

**APPLICATION: \_CAS-187148-M5G9X4- for inclusion in a pharmaceutical list:  
Distance Selling Premises (Excepted Application)  
by Pharmacy@Home Ltd at 32 Oakwood Gardens, Gateshead, Tyne and Wear, NE11 0DE**

Decision
<p>On 31<sup>st</sup> January 2024, the Pharmaceutical Services Regulations Committee (PSRC) <b>approved</b> this <b>Distance Selling Premises Application</b> on the following basis:</p> <p><b>Regulation 25(2)(a)</b> does not apply as no primary care provider with a patient list is present within the same premises as the proposed site.</p> <p><b>Regulation 25(2)(b)</b> does not apply as the applicant has demonstrated how services will be provided remotely, without interruption throughout the given opening hours and without face-to-face contact with patients.</p> <p><b>Regulation 31</b> does not apply as there is no pharmacy at the same or adjacent premises to the proposed site, nor is there any suggestion that any of the nearby pharmacies are in any way connected with this application.</p> <p><b>Regulation 64(3)</b> does apply and is satisfied as:</p> <ul style="list-style-type: none"> <li>• the applicant is not offering to provide pharmaceutical services to patients who are present at, or in the vicinity of, the listed chemist premises;</li> <li>• services will not be provided to patients at the listed chemist premises;</li> <li>• the listed premises are not on the same site or in the same building as the premises of a provider of primary medical services with a patient list;</li> <li>• the pharmacy procedures for the premises will secure the uninterrupted provision of essential services to patients anywhere in England;</li> <li>• safe and effective essential services will be provided without face-to-face contact with patients;</li> <li>• there is nothing to suggest that any publicity material indicates essential services are going to be restricted to patients in particular areas of England or that the applicant is likely to refuse to provide drugs or appliances presented by specific categories of patients.</li> </ul> <p><b>Regulation 64(4)</b> is satisfied as the NHS ICB will not vary or remove the conditions set out in paragraph 64(3).</p> <p><b>Regulation 66</b> is not applicable as the NHS ICB will not be directing services.</p> <p>The HWB's <b>Pharmaceutical Needs Assessment</b> is not relevant to this application as DSP applications are excepted.</p> <p><b>Consultation</b> – Two objections to the application have been raised by Boots UK Ltd and Temple Bright on behalf of Lobley Hill Pharmacy.</p>

**Appeal Rights:**

Lobley Hill Pharmacy	72 MALVERN GARDENS	LOBLEY HILL	GATESHEAD	TYNE & WEAR	NE11 9LJ
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Boots	UNIT 9	TEAM VALLEY TRADING EST	GATESHEAD	TYNE & WEAR	NE11 0BD
Boots	RAVENSWORTH ROAD	DUNSTON	GATESHEAD	TYNE & WEAR	NE11 9FJ