

Wednesday, 16 May 2018

**Meeting of the Health and Wellbeing Board**

**Wednesday, 23 May 2018**

**1.30 pm**

**Meadfoot Room, Town Hall, Castle Circus, Torquay, TQ1 3DR**

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**Members of the Board**

Paul Johnson, South Devon and Torbay Clinical Commissioning Group

Caroline Taylor, Director of Adult Services

Pat Harris, Healthwatch Torbay

Caroline Dimond, Director of Public Health

The Elected Mayor, Gordon Oliver

Dr Liz Thomas, NHS England

Andy Dempsey, Director of Children's Services

Councillor Parrott

Councillor Stockman

Councillor Stubley

Councillor Barnby

Councillor Darling (M)

**Non-voting Co-opted Members of the Board**

Tara Harris, Executive Head of Community Safety

Ann Wagner, Torbay and South Devon NHS Foundation Trust

Alison Hernandez, Police and Crime Commissioner

Tanny Stobart, Community Development Trust

David Somerfield, Devon Partnership NHS Trust

Julian Pezzani, Devon and Cornwall Police

Chairman of Torbay Safeguarding Children Board

Chairman of Torbay Safeguarding Adults Board

Chairman of the Community Safety Partnership

Chairman of Torbay Together



Lisa Antrobus, Town Hall, Castle Circus, Torquay, TQ1 3DR

Tel: 01803 207064 Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)

# HEALTH AND WELLBEING BOARD AGENDA

1. **Election of Chairman/woman**  
To elect a Chairman/woman for the 2018/2019 Municipal Year.
2. **Apologies**  
To receive any apologies for absence, including notifications of any changes to the membership of the Committee.
3. **Minutes** (Pages 5 - 9)  
To confirm as a correct record the Minutes of the Health and Wellbeing Board held on 28 March 2018.
4. **Declaration of interest**
- 4(a) **To receive declarations of non pecuniary interests in respect of items on this agenda**  
**For reference:** Having declared their non pecuniary interest Members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
- 4(b) **To receive declarations of disclosable pecuniary interests in respect of items on this agenda**  
**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**  
To consider any other items that the Chairman/woman decides are urgent.
6. **Pharmacy Site Consolidation** (Pages 10 - 28)  
To approve a response to an application for the consolidation of Units 2&3 Pembroke House, 266-276 Torquay Road, Preston and 237 Torquay Road, Preston.

In accordance with Paragraph 19(5), Schedule 2 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (as amended) the Health and Wellbeing Board are required to make representations on consolidation applications to NHS

England. The Board is therefore asked to consider approving the response on page 27.



## Minutes of the Health and Wellbeing Board

28 March 2018

-: Present :-

Ann Wagner, Martin Oxley, Caroline Taylor, Caroline Dimond, Councillor Julien Parrott, Councillor Jackie Stockman, Councillor Ian Doggett, Andy Dempsey, Paul Johnson and Kevin Dixon

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### 43. Election of Chairman/woman

Councillor Stockman was elected Chairwoman for the remainder of the Municipal Year.

(Councillor Stockman in the Chair)

### 44. Apologies

Apologies for absence were received from Liz Thomas, Pat Harris was represented by Kevin Dixon and Nick Roberts was represented by Paul Johnson.

### 45. Minutes

The Minutes of the Meeting of the Health and Wellbeing Board held on 7 September 2017 were confirmed as a correct record and signed by the Chairwoman.

### 46. Urgent items

The Board was informed that the Council, Torbay and South Devon NHS Foundation Trust and partners were the winners of the Health and Social Care category in the 2018 national Local Government Chronicle Awards. The award was national recognition for the creation of an Integrated Care Organisation.

### 47. Future Delivery of Primary Care and the Role of Pharmacies

Members received and noted a presentation from David Bearman, Chairman of Devon Local Pharmaceutical Committee re the role of Pharmacies within the local Care services. David advised Members that at a Sustainable Transformation Programme (STP) level there is a desire for a flexible workforce capable of working across multiple settings in multidisciplinary teams however in the primary care setting the deployment of pharmacists is limited. There is a material shortage of primary care workforce restricting the ability to deliver new models of care. David

explained that pharmacies could assist by making pharmacy a key contributor to the sustainability of primary care both through direct support in the practice and by the redesign of community pharmacy to be a key partner in community service provision could remove strain from the system.

David explained that there were areas of work that could be covered in the pharmacy element of the model such as repeat authorisation/management, patient monitoring, screening, falls prevention, care home support and domiciliary support. He concluded by saying that the pharmacist workforce is a substantial asset in the community in the short term able to provide some significant additional capacity alongside practices. Pharmacists in practice are a key element in gelling together and driving the broader medicines agenda with Primary Care Home presenting an excellent next stage vehicle to maximise the potential of integrating community pharmacy.

**Actions:**

- 1. Joint Executives across NHS and LA and the LCP in time to explore the following – Anne Wagner and Paul Johnson**
  - ii. Work to explore if pharmacies could work better together with the care model and primary care development work**
  - iii. Explore the feasibility of some of the proposals including possible an audit of how ready pharmacies are to play such a role**
- 2. Data on the levels of medication which could lead to addiction to be made available by geographical areas. Paul Johnson**
- 3. That the Chairwoman of the Health and Wellbeing Board write to NHS England about the broader issues of pharmacies being part of a new care model.**

**48. Pharmaceutical Needs Assessment (PNA)**

The Board considered a report that sought approval for the publication of the Pharmaceutical Needs Assessment (PNA). The Acting Head of Public Health Improvement informed the Board that the PNA was a comprehensive assessment of the current and future pharmaceutical needs of the local population for community pharmacy, dispensing appliance contractors, and dispensing doctors in rural areas. The Board were advised that the PNA for Torbay 2018-2021 presents a picture of community pharmacy need and provision in Torbay and links to Torbay's Joint Strategic Needs Assessment.

**Resolved:**

- i) That the Pharmaceutical Needs Assessment be approved; and**

- ii) **The Pharmaceutical Needs Assessment be published on the Torbay Council website by 1 April 2018.**

**49. Developing the Joint Health and Wellbeing Strategy and the Work Programme of the Health and Wellbeing Board**

The Board considered a report that set out the priorities for the health and wellbeing system in Torbay. The priorities were considered and discussed as well as how these areas would form the work plan of the HWBB and what the level of involvement would be according to the following criteria.

- Focus items – specific issues of concern for inclusion within the Action Plan of the Joint Health and Wellbeing Strategy. These issues will then form the basis of meetings of the Board, enabling proactive debate, leading to solutions owned by the system;
- Sponsor items – areas where the HWBB would take an enhanced interest. Here highlight reports would be presented twice a year with lead organisations being asked to identify any blockages within the system. This will enable the Board to discuss potential solutions building on its role to promote integration across the system; and
- Watch items – areas where the HWBB has oversight only. Performance monitoring reports to be presented twice a year for these areas.

Members discussed and agreed what priorities aligned to which of the above 3 areas to inform the workplan

The Board were also asked to consider expanding their membership to:

- Safer Communities Torbay
- Torbay Safeguarding Children Board
- Torbay Safeguarding Adults Board
- Torbay Together

**Actions:**

1. **That the priorities for the Board be approved;**
2. **That a Work Programme be developed around the principles of areas to watch, areas to sponsor and areas of focus and that an updated JHWS would be produced to reflect these areas as in the diagram in the briefing paper**
3. **That the membership be expanded to include;**

**Safer Communities Torbay;  
Torbay Safeguarding Children Board;  
Torbay Safeguarding Adults Board;  
Torbay Together;  
Devon and Cornwall Police; and  
Executive Head of Community Safety**

4. That the frequency of the Board be increased to quarterly and where possible, the Board meetings be hosted at venues other than the Town Hall.
5. That the first area of focus would be a deep dive on the drivers of vulnerability to include parental wellbeing within families linking to the priority – ‘support those who are vulnerable and living complex lives and to the priority around early help and addressing outcome inequalities in children.

**50. Improving the health, care and wellbeing of the people of South Devon and Torbay through a Local Care Partnerships**

The Board considered a paper that had been developed to create the opportunity for discussion and contribution from local partners and stakeholders as we work together on strengthening our partnership on the next step in the health and care integration journey. Members were advised that the development of a Local Care Partnership for South Devon and Torbay is set within the context of an emerging Devon Integrated Care System (ICS). The ICS is not the creation of a new organisation, but rather a strengthening of partnership working with health and care organisations working more closely together than ever before to the benefit of our population. Members noted that whilst organisations were already working closely together through the Integrated Care Organisation there were other areas of the care system which would benefit from a closer working relationship and that a Local Care Partnership was definitely an opportunity rather than a threat.

**51. 2018-20 Joint Strategic Needs Assessment for Torbay**

The Board considered a report that sought approval for the publication of the Joint Strategic Needs Assessment (JSNA). Members were advised that the JSNA highlights the key challenges and issues facing the population of Torbay across the life course, as well as highlighting areas of spend and opportunity. They congratulated the Public Health Specialist – Intelligence Officer on the level of data contained within the JSNA but suggested that data also needed to be translated into a patient’s story.

**Actions:**

**That the Joint Strategic Needs Assessment be:**

- i) Referenced in the Children and Young Peoples Plan and plans around sufficiency of placements; and
- ii) That the JSNA be published on the Council’s website and shared with partners and stakeholders.

**52. Health Protection Report for Health and Wellbeing Boards of Devon County Council, Plymouth City Council, Torbay Council and Cornwall and the Isles of Scilly Councils 2016-2017**

The Board noted the report and raised concerns regarding flu vaccination, in particular vaccination of care providers and hospital staff and requested an update on the preparations for the forthcoming flu season.

### **Action**

**That Flu plans be presented to a future meeting of the Health and Wellbeing Board.**

### **53. Better Care Fund**

Any AAThe Director of Adult Services advised Members that the Better Care Fund was a term used by central government for money that had been pooled to aid integration. The issue that needs addressing is the demand in the system therefore the Better Care Fund will be spent on schemes that will remove demand from the system. The Board were very supportive of the identified schemes and welcomed updates on the progress of the projects.

### **Resolved:**

**That the Board agreed to support:**

- i) A commitment to transformative care learning from the initiatives and taking the momentum from successes to date to deliver the Triple Aim and deliver the goals of the Five Year Forward View;**
- ii) The recognition of the pace of change required with the demographic workforce and care demand drivers being faced; and**
- iii) In principle the proposals made in Appendix 1 of the attached report, for them to be taken through due governance, to deliver a transformation in Torbay's care provision for the wellbeing of the population including those working and caring within it.**

### **54. Any Other Business**

1. It was suggested that the venue for the HWBB moves out into the community and in different partner or community venues;
2. That the board considers a story from the community to set the scene at Board meetings; and
3. That the ICS Outcome framework comes to a future HWBB.



Our reference: PCC-201718-10



Sent via email

PCC  
Suite 1A  
West One  
114 Wellington Street  
Leeds  
LS1 1BA

Email: [consolidations@pcc-cic.org.uk](mailto:consolidations@pcc-cic.org.uk)

Phone: 0113 2124 180

18 April 2018

Dear Ian

**Consolidation onto the site at Units 2&3 Pembroke House, 266-276 Torquay Road, Preston, Paignton, Devon, TQ3 2EZ of Day Lewis PLC already at that site and Day Lewis PLC currently at 237 Torquay Toad, Preston, Paignton, Devon, TQ3 2HW**

We have received the above application, a copy of which is enclosed, and have completed our preliminary checks. We are now notifying interested parties of the application.

Paragraph 19(5), Schedule 2 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (as amended) requires the Health and Wellbeing Board to make representations on consolidation applications to NHS England.

Those representations must (in addition to any other matter about which the Health and Wellbeing Board wishes to make representations) indicate whether, if the application were granted, in the opinion of the Health and Wellbeing Board the proposed removal of premises from the pharmaceutical list would or would not create a gap in pharmaceutical services that could be met by a routine application (a) to meet a current or future need for pharmaceutical services, or (b) to secure improvements, or better access, to pharmaceutical services.

The Health and Wellbeing Board's representations should be sent to me via the above email address within 45 days of the date of this letter i.e. by 2 June 2018. You should note that any comments submitted will be shared with other interested parties and the applicant, and may be shared under the Freedom of Information Act as requested.

NHS England will consider all representations that are received and will arrange an oral hearing to determine the application if it identifies a matter on which it wishes to hear further evidence.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Charlotte Goodson', written in a cursive style.

Charlotte Goodson  
Adviser

Enc

### NHS ENGLAND – SOUTH WEST

#### **HOW WE WILL INVOLVE PATIENTS IN DECISIONS ON PHARMACY APPLICATIONS**

When we receive an application to move an existing pharmacy or to open a new pharmacy we must consult:

- nearby pharmacies
- in some cases, nearby doctors' surgeries
- the Health & Wellbeing Board which is a committee of the county or city council
- the local Healthwatch organisation, which exists to represent local patients in general

We consult them by sending them a copy of the application and inviting them to make comments within 45 days. Comments can be made by letter or email.

In addition, the law requires us to involve patients in our decision-making. We will do this by sending copies of pharmacy applications to:

- city/district and county councillors covering the area involved
- the town or parish council covering the area. In areas which do not have a town or parish council we will contact prominent community, neighbourhood or residents' groups
- patient representative groups attached to nearby doctors' surgeries.

They will also be invited to make comments within 45 days.

When we send them a copy of an application we will also send notes to explain:

- what the application is about
- why they are being asked for comments
- what we will consider when making a decision
- what happens next after a decision is made.

Applications are not confidential. If they want, councillors or patient groups may share details with local people, so they can also make comments within the same 45 day period.

Any comments we receive will be sent to the pharmacy applicant. They will have a chance to respond to us about those comments.

Most applications are decided using written information, including any comments received.

In general, we will not hold public meetings about pharmacy applications. This is because an applicant cannot be made to attend to respond directly to any questions from members of the public.

However, we may hold a hearing if we need more information before making a decision. Where written comments from councillors or patient groups suggest that local people hold strong views, we will invite those councillors or patient groups to attend the hearing.

The hearing will be held in public so that (although members of the public will not be able to ask questions) they will be able to hear the arguments for and against the application. These will include any comments made by their representatives and the responses received.

All comments at the meeting will be taken into account in making a final decision on the pharmacy application.

**EXPLANATORY NOTES REGARDING A 'CONSOLIDATION APPLICATION'  
RELATING TO DAY LEWIS PHARMACIES IN PAIGNTON**

**Q1. What is this application for?**

Day Lewis Pharmacy operate the pharmacies at 237 Torquay Road and at Pembroke House Surgery, 266-276 Torquay Road, Paignton.

Day Lewis is applying to NHS England to merge the pharmacies onto one site at Pembroke House Surgery, 266-276 Torquay Road, and so close the pharmacy at 237 Torquay Road.

These notes explain the process we follow when deciding whether to give permission.

**Q2. Why have I been sent a copy of the application?**

NHS England is sending a copy of the application to bodies it thinks may wish to make comments before a decision is made. It is being sent to:

- Local pharmacies and GP surgeries
- Devon Local Pharmaceutical Committee
- Devon Local Medical Committee
- Pembroke House Surgery Patient Group
- South Devon & Torbay Clinical Commissioning Group
- Torbay Health and Wellbeing Board
- Torbay Healthwatch
- Torbay Council councillors for Preston Ward
- Preston Community Partnership

You are being invited to make comments on the application before NHS England takes a decision on whether the changes can go ahead. Any comments must be received before the end of the 45-day period mentioned in the letter.

Applications are not confidential. If you want, you may share details with anyone else who might be interested. They can also make comments within the same 45-day period.

Any comments we receive will be sent to Day Lewis. They will have a chance to respond to us about those comments.

When it comes to make a decision, NHS England will consider any comments it receives and any response to those comments from Day Lewis.

NHS England will consider comments received (and the responses to those comments) as part of its decision-making process.

**Q3. What will NHS England consider when making a decision?**

NHS England will need to consider whether granting the application would lead to a gap in pharmaceutical services. To put it another way, if the two pharmacies merged onto the Pembroke House Surgery site and the pharmacy at 237 Torquay Road closed, would the needs for pharmacy services of all the patients currently using both sites still be met? Or

would it result in a need for a new pharmacy to open, or for other improvements to services? You are particularly invited to comment on this issue.

The Health and Wellbeing Board is specifically required to give NHS England its opinion on whether a gap would be created.

Factors that may be relevant include:

- whether the opening hours offered at the continuing pharmacy are sufficient,
- whether the same services will be provided at the continuing pharmacy as are provided in the existing pharmacies,
- whether there would be a loss of facilities (e.g. access for wheelchairs, disabled parking, etc).

Other factors may also be relevant.

If NHS England decides that a gap would be created, then it must refuse the application.

NHS England must also refuse the application if there would be an unjustified interruption in the delivery of services.

#### **Q4. What would happen if the application is approved?**

If the application is approved then Day Lewis will have six months (extendable to nine months) from the date of the decision, or from the date any appeal is decided, in which to implement the changes. If that deadline is not met then the approval expires.

#### **Q5. Could another pharmacy apply to open in this area instead?**

No, not directly as a consequence of the closure of a pharmacy as part of a consolidation application.

If NHS England and the Health and Wellbeing Board agree that no gap in services would be created by approving a consolidation application then the Health and Wellbeing Board will publish an amendment to the Pharmaceutical Needs Assessment stating that no gap has been created, and so no applications claiming that there is a gap could be considered.

#### **Q6. Can NHS England's decision be appealed?**

If the application is approved then any local pharmacies which opposed the application could appeal to the Secretary of State for Health. If it is refused then Day Lewis would be able to appeal.

The Health and Wellbeing Board, local councillors, community associations and members of the public do not have a right of appeal.

Any appeals are dealt with by the Family Health Service Appeals Unit of NHS Resolution, a separate NHS body which is based in Leeds.

#### **Q7. Where can I find more information?**

See annex 19A of the following document (starting on page 48):

[www.england.nhs.uk/wp-content/uploads/2017/12/pharmacy-manual-chapter-12-a-addenda.pdf](http://www.england.nhs.uk/wp-content/uploads/2017/12/pharmacy-manual-chapter-12-a-addenda.pdf)

**Chapter 12A**

**Annex 1**

**Application Form**

**Application in respect of a consolidation onto an existing site**

Application in respect of a consolidation onto an existing site in the area of:

....**Torbay HWB**..... (insert name of health and well-being board).

A consolidation application must be in relation to pharmacy premises that are located within the area of a single health and wellbeing board.

This is an application in respect of a consolidation onto an existing site and as such is an excepted application under regulation 26A(1) of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (the "Regulations").

Please complete this form as legibly as possible.

Applicants should note that information provided in this form may be disclosed where this application is required to be notified to other parties or in response to a request made under the Freedom of Information Act 2000. Applicants are referred to paragraph 21 of Schedule 2 of the Regulations which sets out NHS England's responsibilities in relation to information provided in this application form which an applicant advises is confidential.

**1 Information regarding the applicant**

**1.1 Full name and correspondence address of the applicant (i.e. the contractor who will continue to provide services)**

**Day Lewis PLC  
Day Lewis House  
2 Peterwood Way  
Croydon  
Surrey CR0 4UQ**

**Attn: Catherine Reid**

**1.2 Applicant's legal entity**

**I/we am/are applying as a:**

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

**Sole trader**                    **My GPhC registration number is .....**

**Partnership**

**Please list each partner and their GPhC registration number:**

**Please continue on a separate sheet if necessary.**

**Corporate Body**

**Superintendent's name  
and GPhC registration  
number is**

**Peter Glover 2017345**

I am/We are already included in the pharmaceutical list for the health and well-being board in whose area the premises listed in sections 2 and 2a below are located.

Yes  No

**1.3 Relevant fee**

I/we include the relevant fee for this application. **£250**

**2 Name of the current owner and address of listed premises site 1 (the continuing site)<sup>1</sup>**

**Day Lewis PLC  
Units 2&3 Pembroke House  
266-276 Torquay Road. Preston  
Paignton  
Devon  
TQ3 2EZ**

I/we (the applicant) propose to carry on at site 1, the business in the course of which the above owner is providing pharmaceutical services at the above site.

These premises are currently in my/our possession\* Yes  No

\* by rental, leasehold or freehold

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<sup>1</sup> This should be the name and address as it currently appears in the relevant pharmaceutical list.

**2a Name of the current owner and address of listed premises site 2<sup>1</sup> \* (the closing site)**

**Day Lewis PLC  
237 Torquay Road  
Preston  
Paignton  
Devon  
TQ3 2HW**

I/we confirm that, consequent on the consolidation of the listed chemist premises at site 1, the provision of pharmaceutical services from site 2 will cease. Yes  No

If the current owners of listed premises site 1 and 2 are different, I/we confirm that this application is also an application to change the ownership of the listed premises for which I/we are not the owner. **N/A**

Are either or both of the listed premises above distance selling premises or appliance contractor premises<sup>2</sup>? Yes No

**3 Opening hours**

**3.1 Proposed core opening hours<sup>3</sup>**

Monday	Tuesday	Wed	Thursday	Friday	Sat	Sun	Total
0900-1300 1330-1700	0900-1300 1330-1700	0900-1300 1330-1700	0900-1300 1330-1700	0900-1300 1330-1700	0900-1300	-	41.5

**3.2 Proposed total opening hours<sup>4</sup>**

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
0830-1830	0830-1830	0830-1830	0830-1830	0830-1830	0830-1300	-	54.5

<sup>2</sup> NHS England must refuse a consolidation application if either or both sites are distance selling premises or appliance contractor premises.

<sup>3</sup> These should be the same as the current core opening hours for site 1.

<sup>4</sup> The total opening hours includes the core hours and any supplementary opening hours. These should be the same total opening hours as at the current site 1.

### 3.3 Current core opening hours for Site 1

Monday	Tuesday	Wed	Thursday	Friday	Sat	Sun	Total
0900-1300 1330-1700	0900-1300 1330-1700	0900-1300 1330-1700	0900-1300 1330-1700	0900-1300 1330-1700	0900-1300	-	41.5

### 3.4 Current total opening hours for Site 1

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
0830-1830	0830-1830	0830-1830	0830-1830	0830-1830	0830-1300	-	54.5

### 3.5 Current core opening hours for Site 2

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
0900-1700	0900-1700	0900-1700	0900-1700	0900-1700	-	-	40

### 3.6 Current total opening hours for Site 2

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Total
0900-1730	0900-1730	0900-1730	0900-1730	0900-1730	0900-1200	-	45.5

## 4 Pharmaceutical services and premises facilities to be provided at the consolidated premises - Site 1

Essential services (paragraphs 3 to 22, Schedule 4 – pharmacies)

4.1 If you are undertaking to provide appliances, specify the appliances that you undertake to provide (or write 'none' if the pharmacy does not provide appliances).

<p>Appliances listed in Part IX of the Drug Tariff</p>
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4.2 I/We confirm that the current pharmaceutical services provided at site 1 will continue to be provided consequent to the consolidation of the listed chemist premises at site 1.

4.3 Please give details of any advanced and enhanced services that are currently provided from both sites; and the services that you intend to provide from the consolidated site.



<b>Details of NHS Pharmaceutical Services relevant to the applications</b>	<b>Currently Provided at site 1</b>	<b>Currently provided at site 2</b>	<b>To be provided at Site 1 after consolidation</b>
	<b>(Y/N)</b>	<b>(Y/N)</b>	<b>(Y/N)</b>
<b>MURs</b>	Y	Y	Y
<b>NMS</b>	Y	Y	Y
<b>'Flu vaccinations</b>	Y	Y	Y
<b>EHC</b>	Y	Y	Y
<b>Supervised Consumption</b>	Y	N	Y
<b>Needle Exchange</b>	Y	N	Y
<b>Smoking cessation</b>	Y	N	Y
<b>Chlamydia testing</b>	Y	N	Y

Please continue on a separate sheet if necessary.

4.4 These details should include a floor plan showing the consultation area where you propose to offer the services, where relevant. Where a floor plan showing the consultation area cannot be provided please set out the reasons for this.

**Floor plan showing consultation area**

**Please see enclosed**

Please continue on a separate sheet if necessary.

4.5 Please give details of any premises facilities that are currently provided from both sites; and the services that you intend to provide from the consolidated site. Examples are listed but include others that are considered relevant.

Details of premises facilities relevant to the applications	Currently Provided at site 1 (Y/N)	Currently provided at site 2 (Y/N)	To be provided at Site 1 after consolidation (Y/N)
Access for wheelchair users	Y	N	Y
Access without steps	Y	N	Y
Toilet for wheelchair user	Y	N	Y
Induction loop	N	N	N
Signing service	Y	N	Y
Translation service	N	N	N
Parking	Y	N	Y
Disabled car parking	N	N	N
Other			

Please continue on a separate sheet if necessary.

### 5 Information in support of the application

5.1 Please confirm that you are/will be accredited to provide all the services included in section 4 to be provided from site 1 after consolidation where that accreditation is a prerequisite for the provision of the services. Yes  No

5.2 Please confirm that the premises are/will be accredited to provide all the services included in section 4 to be provided from site 1 after consolidation where that accreditation is a prerequisite for the provision of the services. Yes  No

5.3 Will there be any interruption to service provision? Yes No

5.4 If the answer to question 5.1 or 5.2 is "no" or the answer to question 5.3 is "yes" please give full details in the box below:

N/A

Please continue on a separate sheet if necessary.

5.5 Please use the box below to explain why granting the application would not create a gap in pharmaceutical services provision that could be met by a routine application to meet a current or future need for pharmaceutical services, or to secure improvements or better

access to pharmaceutical services. Applicants may wish to refer to the guidance on determining consolidation applications in Annex 19A of Chapter 12A of the Pharmacy Manual.

The town of Paignton is very well served in respect of pharmacies.

The two pharmacies we propose to consolidate are located within 300m of each other and each serve the same population i.e. that of Preston to the north of the town centre.

In addition to these two Day Lewis pharmacies, there are five other pharmacies located within a mile of the pharmacy we intend to close. These are owned by a variety of pharmacy contractors, namely Boots, Lloyds, Well and Mayfield Pharmacy (small independent group).

The proposed consolidation will not result in a material reduction in choice or access for patients for the following reasons:

#### **Location**

The two consolidating pharmacies are essentially in the same location. Preston forms the northern part of the town of Paignton and is largely residential in nature. However, the area around the two pharmacies on Torquay Road comprises a range of shops serving the needs of local residents.

The shopping area of Preston stretches from Brookfield Close in the south (near to Sainsbury's local and the pharmacy we propose to close) to Hollocombe Lane to the north, a distance of around 850m. The pharmacy we intend to retain (and therefore the premises we propose to consolidate into i.e. Site 1) is central within this area being located in the same building as Tesco Express and, most importantly, the only medical centre in the Preston area.

Site 1 is the more accessible of the two pharmacy locations, having some free on-street parking immediately outside unlike the closing pharmacy (Site 2) where there are double yellow lines on both sides of the road. Both locations have bus-stops within 100m of the pharmacy and share the same bus route. They are therefore equally accessible by public transport.

Given the more central location in the shopping area, better parking facilities and equal access to public transport, any patient who is accustomed to using the pharmacy we propose to close will not have any difficulties accessing the pharmacy we propose to retain.

There will therefore be no gap in respect of where the pharmacies are located given that they serve exactly the same area.

#### **Contractors**

As the consolidating pharmacies are both owned by Day Lewis there will be no reduction in choice in respect of pharmacy contractors in the area.

Given the number of other pharmacies within a 1 mile radius of the pharmacies, patients will continue to have a wide choice in respect of pharmacy contractors within Paignton.

## **Demand for Pharmaceutical Services**

Dispensing data from December 2017 (the latest available) shows that the pharmacy we are intending to close dispensed just over 7,000 prescription items, slightly below the national average. However, this data is slightly misleading in terms of demand because the pharmacy has been used by Day Lewis as a 'care home & MDS hub' with 80% of these items (approximately 5,600 items per month) for patients resident in care homes or receiving domiciliary MDS trays. This is evidenced by the attached data which shows that prescriptions dispensed by this pharmacy originate from a wide range of medical centres across the area, not just the Pembroke House surgery in Preston.

All the items dispensed for care homes or as part of the MDS service are delivered to patients. In fact, this pharmacy is specifically used as a care home hub due to the very low number of 'walk-in' patients who attend this location given its tertiary trading position. Of the 20% of prescriptions dispensed which are not part of the care home / MDS service, an estimated 70% are for repeat items, many of which are also delivered to patients. This leaves less than 500-600 items per month dispensed to patients who attend the pharmacy in person.

The low number of walk-in patients also applies to other pharmaceutical services. This is evidenced by the relatively low number of MURs provided (less than 200 for the 12 months to Dec 17), NMS interventions (13 over the same period) and 'flu vaccinations (83 this winter). All of these numbers are well below the local averages.

## **Accommodation of additional items at the remaining pharmacy**

We have reached agreement with Pembroke House surgery to take redundant space within the surgery (on the first floor of the building) for a dedicated MDS dispensary. This space was previously used as a consulting room and provides approximately 24m<sup>2</sup> of additional dispensary space which will be registered with the GPhC.

This additional space is more than adequate to accommodate all the MDS business currently being dispensed at site 2. Furthermore, the large and modern existing pharmacy premises at site can comfortably accommodate the limited 'walk-in' dispensing currently provided at site 2. There is no risk, therefore, that there will be any capacity issues as a result of this proposed consolidation.

## **Opening hours**

The pharmacy at Site 1 opens for longer hours than site 2 from Monday to Saturday. Neither pharmacy opens in Sunday. There will, therefore, be no reduction on the opening hours over which pharmaceutical services are available in Preston as a result of this consolidation.

There is a small difference in core hours between the two pharmacies as the core hours for Site 2 do not include any lunch-time closure whereas those for Site 1 include the facility to close between 13.00 and 13.30. In practice the pharmacy at Site 2 has never closed and lunchtime and we have no intention of amending the supplementary hours in the future to close the pharmacy at lunchtimes.

The consolidation regulations require us to retain the hours at Site 1 after consolidation. However, should NHS England wish to direct us to amend our core hours at Site 1 to provide a contractual obligation to open between 13.00 and 13.30 we would be happy to make this change.

**Services**

The services provided at site 1 will be the same as those provided across the two pharmacies at present. There will be no reduction in service provision overall.

**The general area**

To our knowledge there are no relevant changes planned within the area in the foreseeable future. There are no significant housing developments in this area of Paignton and there are no proposals to make any changes to medical services provision within the area as far as we are aware.

**Conclusion**

In conclusion there is no reason to believe that any gaps will be created as a result of this consolidation for the following reasons:

The two pharmacies we intend to consolidate are located very close together. Patients currently attending the premises at site 2 will not have any difficulty accessing site 1 for the reasons we have provided.

Most of the prescriptions dispensed at site 2 are for care homes and other MDS patients. Equivalent services can easily be provided from site 1 without and reduction in service levels for patients.

There is extensive choice within a 1 mile radius of the pharmacy we are proposing to close.

There will be no reduction in service levels in respect of opening hours or the range of services provided.

Please continue on a separate sheet if necessary.

**6 Declaration to be signed by the current owner of site 1**

I/we confirm that this application is being made with my/our full knowledge and consent.

If I/we am/are not the applicant I/we will withdraw from the pharmaceutical list in respect of the premises listed in section 2 (site 1) consequent upon the consolidation of the listed chemist premises onto site 1 and the applicant being included in the list at site 1.

Signature .....  
.....

Name: Catherine Reid

Position: Pharmacy Contracts Coordinator

Date: 28 March 2018

On behalf of the company/partnership: Day Lewis plc

**6a Declaration to be signed by the current owner of site 2 (only required where the current owner of site 2 is different to the current owner of site 1)**

I/we confirm that this application is being made with my/our full knowledge and consent, and that I/we will withdraw from the pharmaceutical list in respect of the premises listed in section 2a (site 2) consequent upon the granting of this application.

I/We undertake to provide at site 1, consequent to this application, the same pharmaceutical services as those that the current owner of site 1 is providing.

Signature .....N/A.....  
.....

Name .....  
.....

Position .....  
.....

Date .....  
.....

On behalf of the company/partnership .....  
.....

## 7 Undertakings

By virtue of submitting this application I/we undertake to provide pharmaceutical services at the premises listed at section 2 (site 1):

- that are already listed chemist premises,

I/We also undertake to notify the Commissioner within 7 days of any material changes to the information provided in this application (including any fitness information provided under paragraph 3 or 4, Schedule 2) before:

- the application is withdrawn,
- while the application remains the subject of proceedings, the proceedings relating to the application reach their final outcome and any appeal through the courts has been disposed of, or
- if the application is granted, I/we commence the provision of the services to which this application relates,

whichever is the latest of these events to take place.

I/We also undertake to notify the Commissioner if I/we am/are included, or apply to be included, in any other relevant list before:

- the application is withdrawn,
- while the application remains the subject of proceedings, the proceedings relating to the application reach their final outcome and any appeal through the courts has been disposed of, or
- if the application is granted, I/we commence the provision of the services to which this application relates,

whichever is the latest of these events to take place.

I/We also undertake:

- to comply with all the obligations that are to be my/our terms of service under Regulation 11 if the application is granted, and
- in particular to provide all the services and perform all the activities at the premises listed above that are required under the terms of service to be provided or performed as or in connection with essential services.

The following only applies where the applicant is seeking to provide directed services. I/We:

- undertake to provide the directed services mentioned in this application if they are commissioned within 3 years of the date of grant of this application or, if later, the listing of the premises to which this application relates,
- undertake, if the services are commissioned, to provide the services in accordance with an agreed service specification, and
- agree not to unreasonably withhold my/our agreement to the service specification for each directed service I/we are seeking to provide.

I confirm that to the best of my knowledge the information contained in my/our application is correct.

Signature ...

.....

Name: Catherine Reid

Position: Pharmacy Contracts Coordinator

Date: 28 March 2018

On behalf of the company/partnership: Day Lewis plc

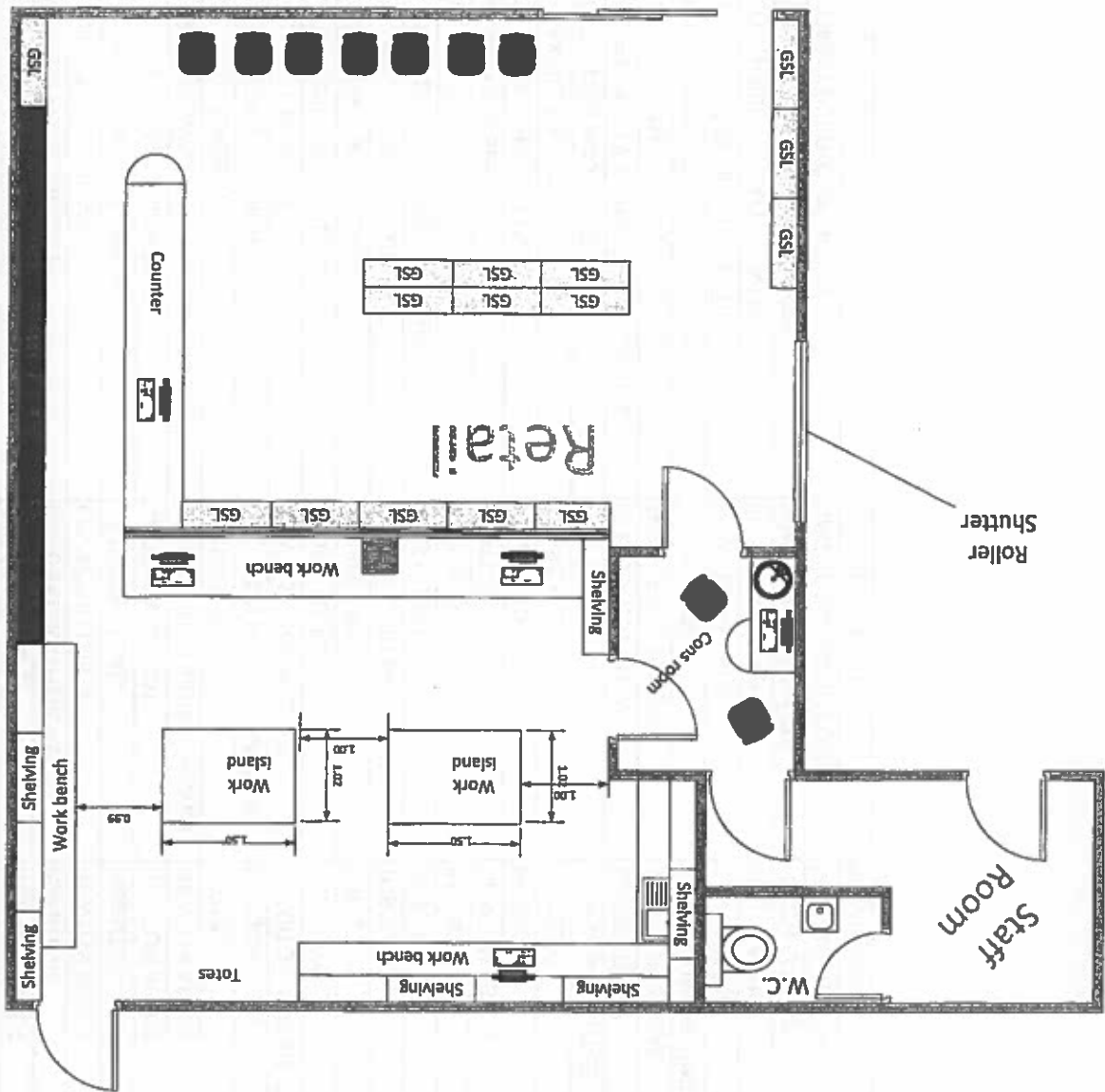
Contact phone number in case of queries:





Contact email number in case of queries:

Registered office

**Day Lewis House  
2 Peterwood Way  
Croydon  
Surrey CR0 4UQ**





Day Lewis Property Department
Day Lewis House 2 Pastwood Way Croydon Surrey CR0 4UQ
 Day Lewis Pharmacy
   GMP ISO 9001
Property: Paston 1
Branch No: 108
Project: Proposed
Date: 11.11.16
Version: 4
Scale: 1:50 @ A3

Source of prescriptions dispensed by Day Lewis, 273 Torquay Road - December 2017

L83131	PEMBROKE HOUSE SURGERY	266 TORQUAY ROAD, PRESTON	PAIGNTON	DEVON	TQ3 2EZ	FTX29	1,998
L83004	KINGSTEIGNTON MEDICAL PRACTICE	KINGSTEIGNTON	NEWTON ABBOT	DEVON	TQ12 3HN	FTX29	1,113
L83103	CORNER PLACE SURGERY	46A DARTMOUTH ROAD	PAIGNTON	DEVON	TQ4 5AH	FTX29	841
L83051	CRICKETFIELD SURGERY	CRICKETFIELD ROAD	NEWTON ABBOT	DEVON	TQ12 2AS	FTX29	495
L83014	MAYFIELD MEDICAL CENTRE	37 TOTNES ROAD	PAIGNTON	DEVON	TQ4 5LA	FTX29	428
L83046	DEVON SQUARE SURGERY	44 DEVON SQUARE	NEWTON ABBOT	DEVON	TQ12 2HH	FTX29	364
L83031	KINGSKERSWELL & IPLEPEN MED PRACTICE	SCHOOL ROAD, KINGSKERSWELL	NEWTON ABBOT	DEVON	TQ12 5DJ	FTX29	335
L83043	LEATSIDE SURGERY	BABBAGE ROAD	TOTNES	DEVON	TQ9 5JA	FTX29	289
L83118	CHELSTON HALL SURGERY	CHELSTON HALL, OLD MILL RD	TORQUAY	DEVON	TQ2 6HW	FTX29	184
L83111	CHILCOTE PRACTICE	DEWERSTONE PRACTICE	HAMPPTON AVENUE, TORQUAY	DEVON	TQ1 3LA	FTX29	169
L83029	SOUTHOVER MEDICAL PRACTICE	BRONSHILL ROAD	TORQUAY	DEVON	TQ1 3HD	FTX29	148
L83027	CROFT HALL MEDICAL PRACTICE	19 CROFT ROAD	TORQUAY	DEVON	TQ2 5UA	FTX29	135
L83013	BRUNEL MEDICAL PRACTICE	ST ALBANS RD, BABBACOMBE	TORQUAY	DEVON	TQ1 3SL	FTX29	105
L83055	COMPASS HOUSE MEDICAL CENTRES	KING STREET	BRIXHAM	DEVON	TQ5 9TF	FTX29	102
L83607	OLD FARM SURGERY	67 FOXHOLE ROAD	PAIGNTON	DEVON	TQ3 3TB	FTX29	89
L83034	ALBANY SURGERY	SCOTT CLOSE	NEWTON ABBOT	DEVON	TQ12 1GJ	FTX29	68
L83078	ST LUKES MEDICAL CENTRE	17 NEW ROAD	BRIXHAM	DEVON	TQ5 8NA	FTX29	38
L83130	PARKHILL MEDICAL PRACTICE	3 PARK HILL ROAD	TORQUAY	DEVON	TQ1 2AR	FTX29	35
L83146	CATHERINE HOUSE SURGERY	NEW WALK	THE PLAINS, TOTNES	DEVON	TQ9 5HA	FTX29	28
L83045	BOVEY TRACEY & CHUDLEIGH PRACTICE	LE MOLAY, LITTRY WAY	BOVEY TRACEY	DEVON	TQ13 9QP	FTX29	10
L83094	DARTMOUTH MEDICAL PRACTICE	THE CLIFTON SURGERY	35 VICTORIA ROAD	DARTMOUTH	TQ6 9RT	FTX29	10
P89017	CHAPEL STREET MEDICAL CENTRE	CHAPEL STREET	ASHTON-UNDER-LYNE	LANCASHIRE	OL6 6EW	FTX29	7
H85682	TUDOR LODGE HEALTH CENTRE	8C VICTORIA DRIVE	WIMBLEDON	LONDON	SW19 6AE	FTX29	3
L83075	SOUTH BRENT HEALTH CENTRE	PLYMOUTH ROAD	SOUTH BRENT	DEVON	TQ10 9HT	FTX29	2
L83084	SOUTH LAWN MEDICAL PRACTICE	HEAVITREE HEALTH CTR	SOUTH LAWN TCE	EXETER, DEVON	EX1 2RX	FTX29	1
L83679	TORBAY PCT OUT OF HOURS	UNIT 10, MANATON COURT	MANATON CLOSE	MATFORD	EX2 8PF	FTX29	1
M85048	CHURCH ROAD SURGERY	90 CHURCH ROAD	BIRMINGHAM		B26 3TP	FTX29	1

Sent via email to:

consolidations@pcc-cic.org.uk

Health and Wellbeing Board,  
Torbay Council  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

Dear Sir/Madam

**RE: Request for opinion from Torbay's Health and Wellbeing Board in regards to the closure of Day Lewis Pharmacy 237 Torquay Road, Paignton and the consolidation of services at Day Lewis Pembroke House Surgery, 266-276 Torquay Road, Paignton.**

As a consequence of a consolidation application (reference PCC-201718-10), Torbay's Health and Wellbeing Board has been asked to consider whether the above merger would create a gap in pharmaceutical provision.

**Background**

Day Lewis Pharmacy operate the pharmacies at 237 Torquay Road and at Pembroke House Surgery, 266-276 Torquay Road, Paignton. Day Lewis is applying to NHS England to merge the pharmacies onto one site at Pembroke House Surgery, 266-276 Torquay Road, and so close the pharmacy at 237 Torquay Road.

**Considerations**

In making this comment, Torbay's Health and Wellbeing Board has considered the following factors:

- Whether opening hours offered at the continuing pharmacy are equivalent
- Whether the services being provided at the continuing pharmacy are equivalent
- Whether specific facilities are being lost
- The estimated drive times and public transport to the continuing pharmacy
- Utilisation of Day Lewis, 237 Torquay Road, Paignton
- The current prevalence of pharmaceutical services in Torbay and particularly in Paignton

**Comment**

Torbay Health and Wellbeing board is of the opinion that this closure does not create any gap in the provision of pharmaceutical services based on the considerations above. However the Health and Wellbeing Board does not have the expertise to consider the physical capacity of the premises nor technical or professional competence of the staff to meet any increase in demand for services at the continuing pharmacy.

Yours sincerely

Councillor Jackie Stockman  
Chair of the Health and Wellbeing Board