

Minutes of the meeting of the Pharmacy Practices Committee (PPC) held on Wednesday, 3 May 2023 at 1000 hrs in the Waterside Hotel, Ardrossan Road, West Kilbride KA29 0AD

The composition of the PPC at this hearing was:

Chair: Mrs Jean Ford, Vice Chair

Present: Lay Members Appointed by NHS Ayrshire & Arran

Ms Margaret Clark
Canon Matt MacManus

Pharmacist Nominated by the Area Pharmaceutical Professional Committee (included in Pharmaceutical List)

Ms Janice Gallagher (non-voting)

Pharmacist Nominated by Area Pharmaceutical Professional Committee (not included in any Pharmaceutical List)

Ms Alyson Stein (non-voting)

Observer: Mr Christopher Hoult, Lay Member
Mr James Smith, Lay Member
Ms Jacqueline Morris, Lay Member

Secretariat: Ms Tracy Bone, Committee Secretary, National Service Scotland

1. APPLICATION BY MR UMAR RAZZAQ

1.1. There was submitted an application and supporting documents from Mr Umar Razzaq received on 14 December 2022, for inclusion in the pharmaceutical list of a new pharmacy at 88 Main Road, Fairlie, KA29 0AD.

1.2. Submission of Interested Parties

1.3. The following documents were received:

- i. Letter dated 26 January 2023 from Mrs Joanne Watson of Boots UK Ltd
- ii. Letter dated 13 February 2023 from Mr David H Boyle of Halliday Pharmacy
- iii. Letter dated 17 February 2023 from Mr Fraser Frame of Wm Morrison Supermarkets plc
- iv. Email dated 22 February 2023 from Ms Rita Holmes of Fairlie Community Council

- v. Letter dated 23 February 2023 from Mr Matthew Cox of Lloyds Pharmacy

1.4. Correspondence from the wider consultation process undertaken

- I. Consultation Analysis Report (CAR)
- II. Joint Public Consultation Document and completed questionnaires
- III. Joint Public Consultation Advert

2. Procedure

- 2.1. At 1000 hours on 3 May 2023, the Pharmacy Practices Committee (“the Committee”) convened to hear the application by Mr Umar Razzaq on behalf of Fairlie Pharmacy (“the Applicant”). The hearing was convened under Paragraph 2 of Schedule 3 of The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009, as amended, (S.S.I. 2009 No. 183) (“the Regulations”). In terms of paragraph 2(2) of Schedule 4 of the Regulations, the Committee, exercising the function on behalf of the Board, shall “determine any application in such manner as it thinks fit”. In terms of Regulation 5(10) of the Regulations, the question for the Committee was whether “the provision of pharmaceutical services at the premises named in the application is necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises are located by persons whose names are included in the Pharmaceutical List”.
- 2.2. The Chair welcomed all to the meeting and introductions were made. When asked by the Chair, members confirmed that the hearing papers had been received and considered. When committee members were asked by the Chair in turn to declare any interest in the application, none were declared.
- 2.3. Members of the Committee had undertaken individual site visits to Fairlie and the surrounding area. During which the location of the premises, pharmacies, general medical practices and other amenities in the area such as, but not limited to schools, sports facilities, community centres, supermarkets, post office, banks and churches had been noted.
- 2.4. The Chair advised that Mrs Tracy Bone was independent from the Health Board and was solely responsible for taking the minute of the meeting.
- 2.5. The Chair outlined the procedure for the hearing. All Members confirmed an understanding of these procedures.
- 2.6. Having ascertained that all Members understood the procedures, that there were no conflicts of interest or questions from Committee Members, the Chair confirmed that the Oral Hearing would be conducted in accordance with the guidance notes contained within the papers circulated. The Applicant and Interested Parties were invited to enter the hearing.

The open session convened at 10:00 hrs

3. Attendance of Parties

- 3.1. The Chair welcomed all and introductions were made. The Applicant, Fairlie Pharmacy, was represented by Mr Umar Razzaq and accompanied by Mr Kenneth

Beattie. From the Interested Parties eligible to attend the hearing, the following accepted the invitation:

- Mr Scott Jamieson representing Boots UK Ltd, accompanied by Mr Krishna Goyal
- Mr David Boyle representing Halliday Pharmacy
- Mr Fraser Frame representing Morrison's Pharmacy
- Ms Rita Holmes representing Fairlie Community Council

Lloyds Pharmacy advised that they were unable to attend in person but submitted written representation which were included in the Meeting pack and should be considered as part of the hearing.

- 3.2. The Chair sought approval from the interested parties for the new Public (Lay) Members to observe the open session noting they would not participate or engage in the proceedings merely observe as a training opportunity. The Interested Parties approved and Mr Hault, Mr Smith and Ms Morris entered.
- 3.3. As only one representative from each Interested Party was allowed to engage with the Committee, the Chair confirmed the spokesperson where more than one representative was present. It was also clarified that none of the representatives in attendance were appearing as a counsel, solicitor, or paid advocate.
- 3.4. The Chair advised all present that the meeting was convened to determine the application submitted by Mr Umar Razzaq in respect of a proposed new pharmacy at 88 Main Road, Fairlie KA29 0AD. The Chair confirmed to all parties present that the decision of the Committee would be based entirely on the evidence submitted in writing as part of the application and consultation process, and the verbal evidence presented at the hearing itself, and according to the statutory test as set out in Regulations 5(10) of the 2009 regulations, as amended, which the Chair read out in part:
- 3.5. "5(10) an application shall be ... granted by the Board, ... only if it is satisfied that the provision of pharmaceutical services at the premises named in the application is necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood in which the premises are located..."
- 3.6. The Chair confirmed that all had received the hearing papers.
- 3.7. The three components of the statutory test were emphasised. It was explained that the Committee, in making its decision, would consider these in reverse order, i.e., determine the neighbourhood first and then decide if the existing pharmaceutical services within and into that neighbourhood were adequate. Only if the Committee decided that existing services were inadequate would the Committee go on to consider whether the services to be provided by the applicant were necessary or desirable in order to secure adequate services. That approach was accepted by all present.
- 3.8. The Chair asked all parties for confirmation that these procedures had been understood. Having ascertained that all parties understood the procedures the

Chair confirmed that the Oral Hearing would be conducted in accordance with the Procedure at Hearings document contained within the papers circulated.

- 3.9. The Chair confirmed that members of the Committee had individually conducted site visits in order to understand better the issues arising from this application. Assurance was given that no member of the Committee had any interest in the application.
- 3.10. The Chair asked for confirmation that all parties fully understood the procedures to be operated during the hearing as explained, had no questions or queries about those procedures and were content to proceed. All confirmed agreement.

4. Applicant Submissions

- 4.1. The Chair invited Mr Razzaq, to speak first in support of the application.
- 4.2. Mr Razzaq read aloud the following pre-prepared statement making alterations as necessary:
- 4.3. I would like to thank the committee for being here today and allowing me to present my case for a new pharmacy within the village of Fairlie.
- 4.4. To begin I'll give you a quick background about myself.
- 4.5. I have been a qualified Pharmacist for 15 years, starting off as a manager for Lloyds Pharmacy and have been a contractor for just over 10 years. I have experience in opening a new Pharmacy and have seen first-hand the benefits of a local Pharmacy in areas similar to Fairlie.
- 4.6. I have a firm understanding of the necessity for a pharmacy to be readily accessible to villagers.
- 4.7. Fairlie, known to be Scotland's first Fairtrade village, has seen growth in population which now places it as the largest village settlement in Ayrshire without a pharmacy, and the village has very distinct and definitive boundaries in which to define the neighbourhood. The topography of the road network, elevations, and distance from Largs, makes Fairlie a self-contained and distinctive village community with individual needs for services.
- 4.8. In terms of the boundaries:
 - The Western Boundary is the Firth of Clyde
 - The Southern Boundary is the Southannan Roundabout
 - The Northern Boundary is the open land where the village meets Kelburn Castle and Estate
 - The Eastern Boundary is the open land after the houses on Craighill Place.
- 4.9. The self-contained neighbourhood of Fairlie includes:
- 4.10. A Primary school – the roll of which has increased year on year for the past 3 years, and it projected to continue to do so.

- 4.11. A train station which serves Largs to Glasgow Central line. Fairlie Train Station has never been earmarked for closure and serves both directions with an hourly service.
- 4.12. There is an Esso Garage which also serves as a convenience store and is open Monday to Sunday 6am till 9pm. The garage sells a vast array of food and drink produce, newspapers, and contains an ATM, allowing residents of the village to draw out money.
- 4.13. The Village Inn is very popular with the locals and tourists to the village and serves food and drink 7 days a week. They regularly host quiz nights, live music and host live sport events.
- 4.14. There is a bowling club located in the village which hosts a variety of competitions and events all year round which the locals make good use of. During the winter months, the club hosts games nights including carpet bowls and pool. The bowling club serves as a regular meetup spot for many of the locals within the village.
- 4.15. There's a village hall with stage areas which is used for dances, parties, public meetings, coffee morning and other group activities.
- 4.16. There's also a fast-food shop called "Michelle's" located right next door to the pharmacy which services the breakfast and lunch trade.
- 4.17. To the other side of the pharmacy there is a beautician which is open 5 days a week.
- 4.18. There is also a church, a playpark, various businesses related to the maritime industry and numerous self-catering and BnB business – which proves that there is a market for those to come to Fairlie as either tourists or workers. Planning has been also approved for the erection of a new garden centre and restaurant just north of the bowling club.
- 4.19. There isn't a single available unit in the village, and the landlord has had many offers of tenancy at the proposed premises.
- 4.20. This demonstrates that the residents of Fairlie have all the services for day-to-day needs.
- 4.21. From the 2011 Census data, the village contains 674 houses. This is 256 more houses than Fenwick, 127 more than Logan, 267 more than Springside and 203 more than Symington. All these villages in NHS Ayrshire and Arran have vibrant and viable community pharmacies within the heart of their communities.
- 4.22. Since the 2011 Census however, Dawn Homes have built 70 family homes on the eastern boundary of the village and a further 18 flats have also been built. Adding this to 674, gives a total of 762 homes within the boundaries of the village.
- 4.23. The majority of the additional 88 houses recently built are all 3 or 4 bedroom houses – therefore it would be safe to assume that the average occupants per house of these new builds is going to be north of 3 per house. Using a conservative estimate of 3 per house however for these houses which is 264 and adding this to the 2011

Census number of 1424 – the current population of Fairlie is likely to be in the order of 1700 residents.

- 4.24. A population of 1700 is more than enough to sustain a new pharmacy. And this is only going to increase further as there are another 69 homes with implemented planning consent which aren't expiring and should be complete within the next 5 year.
- 4.25. Fairlie plus the rural population is reported by NHS Ayrshire and Arran as being 2874 in 2020 (in appendix 1) – which means there is likely a much larger population than 1700 who would make use of pharmacy services in Fairlie.
- 4.26. There is also a very large employer to the south of the village. Between EDF Energy, which owns the defueling station Hunterston B and the Nuclear Decommissioning Authority which operates Hunterston A, this accounts for a workforce of around 450 employees, and will do so for the foreseeable future whilst Hunterston B is being decommissioned.
- 4.27. 450 is a very large working population and it is important to note that consideration should be given to:
“The likely demand for pharmaceutical services in the neighbourhood from **both** the residents and any transient population”
- 4.28. It is also important to note that this sector requires workers on site and will not have seen much in the way of reduced workers as other industries have post pandemic.
- 4.29. In addition, plans have been drawn up for a new manufacturing facility at Hunterston that will produce subsea cables and is expected to support up to 900 jobs on site.
- 4.30. The pharmacy is located on the Main Road beside two other businesses as mentioned earlier and across the road from Maritime Craft Services. Therefore, it is located nearby services where other villagers go to regularly. The unit comes with Class 1 planning consent, and covers 600 sqft, which is a very good size for a village pharmacy.
- 4.31. In terms of the premises itself, I do not envisage any issues with converting it into a professionally fitted out and modern premise with a consultation room. It will also be DDA compliant and fitted with a hearing induction loop system and will meet all the requirements of the Equalities Act 2010.
- 4.32. The unit is right next door to a public car park with 11 parking spots, of which 3 are designated for disabled badges. The road is flat and the pavement leading to the pharmacy is wide enough for patients with mobility scooters.
- 4.33. A community pharmacy is not only the dispensing of medicines.
- 4.34. A list of the core services is provided in the application form to the board, and almost all the services on this list require the patients to be physically at your pharmacy.

- 4.35. We will be offering Pharmacy First Plus with an Independent Prescribing Pharmacist, which is an enhancement of Pharmacy First, with more conditions being treated and managed from within the Pharmacy.
- 4.36. As per the Pharmaceutical Services Plan – there are only 2 independent prescriber pharmacies across Largs and West Kilbride, so the addition of this service in Fairlie will be a massive boost for the area.
- 4.37. From Census statistics, Fairlie has a high number of people aged 60 plus which is 36.2% compared to the Scottish average – this is more than 600 people who would benefit from the Medicines, Care and Review service. If you include children aged 0-15 years then this figure rises to 51.3% of Fairlie which is a staggering 850 people who are most in need of pharmaceutical services. Also, Fairlie like the North Ayrshire area as a whole has very much an ageing population. From data on the council website the 75 and over age bracket will increase by a massive 27% between 2018 and 2028 and will result in an increased need for local healthcare services in the coming years.
- 4.38. 30% of residents in Fairlie, which is more than 500 people, have one or more long-term health conditions. These are people who require regular healthcare for monitoring and treatment of the condition and would most definitely benefit from having a local pharmacy. The need for these patients to make repeated trips to pharmacies out with their neighbourhood adds to the inadequacy of existing services.
- 4.39. It should be noted that Ayrshire and Arran have the highest number of Coronary Heart Disease hospitalisations in the whole of Scotland – this could be targeted at a local level within Fairlie, through blood pressure clinics and nutritional advice.
- 4.40. There is also even more services that will be provided, such as weight loss, and blood glucose monitoring – which will be complimentary services delivered as part of an ongoing mandate to try and improve the overall standard of people's health.
- 4.41. Creating access to these services will hugely improve outcomes for this population. This is also quite evident from the CAR report that the residents find it necessary to have these services within their neighbourhood.
- 4.42. Opening hours are Monday to Friday 9-6 and from 9-5 on a Saturday and will not close for lunch. 88% of respondents in the CAR report agree that these opening hours were just right. These hours equate to an increase of 11.5 hours over the Board's own core service hours.
- 4.43. It can be easily established that a pharmacy in Fairlie would be viable.
- 4.44. The levels of business required to make a pharmacy sustainable in 2018, was commonly quoted as around 500 dispensed items per week, or 2000 dispensed items per month. With the additional emphasis on payments for services under the new payment model, it may well now be less than 500 per week now.

- 4.45. Fenwick, Logan, Ochiltree, Symington and Springside currently have smaller populations to that of Fairlie. These are all relatively new contracts, and they are operating profitably.
- 4.46. Fenwick was a contract that was granted in 2018 with a population of just over 1000, therefore there should be no doubt that a pharmacy in Fairlie will be viable.
- 4.47. From speaking to local residents it would appear they are using a mixture of the Pharmacies in Largs and West Kilbride. Given the spread of use over the entire pharmacy network in the area, the effects on other pharmacy contractors would be minimal.
- 4.48. The lack of a current GP surgery should not be an indicator that a pharmacy is not required or viable. In fact, the opposite is true, it indicates inadequacy and highlights the need for a pharmacy even more. The provision of a pharmacy will provide, in addition to pharmacy services, an entry point into primary health care services in a neighbourhood where there are absolutely no health services present.
- 4.49. According to the Scottish Index for Multiple Deprivation data, Fairlie is in the 2nd bottom 10% for geographical access. This data is calculated using Mean travel time (in minutes) to key services, by car or public transport. While Fairlie may have mixed levels of deprivation, this statistic is applicable because of the difficulties people of the village face in actually accessing services and echoes the numerous comments in the CAR in relation to this.
- 4.50. Looking at the issue of access, it is apparent that residents have to make significant travel efforts to access a Pharmacy given there are no health services of any description available in Fairlie.
- 4.51. Presently, as mentioned there is no pharmacy within the village of Fairlie. The distance and nature of the walking route to get to any of the pharmacies in Largs is excessive and inappropriate.
- 4.52. Walking from Fairlie to the nearest pharmacy, would involve a 2.7 mile walk beside quiet and predominantly unlit roads either along the A78 or via the cycle path. At 55 minutes each way, this is an incredibly long walk for a fit and healthy individual, and would be considerably longer for an elderly person, or parent with children.
- 4.53. It is not suitable in the slightest to access pharmaceutical services on foot, whilst living in Fairlie and is undoubtedly inadequate.
- 4.54. If you reply on a bus, in order to reach the pharmacies in Largs, there is an infrequent half hourly bus service on the 585, leaving at 26 minutes and 56 minutes past the hour. The return buses are at 9 minutes and 39 minutes past the hour. Therefore, since the bus takes 9 minutes, it is highly improbable to be able to attend a pharmacy in Largs and return back to Fairlie within an hour. This is a barrier to access and an indicator of inadequacy.
- 4.55. There are also numerous complaints in the CAR about the frequency and unreliability of the bus service which again highlights this inadequacy.

- 4.56. Those who reside in the south of Fairlie may opt to use the train, however with services only once every hour, and the most reasonable return train being almost 1 hour 20 minutes after the train you took to get to Largs in the first place, this is probably to be a more unlikely scenario. The times of the train also closely coincide with buses anyway, therefore, do not help to improve adequacy. The north of the village is an approximate 20-minute walk to the train station, and this is where the majority of the residential houses are in Fairlie.
- 4.57. For anyone travelling to West Kilbride to access a pharmacy, whether by public transport or by car, this cannot be considered in any way adequate with lengthy round trip of around 10 miles.
- 4.58. A single on the bus to Largs is £3, and a return is £5.40, which in this economic climate can be seen as a real barrier to access and cannot be in any way considered adequate. Comments in the CAR again confirm this.
- 4.59. It also cannot be assumed that getting on and off buses or trains is also easy, especially for the elderly and parents with prams, of which there are plenty in Fairlie. Many people in Fairlie must use the bus service. This includes senior citizens, parents with children, those with disabilities and those who cannot drive or afford to own a car. They are sometimes the more vulnerable members of society but can be the ones discriminated against the most.
- 4.60. As mentioned there are numerous comments in the CAR which highlight this difficult bus journey.
- 4.61. I believe that in 2023 residents of Fairlie should be able to walk to their nearest pharmacy instead of being forced to use public transport. What's on offer in Fairlie does nothing to reduce inadequacy,
- 4.62. This leaves the remainder of resident requiring a car in which to access pharmaceutical services.
- 4.63. Households with access to only a single car within Fairlie is 46%, therefore, many in the neighbourhood will have no car or may be functionally carless for the greater part of the working week where these are used for commutes. This greatly limits the ability of these households to access services. Financial and environmental costs associated with use of a private car continue to rise year on year as does the need to make use of more sustainable forms of transport particularly cycling and walking. Infrastructure within Fairlie to facilitate this isn't there – therefore unfortunately, accessing pharmaceutical services where currently situated, by these means is not realistic for the great majority of residents.
- 4.64. And also, I believe this acts as a great deterrent for those seeking medical advice and is against what the NHS is trying to encourage with initiatives such as the Pharmacy First programme - is aimed at pharmacies treating patients within the heart of communities and freeing up valuable GP's time.
- 4.65. Parking is also difficult in Largs. I have visited Largs on a number of occasions at different times of the day and struggled to get a parking space outside any of the

Pharmacies with the exception of Morrisons. There are some car parks in Largs which again appear to be very busy with the majority of them being subject to charges. With Largs being a tourist area, the parking situation undoubtedly gets worse in the summer months. There are numerous comments in the CAR from residents illustrating the parking difficulties in Largs. Again, this adds to the inadequacy of existing services.

- 4.66. Community Pharmacies have to be within the local community if they are going to have the desired effect for patients and primary care as a whole
- 4.67. The Scottish Government's strategy paper: Achieving excellent in Pharmaceutical Care also outlines that "we should be increasing access to community pharmacy as a first port of call for managing self-limiting illnesses and supporting self-management of stable long-term conditions, in-hours and out-of-hours." So, this clearly demonstrates that community pharmacy must be accessible and local. In Fairlie, this current provision is neither.
- 4.68. Timing the need to use a pharmacy with going to a supermarket is irrelevant, many people shop online and shouldn't have to time a weekly shop to coincide with the need to access pharmacy services.
- 4.69. So, to summarise, in terms of access to pharmaceutical services is situated at some distance from the neighbourhood is not realistic on foot, it is subject to a lengthy round trip and prohibitive costs via public transport and is perhaps only accessible only to a subset of patients if and when they have access to a car. This renders the existing services as wholly inadequate.
- 4.70. Some, but not all contractors in Largs will provide delivery of prescriptions to Fairlie, which is the only Pharmacy service available to residents in the neighbourhood. Delivery services in no way constitute an adequate pharmaceutical service. Services such as Pharmacy First which is the biggest change to community Pharmacy in Scotland for 10 years, Medicines, Care and Review Services and Smoking Cessation require face to face access to a pharmacist and cannot be delivered from the back of a van.
- 4.71. It's important to note that delivery services are not a NHS core service and can be withdrawn at any time.
- 4.72. Moving on to the CAR. This had a fantastic response rate resulting in 410 people responding to the consultation, especially when you take into account the population size of the village.
- 4.73. To get a true feeling of the percentages when answering the questions, I have taken out the "don't know" answers. This is commonly done in election opinion polls as it gives a closer representative of the true figure.
- 4.74. Q1. Do you think the area highlighted in the map describes the neighbourhood where the proposed Pharmacy is situated?
An overwhelming 96% of the population agree with the definition.

- 4.75. Q2. Do you think the proposed location is appropriate?
Again, an overwhelming 94% of the population agree that the proposed location is appropriate. Comments relay that it's easily accessible by everyone in the village, being central, and having parking right next to the unit.
- 4.76. Q3. Do you live within the neighbourhood?
90% of the respondents lived within the neighbourhood
- 4.77. Q4. Was the pharmacy plans to open 9-6pm Monday-Friday, 9-5pm on a Saturday and the public were asked whether they thought the proposed hours are appropriate?
88% of the respondents agreed the proposed hours were right, 3% thought they were too long. Only 6% thought they were too short.
- 4.78. Q5. Was, do you think that the services listed are appropriate for the proposed new location? Again, a massive 94% of people answered yes with the majority of people happy with the proposed services.
- 4.79. Q6. Which was, Do you believe there are any gaps / deficiencies in the existing provision of pharmacy services provided to the neighbourhood?
68% of respondents agreed that there were deficiencies in the existing provision to the village – however there were 54 “don't know” answers which indicates many people did not understand this question fully.
- 4.80. The overwhelming theme from the comments were however that there were:
- Serious access problems;
 - The existing pharmacies were difficult and expensive to access;
 - Public transport was infrequent and unreliable;
 - Distance to reach a pharmacy was too far away or excessive;
 - Difficulties with parking in Largs;
- 4.81. There was also a demand from the public to improve their own capabilities to manage their own health, which was accessible to them.
- 4.82. Q7. This question related to the wider impact statement, and the public were asked whether they agreed with it or not - 92% agreed that:
“Fairlie Pharmacy believes that a pharmacy is now absolutely necessary for the village to ensure that an adequate provision of Pharmaceutical Services are delivered to the residents of the village. With the recent housing development which has expanded the village, there is an overwhelming need for services to be provided. Fairlie Pharmacy also believes that a pharmacy will be of great benefit to the residents in enhancing their health and wellbeing.”
- 4.83. Many people here commented on the growing population due to the expansion of Fairlie.

- 4.84. In Q8. Do you believe this proposal would have any impact on other NHS Services?
This question is usually answered quite sporadically, and this time was no different. Taking out the “don’t knows” – 63% believed it would have no impact on other NHS Services, whilst 37% believed it would.
- 4.85. However, when you analyse the answers – people were answering two different questions.
- 4.86. Some were talking about whether it would have a positive or negative impact on wider services such as A&E, Out of Hours and GPs – whereby others were talking about the effect on other pharmacies.
- 4.87. The comments supported that this new pharmacy would have a positive impact on wider services.
- 4.88. Q9. The final question – Do you support the opening of a new pharmacy at 88 Main Road, Fairlie?
An overwhelming majority which was 95% of people answered yes.
- 4.89. The key themes from this question are:
- New pharmacy is necessary and needed;
 - Easier to access a pharmacy;
 - No requirement to take public transport;
 - Help the elderly;
 - Growing population / new housing developments;
 - A new pharmacy would benefit the local community and is long overdue;
- 4.90. From the CAR we can see there is a high level of support for a new Pharmacy in Fairlie. It is absolutely clear from the public consultation the comments do not relate to convenience but inadequacy of existing services. The most common themes from the CAR undeniably are difficulty people in Fairlie face when accessing Pharmacy services, large distances travelled to access a Pharmacy and reliance on an infrequent bus service with prohibitive costs, all of which are a big indicator of inadequacy.
- 4.91. Before I conclude I just wanted to quickly mention the pandemic.
- 4.92. If we have learned anything from the recent pandemic and lockdowns, it is that in times of an emergency we are unable to survive without food supplies and healthcare services. This was evident during the most stringent lockdowns when only supermarkets, grocers, food places and pharmacies were allowed to remain open.
- 4.93. The impact of the pandemic had a devastating effect on communities with disruption to many services including healthcare which has led to an overload on doctors. It has also had a lasting effect on the way we live our lives today.

- 4.94. Speaking to many concerned residence of Fairlie, they have expressed their extreme unhappiness at being forced to travel using public transport, during the height of the pandemic, to access a pharmacy out with their neighbourhood.
- 4.95. The pandemic has perfectly illustrated why Fairlie needs its own Pharmacy.
- 4.96. In conclusion, the neighbourhood is that of Fairlie.
- 4.97. There are no healthcare services of any kind located in the village.
- 4.98. With recent house building in the area the population is more than large enough to support the viability of a new contract. Given the spread of use over the entire pharmacy network in the area, the effect on other pharmacy contractors would be minimal.
- 4.99. The only services available to residents of Fairlie are that of delivery services which can be withdrawn at any time and cannot be considered adequate.
- 4.100. Residents are forced between a lengthy and difficult walk or an infrequent bus service to access services. Bus services, no matter how frequent, do nothing to reduce inadequacy.
- 4.101. There is a high level of support in the CAR with many comments highlighting difficulty in accessing services, large distances travelled to access existing services and complaints about the cost and frequency of public transport, all of which indicate inadequacy.
- 4.102. Given all the reasons above, I believe this contract is necessary and desirable and respectfully ask that it should be granted.
- 4.103. Thank you.
- 4.104. This concluded the presentation from Mr Razzaq

5. The Chair invited questions from the Interested Parties to the Applicant

5.1. Questions from Mr Jamieson (Boots UK Ltd) to Mr Razzaq

- 5.1.1. Mr Jamieson enquired whether Mr Razzaq owned any Community Pharmacies. Mr Razzaq confirmed he owns 5 pharmacies (located in Motherwell, Aberdeen, Lockerbie, Galashiels and Hawick)
- 5.1.2. Mr Jamieson asked about staffing plans for this pharmacy should the application be successful. Mr Razzaq advised that he has a Pharmacist in place and would be looking to advertise locally via adverts and online methods for other staff.
- 5.1.3. Mr Jamieson enquired as to whether the Pharmacist that was in place if the application was successful whether they were an independent prescriber. Mr Razzaq confirmed that they were already an independent prescriber.

- 5.1.4. Mr Jamieson noted in the Applicants presentation there were no plans to close at lunchtime and asked the Applicant how he can guarantee this. Mr Razzaq responded that there would be no set 1 hour closing for lunch and would liaise with the prescriber to ensure that this was not an issue.
- 5.1.5. Mr Jamieson sought clarification on this earlier question regarding lunch closure if a locum pharmacist was in place and governed by their own terms and conditions. Mr Razzaq responded to say that his other branches ran the same system and did not close.
- 5.1.6. Mr Jamieson enquired whether the Applicant, if successful, would offer a delivery service. Mr Razzaq confirmed that they would be offering a delivery service.
- 5.1.7. Mr Jamieson enquired as to what geographical area would be covered by the proposed applicants' delivery service. Mr Razzaq noted that this would have to be determined but collections from the GP surgeries in Largs and West Kilbride would be expected.
- 5.1.8. Mr Jamieson enquired as to whether there was a demand for delivery into Largs. Mr Razzaq confirmed that there would unlikely be a demand for this into Largs.
- 5.1.9. Mr Jamieson referenced the Applicants presentation for parking and noted that traffic in Fairlie can get very congested and enquired how the Applicant would manage this. Mr Razzaq responded to confirm that there is a car park right next to the proposed premise.
- 5.1.10. Mr Jamieson responded by noting that the car park next to the proposed premise was quite tight. Mr Razzaq noted that it was no worse than other areas and didn't envisage it being a problem.
- 5.1.11. Mr Jamieson noted the Applicants comment of in 2018, 500 items per week was a viable pharmacy and enquired whether Mr Razzaq agreed that community pharmacy has seen a large increase in this time. Mr Razzaq confirmed that yes, he did agree.
- 5.1.12. Mr Jamieson went on to query as to how, as per the presentation, Mr Razzaq did not envisage having an impact on existing pharmacy providers if the application were successful. Mr Razzaq referenced, as per his presentation, that although costs have increased this would not reflect viability.
- 5.1.13. Mr Jamieson questioned as to how the Applicant knew that a new pharmacy would not impact on existing providers. Mr Razzaq responded to confirm he had spoken with residents, and it was their impressions.
- 5.1.14. Mr Jamieson noted reference in the Application of the provision of glucose and weight loss services which are not currently NHS services and enquired if Mr Razzaq would be offering these services free of charge. Mr Razzaq confirmed that they would be free.

5.2. Questions from Mr Boyle (Halliday Pharmacy) to Mr Razzaq

- 5.2.1. Mr Boyle referenced information provided by the Applicant in relation to the population of Fairlie and went on to note that it has remained static for approximately 20 years with no growth. Mr Razzaq responded that although there had been no census data for 20 years ongoing house building was apparent, and the population was certainly no less than 1700.
- 5.2.2. Mr Boyle mentioned parking and the availability in Largs, which is often difficult, as being 65 spaces in Gateside Street (60 yards from 2 pharmacies); Morrison's Supermarket has its own car park; the GP Practice has 120 spaces. New restrictions coming into effect from the 1st September 2023 will see parking being decriminalised in Largs and the Council taking over the 1 hour parking limits. He went on to note that parking at proposed pharmacy in Fairlie has a small car park next door which always seemed to be nearly full every time he passed. Mr Boyle enquired, given patients who would be travelling to the proposed premises, or via public transport, it is a very busy A Road (and one of the first in Scotland with a traffic camera) whether the applicant had spoken to the Roads Authority regarding this. Mr Razzaq responded to note that he has always been able to get parked at the car park next door to the proposed premise and noted that throughout Ayrshire there are issues with parking and congestion and did not envisage this being an issue.

5.3. Questions from Mr Frame (Morrison's Pharmacy) to Mr Razzaq

- 5.3.1. Mr Frame enquired to the Applicant how many pharmacies in Largs offer delivery services. Mr Razzaq responded that Boots would deliver if patients were housebound and Halliday's and Superdrug did in the afternoons.
- 5.3.2. Mr Frame went on to query if Morrisons' delivered. Mr Razzaq responded that Morrison's did not deliver.
- 5.3.3. Mr Frame enquired to the Applicant if he knew how long Halliday's had offered a delivery service to clients. Mr Razzaq responded that he did not know but referred to his presentation that he did not feel that delivery was an adequate service.
- 5.3.4. Mr Frame referenced NHS Near Me as an alternative to face-to-face pharmacist consultations and enquired whether Mr Razzaq was aware of this service. Mr Razzaq responded to say that he was aware of this service but had never used it as he and his colleagues prefer face-to-face contact. He also went on to note that as it was not a core NHS Service it could be withdrawn at any time but that it could be used in case of an emergency if needed.
- 5.3.5. Mr Frame enquired where the Applicant felt residents of Fairlie went for their shopping. Mr Razzaq presumed Largs.
- 5.3.6. Mr Frame enquired where the Applicant believed residents of Fairlie went for GP services. Mr Razzaq responded, Largs.
- 5.3.7. Mr Frame enquired where the Applicant felt residents of Fairlie went for their Post Office or Banking requirements. Mr Razzaq responded Largs or West Kilbride.

- 5.3.8. Mr Frame noted, given his previous questions, that the Residents of Fairlie were used to travelling out with the local area to obtain services. Mr Razzaq responded to note that it was not fair to link illness with weekly shopping.
- 5.3.9. Mr Frame noted from earlier questions that three pharmacies already offer a delivery service to the residents of Fairlie. Mr Razzaq responded to note that delivery is not a core NHS Service and although he will offer this service it was envisaged that the mass number of residents would visit the proposed premise in person.
- 5.3.10. Mr Frame enquired which NHS Services were not currently being provided by existing pharmacies. Mr Razzaq responded that no services were currently lacking.
- 5.3.11. Mr Frame enquired which extra hours would the Applicant be providing. Mr Razzaq noted that there would be no additional hours.
- 5.3.12. Mr Frame enquired to the Applicant what time was taken for Fairlie residents to access GP's, post office and banking services. Mr Razzaq responded that he did not know.
- 5.3.13. Mr Frame noted that legally any pharmacy must submit any complaints raised to the local Authority and asked whether the Applicant was aware of any complaints noted against any of the pharmacy services in Largs. Mr Razzaq responded that he was not aware of any.
- 5.3.14. Mr Frame noted that given there were no complaints of services in Largs then these services must be good. Mr Razzaq responded to state that the CAR referenced complaints at a local level.
- 5.3.15. Mr Frame noted that is a patient's right to complain when they felt their needs were not being met. Mr Razzaq agreed.
- 5.3.16. Mr Frame asked the Applicant if he knew how many car parking spaces there were at Morrison's. Mr Razzaq responded that he did not know how many spaces were available.
- 5.3.17. Mr Frame noted that during the many times he visited the proposed premise that he was unable to get parked and referenced that only 2 disabled parking spaces were available and that there were double yellow lines outside the premise. Mr Razzaq responded that he had not seen much parking on the double yellow lines.
- 5.4. Ms Holmes (Fairlie Community Council) was invited to question Mr Razzaq – this was declined.**
- 5.5. This concluded questions from the Interested Parties. The Chair invited questions from the Committee members.**
- 5.6. Questions from Ms Clark (Lay Member) to Mr Razzaq**
- 5.6.1. Ms Clark noted in the Application form received that it stated a date of 14th June 2023 as commencing provision and enquired whether this date would still be

worked to if the application were successful. Mr Razzaq responded that unfortunately this date would not be able to be met but would commence service within the deadline of 6 months if successful.

5.7. Questions from Cannon McManus (Lay Member) to Mr Razzaq

5.7.1. Cannon McManus noted reference of Parking being asked at some length and enquired whether Parking is a requirement of a Pharmacy. Mr Razzaq responded that it was not a requirement.

5.7.2. Cannon McManus referenced delivery services and enquired whether the Applicants felt this was as good as face-to-face consultations with a Pharmacy. Mr Razzaq responded by saying he did not feel there was a comparison.

5.8. Questions from Ms Stein (Non-Contractor Pharmacist Member) to Mr Razzaq

5.8.1. Ms Stein asked for elaboration of a Prescriber for Pharmacy First as a Pharmacist would not be working 6 days and queried how the Applicant would address this issue. Mr Razzaq responded that a prescriber would work a Saturday but a day off during the week therefore working only 5 days.

5.8.2. Ms Stein noted that a Saturday would be likely the busiest day for a prescriber at a Pharmacy First due to the lack of medical care access available to members of the public. Mr Razzaq responded to say that it would be a two out of four Saturday's working as he has in his other locations.

5.8.3. Ms Stein asked for clarification from the Applicants regarding his presentation for Question 8 of the CAR "Impact on other NHS service. 63% said no" but the figures were 53%. Mr Razzaq responded to note that the difference was due to him having removed the "Don't Know" answers.

5.9. Questions from Ms Gallagher (Contractor Pharmacist Member) to Mr Razzaq

5.9.1. Ms Gallagher noted the number of queries regarding parking and the Applicants reference to "many villages the same size as Fairlie having a community pharmacy". She enquired if Mr Razzaq agreed that the pharmacies in other villages were not situated on main Trunk roads. Mr Razzaq agreed.

5.9.2. Ms Gallagher enquired as to how many deliveries the Applicant would expect each day from wholesalers. Mr Razzaq responded that he would expect maybe three.

5.9.3. Ms Gallagher went on to suggest that only three would be very minimal as Alliance deliveries are in large lorries and then queried as to whether they (Alliance) would have to "bump up" onto the Pavement of a main trunk road. Mr Razzaq responded that it may be an issue and would have to look into this more fully and speak with the local Community Council. However, it was noted that it would not change the fact that local services are inadequate.

5.10. Questions from Mrs Ford (Chair) to Mr Razzaq

- 5.10.1. Mrs Ford noted that the Applicant placed a lot of emphasis on the elderly community and the struggle with public transport and enquired what difference would access mean to an elderly person who has to be dealt with differently and perhaps not able to travel. Mr Razzaq responded to say that the difference between elderly and housebound does not matter where there are, as they would not have local access, but having access for the elderly in Fairlie is possible.
- 5.10.2. Mrs Ford enquired how many people the Applicant would envisage transferring to his pharmacy if the application were successful. Mr Razzaq responded that it would be difficult to say / estimate.
- 5.10.3. Mrs Ford referenced the Government providing advance payment to Pharmacies this year and queried how the size of a small-town Pharmacy would be able to sustain this. Mr Razzaq noted that it was an issue for every pharmacy in Scotland and would be managed as part of his wider group.
- 5.11. The Chair noted that this concluded the Applicants presentation and questioning and moved on to submissions from the Interested Parties.**

6. Interested Parties' Submissions

6.1. Submission from Mr Jamieson (Boots UK Ltd)

- 6.1.1. Mr Jamieson read out the following prepared statement:
- 6.1.2. Neighbourhood
- 6.1.3. "The Applicants defined neighbourhood of Fairlie is surrounded by open land to the North and East, water to the West and the Southannan roundabout to the South. We do agree with the neighbourhood defined by the Applicant as it has geographical boundaries.
- 6.1.4. Amenities in Fairlie are very limited – church, public house, sandwich shop, petrol station with a small expensive convenience offering
- 6.1.5. We question given the limited facilities whether it is a neighbourhood for all purposes, i.e., somewhere where people can work, shop, go to school etc.
- 6.1.6. Residents of Fairlie will rely on services in the larger nearby towns of Largs and West Kilbride – access to GPs, post office, banks, supermarkets etc and are likely to access these towns on a regular basis.
- 6.1.7. It is likely that most residents will access pharmaceutical services in these towns when they go about their everyday business.
- 6.1.8. Should the panel agree with the neighbourhood defined by the applicant, we submit that the fact that most residents already access key amenities in Largs and West Kilbride is both relevant and important when considering the services provided to the neighbourhood from pharmacies out with.

- 6.1.9. Whilst there may be geographical features that suggest Fairlie is a neighbourhood separate to Largs, the two areas are co-terminus and there are no significant physical boundaries that hinder access between the two.
- 6.1.10. We strongly urge the Committee to take into consideration the amenities and pharmacies already accessed by residents of Fairlie when making their determination of services provided in and to the neighbourhood.
- 6.1.11. Demographics
- 6.1.12. The area we refer to is wider than the neighbourhood due to the make up of super output areas.
- 6.1.13. 2011 Census data
- Population – 1564
 - Number of households – 736 of which 81% are owner occupied
 - 83% of households have access to a private vehicle (national average 69.5%)
 - 84% of resident rate their health as good / very good – 4.85% rate their health as bad / very bad
 - Age Profile of Fairlie
 - 0-19 = 294 (19%)
 - 20-64 = 868 (55%)
 - 65+ = 402 (26%)
- 6.1.14. SIMD
- 6.1.15. According to the SIMD map there are two main data zones covering Fairlie. There is a very small proportion of Fairlie that sits within a much larger data zone geographically, one that goes up as far as Largs, down to West Kilbride and covers a large area to the east of Fairlie.
- 6.1.16. SIMD data suggest that if anything, the population of Fairlie decreased slightly between 2012 (1473) and 2020 (1372)
- 6.1.17. The population of the neighbourhood has not increased significantly. Recent data suggests a possible decrease.
- 6.1.18. The neighbourhood benefits from high levels of car ownership, high levels of home ownership, and good levels of general health.
- 6.1.19. New Developments and future plans
- 6.1.20. New “Regatta” apartments to the north off Main Road near to the garage and Craig Hill Place – a development of luxury apartments.
- Description on the developer’s website:
“Positioned far enough away from noise and bustle yet with excellent transport options of every kind; all the amenities of Largs are just a few minutes away.”

- The housing development behind the apartments is known as Regatta View. Houses were advertised for sale in 2019 with prices ranging from £177,000 for a three-bed semidetached to £248,000 for a four-bedroom detached.

2 developments; 65 houses and 8 apartments

6.1.21. There have been limited new developments within Fairlie – the existing pharmacies have met any needs arising from recent developments.

6.1.22. To our knowledge there is little by way of future developments planned for the village – however, the existing pharmacies have the capacity to serve any increase in demand from future developments.

6.1.23. Viability

6.1.24. This is key to a decision, the Committee will be aware of the need to “secure” the adequacy of services in the area, which included considering the effect granting the application would have on the stability and sustainability of local NHS Pharmaceutical Services. That is the existing services available to patients as well as the long-term viability and security of the new pharmacy, should the application be granted.

6.1.25. We refer to a previous appeal National Appeal Panel case ref (NAP 102) the panel concluded that:

“When considering whether it is necessary or desirable to grant the application, the PPC is required to consider the viability of the application. Viability should be considered in two contexts

- (i) The viability of the proposed new pharmacy; and
- (ii) The impact of the proposed new pharmacy on the viability of the existing pharmacies

If the likely result of granting the application is that either the new pharmacy or that of the existing pharmacies will not be viable it is unlikely that it will be desirable to grant the application. The extent to which the proposed pharmacy will be reliant on revenue generated out-with the neighbourhood will be a relevant factor in both contexts as it may indicate that the new pharmacy will struggle to support itself or it may have a negative impact on existing pharmacies.”

6.1.26. Future viability of the existing pharmacy service:

6.1.27. The PPC will be aware that pharmacist resources have been an issue recently and that a new pharmacy in an area will give rise to an increase in demand for pharmacist and support staff resources.

6.1.28. Viability of pharmacy has changed through costs facing pharmacy such as increases in salary, utility costs, fuel costs, etc. This further pressure was recognised by Scottish Government when it paid cash advances to community pharmacy’s early this year (2023).

- 6.1.29. We submit that granting the application could destabilise the existing pharmacy provision. It is difficult to say exactly to what extent, but it is conceivable that the existing pharmacies that provided extended hours of opening (Sundays for Superdrug) may find they have to reduce their opening hours in line with the NHS Ayrshire and Arran Hours of Service Scheme (pharmacies open within a designated core period of 5.5 days per week, 9-5.30 on Monday to Saturday).
- 6.1.30. Viability of the proposed pharmacy
- 6.1.31. The population of the neighbourhood currently stands around 1500 residents. The majority of these residents will already have a pharmacy they use regularly, perhaps due to proximity to their GP, where they shop, or go to work. Many patients will also be loyal to their current pharmacy and find that the services provided by this pharmacy adequately meets their needs. This too is reflected by comments in the CAR.
- 6.1.32. It is therefore unlikely that all patients in the village will have their items dispensed by Fairlie Pharmacy should the application be successful.
- 6.1.33. We believe that the pharmacy will therefore have to dispense to patients outside of the neighbourhood, possibly by delivering items, to ensure the future viability of the pharmacy. Neighbourhoods where already adequate pharmaceutical services are being provided.
- 6.1.34. Comments in the CAR re viability:
- 65 Always good to have access to good health services and pharmacies have become important and valuable offering a huge range of services and health knowledge in the community. Aware of difficulties getting prescriptions dispensed quickly and the pressure pharmacies are under to provide services quickly. Do wonder if you would have the business to make it work in Fairlie and make a decent living in spite of pharmacies becoming lucrative and selling on in some cases for a fortune! Customers may worry about confidentiality also in a village. That is why I ticked don't know.
- 25 Fairlie is not big enough to support a pharmacy. Therefore, it would impact current pharmaceutical services
- 22 Believe this could cause major loss of business to other independent and mayor pharmacies result in possible closure.
- 6.1.35. Residents are already being served by pharmacies in locations where they visit their GP or go to shop. Delivery services are provided freely to housebound patients in the area.
- 6.1.36. The existing pharmacies dispense relatively modest levels of prescription items and have the capacity to provide more. Granting this application would be at a risk to the existing pharmacy services.
- 6.1.37. We believe the pharmacy will have to seek to provide services to patients out with the neighbourhood to be viable.

6.1.38. Existing Pharmacies

6.1.39. There are four pharmacies in Largs

- Boots – 0900-1730 Mon - Sat
- Superdrug – 0830-1800 Mon-Fri; 0830-1730 Sat and 1100-1700 Sun
- Morrisons – 0900-1900 Mon-Fri; 0900-1800 Sat
- Halliday (Independents) – 0830-1815 Mon-Fri; 0830-1730 Sat

6.1.40. Comments in the CAR suggest that residents of Fairlie also use West Kilbride and Ardrossan for shopping and access to pharmacies.

- Lloyds, West Kilbride – 0845-1730 Mon-Fri and 0845-1700 Sat – closes for lunch
- Gallagher, Ardrossan (Central Ave) – 0900-1730 Mon-Fri and 0900-1300 Sat
- Gallagher, Ardrossan (Glasgow St) - 0900-1730 Mon-Fri and 0900-1700 Sat

6.1.41. Boots Pharmacy

6.1.42. Our pharmacy in Largs has a permanent pharmacist manager in place, who is also an independent prescriber offering NHS Pharmacy First Plus. (We currently have a regular second pharmacist for 1.5 days per week)

6.1.43. Our relationship with the local GP surgeries is good. We have regular meeting with them and usually plan to meet once a quarter to discuss how things are going.

6.1.44. Our pharmacy provides core, national and locally negotiated services including:

- Medicine Care & Review
- Serial prescribing
- Pharmacy First and Pharmacy First Plus
- Just in case packs
- Stop smoking service
- Emergency and bridging contraception
- Substance use service including needle exchange
- Gluten free service
- Supply of hepatitis medication

Also, non-NHS Services

- Boots Medisure domiciliary dosage system
- Delivery service

Our pharmacy has capacity to do more if required.

6.1.45. Access

6.1.46. By car

6.1.47. Car ownership in Fairlie is considerably higher than the national average (83% v 69.5%)

- 6.1.48. Patients that have access to a car will have little difficulty accessing the existing pharmacies, the closest of which is the Morrisons Pharmacy that has ample free parking with disabled access (has disabled and parent and toddler spaces).
- 6.1.49. Boots has on street parking available directly outside our pharmacy (no charges at present). There is a bus stop outside our pharmacy and train station is about a minute walk away.
- 6.1.50. Superdrug and Halliday Pharmacy: On street parking nearby. Free car park near Hallidays, Boots and Superdrug (Gateside Street).
- 6.1.51. There are also a number of car parks in Largs, a short distance from the town centre pharmacies:
- Gateside Street – Free parking – 65 spaces;
 - Seafront – Pay and Display £1 for an hour – 130 spaces;
 - Bellmans Close (small car park near to Gateside Street) – Pay and Display £1.50 for an hour or £2 for 2 hours;
 - Car Park next to the Station – Parking Ecosse Pay and Display
- Pharmacies in Ardrossan and West Kilbride also have parking nearby.
- 6.1.52. By Bus
- 6.1.53. The area is served by public transport:
- Stagecoach 583 service runs every half an hour from Fairlie to Largs Monday to Saturday. The bus journey takes approximately 9 minutes. There is a service on a Sunday, but it is less frequent. The service also runs to Ardrossan and West Kilbride;
 - Concessionary travel is available in Ayrshire through the National Entitlement Card – available to those over 60 or under 21, or who have a disability.
- 6.1.54. By taxi or community transport:
- There is a good taxi service in the area
 - North Ayrshire Council announced in March this year (2023) that they are putting more funding into public and community transport.
- 6.1.55. By Rail
- 6.1.56. • Fairlie has its own railway station. Trains run frequently from Fairlie to Largs (up to 19 trains per day) and the journey time is approximately 5 minutes. The train service can offer a less expensive way for people to travel in the area with a fare from Fairlie to Largs costing from £2.40 return.
- 6.1.57. Finally, delivery services are available free of charge from a number of pharmacies for patients who require such a service on an ongoing or emergency basis. We have five members of staff who live in Fairlie and deliver on their way home if required.
- 6.1.58. Patients have access to a range of pharmaceutical services from a choice of providers

- 6.1.59. The existing pharmacies provide an adequate level of pharmaceutical provisions to the neighbourhood.
- 6.1.60. This is reflected by a number of comments in the CAR including:
- 40 All the services are available locally by residents who already access them in Largs. The proposal is not necessary or desirable but is offered as a convenience.
- 115 These services are available in Largs, one of which has an ample car park and longer opening hours mid-week. Delivery service is also provided from some pharmacists locally.
- 6.1.61. And is possibly best summed up by this comment on page 30 of the CAR...
- 43 I have never felt that there was a problem with pharmacy provision in the area. There is a good selection of pharmacies in Largs, and although it means travelling there, most people travel there for shopping anyway. There is also the availability of home deliveries from some outlets. I personally use the pharmacy at Morrisons and have found their service to be VERY good. I have lived in Fairlie for 40 years without having a local pharmacy, and while I am keen to encourage local business, I don't have a burning desire to have one.
- 6.1.62. The Brooksby Medical & Resource Centre is located in Largs and has a list size of 11,100. There is no surgery in Fairlie.
- 6.1.63. The Proposed site:
- 6.1.64. • The proposed site sits with three other small commercial properties on the Main A78 that runs through the village on to Largs. The A78 is classified as a Class A Trunk Road (traffic statistics for 2017 indicate that on average over 8,200 vehicles use the A78 daily including 260 HGVs)
- 6.1.65. • There is no surgery within the village and little by way of amenities - little reason to expect to find pharmaceutical services at this location.
- 6.1.66. • The premises are on a main road with very little parking immediately outside and double yellow lines on both sides of the road.
- 6.1.67. • There is a limited number of spaces in the car park next to the takeaway – 7 plus possibly 3 disabled spaces at the far end (but it does appear to be tight). This car park would be used by the other commercial premises in the area. We understand that this is a public car park that is also used at times by visitors to the offices and flats opposite.
- 6.1.68. • Access to the car park is directly off the main road, which may cause access issues particularly during business hours. There may be school crossing patrols in the area which will stop traffic at times during the day. There is also a bus stop opposite the small car park, which may cause traffic to wait whilst the bus stops. Concerns regarding the impact on traffic and dangers posed by

congestion and parking in the areas have been articulated by a number of respondents to the CAR.

- 6.1.69. • Deliveries will have to be made to the proposed pharmacy and given that the application proposes to offer a prescription collection and delivery service, there would be vehicles making frequent visits to the pharmacy.

- 6.1.70. • There are a significant number of concerns raised by respondents to the CAR regarding the limited parking and the risks associated with increased vehicular activity in this area.

- CAR page 10

Comment 8: Next door takeaway tends to have daytime customers who block the pavement by parking on it whilst getting their bacon rolls. Something would need to be addressed to prevent large Transits, etc, blocking the pavements.

- CAR Page 12

Comment 64: There is not enough off-street parking on this site and a large volume of people will add to the queues of traffic on the main road. Which in turn could cause an injury to an unseen pedestrian trying to cross the road with a frustrated driver trying to get passed the queuing traffic.

Comment 71: Vehicles belonging to pharmacy customers may create congestion in the main road as there is limited parking facilities which are already shared by other establishments. The car park on main road tends to be near capacity often. Also, the unit in question use to be a takeaway and was not that big, not sure how a pharmacy would operate there

Comment 72: Will cause traffic problems with parking in that area.

- CAR page 15

Comment 186: Unsuitable parking, the small car park is used during the day by the fast-food shop and the beauty salon across the road and residents use this car park too. Also, the plumbers use this car park for their business vans. Cars and vans park on the pavement outside the fast-food shop during its opening hours.

- CAR page 19

Comment 46: Again, this will cause traffic queues and large-scale disruption on the Main Street...ridiculous idea... There is no need for this pharmacy, there is a door-to-door service already in place for customers who can't go into Largs.

- CAR page 24

Comment 43: To Many services for people. Hanging around with private vehicles. Plus Largs people will end up picking up repeat prescriptions as its in their way home from their work in some instances...where is everyone going to park, are they going to park two tyres on the kerb, I

think so! This will cause traffic chaos and danger with blind spots to oncoming traffic.

6.1.71. Summary

6.1.72. Whilst there may not be a pharmacy in the neighbourhood defined by the applicant pharmacies in Largs, West Kilbride and the wider area provide services to the neighbourhood. This is reflected by comments in the CAR.

6.1.73. Comments in the CAR also highlight a number of concerns of respondents, including the suitability of the proposed site and potential traffic issues.

Not all comments in the CAR support the application.

6.1.74. The existing pharmacies provide core, national and locally negotiated services. There is no inadequacy in the services.

6.1.75. We submit that the services provided to patients of Fairlie by the existing pharmacies are adequate

6.1.76. Our pharmacy has the capacity to do more. We believe this will be the case for most pharmacies in the area.

6.1.77. The existing pharmacies provide access to services seven days a week and in the evenings.

6.1.78. We question the viability of the proposed pharmacy and believe that granting the application would have a detrimental effect on the existing level of pharmaceutical service.

6.1.79. In conclusion, we submit the existing pharmaceutical services provided to the neighbourhood are adequate and urge the Committee to refuse this application.

6.1.80. This concluded the representation from Boots UK Ltd.

6.1.81. **The Chair invited Mr Razzaq (the Applicant) to question Mr Jamieson (Boots UK Ltd)**

6.1.81.1. Mr Razzaq enquired what the criteria was that Boots imposes for their delivery service. Mr Jamieson responded to confirm that it was up to the decision of the responsible pharmacist but noted that there are no barriers on who gets access to the delivery service.

6.1.81.2. Mr Razzaq enquired if it would surprise Mr Jamieson that when he called asking for a delivery service that he was informed it was for those housebound only. Mr Jamieson responded that he was not surprised.

6.1.81.3. Mr Razzaq enquired how many deliveries to Fairlie Boots currently provided. Mr Jamieson responded that it was approximately 10 per week.

6.1.81.4. Mr Razzaq references Mr Jamieson's comment regarding the number of people who visit Largs for shopping and enquired how many were likely to shop online. Mr

Jamieson was unable to comment on this but noted that most if not all retailers who have delivery services would deliver to the people of Fairlie.

- 6.1.81.5. Mr Razzaq noted from Mr Jamieson's presentation his reference to SIMD data reflecting a population decrease but that housebuilding at the noted locations from his presentation only started in 2019.
- 6.1.81.6. Mr Razzaq references the extended hours of Superdrug on a Sunday being at risk and ask for Mr Jamieson if he could confirm this. Mr Jamieson responded to note that his comment was based on increased costs across the industry but as Superdrug were not in attendance today, was unable to expand or confirm regarding this.

This concluded questioning by Mr Razzaq.

6.1.82. The Chair invited questions from Mr Boyle (Halliday Pharmacy) to Mr Jamieson (Boots UK Ltd) but this offer was declined

6.1.83. The Chair invited Mr Frame (Morrison's Pharmacy) to question Mr Jamieson (Boots UK Ltd)

6.1.83.1. Mr Frame enquired whether Boots charge for deliveries. Mr Jamieson confirmed that Boots do not charge for deliveries.

6.1.83.2. Mr Frame enquired how delivery patients get access to a pharmacist if required. Mr Jamieson confirmed that they would call the pharmacy.

6.1.83.3. Mr Frame enquired whether any complaints had been raised for not getting face-to-face access with a pharmacist. Mr Jamieson confirmed that no complaints had been received regarding this.

6.1.83.4. Mr Frame noted that whilst driving around Fairlie it appeared to have multiple car ownership, higher than the National average and asked Mr Jamieson if he agreed. Mr Jamieson confirmed that he agreed as per his presentation.

6.1.83.5. Mr Frame enquired for those people who did not have access to a vehicle and had to use public transport, would they have to pay for this service. Mr Jamieson responded that the vast majority would not have to pay for public transport.

6.1.83.6. This concluded questioning by Mr Frame.

6.1.83. The Chair invited Ms Holmes (Fairlie Community Council) to question Mr Jamieson (Boots UK Ltd)

6.1.83.1. Ms Holmes asked for clarification following Mr Jamieson's presentation for how the population of Fairlie could have decreased given the new homes having been built which has added 25% new residents to the village which she has awareness of given her regular delivery of leaflets to residents and the number having to be increased from 700 to 900 to include these households. Mr Jamieson responded to state that the original population figure was taken from the 2011 Census stats which noted 1064 and then the 2012-2020 SIMD statistics of 1472 which were all

on and available on National Records and include the 95 builds for East of Castlepark Gardens and the land of South Lodge house which was 8.

6.1.832 Ms Holmes noted that not all the new housing has been completed but queried whether access to vehicles as well as easy access to Largs would be impact the SIMD data. Mr Jamieson suggested it could be a contributory factor the increase in access for any population.

6.1.833 Ms Holmes noted that Fairlie is a desirable area to live. Mr Jamieson confirmed this and noted that Boots services were in place for anyone who would require them.

This concluded questioning by Ms Holmes.

6.1.84. The Chair then invited questions from the Committee to Mr Jamieson.

6.1.85. **The Chair invited questions from Ms Clark (Lay Member) to Mr Jamieson (Boots UK Ltd) but this offer was declined**

6.1.86. **The Chair invited question from Cannon McManus (Lay Member) to Mr Jamieson (Boots UK Ltd)**

6.1.86.1. Cannon McManus enquired whether Mr Jamieson believed that Boots in Largs may not succeed if this application was successful. Mr Jamieson responded to note that Boots in Largs is not a big business location for them noting that it is viable just now but with increasing costs and potential loss in business would likely impact staffing levels they would be able to support and they currently have 1.5 additional days in Pharmacy cover.

6.1.86.2 Cannon McManus referenced customer loyalty and the changes today as opposed to 20 years ago when there was lack of services for a number of reasons. Mr Jamieson responded by saying that it was unlikely that all the residents of Fairlie would access the new pharmacy and based on the viability figures it would affect the viability of existing providers in the neighbourhood.

6.1.86.3 Cannon McManus noted that by referencing parking in Ardrossan and other areas it "muddied the water". Mr Jamieson noted that the point he was trying to make was that car parking availability in West Kilbride was for its pharmacy which is called "Ardrossan Pharmacy" and there are car parking spaces.

6.1.86.4 Cannon McManus enquired whether car usage or private vehicle access was necessary for an adequate pharmacy service. Mr Jamieson responded to state that the point he was making was that the resident of Fairlie cannot live and work and access amenities within the village.

6.1.86.5 Cannon McManus referenced Mr Jamieson's point of having to travel to access services and delivery could be classed as adequate. As there are no other primary care services available in Fairlie, does this not point to an inadequacy in service for a community? Mr Jamieson responded by noting a service has to be commercially viable and he would have to question a community pharmacy in Fairlie which was only providing to those residents of Fairlie, but based on figures of population of

1500 the average number of items per person in Scotland is 19, so if every resident in Fairlie used this service it would be 500 per week and in 2023 with additional costs of utilities, etc it would not be viable. Does this meet the legal test if talking about the residents of Fairlie, and if it does then could be an internet pharmacy and deliver to the whole of Scotland. This would impact all existing pharmacy providers and the services provided. Less staff to support patients and costs more to be open in the evenings and Sunday.

6.1.86.6. This concluded questioning by Cannon McManus.

6.1.87. The Chair invited questions from Ms Stein (Non-Contractor Pharmacist Member) to Mr Jamieson (Boots UK Ltd)

6.1.87.1. Ms Stein enquired for those more housebound patients does Boots have a cap on the number of deliveries per week. Mr Jamieson responded that no there is not cap nor ever has been one.

6.1.87.2. Ms Stein enquired what the turnaround time was for patients requiring an urgent prescription given the national guidance on a seven-day turnaround as well as how many deliveries per day to Fairlie. Mr Jamieson responded to confirm that it would be a same day service for an emergency from when they receive the prescription and would ensure delivery the same day.

6.1.87.3. Ms Stein enquired how many deliveries Boots could do for an emergency prescription if Drivers slots for the neighbourhood had already departed. Mr Jamieson responded to say that staff would deliver on their way home that day.

6.1.87.4. Ms Stein rejected the comment made for staff delivering prescriptions as this is not standard operating procedures. Mr Jamieson responded to confirm that Boots do have a SOP for staff to make deliveries.

6.1.87.5. This concluded questioning by Ms Stein.

6.1.88. The Chair invited questions Ms Gallagher (Contractor Pharmacist Member) to Mr Jamieson (Boots UK Ltd)

6.1.88.1. Ms Gallagher queried if Mr Jamieson knew the number of houses in Fairlie and the average occupancy of these. Mr Jamieson responded that the average in North Ayrshire is 2.06.

6.1.88.2. Ms Gallagher enquired whether this was static, had increased or decreased. Mr Jamieson responded that he did not have this information.

6.1.88.3. Ms Gallagher mentioned that there are likely many people who get divorced so two people buying two houses; families with grown children getting married and moving away so the household decreases and asked if Mr Jamieson agreed with this. Mr Jamieson responded that he did agree with these points.

6.1.88.4. This concluded questioning by Ms Gallagher

6.1.89. Mrs Ford (The Chair) questions to Mr Jamieson (Boots UK Ltd)

- 6.1.891. Mrs Ford noted Mr Jamieson's reference to viability and a significant change to the business and enquired what this would be defined as being. Mr Jamieson responded that this would mainly be through costs and margins which are two impacts – labour costs have significantly increased and the lack of pharmacists and support staff as well as utility costs.
- 6.1.892. Mrs Ford referenced Mr Jamieson's comment around reduction in people transferring out from Boots's prescription service and enquired if it was possible to put a figure to this. Mr Jamieson responded to confirm that it would be very hard to do this as if the application is granted it would depend on how they ran the business as to how it would actually impact the adequacy of existing providers into the neighbourhood.
- 6.1.893. Mrs Ford noted comments in the CAR regarding stock availability and pharmacies in Largs being too busy and asked for Mr Jamieson's thoughts regarding this. Mr Jamieson responded by confirming that stock availability is an issue around the World due to global manufacturing issues. He went on to note also that depending on the days and times of the day and its staffing numbers a pharmacy can be busy but Boots have the capacity for further growth.
- 6.1.894. Mrs Ford noted that stock availability comments in the CAR were likely linked to Global shortages and not bad running of a pharmacy. Mr Jamieson agreed.
- 6.1.895. As Mrs Ford had no further questions for Mr Jamieson this concluded Boots representation and questioning.
- 6.1.90. A short comfort break (5 minutes) was called and resumed at 1152 hrs.

6.2. Submission from Mr Boyle (Halliday Pharmacy)

- 6.2.1. Mr Boyle read from the following presentation making adjustments as necessary
- 6.2.2. "I am David Boyle, owner of Halliday Pharmacy based in Aitken Street Largs for nearly 19 years.
- 6.2.3. Not only am I the owner but I am also the regular daily pharmacist and therefore, know the area very well and the communities' pharmaceutical needs.
- 6.2.4. As you will know from the letter I sent on the 13th February this year, I object to Mr Razzaq's application for a pharmacy licence to be granted in Fairlie. In that letter I have detailed reasons as to why it should be rejected.
- 6.2.5. For a new contract to be granted there needs to be either a material change in circumstance, for example a significant increase in population or a lack of access to pharmaceutical services to the area. Fairlie does not fall into either category. The population has remained static for the last 20 years (in fact has reduced slightly) and where the pharmacy is being proposed there is not one, but 4 excellent pharmacies 3 miles away.
- 6.2.6. All these pharmacies currently provide the services being proposed by this application and the opening hours are no better than what we have already. The

average pharmacy in Scotland dispenses 7,000 prescription items each month. Three of the 4 pharmacies in the area dispense less than that meaning there is more than adequate capacity to deal with the pharmaceutical needs of the local area including Fairlie.

6.2.7. Survey

- 6.2.8. From the survey done there appears to be 364 responses from people who live within the defined area, that equates to less than 25% of the population so is not a real representation of the whole area. Regarding lack of service to the area (question 6) only 248 respondents thought this was correct which is 16% of the population, however when you read the associated comments there is no evidence of lack of access to pharmaceutical services, only that it may be handy to have a pharmacy in Fairlie. The population of any village or small town WOULD SAY YES to a new facility whether it is a pharmacy, dentist, or general shop even if it is not deemed necessary.
- 6.2.9. While Fairlie is a separate village its hub is Largs. It is where the supermarkets / shops are, the doctor's surgery, dentists, opticians, high school, leisure facilities and lots of social clubs are. Therefore, most residents of Fairlie will commute to Largs several times a week if not on a daily basis. So having a pharmacy in Fairlie will not change the daily routine. Fairlie is connected to Largs by a very good A road, a frequent bus service (during my opening times there is 21 buses times running each way and an hourly train service. In fact SEVERAL of my Fairlie patients actually walk into Largs along the coastal path.
- 6.2.10. Most of my Fairlie patients will phone me to order their repeat prescriptions, then collect them at a suitable time. If they are wanting to access other pharmaceutical services they come and are served in a timely manner. We collect prescriptions at least 5 times each day so we can dispense interim prescriptions such as antibiotics as soon as possible. This means any that require to be picked up immediately or delivered are completed that day.
- 6.2.11. For patients who are housebound or temporarily house bound they can phone the pharmacy to access our services and have any items delivered to them. For 19 years now Halliday Pharmacy has provided a comprehensive daily delivery service including Saturdays to Fairlie.
- 6.2.12. One other thing to note is that Largs Medical Group have now permanently closed their e-consult service and are now returning to their pre COVID face to face appointment service, therefore patients would be coming into Largs for their appointments.
- 6.2.13. It is therefore probably easier for Fairlie patients to access pharmaceutical services in Largs whilst going about their usual routine; for example, coming to Largs for an appointment or shopping then returning to Fairlie and making another stop at the proposed Fairlie pharmacy.
- 6.2.14. Financial Impact

- 6.2.15. Firstly, as you will know, and it has been well documented by Community pharmacy Scotland, the Scottish pharmacy network is under an unprecedented financial strain due to margins being tightened as costs of medication / drugs have increased alongside running costs of businesses at an all-time high due to increases in utility costs / wages etc. Community Pharmacy Scotland have been trying to address this situation and so far, have had very little success with the Scottish government. In fact, we are currently working with no deal for the current financial year in place. My business is debt free and the last 12 months have not been easy from a financial point of view. If the application for the Fairlie pharmacy is successful, then the financial pressures on myself and the other 3 pharmacies will be huge and potentially catastrophic. I would expect a decrease in my turnover of around 16%. I would therefore have to make tough decisions with my business meaning there would be job losses, reduction on the number of pharmacist double cover days, reduction in service investment and staff training. This would lead to reduction in the service we provide for the whole community.
- 6.2.16. As I have noted earlier the average number of prescriptions dispensed by Scottish pharmacies is 7000 each month and 3 pharmacies in Largs are below that level. If they were also to lose around 16% of their prescription business, there would be a big question over their viability.
- 6.2.17. Before the current financial pressures on pharmacy, it was considered that you required around 600 items a week for the business to be viable. That figure will be much higher now. Using the data available, there is potential for one or more of the pharmacies in Largs to fall into this category, potentially making them less viable and a result could face closure.
- 6.2.18. So, in summary if the new contract is granted it is more than likely the service to the area would be diluted rather than enhanced.
- 6.2.19. With this in mind I would like to question the financial viability of Fairlie Pharmacy should the contract be granted. Statistics suggest that if Fairlie Pharmacy manages to dispense all prescriptions that residents in Fairlie receive it would be around 500 to 550 each week. In reality the figure would be less than this, meaning this would be well below the number required to have a viable business. To provide an efficient service to the community you would have to collect several times a day from the surgery in Largs and there would be an extra cost involved in that. You also have very little retail space in your front shop so sales to compensate lack of prescriptions would be limited. The point I am trying to make here is if the contract was granted we would be in a situation that the pharmacy in Fairlie may not be viable and the current pharmacies would probably be delivering a weaker service to the community due to added financial pressures resulting in business changes.
- 6.2.20. Parking
- 6.2.21. While on occasions parking in Largs can be tricky there is parking available. Gateside Street has 65 spaces and is located 100 yards away from two pharmacies. Morrisons pharmacy has its own large car park, and the doctor surgery carpark has space for 133 cars. From the 1st of September this year there will be new parking restrictions put into force in Largs. In 2019 the parking in Largs was

decriminalised meaning the police no longer deal with parking unless it is considered dangerous. At that time the council were meant to introduce parking wardens to enforce a one-hour parking restriction therefore meaning there will always be a turnover of parking spaces on the main roads in and around the centre of Largs. Covid hit and this was not implemented but now will be, by 1st of September. This in theory should mean there will always be a space to be had.

6.2.22. While there is a very small carpark next door, anytime I pass, it is always full, meaning patients or wholesaler deliveries will have to park on a very busy A road. This road was the first in Scotland to have traffic lights linked to a speed camera due to safety concerns. The office development across the road from the proposed location only received planning permission the proviso they had a car park and there would be no on street parking. How does the Applicant propose people will park outside safely and has he approached the roads authority regarding this matter?

6.2.23. Summary

6.2.24. In summary the residents of Fairlie currently receive an excellent and comprehensive range of pharmaceutical services from the existing pharmacies. I certainly know from my Fairlie patients they are extremely happy with the service they currently receive. The survey that Mr Razzaq has completed there is no overwhelming evidence that there is a lack of access to these services. And finally, adding another pharmacy into the area would result in financial disaster for the existing Pharmacies which would lead to job losses and a dilution in the services received by the local community. Therefore, the application for a Pharmacy licence in Fairlie should be rejected.”

6.2.25. This concluded the representation from Halliday Pharmacy.

6.2.26. **The Chair invited Mr Razzaq (the Applicant) to question Mr Boyle (Halliday Pharmacy)**

6.2.26.1. Mr Razzaq enquired how many deliveries Halliday’s did to Fairlie. Mr Boyle responded to say Halliday’s deliver 10 or 12 daily, 6 days per week

6.2.26.2. Mr Razzaq enquired if Mr Boyle agreed that delivery was not a core NHS Service. Mr Boyle responded that yes he did agree but it is essential to many residents.

6.2.26.3. Mr Razzaq asked if Mr Boyle agreed that delivery service could be withdrawn at any time. Mr Boyle responded to say that it is not relevant as he knows the needs of his customers and that is why he delivers to them.

6.2.26.4. Mr Razzaq noted that some services were not able to be delivered and Mr Boyle asked for clarification. Mr Razzaq went on to note that some services cannot be accessed via delivery so a visit to a pharmacy is required and whether Mr Boyle agreed. Mr Boyle agreed.

6.2.26.5. Mr Razzaq noted that many villages in Ayrshire are less populous than Fairlie. Mr Boyle agreed.

- 6.2.266. This concluded questioning by Mr Razzaq
- 6.2.27. **The Chair invited questions from Mr Frame (Morrison's Pharmacy) to Mr Boyle (Halliday Pharmacy)**
- 6.2.27.1. Mr Frame noted that Halliday's Pharmacy delivers and has done for 19 years. He then enquired if a patient needed access to a pharmacist, how would they go about it. Mr Boyle responded to say that they could telephone the pharmacy.
- 6.2.27.2. Mr Frame enquired whether any complaints had been received from customers that Halliday's delivery to. Mr Boyle responded that no complaints have been received.
- 6.2.27.3. Mr Frame enquired how many wholesalers Halliday's use. Mr Boyle responded that he used six wholesalers.
- 6.2.27.4. Mr Frame enquired how many deliveries were received at Halliday Pharmacy a day. Mr Boyle noted that 10 deliveries were received daily.
- 6.2.27.5. This concluded questioning by Mr Frame
- 6.2.28. **The Chair invited questions from Mr Jamieson (Boots UK Ltd) to Mr Boyle (Halliday Pharmacy)**
- 6.2.28.1. Mr Jamieson referenced viability of pharmacies in small villages where Halliday's delivered to. Mr Boyle responded that he did not have information to hand regarding this but had looked at other areas where a small village is next to an area larger than Largs and GP surgeries provided around 7,000 more items than Largs to make themselves viable.
- 6.2.28.2. This concluded questioning by Mr Jamieson
- 6.2.29. **The Chair invited question from Ms Holmes (Fairlie Community Council) to Mr Boyle (Halliday Pharmacy) but this was declined**
- 6.2.30. **This concluded questions from the Interested Parties. The Chair invited questions from the Committee members.**
- 6.2.31. **The Chair invited questions from Ms Clark (Lay Member) to Mr Boyle (Halliday Pharmacy) but this was declined**
- 6.2.32. **Questions from Cannon McManus (Lay Member) to Mr Boyle (Halliday Pharmacy)**
- 6.2.32.1. Cannon McManus enquired if Mr Boyle agreed with the defined neighbourhood. Mr Boyle responded that he did agree with the defined neighbourhood.
- 6.2.32.2. This concluded questioning by Cannon McManus
- 6.2.33. **Questions from Ms Stein (Non-Contractor Pharmacist Member) to Mr Boyle (Halliday Pharmacy)**

- 6.2.33.1. Ms Stein referenced that the GP practice in Largs is removing the E-Consult system and enquired if it was therefore all going to be face-to-face consultations as per pre-pandemic. Mr Boyle believed that it was all going to be in person consultations but that housebound patients would call the surgery for a triage system to take effect and a face to face would be driven by this.
- 6.2.33.2. Ms Stein noted that GP surgeries have done face to face regardless of pandemic and eConsult will continue and telephone consultations but enquired, in terms of GP practice, what the impact would be on the pharmacy from referrals from the triage system. Mr Boyle responded that he was aware and received a number of referrals from the GP surgery of which a number are from Fairlie.
- 6.2.33.3. Ms Stein noted the delivery to 10-12 patients per day by Halliday's and enquired whether these were grouped together or staggered. Mr Boyle responded that from 1300-1600 hrs daily (6 days a week) deliveries are made not just to Fairlie but in general but at least 1 delivery daily for repeat prescriptions are made into the neighbourhood.
- 6.2.33.4. Ms Stein enquired whether this was solely for emergency care medicine. Mr Boyle responded that it was a mix.
- 6.2.33.5. Ms Stein enquired given delivery service 6 days a week, how often would be to Fairlie. Mr Boyle responded that 1 per day especially on a Friday with more acute requirements can make it twice.
- 6.2.33.6. Ms Stein enquired if Halliday's Pharmacy delivered to West Kilbride. Mr Boyle responded that they did not deliver to West Kilbride.
- 6.2.33.7. This concluded questioning by Ms Stein

The Chair invited questions from Ms Gallagher (Contractor Pharmacist Member) to Mr Boyle (Halliday Pharmacy) but this was declined

6.2.35. Questions from Mrs Ford (Chair) to Mr Boyle (Halliday Pharmacy)

- 6.2.35.1. Mrs Ford enquired what were Halliday's delivery criteria. Mr Boyle responded that Halliday's deliver to anyone requiring this service who is unable to directly or does not have someone that can collect on their behalf.
- 6.2.35.2. Mrs Ford enquired about how Halliday's deal with stock shortages. Mr Boyle responded that being an independent pharmacy allows them to negotiate with several wholesalers. Medicine shortages are not down to bad / poor management but to Global shortages. The protocol Halliday's employ is to enquire with their number of wholesalers, then other pharmacies in the area and if still unavailable then contact the GP practices for an alternative resolution. Mr Boyle wish to note that the latter was not a common occurrence.
- 6.2.36. As Mrs Ford had no further questions for Mr Boyle, this concluded the representation and questioning of Halliday Pharmacy. The Committee broke for lunch.

6.3. Submission from Mr Frame (Wm Morrison's Pharmacy)

- 6.3.1. Mr Frame read the following presentation making adjustments as necessary.
- 6.3.2. "Thank you for the opportunity to present today.
- 6.3.3. We believe the four existing pharmacies in Largs meet the needs of the local population and the residents of the neighbourhood. We do not believe there is an inadequacy in pharmaceutical services, and we do not believe the application has / can demonstrate or evidence any inadequacy in existing pharmaceutical services.
- 6.3.4. Neighbourhood
- 6.3.5. We agree with the neighbourhood as proposed by the applicant.
- 6.3.6. Fairlie is a small village located less than three miles from Largs.
- 6.3.7. The neighbourhood has good transport links and regular bus services to and from Largs. Buses are every 30 minutes. Journey time is less than nine minutes. Trains also run once an hour and take less than five minutes. Those within the neighbourhood that have access to a car (significantly higher than the national average) will easily find themselves within Largs in less than seven minutes.
- 6.3.8. There is also community transport available in Fairlie which is provided by the MyBus Service. MyBus (M42) is advertised as:
"a bookable bus service offering door-to-door transport in your area. MyBus can be used for shopping, GP appointments, visiting friends, etc. MyBus will pick you up and drop you off as close as possible to your destination. All vehicles are low-floor and wheelchair friendly."
- 6.3.9. Services within the area of Fairlie are limited. Not everything required by the residents to carry out the fabric of their daily lives is available. There is no bank, post office, GP or Supermarket. As a result, Residents will be used to travelling out with the neighbourhood to access these services regularly. It's fair to say residents would not struggle to reach one of the existing Pharmacies in Largs. The existing four pharmacies in Largs must be considered when deciding on whether services to the neighbourhood are adequate.
- 6.3.10. Appendix 1 in the pack showing statistics from NHS National Services Scotland show.
- Travel for residents from Fairlie to a GP by car or public transport is better than the North Ayrshire Health and Social Care Partnership and Ayrshire and Arran Health Board.
 - Access to shopping facilities by car and public transport is also better than the North Ayrshire Health and Social Care Partnership and Ayrshire and Arran Health Board.
- 6.3.11. Accessibility is not an issue for residents of Fairlie.
- 6.3.12. The Proposed site

- 6.3.13. The premises are situated on the main road with double yellow lines outside. There is no dedicated parking for disabled or parent / child outside the premises. There is a small car park to the left-hand side as you look at the pharmacy with limited spaces. Responses to the CAR highlight concerns around the lack of parking and the possible double parking on the yellow lines and the impact this will have on traffic on a major A trunk road e.g.
- “next door takeaway tends to have daytime customers who block the pavement by parking on it whilst getting their bacon rolls”
- and
- “vehicles belonging to pharmacy customers may create congestion in the main road as there is limited parking facilities which are already shared by other establishments and buildings”.
- Concerns raised already here today.
- 6.3.14. Our Supermarket at Morrisons has 125 spaces with seven disabled and eight parent and child spaces. Ample parking for those accessing our services. There are also multiple car parking facilities in Largs town centre.
- 6.3.15. Adequacy of existing services
- 6.3.16. The four Pharmacies in Largs, provide an extensive range of NHS services, private services, healthcare advice and access to a healthcare professional into the evening and 7 days a week. At our Pharmacy in Largs we are open 6 days a week, Monday – Friday 0900-1900 hrs, Saturday 0900-1800 hrs, an hour more each day than the applicant. The applicant does not offer any improvement on the current access to pharmaceutical services already provided by ourselves, Superdrug and the two other pharmacies in the town. Given the applicant isn't opening on a Sunday, the committee must assume the applicant would expect residents to access existing pharmacies out with his opening times and that the pharmaceutical service provided is adequate to meet the needs of the neighbourhood.
- 6.3.17. From our Pharmacy in Largs, we provide an extensive range of core pharmaceutical services and private services, these include PCS, NHS Pharmacy First, Palliative care, medical care Review, CPUS, EHC, Acidovir & Flucloxacillin, Fusidic Acid, Trimethoprim, NRT, Hep C, Waste meds, Clozapine and healthy lifestyle advice. We also provide Flu services privately and we have done so successfully for more than 14 years now.
- 6.3.18. Our Supermarket is only a few minutes' walk from the bus stop and the train station.
- 6.3.19. The entrance into our store and walk to the pharmacy is all on one level.
- 6.3.20. All pharmacies operate prescription collection service from the GPs, and many provide a delivery service to those that need it e.g. Halliday's who have operated their delivery service since 2004. Those responding to the public consultation may find it convenient to pick up a prescription in Fairlie but let us not confuse that with the current service being inadequate. Many of these CAR responses describe having a pharmacy as “easily accessible or convenience”. This does not indicate

necessity. As I alluded to before, residents will have to head out of the neighbourhood to access amenities e.g. Post office, banks, GPs, Supermarkets and indeed to work.

6.3.21. Driving around the area, you can see multiple car ownership. Residents will be used to travelling out with the neighbourhood to access other service, as above, it is fair to say, residents of Fairlie are used to travelling out with their neighbourhood to access amenities and would not struggle to reach one of the existing pharmacies.

6.3.22. Of the four pharmacies that are in Largs, all four open on a Saturday, with Superdrug opening for six hours on a Sunday. Whilst these pharmacies might not be on the doorstep of the residents of Fairlie, I would suggest that these are within easy reach of the neighbourhood and provide an adequate service to the populations, as the applicant has not evidenced any complaints nor contacted the Health board to establish this.

6.3.23. Looking again at the CAR, there is no direct evidence in the CAR to suggest the pharmaceutical service provided to the neighbourhood is inadequate. Ask anyone if they would wish a pharmacy on their doorstep, of course they will say yes. However, there is no evidence of any inadequacy in the current service provision as noted on page 30 comment 43 quoted:

“I have never felt that there was a problem with pharmacy provision in the area. There is a good selection of pharmacies in Largs and although it means travelling there, most people travel there for shopping anyway. There is also the availability of home deliveries from some outlets. I personally use the pharmacy in Morrison, and have found their service, to be very good. I have lived in Fairlie for 40 years, without having a local pharmacy and whilst I am keen to encourage local businesses, I don't have a burning desire to have one.”

6.3.24. In Summary, the existing pharmacies offer extended opening hours and an extensive range of NHS and private services, Healthcare advice and access to a pharmacist. These existing pharmacies are accessible by car and public transport. There is no evidence to suggest there is an inadequacy in the existing services. We therefore believe that this application is neither necessary nor desirable and ask again that it be refused.”

6.3.25. This concluded the representation from Morrison's Pharmacy.

6.3.26. Questions from Mr Razzaq (the Applicant) to Mr Frame (Morrison's Pharmacy)

6.3.26.1. Mr Razzaq asked for confirmation whether Morrison's Pharmacy delivered prescriptions. Mr Frame confirmed that they do.

6.3.26.2. Mr Razzaq enquired what the criteria was for Morrison's Pharmacy to deliver a prescription. Mr Frame responded to say that it was generally offered to those who are housebound and those who are unable to access their service directly.

6.3.26.3. Mr Razzaq enquired how many deliveries were made weekly to the neighbourhood. Mr Frame responded to say that 16 deliveries were made to Fairlie.

- 6.3.26.4. This concluded questioning of Mr Frame by the Applicant.
- 6.3.27. The Chair invited questions from Mr Boyle (Halliday Pharmacy) to Mr Frame (Morrison's Pharmacy) but this was declined**
- 6.3.28. The Chair invited questions from Mr Jamieson (Boots UK Ltd) to Mr Frame (Morrison's Pharmacy)**
- 6.3.28.1. Mr Jamieson enquired that if the application was granted, would there be a risk to service provisions at Morrison's Pharmacy. Mr Frame responded to say that as the lowest prescribers in Largs, it would be naïve to say that the potential loss of 500 items which would be more than 10% of existing business would not affect the viability of the business and would certainly have to look at opening hours and likely return to core hours.
- 6.3.28.2. This concluded the questioning by Mr Jamieson
- 6.3.29. The Chair invited questions from Ms Holmes (Fairlie Community Council) to Mr Frame (Morrison's Pharmacy) but this was declined.**
- 6.3.30. The Chair invited questions from Ms Clark (Lay Member) to Mr Frame (Morrison's Pharmacy) but this was declined.**
- 6.3.31. The Chair invited questions from Cannon McManus (Lay Member) to Mr Frame (Morrison's Pharmacy) but this was declined.**
- 6.3.32. The Chair invited questions from Ms Stein (Non-Contractor Pharmacy Member) to Mr Frame (Morrison's Pharmacy)**
- 6.3.32.1. Ms Stein enquired if the 16 deliveries to Fairlie were staggered or once a day. Mr Frame confirmed that these were done twice per week.
- 6.3.32.2. This concluded the questioning by Ms Stein
- 6.3.33. The Chair invited questions from Ms Gallagher (Contractor Pharmacy Member) to Mr Frame (Morrison's Pharmacy) but this was declined.**
- 6.3.34.1. Questions from Mrs Ford (the Chair) to Mr Frame (Morrison's Pharmacy)**
- 6.3.34.2. Mrs Ford enquired whether Morrison Pharmacy offered telephone advice. Mr Frame confirmed that they did offer this via the "Near Me" facility
- 6.3.34.3. Mrs Ford enquired about stock issues raised previously. Mr Frame noted that Morrison's have two dedicated wholesalers and access to a third as required but went on to note with drug costs and NPCR is the most it has ever been and the national shortage everyone can experience the shortage.
- 6.3.34.4. Mrs Ford referenced that there was no evidence of Morrison's Pharmacy being too busy to meet demands. Mr Frame responded to confirm that as the smallest of the pharmacies that this was not an issue for Morrison's and they have the capacity to meet any demand.

6.3.35. As Mrs Ford had no further questions for Mr Frame, this concluded the representation and questioning of Morrison's Pharmacy.

6.4. Submission from Ms Holmes (Fairlie Community Council)

6.4.1. I have lived in the village since 1972 when there were lots of shops in the village.

6.4.2. I am in the upper age limits and still fit and able to access services in Largs.

6.4.3. The people of Fairlie would benefit from a Pharmacy in the village as well as the large working population at Hunterston, which would be ongoing for a number of years, and the large cable factory, which will be operating shift working 24/7. A pharmacy in Fairlie could provide service to these but also a bonus to those working close to the village.

6.4.4. People out with the area are asking if there will be a pharmacy in Fairlie following the Joint Consultation.

6.4.5. West Kilbride seems to not service very well those of Fairlie from local comments. The previous post office in the village was serviced by those in West Kilbride and Largs also.

6.4.6. Personally, I am a big fan of Morrisons mainly due to large carpark. I think there have been issues raised around car park awkwardness to the proposed premises and other parking spaces on Bay Street and the pub has a car park which has vacant spaces during the day.

6.4.7. On behalf of Fairlie we would like to have a pharmacy in our village and can see all the pros and con associated with this.

6.4.8. This concluded the presentation from Ms Holmes

6.4.9. **The Chair invited Mr Razzaq (the Applicant) to question Ms Holmes (Fairlie Community Council) but this was declined**

6.4.10. **The Chair invited Mr Jamieson (Boots UK Ltd) to question Ms Holmes (Fairlie Community Council) but this was declined**

6.4.11. **The Chair invited Mr Boyle (Halliday Pharmacy) to question Ms Holmes (Fairlie Community Council)**

6.4.11.1. Mr Boyle referenced that in years gone by there were 17 shops and a post office which now there are not and enquired if this means that Fairlie is not a viable village due to people travelling out with to do their shopping, etc. Ms Holmes responded that this had crossed their minds (the Community Council) but have no proof as to whether this was the case or not.

6.4.11.2. This concluded questions from Mr Boyle.

6.4.12. **The Chair invited Mr Frame (Morrison's Pharmacy) to question Ms Holmes (Fairlie Community Council)**

- 6.4.12.1. Mr Frame enquired where most of the residents do their shopping. Ms Holmes responded in Largs.
- 6.4.12.2. Mr Frame enquired where most of the resident go for their food shopping. Ms Holmes responded likely Morrisons or Tesco Express.
- 6.4.12.3. Mr Frame referenced the mention of parking being available on Bay Street and enquired if there was a controlled crossing at this location. Ms Holmes responded that there was a controlled crossing a short distance away by the Church.
- 6.4.12.4. This concluded questions from Mr Frame.
- 6.4.13. **The Chair invited questions from Ms Clark (Lay Member) to Ms Holmes (Fairlie Community Council) but this was declined.**
- 6.4.14. **The Chair invited questions from Cannon McManus (Lay Member) to Ms Holmes (Fairlie Community Council)**
- 6.4.14.1. Cannon McManus enquired whether Ms Holmes had heard anything at the Hearing that changed the view she had when she arrived this morning. Ms Holmes responded that she had not.
- 6.4.14.2. This concluded questions from Cannon McManus.
- 6.4.15. **The Chair invited questions from Ms Stein (Non-Contractor Pharmacist Member) to Ms Holmes (Fairlie Community Council) but this was declined.**
- 6.4.16. **The Chair invited questions from Ms Gallagher (Contractor Pharmacist Member) to Ms Holmes (Fairlie Community Council)**
- 6.4.16.1. Ms Gallagher referenced the use of two words, “bonus” for a pharmacy and quite “awkward” for people in Fairlie to access but enquired if she agreed that there are services in Largs. Ms Holmes responded to say that she has had no complaints for services in Largs, only praise and her concern was for those who were unable to travel well.
- 6.4.16.2. Ms Gallagher enquired whether it would be easy for patients to gain access to a pharmacy in Main Street if they stayed “up the hill”. Ms Holmes responded with humour that downhill would be easier.
- 6.4.16.3. This concluded questions from Ms Gallagher.
- 6.4.17. As Mrs Ford had no questions for Ms Holmes this concluded Fairlie Community Councils representation and questioning.

7 Summing Up

- 7.1. The Chair asked all parties to provide a succinct summary of the points made during the submissions.
- 7.2. **Mr Jamieson (Boots UK Ltd)**

7.2.1 What is or are the inadequacies in the pharmaceutical service and we have not had a clear answer to these Pharmacies in Largs provide a good service to those in Fairlie. Existing pharmacies provide service 7 days a week and into the evening and have capacity for growth. Questions the viability of the proposed pharmacy if granted. Current providers service provision. Potential traffic issues and respectfully ask for the panel to refuse this application

7.3. **Mr Boyle (Halliday Pharmacy)**

7.3.1 In summary, I am the regular pharmacist in Largs and feel we provide a very good and comprehensive pharmaceutical service and have received nothing but praise from the people in Fairlie. A pharmacy in Fairlie may be welcomed but not required. Regarding financial impact, I am very passionate about this and invest in my shop and staff and am concerned that if this application were to be granted, then this would not be as possible. Parking outside the proposed premises is another point. The residents of Fairlie have access to plenty of pharmaceutical services and no lack in the service in the areas and request the application be rejected

7.4. **Mr Frame (Morrison's Pharmacy)**

7.4.1 What evidence of any inadequacies have we heard today – none. The Applicant has not contacted the Health Board for complaints as there are none. Fairlie Community Council have no complaints for service in Largs. Residents have to leave Fairlie everyday to access life amenities. Parking is a major concern. There are extended opening hours outside the neighbourhood and the applicant has not demonstrated any inadequacies.

7.5. **Ms Holmes (Fairlie Community Council)**

7.5.1 In Fairlie there is a desire to have a pharmacy within the village.

7.6. **Mr Razzaq (Applicant)**

7.6.1. Residents of Fairlie have no major access to the level of service. No complaints about the service in Largs but the barriers in access to those services is the issue today and numerous comments in the CAR to highlight this. The population in Fairlie, given the spread of uses of pharmacies in West Kilbride and Largs will not affect those existing provided by having a pharmacy in Fairlie and feel it is both necessary and desirable and wish for you to grant this application.

8 Retiral of Parties

8.1 The Chair then invited each of the parties present that had participated in the hearing to individually and separately confirm that a fair hearing had been received and that there was nothing further to be added. Having been advised that all parties were satisfied, the Chair advised that the Committee would consider the application and representations prior to making a determination, and that a written decision with reasons would be prepared, and a copy issued to all parties as soon as possible. The letter would also contain details of how to make an appeal against the Committee's decision and the time limits involved.

- 8.2 The Chair advised the Applicant and Interested Party that it was in their interest to remain in the building until the Committee had completed its private deliberations. This was in case the open session was reconvened should the Committee require further factual or legal advice in which case, the hearing would be reconvened and the parties would be invited to come back to hear the advice and to question and comment on that advice. All parties present acknowledged an understanding of that possible situation.
- 8.3 The hearing adjourned 1320 hrs hours to allow the Committee to deliberate on the written and verbal submissions.

9. Supplementary Information

- 9.1. Following consideration of the oral evidence, the Committee noted:
- i. That they had undertaken individual site visits of the proposed neighbourhood within Fairlie and the surrounding area noting the location of the proposed premises, the pharmacies, general medical practices and the facilities and amenities within.
 - ii. A link to a digital map showing the location of the proposed Pharmacy in relation to existing Pharmacies and GP surgeries within Fairlie and the surrounding area.
 - iii. Area Profile report for Fairlie Intermediate Zones
 - iv. Further information including details about the existing Provision of Pharmaceutical and Medical Services in/to Fairlie and population figures for Fairlie as indicated by Scottish Neighbourhood Statistics and General Register Office Statistics.
 - v. Report on Pharmaceutical Services provided by existing pharmaceutical contractors to the neighbourhood
 - vi. NHS Ayrshire & Arran Pharmaceutical Care Services Plan 2022
 - vii. The application and supporting documentation including the Consultation Analysis Report, proposed pharmacy photographs and floor plan provided by the Applicant.
 - viii. Extracts from North Ayrshire Local Development Plan
 - ix. Local Bus Timetables
 - x. Local Train Timetables

10. Summary of Consultation Analysis Report (CAR)

- 10.1. Introduction
- 10.2. NHS Ayrshire & Arran undertook a joint consultation exercise with Mr Razzaq regarding the application for a new pharmacy at 88 Main Road, Fairlie KA29 0AD.
- 10.3. The purpose of the consultation was to seek views of local people who may be affected by this or use the pharmacy at its proposed new location. The consultation also aimed to gauge local opinion on whether people felt access to pharmacy services in the area was adequate.
- 10.4. Method of Engagement to Undertake Consultation

- 10.5. The consultation was conducted by placing an advertisement in the Ardrrossan & Saltcoats Herald as well as the Largs & Millport Weekly; notifications being placed on the Health Board Twitter and Facebook pages; a link to the consultation document on NHS Ayrshire & Arran website (www.nhsaaa.net); Posters advertising the Joint Consultation questionnaire were issued to various locations and asked to be displayed to highlight the Joint Consultation at the following sites:
- a. Largs Medical Group, Brooksby Medical & Resource Centre, 31 Brisbane Road, Largs KA30 8LH
 - b. Ayrshire Medical Group, 107B Main Street, West Kilbride KA23 9AR
 - c. David Bonellie Opticians Ltd, 101 Main Street, Largs KA30 8JJ
 - d. Opticare Opticians Ltd, 8 Aitken Street, Largs KA30 8AU
 - e. Specsavers, 2 Main Street, Largs KA30 8AL
 - f. Urquhart Opticians, 101 Main Street, West Kilbride KA23 9AP
 - g. Largs Dental Surgery Ltd, 46 Main Street, Largs KA30 8AL
 - h. Largs Dental Suite, 18-20 Aitken Street, Largs KA30 8AU
 - i. Larges Dental Care, 26 Wilson Street, Largs KA30 9AQ
 - j. West Kilbride Dental Surgery, 80 Main Street, West Kilbride KA23 9AP
 - k. Esso Pier Garage, Kelburn Avenue, Fairlie KA29 0AU
 - l. Fairlie Parish Church, Fairlie KA29 0AL
 - m. Fairlie Village Hall, Fairlie KA29 0AB
 - n. Semple Centre, 45 Main Road, Fairlie KA29 0AB

Respondents could reply electronically via SurveyMonkey or by returning the hardcopy questionnaire.

- 10.6. The Consultation Period lasted for 90 working days and ran from 18 May 2022 until 23 September 2022.
- 10.7. Summary of Questions and Analysis of Responses
- 10.8. Questions covered: the neighbourhood; location of the proposed pharmacy; opening times; services to be provided; perceived gaps/deficiencies in existing services; wider impact; impact on other NHS services and optional questions on respondents' postcode and number of occupants in the household.

Question	Response Percent (%)			Response Count			
	Yes	No	Don't know	Yes	No	Don't know	Skipped
1. Do you agree this describes the neighbourhood to be served?	95.37	2.68	1.95	391	11	8	0
2. Do you think the proposed location is appropriate?	92.59	4.69	2.72	375	19	11	5
3. Do you live within the neighbourhood?	89.66	10.34	0	364	42	0	4
5. Do you think that the services listed are appropriate for the proposes new location?	93.64	3.42	2.93	383	14	12	1
6. Do you believe there are any gaps / deficiencies in the existing provision of	61.69	24.88	13.43	248	100	54	8

pharmacy services provided to the neighbourhood?								
7. Wider Impact - Fairlie Pharmacy believes that a pharmacy is now absolutely necessary for the village to ensure that an adequate provision of Pharmaceutical Services are delivered to the resident of the village. With the recent housing development which has expanded the village, there is an overwhelming need for services to be provided. Fairlie Pharmacy also believes that a pharmacy will be of great benefit to the residents in enhancing their health and wellbeing. Do you agree with this statement?	90.69	6.62	2.70	370	27	11	2	
8. Do you believe this proposal would have any impact on other NHS Services?	26.83	52.93	20.24	110	217	83	0	
9. Do you support the opening of a new pharmacy at 88 Main Road, Fairlie KA29 0AD	93.38	4.17	2.45	381	17	10	2	

Question	Response Percent (%)				Response Count				
	Just Right	Too Short	Too Long	Don't Know	Just Right	Too Short	Too Long	Don't Know	Skipped
4. Do you think that the proposed hours are appropriate?	87.50	5.88	3.43	3.19	357	24	14	13	2

	Response Percent (%)		Response Count		
	Individual	Organisation	Individual	Organisation	Skipped
10. Please indicate whether you are responding as an individual or organisation	99.75	0.25	403	1	6

	Response Percent (%)		Response Count		
	Postcode	Occupants	Postcode	Occupants	Skipped
11. It would be helpful if you could complete the following optional questions: Postcode of Home Address Number of occupants in household (inc children)	98.06	99.45	354	359	49

- 10.9. In total 410 responses were received. All submissions were made and received within the required timescale, thus all were included in the Consultation Analysis Report.
- 10.10. From the responses 403 were identified as individual responses and one responded on behalf of a group / organisation. Six respondents did not provide an indication as to whether the response was individual or on behalf of an organisation.
- 10.11. From the response to Question 11, replies were from the following postcode sectors:
KA11 – 1 reply
KA12 – 1 reply

KA20 – 2 replies
KA23 – 32 replies
KA24 – 2 replies
KA25 – 1 reply
KA28 – 1 reply
KA29 – 291 replies
KA30 – 23 replies

7 respondents out of 361 replies did not enter postcode of home address.

The total number of occupants in the household ranges from 0 to 6 people. A total of 4 out of 361 replies did not enter number of occupants in the household. The average number of occupants per household taking into account only those who had responded notes to be 3 people.

No additional comments were received.

10.12. Consultation Outcome and Conclusion

10.13. The use of SurveyMonkey allowed views to be recorded and displayed within the full Consultation Analysis Report in a clear and logical manner for interpretation.

11. Decision

11.1. The Committee in considering the evidence submitted during the period of consultation, presented during the hearing, and recalling observations from site visits, first had to decide the question of the neighbourhood in which the premises, to which the application related, were located.

11.2. Neighbourhood

11.3. The Committee noted the neighbourhood as defined by the Applicant and the view of the Interested Party and that it should be a neighbourhood for all purposes. A number of factors were taken into account when defining the neighbourhood, including those residents in it, natural and physical boundaries, general amenities such as schools / shopping areas, the mixture of public and private housing, the provision of parks and other recreational facilities, the distances residents had to travel to obtain pharmaceutical and other services and also the availability of public transport.

11.4. The Committee agreed that the neighbourhood should be defined as follows:

North – open land where Fairlie Village meets Kelburn Castle and Estate.

East – open land after the houses on Craighill Place.

South – Southannan Roundabout.

West – Firth of Clyde.

11.5. Locals would clearly recognise the defined area as to where Fairlie sits and has clear borders.

11.6. This definition had been agreed as the Committee considered that this was logical in terms of housing, roads etc. The Committee noted that no interested parties

had disagreed with the proposed neighbourhood area and furthermore responses to the Consultation Analysis Report had largely supported proposed area (95.37%).

- 11.7. **Adequacy of existing provision of pharmaceutical services and necessity or desirability**
- 11.8. Having reached a conclusion as to the neighbourhood, the Committee was then required to consider the adequacy of pharmaceutical services to that neighbourhood and, if the committee deemed them inadequate, whether the granting of the application was necessary or desirable in order to secure adequate provision of pharmaceutical services in the neighbourhood.
- 11.9. The Committee noted that for the purposes of the legal test, adequacy of services to the whole neighbourhood as defined above needed to be considered. There are no pharmacies within the neighbourhood, but five existing pharmacies located within five miles including those in Largs and West Kilbride.
- 11.10. The information provided by the Health Board on the five existing pharmacies deemed Interested Parties was consulted. This showed that these five pharmacies offered all core services and a range of additional services. There were no services being offered by Fairlie Pharmacy that were not already offered at the existing pharmacies. There was also a range of existing pharmacy opening hours. On weekdays, two of the existing pharmacies opened earlier than Fairlie Pharmacy and two closed later. On Saturdays two of the existing pharmacies opened earlier and three closed later whilst one was open on a Sunday when Fairlie Pharmacy was closed. CAR responses suggested that the proposed services and hours were adequate and the Committee agreed with this.
- 11.11. Alongside the information referred to in 11.10 above, the CAR responses and analysis were discussed in detail by the Committee. The overall response rate was considered to be a meaningful sample.
- 11.12. The Applicant had emphasised that residents of Fairlie had difficulty accessing any of the existing pharmacies because it was too far to walk, the cost of bus fares and their timetables were limiting, and trains only ran one per hour which was inconvenient. Reference to the various evidence coupled with availability of delivery and telephone services from existing pharmacies suggest that there is no significant barrier to access with good bus and rail transport links and car ownership in the neighbourhood above the national average. Largs is c3 miles from Fairlie. Additionally, access for those who are unable to get to pharmacy due to mobility issues is unlikely to change for the majority as a result of placing a pharmacy in Fairlie.
- 11.13. Evidence had been heard during the hearing that all Interested Parties had capacity to support increased demand for pharmaceutical services from a growing population.

- 11.14. It was considered by the Committee that supportive comments from the CAR were generally related to convenience for the proposed pharmacy as opposed to a need for services or inadequacy in existing services with 90% of CAR respondents (364) noted living in Fairlie.
- 11.15. Many concerns had been raised during the Hearing about the parking at the proposed premises. The Committee shared these concerns, particularly relative to deliveries and the risk presented with these to members of the public and other road users due to the premises being located on a main trunk road where it seems unlikely that vans/ lorries etc. would be able to park off road and would therefore be on double yellow lines on the main thoroughfare.
- 11.16. The Committee noted from the CAR that the only gap was convenience of service to the neighbourhood. No highlighted gaps in pharmacy service were noted and only convenience with no proof of an overwhelming demand for services in the village. Indeed there were a reasonable number of comments within the CAR suggesting there was no need for any change
- 11.17. With regard to viability, the Committee noted the potential impact on existing pharmacy providers into the neighbourhood if the application were to be granted noting that transfer of business could lead to loss of staff members or shortening opening times which would weaken services overall and could have profound impacts on the community and viability of existing businesses. The viability of the Applicant business also raised concern if they were not able to attract business from a very large proportion of residents/ transient population. It is noteworthy that residents generally require to leave Fairlie to access GPs, other medical services, shopping, banks, Post Office, workplaces etc.
- 11.18. **The Committee concluded that there was no evidence provided to demonstrate any inadequacy of the existing pharmaceutical services to the defined neighbourhood.**
- 11.19. Following the withdrawal of Ms Stein and Ms Gallagher in accordance with the procedure on applications contained within Paragraph 6, Schedule 4 of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009, as amended, the Committee, for the reasons set out above, considered that the pharmaceutical service into the neighbourhood to be adequate.
- 11.20. Accordingly, the decision of the Committee was unanimous that the provision of pharmaceutical services at the premises was neither necessary nor desirable in order to secure adequate provision of pharmaceutical services within the neighbourhood in which the premises were located by persons whose names were included in the pharmaceutical list, and accordingly the application was rejected. This decision was made subject to the right of appeal as specified in Paragraph 4.1, Regulations 2009, as amended.
- 11.22. Ms Gallagher and Ms Stein returned to the meeting and were advised of the decision of the Committee.

The meeting closed 1405 hours


Signed:

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[Chair name]

Chair – Pharmacy Practices Committee

Date:

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