots, RG14 1DJ)

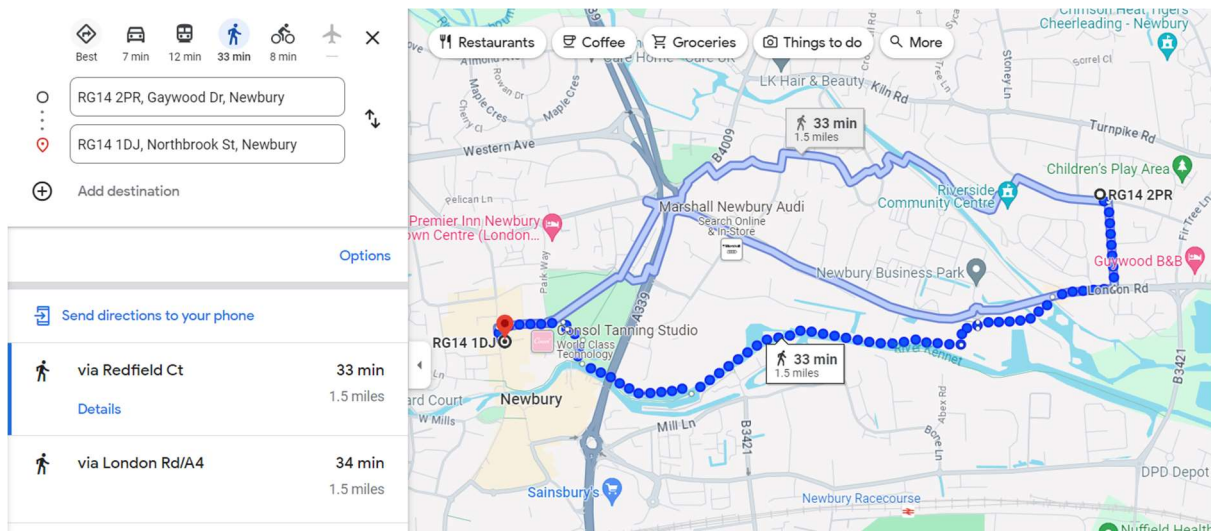
As can be seen from the map on the following page, this journey is 1.5 miles or 32 minutes, equating to a 1 hour 4-minute round-journey. It is worth reiterating that distance in itself is a barrier to access. This journey is far greater than the 1-mile PNA maximum distance and is clearly excessive, especially considering the sizeable 7000+ population in the Newbury Clay Hill ward who have to endure such a lengthy journey.

Such poor access by foot is especially relevant when we understand that 40.3% of residents access pharmaceutical services by foot in West Berkshire, per the PNA public engagement survey.

We cannot consider a 3-mile round walk to access pharmaceutical services as sufficient access, nor can we consider this as having a reasonable choice to pharmaceutical services. In fact, for residents near the proposed site, we would consider this as no pharmaceutical choice at all, much less than the threshold of ‘reasonable choice’.

Additionally, such an extended journey will prove difficult for the elderly, disabled, or parents with young children. Groups with protected characteristics do not have sufficient access by foot.

It follows that other pharmaceutical provision is also not accessible by foot on account of the greater distances involved. The Day Lewis pharmacy in Newbury town centre is 1.6 miles away, and Halo pharmacy in Thatcham is 1.8 miles away. Thus, there is a lack of reasonable choice and access to pharmaceutical services for those travelling by foot.



By Car from Proposed site to current nearest pharmacy (Boots, RG14 1DJ)

The journey by car to the Boots, RG14 1DJ, can be a 16-minute one-way journey during busy traffic hours.

Again, we cannot consider a 32-minute round drive to access pharmaceutical services as sufficient access, nor can we consider this as having a reasonable choice to pharmaceutical services.

We also note that car parking is an issue for those accessing the Boots due to its location in Newbury town centre. We understand that there is no car parking outside of the shop with the nearest parking situated in Camp Hopson car park. This car park is pay and display and thus may present a barrier to people who would like to access pharmaceutical services but may be deterred from doing so frequently due to parking charges.

As per the images above, street car parking at the proposed site is ample and free of charge and would introduce reasonable choice and eliminate the current barriers to access.

By Public Transport from Proposed site to current nearest pharmacy (Boots, RG14 1DJ)

The journey by bus to the town-centre Boots is not the best served by public transport. Patients would obtain the No. 1 Jetblack bus from outside the proposed site. The journey is 14-minutes; however, the bus service is infrequent with buses only arriving every half an hour. Once a patient has arrived at a pharmacy, they could be waiting up to half an hour for the return journey. Clearly this does not provide adequate access to pharmaceutical services, especially when we consider that the return journey by foot is also inaccessible.

Such poor choice of pharmaceutical access is felt especially by the elderly and disabled. These patient groups could face having to wait half an hour for a return bus in the shivering cold on a winter's day. When we consider that these patients may not be able to drive, or even may not feel comfortable driving in winter conditions; alongside their inability to walk the long 1.5-mile distance back home, it is obvious that current pharmaceutical provision is inadequate and such scenarios stem from a lack of reasonable choice.

Access to the Day Lewis and Halo pharmacy by bus is similar on account of the 1 Jetblack service running from Newbury to Thatcham via the proposed site. Hence these alternative pharmacies do not provide reasonable choice and sufficient access to pharmaceutical services by bus.

A pharmacy at the proposed site would mean pharmaceutical services are accessible by foot and thus residents do not need to suffer excessive waits for public transport. Thus, granting this application would introduce reasonable choice and sufficient access to pharmaceutical provision.

Opening Hours

When considering better access, we must also consider the provision of opening hours, and the reasonable choice that patients have.

The applicant recognises that access to pharmaceutical services during late evening and weekends is especially important, particularly given new the Pharmacy First Service proposed by NHSE; and the lack of daytime accessibility for those working 9-5 hours. When we consider all 3 recently closed stores offered late evening or Saturday morning provision, it is apparent that there is now a lack of access during these times. Thus, the applicant has committed to late evening core hours, and Saturday morning core opening hours to restore reasonable choice and access to pharmaceutical provision at these hours.

Conclusion

In our view, the closure of the Lloyds in Sainsbury's and Superdrug in Newbury town centre, coupled with the upcoming closure of the Boots in Thatcham Medical Practice will leave a significant gap in pharmaceutical services for Newbury and Thatcham.

Local residents and those who are using the local amenities would benefit significantly from having a pharmacy located on the parade of shops on Gaywood Drive.

Granting this application would secure better access to pharmaceutical services, especially when we consider the huge gap in geography that exists and access difficulties by foot, bus, and car. The elderly, disabled, and the wider population are likely to find the proposed pharmacy significantly more accessible than their current choices. It would also introduce reasonable choice of a different pharmaceutical provider for those in the local area.

We would like to note that granting this application would not cause significant detriment to access of pharmaceutical services, as this application is seeking to fill a gap vacated by the Lloyds (RG14 5AB), Superdrug (RG14 1AE), and Boots (RG18 3HD) closures; and notwithstanding the fact that the nearest pharmacy to the proposed site is located 1.5 miles away.

On the evidence outlined above, we believe that a new pharmacy contract should be granted.

Our Ref: CAS-261308-H8K8C7

Please quote this reference on all correspondence

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

To interested parties being notified of this application – see enclosed distribution list – sent by email only

13th March 2024

Dear Sir/Madam,

Re: Application offering Unforeseen Benefits at Kingsland Centre, The Broadway, Thatcham, RG19 3HN (best estimate) by LP SD One Hundred Seven Limited

We have received the above application, a copy of which is enclosed, and NHS commissioning 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 us at the above address within 45 days of the date of this letter i.e. by **26th April 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 commissioning 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.

Please ensure you include our reference (see above) in the subject line of your email as this will help us file your representations with the correct application as quickly as possible.

We 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.

NHS commissioning intends to consider this application together and in relation to the following application...

- Bolcer Ltd – Unforeseen Benefits – RG14 2PR (best est) – CAS-270183-Q5R4N4

Primary Care Support England provides administrative and support services for primary care on behalf of NHS England and is part of Capita PLC. 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.

Yours faithfully,

L Hyde

Lewis Hyde
Market Entry Officer
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.



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.

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.

This page is intentionally left blank