

Health and Wellbeing Board Supplementary Agenda No. 1

A meeting of this Committee will be held on:

Date: Tuesday, 6 November 2018

Time: 4.00pm

Venue: Meeting Room 9 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

Membership:	Ian Ayres	Managing Director for Dartford, Gravesham and Swanley, Medway, Swale and West Kent CCGs
	Councillor David Brake (Chairman)	Portfolio Holder for Adults' Services
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Ann Domeneay	Deputy Director, Children and Adults Services
	Ivor Duffy	Director of Assurance and Delivery - NHS England
	Councillor Gary Etheridge	
	Cath Foad	Chair, Healthwatch Medway
	Dr Peter Green (Vice-Chairman)	Clinical Chair, NHS Medway Clinical Commissioning Group
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Vince Maple	Leader of the Labour Group
	Dr Antonia Moore	Elected Clinical Member, NHS Medway Clinical Commissioning Group
	Ian Sutherland	Director of People - Children and Adults Services
	Councillor Martin Potter	Portfolio Holder for Educational Attainment and Improvement
	Councillor Stuart Tranter	
James Williams	Director of Public Health	

Agenda

11 **Response to NHS England Regarding Rurality Review in Peters Village** (Pages 5 - 14)

This report presents a proposed response from the Health and Wellbeing Board to NHS England's proposal to conduct a "rurality review" in Peter's Village, near Wouldham in Kent. This area is separated from Halling in Medway by the river Medway.

If the rurality review determines that the area is no longer rural in nature, it will no longer be a controlled locality and as such it will be possible for NHS England to allow a pharmacy to open in the area.

The NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013 state that residents within 1.6 Km (as the crow flies) of any pharmacy cannot be dispensed to by a dispensing GP practice. Therefore if a pharmacy opens in Peter's Village it is likely that a large proportion of the patients registered at Halling Medical Centre will no longer be able to be dispensed to by the practice.

The proposed letter to NHS England argues that the area is still very much rural in nature.

Reason for Urgency

This report has been added to the agenda, because the Chairman of the Committee has agreed that it should be considered at this meeting as a matter of urgency, as permitted under section 100B of the Local Government Act 1972. The report is considered urgent because the next meeting of the Board after 6 November takes place on 19 February 2019. Consideration at this meeting of the Board's response to a letter received from NHS England would be outside the 30 day time limit, from the date of the letter, for a response to be provided. The report was not available at time of agenda dispatch as officers needed time to consider a draft response. The letter invites the Board to make a representation in relation to an application received by NHS England for a new community pharmacy in the St Peters, Wouldham area, which has prompted the need to review the rurality status of the area.

For further information please contact Jon Pitt, Democratic Services Officer on Telephone: 01634 332715 or Email: democratic.services@medway.gov.uk

Date: 6 November 2018

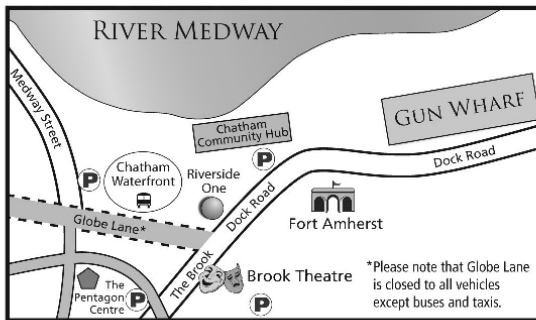
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media such as tweeting and blogging to report the proceedings. Guidance for people wishing to exercise this right is available on the Council's website and in the public seating area at the meeting.

It is helpful if people wishing to film the proceedings could contact the Council's media team in advance on 01634 332736 or by email to pressoffice@medway.gov.uk. Please sit in the front row or other designated area if you wish to report on the meeting. If you are attending and do not wish to be filmed or recorded please sit at the back of the public seating area.

<http://www.medway.gov.uk/thecouncilanddemocracy/reportingonmeetingsguidance.aspx>

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中文	331781	हिंदी	331783	Polski	332373	এহেৎশফব	331786	فارسی	331840	Lietuviškai	332372

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HEALTH AND WELLBEING BOARD

6 NOVEMBER 2018

RESPONSE TO NHS ENGLAND REGARDING RURALITY REVIEW IN PETERS VILLAGE

Report from: James Williams, Director of Public Health

Author: David Whiting, Consultant in Public Health

Summary

This report presents a proposed response from the Health and Wellbeing Board to NHS England's proposal to conduct a "rurality review" in Peter's Village, near Wouldham in Kent. This area is separated from Halling in Medway by the river Medway.

If the rurality review determines that the area is no longer rural in nature, it will no longer be a controlled locality and as such it will be possible for NHS England to allow a pharmacy to open in the area.

The NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013 state that residents within 1.6 Km (as the crow flies) of any pharmacy cannot be dispensed to by a dispensing GP practice. Therefore if a pharmacy opens in Peter's Village it is likely that a large proportion of the patients registered at Halling Medical Centre will no longer be able to be dispensed to by the practice.

The proposed letter to NHS England argues that the area is still very much rural in nature.

Reason for Urgency

This report has been added to the agenda, because the Chairman of the Committee has agreed that it should be considered at this meeting as a matter of urgency, as permitted under section 100B of the Local Government Act 1972. The report is considered urgent because the next meeting of the Board after 6 November takes place on 19 February 2019. Consideration at this meeting of the Board's response to a letter received from NHS England would be outside the 30 day time limit, from the date of the letter, for a response to be provided. The report was not available at time of agenda dispatch as officers needed time to consider a draft response. The letter invites the Board to make a representation in relation to an application received by NHS England for a new community pharmacy in the St Peters, Wouldham area, which has prompted the need to review the rurality status of the area.

1. Budget and Policy Framework

- 1.1 The NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013 set out the legislative basis for developing and updating PNAs and can be found at:
<http://www.dh.gov.uk/health/2013/02/pharmaceutical-services-regulations/>
- 1.2 In March 2018 the Health and Wellbeing Board published its renewed Pharmaceutical Needs Assessment (PNA) at:
https://www.medway.gov.uk/info/200139/social_care_and_health/602/pharmaceutical_needs_assessment_2018
- 1.3 If a consolidation of pharmaceutical services is proposed NHS England will write to the Health and Wellbeing Board and the HWB is required to respond within 45 days stating whether the consolidation would or would not create a gap in pharmaceutical services provision.

2. Background

- 2.1 The PNA noted (pages 25-26) that developments in the areas around Halling, Cuxton and across the river at Peter's Village (Wouldham) in Kent may lead to a "rurality review" to determine if the area is still rural in nature and should remain a controlled area.
- 2.2 There is a bridge between Peter's Village and the road to the south of Halling, however there is no public transport between the two.
- 2.3 In September 2018 the Chairman of the Health and Wellbeing Board received a letter from NHS England informing him that, in response to an application to open a pharmacy in Peter's Village, NHS England plans to conduct a rurality review. This area is almost opposite Halling, on the other side of the river Medway. See appendices A and B.

3. Advice and analysis

- 3.1 There is a dispensing GP practice in Halling (Halling Medical Centre) that dispenses to its patients who live more than 1.6 Km (as the crow flies) from a pharmacy.
- 3.2 If NHS England determines that the area of Peter's Village is no longer rural in nature, it will cease to be a controlled area and it will be possible for NHS England to grant permission for a pharmacy to open in the village.
- 3.3 The NHS (Pharmaceutical Services and Local Pharmaceutical Services) Regulations 2013 state that dispensing practices cannot dispense to patients who live within 1.6 Km of a pharmacy, unless individual patients apply to NHS England demonstrating that they "would have serious difficulty in obtaining any necessary drugs or appliances from pharmacy premises by reason of distance or inadequacy of means of communication."
- 3.4 A substantial proportion of the residents of Halling are within 1.6 Km of the centre of Peter's Village, and most of these patients are likely to be registered with the Halling Medical Centre and are likely to be dispensed to by this

practice.

3.5 The assessment of Medway Council's public health team is that the area around Peter's Village is still very much rural in nature: much of the area substantial farmland; there is a Site of Special Scientific Interest; there is only one bus an hour into and out of the village; and there is no public transport link between Peter's Village and Halling.

3.6 The interval between receiving letters from NHS England and the deadline for response was 30 days in this situation and is 45 days for consolidations. This is too short to fit into the normal HWB schedule for meetings and the preparation and distribution of papers for meetings. The HWB is able to delegate powers to the Director of Public Health and may wish to do so for matters such as these that require a response within a short timeframe.

4. Risk management

Risk	Description	Action to avoid or mitigate risk
Reduced access to pharmaceutical services	People who do not drive will be unable to obtain pharmaceutical services from Halling Medical Centre if a pharmacy opens in Peter's Village	Write to NHS England demonstrating that Peter's Village is rural in nature.

5. Consultation

5.1 Halling Medical Centre has been consulted in the preparation of this response.

6. Financial implications

6.1 There are no financial implications for Medway Council directly arising from this report.

7. Legal implications

7.1 There are no legal implications for Medway Council directly arising from this report.

8. Recommendations

8.1 The Health and Wellbeing Board is asked to:

- (i) Delegate authority to the Director of Public Health to, in consultation with the Chairman of the Health and Wellbeing Board, respond to requests from NHS England regarding matters relating to rurality reviews and consolidation of pharmaceutical services.
- (ii) Approve the proposed response to NHS England regarding the rurality review of Peter's Village.

Lead officer contact

Dr David Whiting, Consultant in Public Health, Medway Council, Gun Wharf.
Tel: 01634 332636 Email: david.whiting@medway.gov.uk

Appendices

Appendix A – Letter from NHS England

Appendix B – Map from NHS England showing the area subject to the rurality review (Peter's Village).

Appendix C – Proposed response from the HWB to NHS England

Background papers

None.

Date

NHS England South East

York House

Sent by email to:

18 - 20 Massetts Road

Horley

Local Pharmacies and Head Offices
Kent Local Pharmaceutical Committee

Surrey RH6 7DE

Kent Local Medical Committee

Local Dispensing GP's

Kent Health & Wellbeing Board

Kent Healthwatch

Kent Health Overview and Scrutiny

Committee

Tonbridge & Malling Borough Council

Local MP

West Kent CCG

Kent County Council

Dear Sir/Madam,

Re: Controlled locality determination regarding pharmacy services in Wouldham Kent

NHS England is responsible for commissioning NHS community pharmacy services and for ensuring that pharmaceutical services are accessible to local people.

Regulation 36 of the national NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, allows NHS England to determine if any local area should be designated as a 'controlled locality', in regards to the provision of pharmaceutical services.

Controlled localities are those that have been determined to be 'rural in character' by NHS England. No definition of rural is given in the national regulations, however a rural area is normally characterised by having a limited range of local services.

The national rules that apply to the dispensing of medicines in controlled localities differ to the regulations that apply in urban areas, in order to ensure that people living in these areas have appropriate access to services. While many community pharmacies now provide a free collection and delivery service (under which they will collect a prescription from a patient's GP surgery and then deliver the dispensed medication to their home), in rural areas that are designated as 'controlled localities', GP practices are permitted to dispense medicines to their patients directly, providing that their patients do not live within a 1 mile radius (1.6km) of any community pharmacy, or would otherwise have significant difficulty obtaining their medicines from a pharmacy.

NHS England has received an application for a community pharmacy in the St Peters, Wouldham area, which has prompted the need to review the rurality status of the area, as required under the regulations for applications that relate to areas that may have undergone significant development in recent years. NHS England needs to determine whether the Wouldham area in Kent, should be re-designated as a non-controlled locality (please see the attached maps which show the area we need to consider).

We always consider a range of factors (as they pertain at the time) when determining whether or not an area is rural and should be designated as a non-controlled locality. These include, but are not limited to:

High quality care for all, now and for future generations

- environmental factors such as the balance between different types of land use
- employment patterns (bearing in mind that those who live in rural areas may not work there)
- the size of the community and distance between settlements
- the overall population density
- transportation – the availability or otherwise of public transport and the frequency of such provision, including access to services such as shopping facilities
- the provision of other facilities, such as recreational and entertainment facilities.

Before we make a final determination, we would be interested to receive any views that you might have on this.

Should you wish to make any written representations on this matter please send them to me within 30 days of the date of this letter. You should note that any comments submitted will be shared with other interested parties, and may also be shared under the Freedom of Information Act, as requested.

We anticipate making the final determination regarding the status of Wouldham and surrounding area by the end of

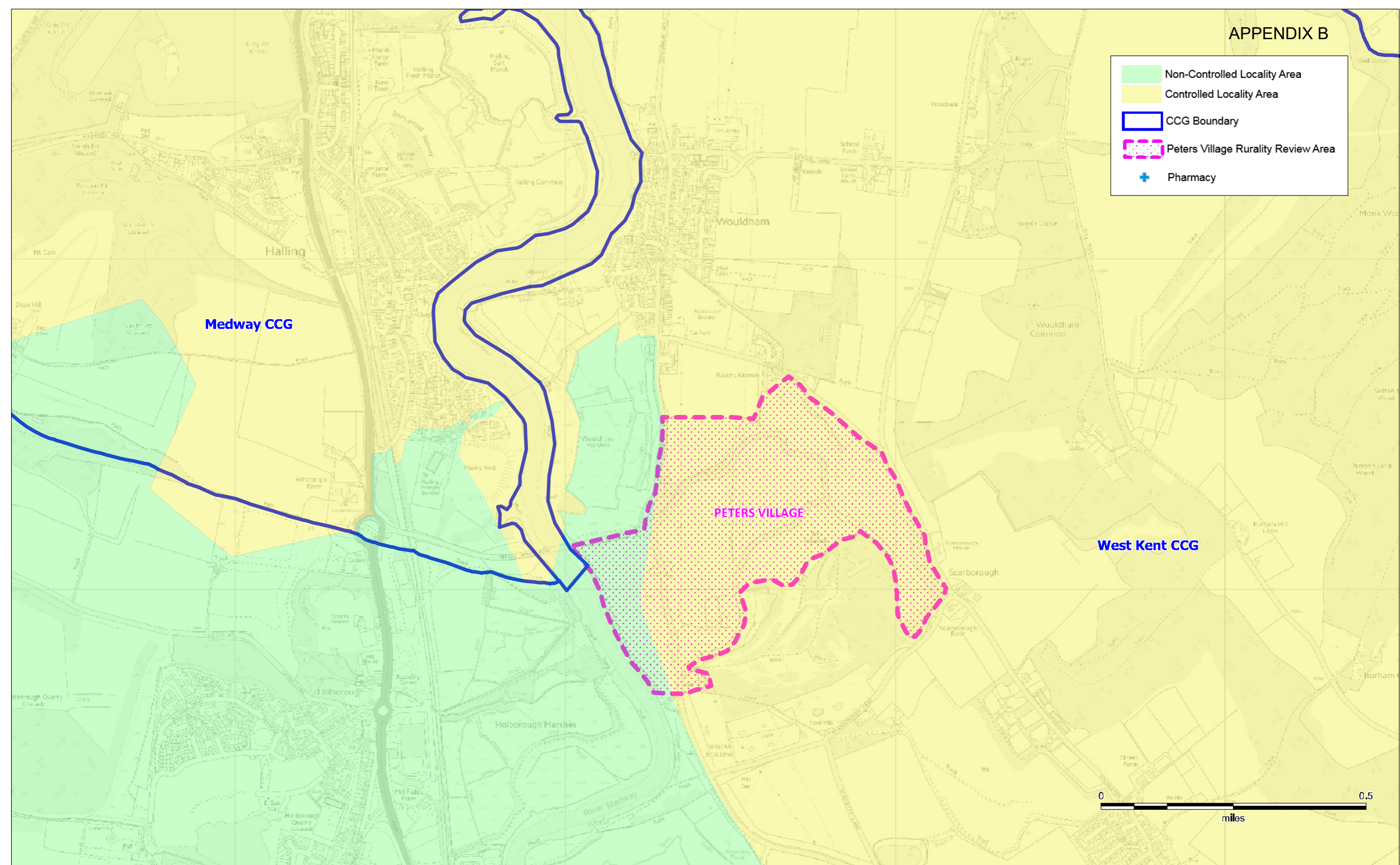
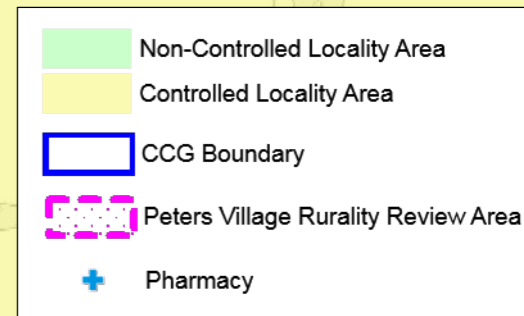
I will advise you of the outcome, but should you have any questions, please do not hesitate to contact my colleagues:

- Amanda Marshall at amanda.marshall@nhs.net
- Linda Barnard at lindabarnard@nhs.net

Yours faithfully

Stephen Ingram
Head of Primary Care
NHS England South East

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RURALITY DETERMINATION REVIEW OF PETERS VILLAGE, WOULDHAM, KENT (USING POSTCODE UNIT)

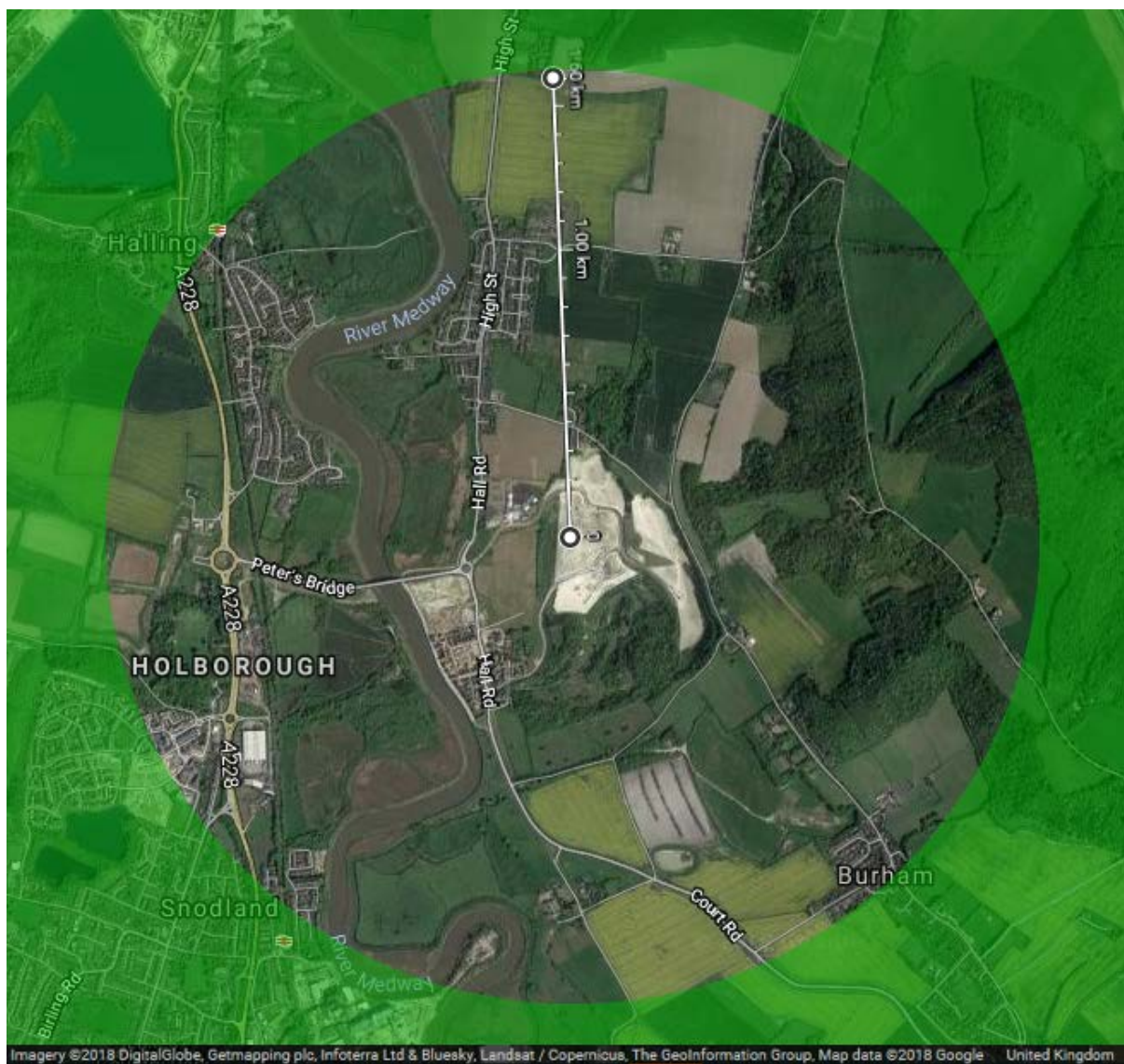
AREA TO BE DETERMINED OUTLINED ABOVE

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Dear Stephen Ingram,

Thank you for your letter inviting the Medway Health and Wellbeing Board to comment on the proposal to conduct a controlled locality determination regarding pharmacy services in Wouldham, Kent.

The development at Peter's Village is across the river from Medway. The area is surrounded by farmland, and part of the land is a Site of Special Scientific Interest (SSSI) managed in partnership with Natural England and Kent Wildlife Trust. A map of the area that is within 1.6 Km of the centre of Peter's Village, shows that it mostly consists of green, rural areas:



As it is a new development it is not possible to describe the community or employment patterns of the residents, however, the fact that it is rural in nature is made explicit in the name: Peter's Village.

Transportation to the area consists of a bridge across the Medway and an additional

road into and out of each side of the village (Hall Road). Regular public transport is limited to a bus that comes once an hour between Maidstone and Chatham along this road, and there is no public transport link across the bridge to the village of Halling.

The village of Halling is served by a dispensing GP practice. This practice is itself in a rural area and lies within 1.6 Km of Peter's Village, and it is likely that many of the patients registered with the practice also reside within 1.6 Km of Peter's Village. If Peter's Village is determined to no longer be a controlled locality it will mean that a large number of patients that currently are able to be dispensed for by their GP will no longer be able to. The single bridge across the river Medway with no public transport linking Halling to Peter's Village provides inadequate access for many people in the Halling area. We firmly believe this proposal has the potential to impact on the continuity of care provided to local people by this dispensing GP practice.

It is the opinion of the Medway Health and Wellbeing Board that this area is still rural in nature.