

8 October 2020

REF: SHA/23380

Arena Point
Merrion Way
Leeds
LS2 8PA

**APPEAL AGAINST SOUTH EAST (KENT et al) AREA TEAM,
NHS COMMISSIONING BOARD ("NHS ENGLAND")
DECISION TO REFUSE AN APPLICATION FOR PREMISES
APPROVAL FOR, AND TO PROVIDE DISPENSING
SERVICES FROM, BENNETT WAY SURGERY, BENNETT
WAY, DARTFORD, KENT, DA2 7JT UNDER REGULATION 51**

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1 Outcome

- 1.1 The Pharmacy Appeals Committee ("Committee"), appointed by NHS Resolution, confirms the decision of NHS England.
- 1.2 The Committee determined that the application should be refused.

Advise / Resolve / Learn

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1 The Application

By application dated 16 December 2019, Swanscombe and Bean Partnership ("SBP") ("the Applicant") applied to NHS Commissioning Board ("NHS England") for premises approval for, and to provide dispensing services from Bennett Way Surgery, Bennett Way, Dartford, Kent, DA2 7JT under Regulation 51. The application stated:

- 1.1 Swanscombe and Bean practices [has a] list size of 19750 patients. Included in this list is Bean Village Surgery (High Street, Bean DA2 8BS) which is dispensing to about 500 patients.
- 1.2 CCG asked Swanscombe and Bean practices to take over the neighbouring practice with the list size of 9000 patients following enforced closure by CQC. This practice works from three premises – two of them dispensing 1, New Surgery, Beacon Drive, Bean DA2 8BG. This is dispensing for similar number of patients as the Applicant.
- 1.3 2 Bennett Way Surgery, Bennett Way, Darenth DA2 7JT. This is a small branch surgery dispensing to about 1000 patients.
- 1.4 Both the above listed practices had contract with Dr [redacted].
- 1.5 As a part of takeover – the Applicant wants to keep the Bennett Way surgery with its dispensing contract.
- 1.6 However the Applicant proposes to close the Bean surgery and its dispensing contract – as it is only about half a mile from the Applicant's surgery- and the Applicant has dispensing rights for its patients any way.
- 1.7 The Applicant needs the dispensing contract to be transferred over to Swanscombe and Bean Partnership from Bennett Way Surgery.
- 1.8 This will enable the Applicant to continue to provide dispensing to the patients (quite a few elderly) who have no pharmacy at least within 2 miles.
- 1.9 The Applicant is experienced in providing these services at its Bean Village Surgery. The Applicant aims to keep the same dispensing staff at Bennett Way Surgery to maintain the continuity of care.
- 1.10 Please let the Applicant know if committee needs any further information.
- 1.11 In response to "Please confirm if these premises are already included in the relevant dispensing doctor list in relation to a different area for which you have outline consent or historic rights" the Applicant ticked "yes".

- 1.12 In response to “I have included with this application copies of the requests from patients who live within the area described above to be dispensed to” the Applicant ticked “no”.

2 The Decision

NHS England considered and decided to refuse the application. The decision letter dated 3 July 2020 states:

- 2.1 NHS England has considered the above application and is writing to confirm that it has been refused. Please see the enclosed report for full reasoning.

Excerpt from report of the minutes of the PSRC meeting, Wednesday 27 May 2020

- 2.2 An application from Swanscombe and Bean Partnership [the Applicant] for Outline Consent and Premises Approval had been received on 18 December 2019. The Committee was now required to consider the application in accordance with Regulation 51 of the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, as amended.

CONSIDERATION

- 2.3 The Committee considered the following:

2.3.1 The NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, as amended.

2.3.2 Department of Health guidance on Distance Selling Premises.

2.3.3 The application form provided by the Applicant.

2.3.4 Representations made by Kent Local Medical Committee (KLMC) and Dartford, Gravesham and Swanley Clinical Commissioning Group (DGSCCG):

2.3.4.1 KLMC: *‘Kent LMC would like to express our support for this application. It is a transfer of existing dispensing rights in an area of need.’*

2.3.4.2 DGSCCG – first representation: *‘We refer to your letter Ref: CAS-2494840-W0Z3D3 and explanatory notes regarding the above application.’*

2.3.4.3 *We note that the premises in question was previously highlighted by Dartford, Gravesham & Swanley CCG and the Care Quality Commission, while under the previous owners, as lacking appropriate safeguards that meet approved standards of medication procurement, storage and dispensing to patients. We therefore seek assurance from the applicant that there will be robust processes in place to ensure that adequate dispensary standards that guarantee patient safety are in place.*

2.3.4.4 *The applicant has a list size spread across multiple sites in Dartford, Gravesham and Swanley. We wish to clarify how the applicant will restrict dispensing services only to those patients who meet criteria for dispensing as set out by NHS England.*

- 2.3.5 The Applicant’s response to the representations received during the consultation period:

2.3.5.1 *'I note the comment from Fouad about the findings following recent CQC inspection. As Mr Lawal knows we have been running dispensing practice since 2009 at Bean Village Surgery and had never had any issues. We have robust policies and protocols to ensure safe dispensing of medication to our patients. We will ensure all the safety checks are done prior to starting dispensing. As you know we are only allowed to dispense to the patients who qualify for the same in the area (staying more than 1.4km [sic] from the nearest pharmacist). The software will pick up those patients and only allow dispensing to them. We have also employed a pharmacist recently who will overlook dispensing procedures at this surgery.'*

2.3.5.2 DGSCCG response: *'Further to our previous submission regarding the above application, we have received clarification and assurance from the applicant around the issues that we highlighted. We therefore wish to express our support for the application.'*

2.3.6 The Committee decided it was not necessary to hold an oral hearing before determining the application.

2.3.7 A map was submitted of the locality showing the nearest community pharmacies and GP Surgeries, in relation to the proposed premises for the Dispensing Surgery. The Committee had queried the exact distance of Bennett Way Surgery from the nearest community pharmacy. They had asked for the exact distance to be determined by the South Central & West Commissioning Support Unit, who, subsequent to the meeting, determined that the exact distance was 1.587km (in a straight line) from S&S Chopra Pharmacy at Darent Valley Hospital (i.e. within the pharmacy exclusion zone).

DECISION

2.4 Having considered the application, representations received and all additional information, the Committee determined to refuse the application.

REASONS FOR DECISION

2.5 The reasons for this decision are as follows:

Regulation 51: Outline consent and premises approval: applications by doctors

2.6 **Regulation 51(1)** *A person or partnership with a patient list, or a person who performs services on behalf of a provider of primary medical services, who wishes to be granted the right to provide pharmaceutical services to patients on their own list or the provider's list (if the patients apply under regulation 48(1) on the basis of Condition 2 or 3) may apply in writing to the NHSCB for—*

(a) consent ("outline consent") to the provision of pharmaceutical services to patients who request those services and who reside in the area specified in the application;

(b) approval of any medical practice premises from which D wishes to dispense ("premises approval").

2.7 Regulation 51(1) was met.

2.8 **Regulation 51(2):** *Where D has outline consent that has taken effect and wishes to apply for premises approval in relation to—*

(a) additional medical practice premises from which to provide pharmaceutical services to patients who reside in the area for which D has an outline consent; or

(b) medical practice premises from which D wishes to relocate to provide pharmaceutical services to patients who reside in the area for which D has an outline consent, but the move to new medical practice premises is not a relocation of the type provided for in regulation 55(2),

the premises approval application need not have a related outline consent application, but in all other cases a premises approval application under paragraph (1)(b) must have a related outline consent application.

- 2.9 The Applicant applied to be granted premises approval for the Bennett Way surgery which they were taking over from the previous GP contract. Regulation 51(2)(a) was met.
- 2.10 **Regulation 51(3)** *An application for premises approval must include details of the address of the premises and whether those premises are already listed in relation to a different area.*
- 2.11 Bennett Way surgery was not listed in relation to a different area.
- 2.12 Regulation 51(3) was met.
- 2.13 **Regulation 51(4)** *Except insofar as these Regulations provide to the contrary, the NHSCB is to determine applications for outline consent and premises approval in such manner (including with regard to procedures) as it sees fit.*
- 2.14 Regulation 51(4) was met.
- 2.15 **Regulation 51(5)** *The NHSCB must refuse an application under paragraph (1) (but not regulation 54, 55 or 58) for premises approval if the premises in respect of which approval is sought are within 1.6 kilometres of pharmacy premises that are not distance selling premises.*
- 2.16 Bennett Way surgery is 1,587 metres distant from S & S Chopra Ltd, community pharmacy. This was confirmed by South Central and West Commissioning Support Unit using GIS mapping tools. Regulation 51(5) was met and therefore the application must be refused.
- 2.17 **Regulation 51(6)** *The NHSCB must refuse an application for outline consent to the extent that any part of the area specified in the application—*
- (a) is not, or is not part of, a controlled locality; or*
- (b) is within 1.6 kilometres of pharmacy premises that are not distance selling premises.*
- 2.18 Bennett Way surgery is 1,587 metres distant from S & S Chopra Ltd, community pharmacy. Regulation 51(6) was met and therefore the application must be refused.
- 2.19 **Regulation 51(7)** *Where the NHSCB is minded to refuse an application for outline consent pursuant to paragraph (6)(a), it may defer that decision in order to make a determination under regulation 36(2).*
- 2.20 Regulation 51(7) was not applicable.

2.21 **Regulation 51(8)** *Subject to paragraph (9), the NHSCB must refuse an application under paragraph (1) (but not regulation 54, 55 or 58) if granting it would, in its opinion, prejudice the proper provision of relevant NHS services in the area of—*

(a) the relevant HWB; or

(b) a neighbouring HWB of the relevant HWB.

2.22 The Committee had no evidence that granting this application would prejudice the proper provision of relevant NHS services in the area of the relevant HWB or a neighbouring HWB. Regulation 51(8) was not met.

2.23 **Regulation 51(9)** *If the NHSCB determines that an application for outline consent would, if it had been made for a smaller area within the area specified in the application, not prejudice the proper provision of relevant NHS services in the area of—*

(a) the relevant HWB; or

(b) a neighbouring HWB of the relevant HWB,

it may grant the application in respect of that smaller area.

2.24 Regulation 51(9) was not applicable.

2.25 **(Regulation 51(10))** *The NHSCB must refuse an application (A1) under paragraph (1)—*

(a) for outline consent to the extent that any part of the area specified in A1 is the same as the area or any part of the area specified in an application for outline consent which was refused within the 5 year period starting on the date on which the proceedings relating to the refusal reached their final outcome and ending on the date on which A1 is made; or

(b) for premises approval (but not under regulation 54, 55 or 58) if the premises specified in A1 were specified in an application for premises approval, or relate to an application for outline consent where any part of the area specified in that application is the same as the area or any part of the area specified in an earlier application for outline consent, which was refused—

(i) under this regulation,

(ii) under regulation 51 of the 2012 Regulations (outline consent and premises approval: applications by doctors), or

(iii) by virtue of regulation 18(2) of the 2005 Regulations (1) (refusal: outline consent and premises approval where patients are in a controlled locality),

within the 5-year period starting on the date on which the proceedings relating to the refusal reached their final outcome and ending on the date on which A1 is made,

unless the NHSCB is satisfied that there has been a substantial and relevant change of circumstances affecting the controlled locality to which the application relates since those proceedings reached their final outcome.

2.26 Regulation 51(10) was not applicable.

RIGHTS OF APPEAL

- 2.27 The application is refused so the Applicant has rights of appeal.
- 2.28 There are no third party appeal rights as the application is refused.

3 **The Appeal**

In a letter dated 28 July 2020 addressed to NHS Resolution, the Applicant appealed against NHS England's decision. The grounds of appeal are:

- 3.1 The Applicant is writing to appeal about the decision not to award the Swanscombe & Bean Partnership (SBP) a dispensing contract, for the Bennett Way Practice.
- 3.2 In December 2019 the Applicant was approached by the CCG to provide services for the patients at Bennett Way and Elmdene surgeries, following their suspension by the CQC and return of contract by the provider. The Bennett Way practice had held a dispensing contract up till this point. As the Applicant has experience with dispensing practices, they naturally wanted to continue to be able to offer this service for their patients at Bennett Way, a service which has been provided for those in need for many years.
- 3.3 The Applicant understands that the decision to refuse the contract is based on the distance from the next nearest pharmacy, placing Bennett Way 13 metres within the 1.6 kilometre pharmacy exclusion zone. However the Applicant believes that the requirement for their patients to attend the nearest pharmacy in Darent Valley Hospital will be problematic, especially for those that are elderly, have mobility issues, or rely on public transport. The Applicant will explain the problems for patients they foresee;
- 3.3.1 Bennett Way surgery is 13 metres within the pharmacy exclusion zone, but a journey by car or public transport to Darent Valley Hospital will be over 1.6 kilometres for the patient.
- 3.3.2 If a patient is able to travel by car to Darent Valley Hospital, and they are able to locate a parking space, they will need to pay high parking charges to visit the pharmacy, as well as the usual queues.
- 3.3.3 This will increase footfall on both public transport and within Darent Valley Hospital, something which were are trying to minimise under the current pandemic circumstances.
- 3.3.4 The pharmacy at Darent Valley Hospital does not offer a delivery service. This is a service the Applicant would be able to offer those patients who due to poor mobility, could not get to the practice or pharmacy.
- 3.4 The Applicant has spoken with both the CCG Medicines Management Team and the Local Medical Committee regarding the application, which both organisations support.
- 3.5 The Applicant hopes [NHS Resolution] will take the points raised into consideration when reviewing this appeal, and in turn allow them to offer a much needed dispensary service for their patients.

4 **Summary of Representations**

This is a summary of representations received on the appeal.

- 4.1 KENT LMC
- 4.1.1 Kent LMC would like to support the appeal made by the Applicant on the grounds that the decision will cause serious difficulty for patients accessing

pharmacy services and also that there was already a dispensing practice at the premises.

- 4.1.2 There will be serious difficulty for patients because the nearest pharmacy, which is only 13 metres within the 1.6 kilometre limit, is sited within a District General Hospital. It is extremely difficult to park and the parking charges are high, plus at this time of the COVID19 pandemic the NHS is trying to reduce footfall at hospitals.
- 4.1.3 The Applicant took over the Bennett Way surgery after the previous single-handed GP unexpectedly retired from their GMS contract. Unfortunately, circumstances meant that a merger could not take place prior to the GP retiring. This meant the new provider, the Applicant, had to reapply to continue providing a dispensing service to the largely elderly population that the site serves.
- 4.1.4 Kent LMC would ask that the panel reconsider the decision in this instance.

5 Unsolicited comments

5.1 SWANSCOMBE & BEAN PARTNERSHIP PPG

- 5.1.1 The PPG are writing to ask [NHS Resolution] to reconsider [NHS England's] decision to not renew /withdraw the dispensing licence at the branch surgery in Darenth at Bennett Way. This will cause hardship for the many users of the service who will be denied access to a local pharmacy service that they have been used to for many years. The alternatives are not as convenient nor are they easily accessible. All that has changed is the management arrangement for surgery as it's become part of another GP Partnership. Why should patients see a reduction in levels of service when the merger offers so many advantages for everyone - apart from those who depend upon the local dispensing service at Darenth?
- 5.1.2 The PPG appreciate [NHS Resolution] have criteria to work to, but in professional experience in other fields of work, criteria are there to enable informed judgement rather than defacto decisions. A 13 metre shortfall within a 1600 metre criterion means that the Bennett Way surgery is 99.7% compliant with the criterion. How can it be a reasonable decision to reject something will that level of compliance. Do change your mind not only for the reasons set out by our Senior Partners but also because its sensible and the right thing to do in enabling the service to continue.

6 Observations

No observations were received by NHS Resolution in response to the representations received on appeal.

7 Consideration

- 7.1 The Pharmacy Appeals Committee ("Committee") appointed by NHS Resolution, had before it the papers considered by NHS England, together with the responses to NHS Resolution's own statutory consultations. On the basis of this information, the Committee considered it was not necessary to hold an oral hearing.
- 7.2 The Committee noted the application had been made in accordance with Regulation 51(1) (Outline consent and premises approval: applications by doctors) of the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 ("the Regulations") as amended with effect from 1 April 2014.
- 7.3 Regulation 51 reads:

- "(1) *A person or partnership with a patient list, or a person who performs services on behalf of a provider of primary medical services, who wishes to be granted the right to provide pharmaceutical services to patients on their own list or the provider's list (if the patients apply under regulation 48(1) on the basis of Condition 2 or 3) may apply in writing to the NHSCB for—*
- (a) *consent ("outline consent") to the provision of pharmaceutical services to patients who request those services and who reside in the area specified in the application;*
 - (b) *approval of any medical practice premises from which D wishes to dispense ("premises approval").*
- (2) *Where D has outline consent that has taken effect and wishes to apply for premises approval in relation to—*
- (a) *additional medical practice premises from which to provide pharmaceutical services to patients who reside in the area for which D has an outline consent; or*
 - (b) *medical practice premises from which D wishes to relocate to provide pharmaceutical services to patients who reside in the area for which D has an outline consent, but the move to new medical practice premises is not a relocation of the type provided for in regulation 55(2),*
- the premises approval application need not have a related outline consent application, but in all other cases a premises approval application under paragraph (1)(b) must have a related outline consent application.*
- (3) *An application for premises approval must include details of the address of the premises and whether those premises are already listed in relation to a different area.*
- (4) *Except in so far as these Regulations provide to the contrary, the NHSCB is to determine applications for outline consent and premises approval in such manner (including with regard to procedures) as it sees fit.*
- (5) *The NHSCB must refuse an application under paragraph (1) (but not regulation 54, 55 or 58) for premises approval if the premises in respect of which approval is sought are within 1.6 kilometres of pharmacy premises that are not distance selling premises.*
- (6) *The NHSCB must refuse an application for outline consent to the extent that any part of the area specified in the application—*
- (a) *is not, or is not part of, a controlled locality; or*
 - (b) *is within 1.6 kilometres of pharmacy premises that are not distance selling premises.*
- (7) *Where the NHSCB is minded to refuse an application for outline consent pursuant to paragraph (6)(a), it may defer that decision in order to make a determination under regulation 36(2).*
- (8) *Subject to paragraph (9), the NHSCB must refuse an application under paragraph (1) (but not regulation 54, 55 or 58) if granting it would, in its opinion, prejudice the proper provision of relevant NHS services in the area of—*
- (a) *the relevant HWB; or*

- (b) *a neighbouring HWB of the relevant HWB.*
- (9) *If the NHSCB determines that an application for outline consent would, if it had been made for a smaller area within the area specified in the application, not prejudice the proper provision of relevant NHS services in the area of—*
- (a) *the relevant HWB; or*
 - (b) *a neighbouring HWB of the relevant HWB,*
- it may grant the application in respect of that smaller area.*
- (10) *The NHSCB must refuse an application (A1) under paragraph (1)—*
- (a) *for outline consent to the extent that any part of the area specified in A1 is the same as the area or any part of the area specified in an application for outline consent which was refused within the 5 year period starting on the date on which the proceedings relating to the refusal reached their final outcome and ending on the date on which A1 is made; or*
 - (b) *for premises approval (but not under regulation 54, 55 or 58) if the premises specified in A1 were specified in an application for premises approval, or relate to an application for outline consent where any part of the area specified in that application is the same as the area or any part of the area specified in an earlier application for outline consent, which was refused—*
 - (i) *under this regulation,*
 - (ii) *under regulation 51 of the 2012 Regulations (outline consent and premises approval: applications by doctors), or*
 - (iii) *by virtue of regulation 18(2) of the 2005 Regulations (refusal: outline consent and premises approval where patients are in a controlled locality),*

within the 5 year period starting on the date on which the proceedings relating to the refusal reached their final outcome and ending on the date on which A1 is made,

unless the NHSCB is satisfied that there has been a substantial and relevant change of circumstances affecting the controlled locality to which the application relates since those proceedings reached their final outcome."

Person/partnership with patient list/ person performing on behalf of a provider

7.4 The Committee noted the Applicant is a partnership with a patient list.

Outline Consent

7.5 The Committee was not informed that outline consent has already taken effect.

Exclusion of areas from Outline Consent

7.6 The Committee noted it had been provided with a map and key of the area by NHS England. NHS England, when providing NHS Resolution with the papers had stated in their cover email that it "*can confirm the application relates to a controlled locality.*" The Committee was of the view that Regulation 51(6)(a) did not apply.

- 7.7 In its decision, NHS England states that “*Bennett Way surgery is 1,587 metres distant from S & S Chopra Ltd, community pharmacy.*” The Committee noted that this has been confirmed by the Applicant, in its appeal, by Kent LMC in its representations and the Swanscombe and Bean Partnership Patient Participation Group in its unsolicited comments.
- 7.8 The Applicant states however that the “*journey by car or public transport to Darent Valley Hospital will be over 1.6 kilometres for the patient.*” The LMC state with regard to the pharmacy at Darent Valley “*It is extremely difficult to park and the parking charges are high, plus at this time of the COVID19 pandemic the NHS is trying to reduce footfall at hospitals.*”
- 7.9 The Committee noted that there is nothing in Regulation 51 or in the interpretation provisions of the Regulations to clarify whether 1.6 kilometres means anything other than 1.6 kilometres.
- 7.10 The Committee noted the Interpretation Act 1978 covers common principles of statutory interpretation and expressly refers to measurements of distance. Section 8 states that in the measurement of any distance for the purposes of an Act (including any statutory instrument like the Regulations), distance shall, unless a contrary intention appears, be measured in a straight line on a horizontal plane.
- 7.11 The Committee noted that there is no “contrary intention” in the Regulations – there is no reference to it being 1.6 kilometres by the most accessible route, or being 1.6 kilometres by road. The Committee therefore considers that the reference to 1.6 kilometres in Regulation 51 should be interpreted as in a straight line.
- 7.12 The Committee was aware of other references to 1.6 kilometres in the Regulations (those being in Regulation 41 and 42 in relation to reserved location), however in these cases it expressly refers to “within a 1.6 kilometre radius”. As there is no “contrary intention” that the distances in Regulation 51 are to be assessed on any basis other than in a straight line, the Committee considers that the Interpretation Act position above applies.
- 7.13 The Committee also noted that the Regulations do not refer to any ‘exceptional circumstances’ that should be taken into account, when determining applications of this type.
- 7.14 The Committee was satisfied that it was therefore necessary to refuse this application under Regulation 51(6)(b).

Previous applications for Outline Consent

- 7.15 The Committee had no information to indicate that the area for which this application was made does not correspond to any part of an area where Outline Consent was refused within the last 5 years. As such it was not obliged to refuse the application by reason of Regulation 51(10).

Premises Approval

- 7.16 The premises relevant to the application are those at Bennett Way Surgery, Bennett Way, Dartford, Kent, DA2 7JT. They are not currently listed in relation to another area of Outline Consent as per Regulation 51(3).

Proximity to 'non-distance selling' pharmacy premises

- 7.17 The Committee, whilst being conscious of, its earlier consideration above, noting that in its decision, NHS England states that “*Bennett Way surgery is 1,587 metres distant from S & S Chopra Ltd, community pharmacy.*” The Committee noted that this has been confirmed by the Applicant, in its appeal, by Kent LMC in its representations and

the Swanscombe and Bean Partnership Patient Participation Group in its unsolicited comments.

- 7.18 The Committee was mindful of its consideration with regard to Regulation 51(6)(b) above and concluded that it was required to refuse this application pursuant to Regulation 51(5).

Previous applications for Premises Approval

- 7.19 The Committee was not informed that the premises specified in the application for premises approval have been refused approval within the last 5 years. As such it was not obliged to refuse this application pursuant to Regulation 51(10)(b).

Prejudice

- 7.20 The Committee is of the view that if the application does not meet the requirements of Regulation 51(6)(b), then the Committee is required to refuse it and prejudice cannot arise. The potential for prejudice only arises if the Committee has concluded that the application meets the requirements of Regulation 51 and may be granted. As indicated above, the Committee has determined that the application does not meet the requirements of Regulation 51(5) and 51(6)(b) and therefore the Committee determined that consideration of prejudice to the proper provision of NHS pharmaceutical services, local pharmaceutical services or primary medical services was not required.

8 Powers of the Committee

- 8.1 The Committee may:
- 8.1.1 confirm the decision of NHS England;
 - 8.1.2 quash the decision of NHS England and redetermine the application; or
 - 8.1.3 quash the decision of NHS England and remit the matter to it for it to redetermine the application, subject to such directions as it considers appropriate.

9 Decision

- 9.1 For the reasons given above, the Committee confirms the decision of NHS England and refuses the application for outline consent and premises approval.

**Case Manager
Primary Care Appeals**

A copy of this decision is being sent to:

Dr J Patel & Partners on behalf of Swanscombe and Bean Partnership (the Applicant)
Kent LMC
PCSE on behalf of NHS England - South East (Kent et al)