

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

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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.

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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.