

CHESHIRE EAST HEALTH AND WELLBEING BOARD
Reports Cover Sheet

Title of Report:	Notification of closure of pharmacy in Buglawton, Congleton as an NHS commissioned pharmacy and the implications of this for the residents in the surrounding area
Date of meeting:	22 November 2023
Written by:	Sara Deakin, Head of Health Intelligence
Contact details:	susan.roberts@cheshireeast.gov.uk
Health & Wellbeing Board Lead:	Dr Matt Tyrer

Executive Summary

Is this report for:	Information <input type="checkbox"/>	Discussion <input type="checkbox"/>	Decision <input checked="" type="checkbox"/>
Why is the report being brought to the board?	<p>Cheshire East Health and Wellbeing Board has a statutory responsibility to publish an up-to-date statement of pharmaceutical needs (PNA) every 3 years and to actively consider pharmacy issues and need over the lifetime of this PNA.</p> <p>The HWB delegated the day-to-day authority for the development of the PNA to the Director of Public Health; this task is further delegated to the PNA Steering Group and the public health intelligence team (PHIT). They will regularly consider the need for additional (supplementary) statements to update on any substantial changes that emerge.</p>		
Please detail which, if any, of the Health & Wellbeing Strategy priorities this report relates to?	<p>Creating a place that supports health and wellbeing for everyone living in Cheshire East <input type="checkbox"/></p> <p>Improving the mental health and wellbeing of people living and working in Cheshire East <input type="checkbox"/></p> <p>Enable more people to live well for longer <input type="checkbox"/></p> <p>All of the above X</p>		
Please detail which, if any, of the Health & Wellbeing Principles this report relates to?	<p>Equality and Fairness <input type="checkbox"/></p> <p>Accessibility <input type="checkbox"/></p> <p>Integration <input type="checkbox"/></p> <p>Quality <input type="checkbox"/></p> <p>Sustainability <input type="checkbox"/></p> <p>Safeguarding <input type="checkbox"/></p> <p>All of the above X</p>		

<p>Key Actions for the Health & Wellbeing Board to address. Please state recommendations for action.</p>	<p>For information only.</p> <p>The paper is to notify members of the closure of the Pharmacy in Buglawton and outline the impact on the residents of Congleton East and Congleton & Holmes Chapel (CHOC) Care Community, and the other pharmaceutical providers who serve this area.</p> <p>The conclusion is that the closure is unlikely to negatively impact the local area.</p> <p>The current PNA expires October 2025, to meet this publication deadline, the process for the next PNA will have to commence April next year.</p>
<p>Has the report been considered at any other committee meeting of the Council/meeting of the CCG board/stakeholders?</p>	<p>The report has been considered by the Cheshire East Council Adults, Health and Integration Directorate Management Team, and the Cheshire East Council Corporate Leadership Team. The minutes of the Health and Wellbeing Board (HWB) are submitted to Cheshire East Council's Adults and Health Committee.</p>
<p>Has public, service user, patient feedback/consultation informed the recommendations of this report?</p>	<p>Yes – The draft PNA underwent formal public consultation 1 April -10 June 2022. Following this, findings were considered and actioned to ensure further detailed explanation as to the rationale for the conclusions drawn within the final PNA. Any findings from the public survey, the pharmaceutical provider survey and public consultation have been considered within the analysis undertaken by the public health intelligence team in relation to this closure.</p>
<p>If recommendations are adopted, how will residents benefit? Detail benefits and reasons why they will benefit.</p>	<p>The PNA provides a comprehensive overview of current and future pharmaceutical need, and pharmaceutical provision across Cheshire East that can be referred to by a wide range of stakeholders, including the NHS. PNAs are used by the NHS to make decisions on which NHS funded services need to be provided by local community pharmacies. These services are part of local health care and public health and affect NHS budgets. PNAs are also relevant when deciding if new pharmacies are needed, in response to applications by businesses, including independent owners and large pharmacy companies.</p>

1. Report Summary

- 1.1. The purpose of this paper is to formally notify the Health & Wellbeing Board (HWB) of the closure of the Congleton Pharmacy, 62b Havannah Street, Buglawton, CW12 2AT (formally Salus Pharmacy (FEP14)) located in Congleton East ward within the Congleton & Holmes Chapel (CHOC) Care Community.
- 1.2. To provide the HWB with assurance that no further action is required regarding this closure in terms of their statutory responsibility to publish an up-to-date statement of pharmaceutical needs.
- 1.3. To provide the HWB with a copy of the gap analysis and recommendations regarding the impact of the closure, undertaken by the Public Health Intelligence Team (PHIT) (Appendix A)
- 1.4. The final version of the Pharmaceutical Needs Assessment (PNA) 2022-2025 was approved by the HWB prior to its publication on 1 October 2022. It concluded that pharmaceutical provision is adequate within Cheshire East, and it did not identify current or anticipated future need for new NHS pharmaceutical service providers in Cheshire East over the time frame of the PNA.
- 1.5. The Public Health Intelligence team were notified on the 25th of September 2023, that Khalidoscope Services Ltd (KSL), the owners of the pharmacy at 62b Havannah Street, Buglawton, CW12 2AT, had been served notice of their removal from the pharmaceutical list by NHS England (NHSE). This was due to the company's failure to meet the full legal requirements for the provision of NHS pharmacy services. (Appendix D). The contractor

will cease trading on 6th November 2023, unless an appeal is made by the company/contractor before this date (Appendix E).

- 1.6. It is important that the PNA reflects both current need and considers any foreseeable changes that may impact on provision during the lifetime of the PNA. If substantive changes occur, either in population need or service provision, the HWB may decide that a revised PNA is required.
- 1.7. A gap analysis paper concludes that the increased dispensing requirements created by this closure can be absorbed by the surrounding pharmacies without impacting on patient care. The care community is already well served by 11 other pharmacies and has the lowest dispensing levels within Cheshire East.
- 1.8. The PNA Steering sub-group concurred with the conclusions of the PHIT paper, that: -
 - the dispensing requirements created by this closure can be absorbed by the surrounding pharmacies without impacting on patient care.
 - a new PNA is not necessary,
 - the change does not meet the requirements for a supplementary statement,
 - and no further action is required.

2. Recommendations

- 2.1. This paper is **for information only**, formally notifying the HWB of the closure of the pharmacy at 62b Havannah Street, Buglawton, CW12 2AT by NHS England on the 6th November 23.
- 2.2. The PNA Steering sub-group considered the gap analysis, undertaken by the public health intelligence team, of the impact of this closure. It concluded that the increased dispensing requirements created by the closure can be absorbed by the surrounding pharmacies without impacting on patient care. The care community already has the lowest dispensing levels.
- 2.3. They concurred with the conclusions of the PHIT paper that: -
 - 2.3.1. there is adequate pharmaceutical provision within the CHOC Care Community and surrounding areas to absorb the addition dispensing workload; provide the Public Health services and advanced services commissioned from this pharmaceutical provider; ensure sufficient opening hours coverage and not negatively impact on the residents,
 - 2.3.2. a new PNA is unnecessary,
 - 2.3.3. the change does not meet the requirements for a supplementary statement,
 - 2.3.4. and no further action is required.
- 2.4. NHS England issued comms to interested parties on Friday, 20th October 2023
- 2.5. No further action is required by the HWB.**

3. Reasons for Recommendations

- 3.1. Cheshire East Health and Wellbeing Board has a statutory responsibility to publish an up-to-date statement of pharmaceutical needs every 3 years.
- 3.2. PNAs are used by the NHS to make decisions on which NHS funded services need to be provided by local community pharmacies. These services are part of local health care and public health and affect NHS budgets.
- 3.3. The owners of the Congleton Pharmacy, Khalidoscope Services Ltd (KSL) were served 30 days' notice on 25th September 2023 of their removal from the pharmaceutical list by NHS

England. This was due to the company's failure to meet the full legal requirements for the provision of NHS pharmacy services. The pharmacy will cease trading on 6th November 2023, unless an appeal is made by the company/contractor before this date. This could potentially create a gap in provision and distress residents (Appendix D).

- 3.4. An initial look at some of the implications of the closure was reported to the Director of Public Health on the 25th of September 2023 on receipt of the notification from NHS England. The initial conclusion was that the closure was happening in an area of high provision and consequent lower use and therefore wasn't going to result in a significant issue. The Director of Public Health gave a verbal update to the HWB at the earliest opportunity on the following day, 26th September 2023.
- 3.5. In line with the PNA change notification process (Appendix B) a more detailed assessment was undertaken by the PHIT. This considered the existence of other pharmacies, their stated capacity to take on additional demand (via the PNA pharmacy survey), dispensing rates, provision of wider NHS and public health services, and opening hours (see Appendix A).
- 3.6. The conclusion of this detailed investigation is that there is adequate pharmaceutical provision within the CHOC Care Community and surrounding areas to absorb the additional dispensing workload; provide the Public Health services and advanced services commissioned from this pharmaceutical provider; ensure sufficient opening hours coverage and not negatively impact on the residents.
- 3.7. The PNA Steering sub-group concurred with the findings that CHOC care community already has the lowest dispensing levels in Cheshire East and thus pharmaceutical provision can be absorbed by neighbouring pharmacies. A new PNA is deemed unnecessary, and the change does not meet the requirements for a supplementary statement (Appendix F).
- 3.8. The notification of the final date of trading was received on Monday, 23rd October 2023. NHSE Comms team will be communicating this to MPs and the Councillors secretaries plus neighbouring pharmacy providers. (Appendix E)

3.9. No further action is required by the HWB.

4. Impact on Health and Wellbeing Strategy Priorities

- 4.1. The production of the PNA supports three outcomes from the Health and Wellbeing Strategy 2018-21:
 - 4.1.1. Create a place that supports health and wellbeing for everyone living in Cheshire East
 - 4.1.2. Improving the mental health and wellbeing of people living and working in Cheshire East
 - 4.1.3. Enable more people to live well for longer.

5. Background and Options

- 5.1. Cheshire East Health and Wellbeing Board has a statutory responsibility to publish an up-to-date statement of pharmaceutical needs.
- 5.2. The Health and Wellbeing Board approved delegation of the day-to-day authority for the development of the revised PNA to the Director of Public Health on 23 November 2021 (minute number 31).

- 5.3. The PNA covers community pharmacy opening times, services delivered from community pharmacies, and accessibility.
- 5.4. The production of the PNA was overseen by the Cheshire East PNA Steering Group, which included representation from:
 - 5.4.1. Cheshire East Council Public Health
 - 5.4.2. NHS Cheshire and Merseyside Integrated Care Board - East Cheshire place (formally Cheshire Clinical Commissioning Group)
 - 5.4.3. Healthwatch
 - 5.4.4. The Chair of the Local Pharmaceutical Committee and of the Local Pharmaceutical Network
 - 5.4.5. Local Medical Committee representatives
 - 5.4.6. East Cheshire NHS Trust
 - 5.4.7. Mid Cheshire Hospitals NHS Foundation Trust.
- 5.5. The final version of the Pharmaceutical Needs Assessment (PNA) 2022-2025 was approved by the HWB prior to its publication by 1 October 2022.
- 5.6. The overall conclusions of this PNA were that pharmaceutical provision was adequate at the time of publication, and the PNA has not identified current or anticipated future need for new NHS pharmaceutical service providers in Cheshire East over the time frame of this latest PNA (Appendix C - PNA 2022-2025 Exe Summary).
- 5.7. It is important that the PNA reflects both current need and considers any foreseeable changes that may impact on provision during the lifetime of the PNA. If substantive changes occur, either in population need or service provision, the HWB need to decide whether a revised PNA is required. However, the majority of changes may not require any action, or it may be decided that a supplementary statement assessing the change should be issued by the HWB.
- 5.8. The public health intelligence team will actively consider pharmacy issues and need on behalf of the Health and Wellbeing Board over the lifetime of a PNA. They will regularly consider the need for additional (supplementary) statements to update on any substantial changes that emerge.
- 5.9. There is an agreed policy and process for dealing with a pharmacy change notification (Appendix B)
- 5.10. On the 25th September 2023 the PHIT received a notification from NHS England (NHSE) of the closure of Buglawton pharmacy and reasons (Appendix D).
 - 5.10.1. At a meeting of the Cheshire & Merseyside Pharmaceutical Services Regulations Committee on 20 September 2023 a decision was made to notify of Khalidoscope Services Ltd (KSL) the proposed removal of Khalidoscope Services Ltd (KSL) in the pharmaceutical list for the area of Cheshire East Health and Wellbeing Board in respect of, 62B Havannah Street, Buglawton, Congleton, Cheshire CW12 2AT. Appropriate legal advice was sought in relation to this process prior to this determination.
 - 5.10.2. Under Regulation 74(1) of The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, KSL were served 30 days' notice on 25th September 2023 of our proposal to remove them from the pharmaceutical list. KSL have a right to appeal within these 30 days. If they do not appeal, they will be served 30 days' notice to close.
 - 5.10.3. This decision was due to the company's failure to meet the full legal requirements for the provision of NHS pharmacy services.

5.10.4. Since the company/contractor did not appeal this proposal, it has now been served 30 days' notice to close by NHS Cheshire and Merseyside – a period which ends on 5th November 2023.

5.10.4.1. This means that Congleton Pharmacy will cease trading on 6th November 2023, unless an appeal is made by the company/contractor before this date.

5.10.4.2. NHS Cheshire and Merseyside will be informing local GP practices and other pharmacies in the area about the closure decision over the coming days.

5.11. An initial look at some of the implications of the closure was reported to the Director of Public Health. The HWB was given a verbal update at the formal meeting on the 26th September 2023. The high-level findings were that: -

5.11.1. the last PNA recorded that there were 12 pharmacies that serve the Congleton, Holmes Chapel CC, a population of 40,073 (Mid-2020) resulting in a rate of 29.9 pharmacies per 100,000 (the highest in Cheshire East). The average monthly items per pharmacy for CHOC CC was 5,207, the third lowest in Cheshire East. The only PH commissioned service was Needle Exchange.

5.11.2. The initial conclusion was that the closure was happening in an area of high provision and consequent lower use, and therefore would not result in a significant issue.

5.12. In line with the PNA change notification process (Appendix B) a more detailed assessment was undertaken by the PHIT. This considered the existence of other pharmacies, their stated capacity to take on additional demand (via the PNA pharmacy survey), dispensing rates, provision of wider NHS and public health services, and opening hours (see Appendix A).

5.12.1. Findings and conclusion of gap analysis (see Appendix A)

- Even with the closure of the pharmacy in Buglawton, there will still be 11 active pharmacies within the care community boundary. Factoring in the increase population identified by the 2021 Census, the rate for CHOC remains the highest in Cheshire East at 25.7 per 100,000.
- With the loss of the pharmacy in Buglawton the dispensing workload will redistribute to the remaining pharmacies, each pharmacy within CHOC care community will need to dispense an average additional 287 items per month. The average number of items dispensed per pharmacy increases to 6,498, still below the England average.
- All remaining pharmacies within CHOC care community stated that they could manage increased demand when asked on the pharmaceutical contractor's survey.
- There remains good coverage of pharmacy provision opening hours across the care community, with extended opening hours from 6.30am and throughout the day up to midnight. There will still be two 100-hour pharmacies in Congleton.
- The Congleton Pharmacy offered few additional services, all of which are offered by neighbouring pharmacies.
- All remaining pharmacies in CHOC care community offer a prescription collection service from GP surgeries and 82% deliver dispensed medicines. Residents can nominate any pharmacy to process their prescriptions, not just the one in their neighbourhood ([PNA 2022-2025 Chapter 13](#)). Using the NHS App or a similar online service or app can make the process of ordering repeat prescriptions simple and convenient.

- The high QOF disease prevalence rates for circulatory conditions for Lawton House GP Surgery in Congleton East may indicate resident poor health or equally may indicate good levels of case-finding.
- Despite income deprivation within the Congleton East ward, the health and wellbeing of the area does not follow a typical pattern, with the ward faring better than expected in terms of mortality, lifestyle, and wellbeing measures within the Tartan rug. ([Tartan Rug 2022 \(cheshireeast.gov.uk\)](https://www.cheshireeast.gov.uk/tartan-rug-2022))
- CHOC care community had the highest proportion of respondents to the public survey conducted as part of the PNA process at 21%, 10% of the area's adult population. The public survey respondents who reside in Congleton raised no concerns regarding access to pharmacies in terms of location.
- Over a five-year period, the population of Congleton and Holmes Chapel care community could potentially increase by 9.2% to 43,775, purely due to housing development within Congleton.
- Additional concerns raised by residents within CHOC care community during the PNA consultation process related to another pharmacy within the area.
- The increased dispensing requirements can be absorbed by the surrounding pharmacies without impacting on patient care as the care community already has the lowest dispensing levels. The PNA 2022-25 had concluded that pharmacy services were adequate for the lifetime of the PNA, which included looking at future population growth, housing developments and ageing population. Therefore, a new PNA is not necessary.
- The change does not meet the requirements for a supplementary statement (Appendix F).

5.13. NHS England have issued official communication to all interested parties including Healthwatch, MPs, Councillors regarding the potential closure of Congleton pharmacy at all stages of the legal notification process (Appendix D & E).

5.13.1. The notification of the final date of trading was received on Monday, 23rd October 2023. NHSE Comms team will be communicating this to MPs and the Councillors secretaries plus neighbouring pharmacy providers.

5.14. No further action is required.

6. Access to Information

6.1. The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013:

6.2. <http://www.legislation.gov.uk/ukxi/2013/349/contents/made>

The background papers relating to this report can be inspected by contacting the report writer:

Name: Sara Deakin

Designation: Head of Health Intelligence, Cheshire East

Tel No:

Email: sara.deakin@cheshireeast.gov.uk

Enclosed appendices

- Appendix A - Analysis of the impact of the closure (Gap analysis) undertaken by Cheshire East Public Health Intelligence Team
- Appendix B – Cheshire East PNA Change notification process.
- Appendix C - Pharmaceutical Needs Assessment (PNA) 2022-2025 Exe Summary
- Appendix D - Notification of closure from NHS England received 25/09/23.
- Appendix E - NHS England official comms regarding the closure of Congleton pharmacy received 23/10/23.
- Appendix F – Regulation 2013 6 pertaining to PNA supplementary statements