

Manchester City Council Report for Resolution

Report to: Health and Wellbeing Board – 5 June 2024

Subject: Pharmacy Consolidation Application Appeal

Report of: Director of Public Health

Summary

Manchester Health and Wellbeing Board (HWB) is responsible for producing a local Pharmaceutical Needs Assessment under the National Health Service (Pharmaceutical and Local Pharmaceutical services) Regulations 2013.

Since 5 December 2016 pharmacies have been able to apply to NHS England and NHS Improvement to consolidate the provision of pharmaceutical services at two pharmacies onto one site. Health and Wellbeing Boards have a statutory duty to make representations in relation to these applications.

The representations must indicate whether, if the consolidation application were granted, in the opinion of HWB, the proposed removal of premises from the pharmaceutical list would or would not create a gap in pharmaceutical services provision that could be met by a routine application.

This case is an appeal against the decision taken by NHS Greater Manchester Integrated Care Pharmaceutical Services Regulations Committee (PSRC) on 16th February 2024 to reject an application from Everest Healthcare Limited to consolidate two existing premises into one.

The NHS GM Manchester Locality Medicines Optimisation Team has reviewed the application and found the following:

- There is a significant reduction in hours as the proposed closing site is a 100-hour contractor operating 76 hours per week Monday to Sunday whilst the remaining site would be maintaining 49 hours per week Monday to Saturday following consolidation
- There is a significant distance to the two remaining nearby 100-hour pharmacies (now operating reduced hours) that provide coverage Monday to Sunday.
- That there are no significant issues identified that present any barriers in terms of physical access to either sites; consolidation would therefore not adversely affect patients
- Consolidating the two sites would not have an adverse impact on the availability of pharmaceutical services as all services currently delivered on either site will be offered on the existing premises
- Based upon this assessment, and subsequent reduction in opening hours, it is considered that a gap in provision would be created in terms of access to pharmaceutical services on a Saturday or Sunday evenings for patients accustomed to accessing services from the closing site. It is therefore concluded

that granting the consolidation would lead to a gap which could be met by an application to secure improvements, or better access, to pharmaceutical services.

This report also describes the responsibilities of the Board to make representations in future cases and asks for guidance on the approach to their management.

Recommendations

The Board is asked to:

1. Determine whether this application would create a gap in pharmaceutical services provision which could be met from a routine application.
2. Note that future applications and/or appeals may be shared with the HWB for representations and provide guidance on how the Board wishes these to be managed.

Wards Affected: Both pharmacies affected deliver most services to those residing in the Chorlton, Whalley Range and Chorlton Park wards. However, service provision is not limited geographically as such and could therefore have a Citywide impact.

<p>Environmental Impact Assessment -the impact of the issues addressed in this report on achieving the zero-carbon target for the city</p>	<p>None identified.</p>
<p>Equality, Diversity and Inclusion - the impact of the issues addressed in this report in meeting our Public Sector Equality Duty and broader equality commitments</p>	<p>Equality Impact Assessments (EqIA) are considered and completed as part of specific service and scheme design, commissioning and sign off.</p>
<p>Manchester Strategy outcomes</p>	<p>Summary of how this report aligns to the Our Manchester Strategy/Contribution to the Strategy</p>

A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	
A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	
A liveable and low carbon city: a destination of choice to live, visit, work	
A connected city: world class infrastructure and connectivity to drive growth	

Health and Wellbeing Strategy priority	Summary of contribution to the strategy
Getting the youngest people in our communities off to the best start	This work is undertaken in line with the Pharmaceutical Needs Assessment (PNA) which ensures that the provision of pharmaceutical services meet the needs of Manchester residents across the life course. It ensures that there is appropriate access to pharmaceutical services for Manchester residents and allows residents to receive appropriate advice and treatment for self-care.
Improving people's mental health and wellbeing	
Bringing people into employment and ensuring good work for all	
Enabling people to keep well and live independently as they grow older	
Turning round the lives of troubled families as part of the Confident and Achieving Manchester programme	
One health and care system – right care, right place, right time	
Self-care	

Financial Consequences – Revenue None

Financial Consequences – Capital None

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. If you would like a copy, please contact one of the contact officers above.

- NHS Greater Manchester Integrated Care Pharmaceutical Services Regulations Committee (PSRC) December 2023 meeting report- Application for inclusion in a pharmaceutical list: consolidation onto an existing site
- Manchester 2023-2026 Pharmaceutical Needs Assessment

1.0 Introduction

1.1 Since 5 December 2016 pharmacies have been able to apply to NHS England and NHS Improvement to consolidate the provision of pharmaceutical services at two pharmacies onto one site. NHS England is directed to refuse a consolidation application if it satisfied that to grant it would create a gap in pharmaceutical services provision that could be met by an application offering to:

- meet a current or future need for pharmaceutical services; or
- secure improvements or better access to pharmaceutical services.

1.2 Health and Wellbeing Boards (HWBs) are notified of such applications and must make representations in writing which indicate whether or not granting the application would create such a gap.

1.3 In December 2023, Everest Healthcare Limited applied to the Pharmaceutical Services Regulations Committee (PSRC) to consolidate the pharmacy branch at 496 Wilbraham Road, Chorlton Cum Hardy, Manchester, M21 9AS onto another existing site at 420 Wilbraham Road, Chorlton-cum-Hardy, Manchester, M21 0AS.

1.4 Based on all available information, the PSRC refused the application for consolidation under Regulation 26A(5)(ii), on the basis that a gap would be created that could be filled by an application to secure improvements, or better access, to pharmaceutical services. Everest Healthcare Limited was notified by NHS England, in a letter dated 16th February, that the above application has been refused and has since submitted an appeal to this decision.

1.5 At the time of the application there were no representations received from the Manchester Health and Wellbeing Board. Thus, a request has been made from the NHS Resolution Primary Care Appeals Team for Manchester HWB to make representations in writing on the consolidation application pursuant to Paragraph 19(5) of the Schedule 2 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (the "Regulations").

1.6 The representations must indicate whether, if the consolidation application were granted, in the opinion of HWB, the proposed removal of premises from the pharmaceutical list would or would not create a gap in pharmaceutical services provision that could be met by a routine application:

- (a) to meet a current or future need for pharmaceutical services; or
- (b) to secure improvements, or better access, to pharmaceutical services.

2.0 Current Provision

2.1 The proposed site of closure 496 Wilbraham Road, Chorlton Cum Hardy, Manchester, M21 9AS sits in the Chorlton Ward and is 0.2 miles (estimated 5 minute walk) from the remaining site 420 Wilbraham Road, Chorlton-cum-

Hardy, Manchester, M21 0AS, located in Chorlton Park Ward. This is outlined in Appendix 1.

2.2 There is variation between the opening times at both sites (Table 1).

Table 1.

Remaining Site Current Opening Hours:							
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total Hours
09.00-18.00	09.00-18.00	09.00-18.00	09.00-18.00	09.00-18.00	09.00-13.00	Closed	49
Remaining Site Proposed Opening Hours:							
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total Hours
09.00-18.00	09.00-18.00	09.00-18.00	09.00-18.00	09.00-18.00	09.00-13.00	Closed	49
Closing Site Current Opening Hours:							
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total Hours
09.00-13.00 & 14.00-21.00	09.00-13.00 & 14.00-21.00	09.00-13.00 & 14.00-21.00	09.00-13.00 & 14.00-21.00	09.00-13.00 & 14.00-21.00	09.00-13.00 & 14.00-21.00	10.00-20.00	76

2.3 Both pharmacies provide a wide range of pharmaceutical services commissioned at both local and national level. The services currently provided at the remaining site are as follows:

- New Medicines Service (NMS)
- Pharmacy First
- Flu Vaccinations
- Needle and Syringe Programme
- Minor Ailments Service (MAS)
- Observed and Supervised Administration
- Dry Blood Spot Testing
- Disposal of Sharps
- Emergency Hormonal Contraception (EHC)
- NHS Smoking Cessation Service
- Hypertension Case Finding Service
- NHS Pharmacy Contraception Service
- Lateral Flow Test Supply Service.

2.4 In addition, the remaining site proposes that the following services will also be provided as are currently in place at the proposed closing site:

- Healthy Start Vitamins

- Naloxone Supply
- Covid-19 Vaccinations.

2.5 Both pharmacies are surrounded by numerous GP practices that are within 1 mile of each (Table 2). These practices generate the majority of prescriptions for these sites.

Table 2

GP Practice	Address	Miles from Closing Site	Miles from remaining Site
Wilbraham Surgery	515 Wilbraham Road, Chorlton Cum Hardy, Manchester, Lancashire, M21 0UF	0.4	0.2
Chorlton Family Practice	Chorlton Health Centre, 1 Nicolas Road, Chorlton Cum Hardy, Manchester, Greater Manchester, M21 9NJ	0.1	0.2
Ashville Surgery	171 Upper Chorlton Road, Manchester, Lancashire, M16 9RT	0.9	0.9
David Medical Centre	274 Barlow Moor Road, Chorlton Cum Hardy, Manchester, Lancashire, M21 8HA	1.0	0.9
North Trafford Group Practice	864-866 Chester Road, Stretford, Manchester, Lancashire, M32 0PA	1.6	1.7

2.6 Both pharmacies dispense NHS prescriptions, and their activity is outlined in Table 3. The proposed closing site dispenses a significantly higher volume than the proposed remaining site.

Table 3

Contractor Name	Address	Number of Forms	Number of Items	Number of Forms for Electronic Prescription Service (EPS)	Number of Items Processed via Electronic Prescription Service (EPS)
Closing Site	496 Wilbraham Road, M21 9AS	7567	14207	7255	13806
Remaining Site	420 Wilbraham Road, M21 0AS	1194	1990	1133	1919

January 2024 NHS BSA Dispensing Contractor Data: <https://www.nhsbsa.nhs.uk/prescription-data/dispensing-data/dispensing-contractors-data>

2.7 Both pharmacies dispense numerous prescriptions on behalf of local GP practices that are in close geographical proximity (Table 4). The majority

(66.5%) of the prescriptions dispensed at the closing site, 496 Wilbraham Road, Chorlton Cum Hardy, Manchester, M21 9AS, are sent from Chorlton Family Practice. Table 5 shows the percentage of overall prescriptions issued by the GP practice that are dispensed by either closing or remaining pharmacy.

Table Four

	Percentage of Prescriptions Received from GP Practice and Dispensed by Each Pharmacy				
	Wilbraham Surgery	Chorlton Family Practice	Ashville Surgery	David Medical Centre	North Trafford Group Practice
Closing Site	1.7%	66.5%	3.4%	10.5%	1.7%
Remaining Site	50.8%	21.2%	2.9%	2.8%	0%

Based upon NHS BSA January 2024 Dispensing Contractor Data

<https://www.nhsbsa.nhs.uk/prescription-data/dispensing-data/dispensing-contractors-data>.

Table 5

GP Practice	% Prescriptions Dispensed by Closing Site	% Prescriptions Dispensed by Remaining Site
Wilbraham Surgery	3.4%	1.1%
Chorlton Family Practice	32.8%	4.5%
Ashville Surgery	2.5%	0.4%
David Medical Centre	8.4%	0.7%
North Trafford Group Practice	Data not available	Data not available

Data extracted from NHS BSA January 2024 Dispensing Contractor Data

<https://www.nhsbsa.nhs.uk/prescription-data/dispensing-data/dispensing-contractors-data>.

3.0 Impact Assessment

3.1 In view of all the information available, an assessment of the proposed consolidation of premises has been performed to consider whether granting the application creates a gap in pharmaceutical services that could be met by a current or future needs, or improvements or better access, application. This has been broken down into several areas for consideration.

Physical Access

3.2 The remaining site is situated at a crossroads with pedestrian crossings and dropped kerb, whilst parking is available on the street (Keppel Road and Morrisons Car park on Wilbraham way); however, at the closing site there is a large pay and display carpark behind the premises on Manchester Road.

Although the closing site has an accessible ramp to access the pharmacy, the remaining premises is level with the pavement and has no step.

- 3.3 The distance between the remaining and closing sites is 0.2 miles which take an estimated 5 minutes to walk (source: Google Maps). Assessment of this would determine that the distance or terrain between the two sites does not present any barriers in terms of access, and so would not adversely affect patients.

Service Activity

- 3.4 Both pharmacies deliver a wide range of pharmaceutical services, with additional services (listed in section 2.0) being currently provided by the proposed closing site. It has been proposed by Everest Healthcare Limited that these services will be offered on the existing premises. Therefore, there will be no reduction in services provided.
- 3.5 Despite the continuation in services on offer to local populations, 496 Wilbraham Road is the larger premises with longer opening hours and which dispenses far more items as stated in Table 3.0. There is some reservation that consolidating both pharmacies into one site would be able to provide the same of level, however it should not adversely impact access. Additionally, as described in table 2.0, the distance from the closest GP practices to each site is negligible and would therefore not impact patient access adversely.
- 3.6 The applicant has confirmed there would be no interruption in service provision as a result of the consolidation and provided a floorplan showing the location of the consultation room within the remaining site as part of the application (Appendix 2).

Opening Hours

- 3.7 The remaining site opens for significantly fewer hours than the closing site (with the closing site being a 100-hour contractor operating 76 hours per week Monday to Sunday). The remaining site would be maintaining 49 hours per week Monday to Saturday following consolidation, as set out in Table 1.0 above.
- 3.8 There are 8 other pharmacies geographically located within a 1 mile radius of both pharmacies. However, it must be highlighted that the nearest remaining 100-hour pharmacy contractors (both of which also now operate reduced hours) are:
- Elliotts Pharmacy: 60 Seymour Grove, Old Trafford, Manchester, M16 0LN
 - 1.2 miles from the proposed closing site (which equates to 29 mins walk, 6 min drive, 15 mins public transport).
 - Opening Hours are Monday to Saturday 09:00- 13:00 and 14:00- 21:00, Sunday 10:00 - 17:00 (75 hours).

- Tesco Instore Pharmacy: Chester Road, Stretford, Manchester, M32 0RW
 - 1.3 miles away (33 mins walk, 7 mins drive 25 min public transport).
 - Opening hours are Monday to Saturday 09:00 - 21:00 and Sunday 11:00 - 17:00 (78 hours)

3.9 Therefore, the nearest pharmacy with extended hours after 19:00 would be an approximately 30 mins walk away, 15 mins bus journey or 7 mins car ride from the closing site.

3.10 In May 2023, the Department of Health and Social Care (DHSC) introduced amendments to the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations which allowed 100 core hour community pharmacy contractors to reduce their core contracted hours. Applications to reduce from 100-core hours must meet the following criteria in order to protect extended or out of hours pharmaceutical service provision:

- Must offer a minimum of 72 core hours over seven days (but may offer anything between 72 and 99)
- Must offer core hours between 17:00 and 21:00 Monday to Saturday (unless the applicant did not originally have core opening hours between those times – where this is the case, there is no requirement to introduce opening hours during this timeframe)
- Must maintain Sunday hours provision, including retaining opening hours between the “protected” timeframe of 11:00 and 16:00 (unless the applicant did not originally have core opening hours between those times – where this is the case, there is no requirement to introduce opening hours during this timeframe). Rest breaks may be introduced within the protected timeframe but must commence no sooner than three hours after the community pharmacy opens and end no later than three hours before the pharmacy closes and must be no longer than an hour in duration
- Must give five weeks’ notice.

3.11 In response to the change of legislation, 16 out of the 19 existing 100 hour contracted pharmacies in Manchester applied, 9 of which were granted. This equates to a loss of 106.5 hours in community pharmacy access across the city.

3.12 The opening hours of the two remaining 100-hour pharmacies (now operating reduced hours) above both provide coverage Monday to Sunday. However, there is a significant distance to these sites from the location of the remaining and closing sites, and it is therefore considered that a gap in provision would be created in terms of access to pharmaceutical services on Saturday or Sunday evenings for patients accustomed to accessing services from the closing site.

Table 6

Pharmacy	Address	Distance from Closing Site	Core Hours	Sunday Open	Sunday Close
Everest Chorlton Pharmacy (Closing Site)	96 Wilbraham Rd, Chorlton-Cum-Hardy, Manchester, M21 9AS	0	76 hours	10:00	20:00
Everest Pharmacy Chorlton Village	20 Wilbraham Road, Chorlton-Cum-Hardy, Manchester, M21 0AS	0.1	40 hours	N/A	N/A
Elliotts Pharmacy	60 Seymour Grove, Old Trafford, Manchester, M16 0LN	1.2	75 hours	10:00	17:00
Tesco Instore Pharmacy	Chester Road, Stretford, Manchester, M32 0RW	1.3	78 hours	11:00	17:00

- 3.13 It must be noted that a reduction in available hours may have an impact on access to prescriptions issued by local GP Practices signed up to provide the Enhanced Access Monday to Saturday within 2 miles of the proposed closing site (Table 7).

Table 7

Manchester Locality Sites Utilised to Deliver Enhanced Access	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
The Range	07:30 - 08:00	07.30 - 08:00 18:30-20:00	07:30-08:00 17:30-20:00	07.00-08:00		
Chorlton Family Practice	07:00-08:00 17:00-20:00	07:00-08:00 18:30-20:00	07:00 - 08:00 18:30-19:00	07:00-08:00 18:30-20:00	07:00-08:00 18:30-19:00	09:00-17:00
The Alexandra	07:00-08:00	07:00-08:00	07:00-08:00	07:00-08:00	07:00-08:00 17:00-20:00	
Princess Road	07:00-08:00	07:00-08:00	07:00-08:00	07:00-08:00	07:00-08:00	

Wilbraham Surgery	07:30-08:00		17:00-19:00	07:30-08:00		
Ashville Surgery		17:00-20:00		17:00-20:00		

3.14 Comparison of opening times between the sites (Table 1) and the GP Practices (Table 7) identifies that closing the proposed site would create a gap in close geographical access to prescriptions Monday-Friday 18:00-20:00 and on a Saturday 13:00-17:00.

4.0 Conclusion of Impact Assessment

4.1 Based upon all of the information available the following conclusions were made from the assessment:

- The distance between the remaining and closing sites is 0.2 miles which takes an estimated 5 minutes to walk. The distance or terrain between the two sites does not present any barriers in terms of access, and so would not adversely affect patients. Therefore, it is not anticipated that the consolidation would adversely impact patients with protected characteristics.
- The remaining site is situated at a crossroads with pedestrian crossings, is level with the pavement, has no step and available street parking. It is determined that there are no significant issues identified that present any barriers in terms of access, and therefore would not adversely affect patients.
- As it has been proposed by Everest Healthcare Limited that all services currently delivered on either site will be offered on the existing premises, consolidating the two sites would not have an adverse impact on the availability of pharmaceutical services. However, it is noted that these will be provided on the smaller premise.
- There is a significant reduction in hours as the proposed closing site is a 100-hour contractor operating 76 hours per week Monday to Sunday whilst the remaining site would be maintaining 49 hours per week Monday to Saturday following consolidation (see Table 6).
- There is a significant distance to the two remaining nearby 100-hour pharmacies (now operating reduced hours) that provide coverage Monday to Sunday.

4.2 Based upon this assessment, and subsequent reduction in opening hours, it is considered that a gap in provision would be created in terms of access to pharmaceutical services on a Saturday or Sunday evenings for patients accustomed to accessing services from the closing site. Therefore, it is concluded that granting the consolidation would lead to a gap which could be met by an application to secure improvements, or better access, to pharmaceutical services.

Future applications and implications for the Board

5.0 Future applications

- 5.1 Manchester Health and Wellbeing Board (HWB) is responsible for producing a local Pharmaceutical Needs Assessment under the National Health Service (Pharmaceutical and Local Pharmaceutical services) Regulations 2013.
- 5.2 It is a statutory requirement for HWBs to make representations in pharmacy consolidation applications in writing. The guidance states:
- 5.3 *HWBs are notified of such applications and must make representations in writing which indicate whether or not granting the application would create such a gap. The HWB will have 45 days to submit such representations and will receive a number of reminders of this statutory duty if they do not respond within the 45 days. The HWB must therefore put in place, if not already done so, a process by which a consideration can be made as to whether the closure of one of the pharmacies would result in such a gap.*
- 5.4 *It should be noted that if a consolidation application is refused the owner of the site that was to be closed can still give notice to NHS England and NHS Improvement that they intend to close the pharmacy. In this circumstance, HWB would then need to consider whether it will need to provide a supplementary statement following this closure. If the refusal was because NHS England was satisfied that to grant the consolidation would create a gap in pharmaceutical services provision, then a supplementary statement will be required by the HWB following the closure of the premises.*
- 5.5 In order to assess the potential implications and requirements of the Board arising from this, data has been sought from NHS GM on the number of consolidation applications in the previous two financial years. This will enable an assessment of capacity requirements to manage each assessment of suitable pharmaceutical provisions and the potential impact on the workload of the Board.
- 5.6 The Board is asked to consider and provide guidance on how future consolidation applications should be managed.

6.0 Recommendations

The Board is asked to:

- 6.1 Determine whether the consolidation application described in the report would create a gap in pharmaceutical services provision which could be met from a routine application.
- 6.2 The Board is asked to consider and provide guidance on how future consolidation applications should be managed.

7.0 Appendices

Appendix 1 - Map demonstrating the geographical distance between the proposed closing site and remaining site

Appendix 2 - Ground floor plan of the remaining premises. Highlighted area identifies the location of the consultation room.