Changes to Pharamaceutical Services – Decision Making Process

Report being considered by:	Health and Wellbeing Board
On:	24 September 2026
Report Sponsor:	Dr Matt Pearce Director of Public Health
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1 Purpose and Executive Summary

1.1 This report sets out proposals for amending how the Health and Wellbeing Board (HWB) reviews formal notifications of changes to pharmaceutical services within its area, and for keeping the Pharmaceutical Needs Assessment (PNA) under review.

1.2 Currently, the HWB has the option of delegating consideration of formal notifications of changes to pharmaceutical services affecting residents of West Berkshire to the Pharmaceutical Needs Assessment Sub-Committee if there is not a convenient meeting of the HWB. However, this arrangement has proved to be impractical and inefficient.

1.3 An alternative approach is proposed whereby formal notifications of changes to pharmaceutical services be circulated electronically to Health and Wellbeing Board members, and relevant West Berkshire Council local ward members for comment, with approval of the final response to be delegated to the Director of Public Health in consultation with the Health and Wellbeing Board Chairman.

2 Recommendation(s)

It is recommended that the Health and Wellbeing Board agrees:

(a) That formal notifications of changes to pharmaceutical services affecting residents of West Berkshire (including notifications of appeals and third party comments on applications and appeals) be circulated via email to all Health and Wellbeing Board members, the Chief Officer of Community Pharmacy Thames Valley (if not a member of the HWB), and relevant West Berkshire Council local ward members for comment, with approval of the final response to be delegated to the Director of Public Health in consultation with the Health and Wellbeing Board Chairman.

(b) That the Pharmaceutical Needs Assessment Sub-Committee be dissolved.

Implications

Financial
None
Human resources
None
Legal
Section 128A of the National Health Service Act 2006 requires each HWB to assess the need for pharmaceutical services in its area and to publish a statement of its assessment (PNA). Paragraph 19 of Schedule 2 of the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (the Regulations) requires NHS England to give notice of notifiable applications for changes to pharmaceutical services to various bodies, including relevant Health and Wellbeing Boards. Those notified may make representations in writing to NHS England, provided they do so within 45 days of the date on which notice was given to them, or within 30 days in the case of applications pursuant to regulation 26A (consolidation of pharmacies onto an existing site). Representations are then circulated to the applicant and all interested parties who will have a final opportunity for comment. Applicants and/or certain interested parties have 30 days in which to appeal against NHS England's decision. Appeals are made to NHS Resolution, who circulate the appeal and give interested parties 30 days to submit representations. Any legal challenges to decisions based on information in the PNA may in turn expose the decision that was made by the HWB to challenge by way of Judicial Review. Therefore, it is important that the HWB follows national guidance in the implementation of the Regulations, including responding when notified of changes to pharmaceutical services within West Berkshire. The proposed approach outlined in this report would facilitate responses to such notifications. *Reviewed by Dawn Bond (10 August 2026)*
Risk management
Due to the serious consequences of not following due process in developing the PNA, national guidance recommends that the HWB includes production of the PNA in the council's risk register.
Council Strategy
None
Other Implications
None

Equalities Impacts: Neutral
None
Data Impacts: Neutral
None
Environmental Impacts: Neutral
None
Health Impacts: Positive
By responding to notifications of changes to pharmaceutical services in West Berkshire, the Health and Wellbeing Board will give an assessment as to how it considers the proposals will impact on local residents and whether any significant gaps in provision will be created as a result of the change.

Consultation and Engagement:	None

3 Background

3.1 Primary Care Support England (PCSE) is responsible for notifying a range of organisations, including relevant Health and Wellbeing Boards, when:

- a pharmacy or dispensing appliance contractor opens new premises or relocates to new premises
- a change of ownership application takes place
- a pharmacy or dispensing appliance contractor closes existing premises

3.2 Integrated Care Boards (ICBs) are responsible for notifying a range of organisations when:

- a pharmacy's core and/or supplementary opening hours change
- a dispensing practice ceases to dispense either to a particular area or completely

3.3 Each Health and Wellbeing Board is required to put in place a system to allow it to identify any changes to the availability of pharmaceutical services and then determine whether or not it needs to issue a supplementary statement to its PNA.

3.4 At its meeting on 20 April 2023, the Health and Wellbeing Board agreed a process for receiving and responding to notifications of changes to pharmaceutical services affecting residents of West Berkshire as follows:

(a) Notifications of changes to pharmaceutical services in West Berkshire to be shared between the Chairman of the Health and Wellbeing Board, the Director of Public Health, and West Berkshire Council's Public Health Team;

(b) Decisions about appropriate responses to notifications of changes to pharmaceutical services to be delegated to a Sub-Committee of the Health and Wellbeing Board, consisting of the Chairman and Vice Chairman of the Health and Wellbeing Board, the Director of Public Health, and a senior Public Health Officer;

(c) The Sub-Committee shall consult the Local Pharmaceutical Committee (Community Pharmacy Thames Valley) and the relevant local ward councillor(s) if a gap in provision is identified in order to understand the likely impact on other pharmacies and the local community;

(d) All decisions of the Sub-Committee will be reported back to the Health and Wellbeing Board at the next public meeting, and the Public Health Team will publish any supplementary statements or updated PNA on the West Berkshire Public Health Observatory website as required.

3.5 This process was in accordance with national guidance and closely followed that adopted by Wokingham Borough Council. It was intended to allow for responses to be agreed within statutory timescales where there was not a convenient meeting of the Health and Wellbeing Board.

3.6 The main weakness of this approach is that Sub-Committee meetings are required to take place in public, and with meetings sometimes taking as little as 15 minutes, they are not an efficient use of time, particularly for ICB colleagues who typically spend significantly longer travelling than they do in the meeting.

3.7 Also, it should be noted that the number of notifications of changes to pharmaceutical services has increased significantly in recent years. There were several pharmacy closures in West Berkshire during 2022 and 2023 due to large, national pharmacy chains leaving the market or closing unprofitable stores. Also, some 100-hour pharmacies applied to reduce their hours during this period. There have since been several applications by independent providers to open new pharmacies in West Berkshire. Most recently, Calcot has been the focus for new applications due to the significant gap in provision identified in the PNA. There has also been a consolidation of pharmacies in the Mortimer area. Several applications have been the subject of appeals, generating additional notifications that require further responses.

3.8 This increased level of activity has made it impractical to continue to arrange Sub-Committee meetings to respond to every notification, and an alternative mechanism is therefore required.

4 Proposals and Options Considered

Option	Comments
Option 1: Agree that : • Formal notifications of changes to pharmaceutical services to be circulated via email to Health and Wellbeing Board members, the Chief Officer of Community Pharmacy Thames Valley (if not a member of the HWB) and relevant WBC local ward members for comment, with approval of the final response to be delegated to the Director of Public Health in consultation with the Health and Wellbeing Board Chairman. • The Pharmaceutical Needs Assessment Sub-Committee be dissolved. **This is the recommended option.**	This would allow all members of the Health and Wellbeing Board to comment on proposed changes to pharmaceutical services. It would also be an efficient mechanism for agreeing responses, helping the Board to meet tight statutory deadlines.
Option 2: Set up a PNA Steering Group to review notifications and agree responses. Dissolve the Pharmaceutical Needs Assessment Sub-Committee. **This is not recommended.**	This could have a membership similar to the current PNA Sub-Committee. It would have the advantage of not requiring meetings to take place in public. However, it would not allow all HWB members to comment on notifications.
Option 3: Retain existing arrangements Do nothing - continue to use the Pharmaceutical Needs Assessment Sub-Committee to review notifications of changes to pharmaceutical services where there is not a suitable meeting of the Health and Wellbeing Board. **This is not recommended.**	This arrangement has proved to be impractical, since Sub-Committee meetings need to be held in person. These meetings can be very short and do not represent an efficient use of time, particularly for ICB colleagues who spend a disproportionate length of time travelling to and from meetings.

It is considered that the proposed course of action would address the weaknesses of the current arrangement, allowing the Board to respond to notifications of changes to pharmaceutical services affecting residents of West Berkshire within statutory timescales.

5 Appendices

None

Background Information

Pharmaceutical needs assessments: information pack for local authority health and wellbeing boards

Joint Health and Wellbeing Strategy Priorities Supported

The proposals will support the following 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 the Board is able to respond appropriately to notifications of changes to pharmaceutical services, and ultimately ensure that there is an adequate number of pharmacies and services to meet the neds of local residents.

Governance Pathway

Committee/Body	**Date**
Corporate Board	18 August 2026
Executive Briefing	3 September 2026
Health and Wellbeing Board	24 September 2026