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### CRS acts for Avicenna in pharmacy purchases

Our client Avicenna Group has had a busy quarter on the acquisition front with our Pharmacy Transactions team having helped them to complete two large scale group acquisitions. Avicenna completed its purchase of the Dudley Taylor Pharmacy Group in March 2021 (57 branches located across Yorkshire, the Midlands, the south of England and Wales).

Hot on the heels of that, in April the Group completed its purchase of Sheppards Pharmacy (operating 34 branches mainly located in South Wales).

These latest additions take Avicenna to a total of 135 branches.

We are delighted to have been able to support the Group on its acquisition programme and look forward to continuing to work closely with them moving forwards.

Jonathan Power (Group CEO) comments: *“We enjoy working with Tim Jenkins and the broader team at CRS and we value the support that they have given, working alongside our leadership team to help deliver both of these acquisitions in tandem over a busy period for the Group. We value their legal expertise, sector knowledge and proactive commercial approach all of which have helped contribute to the growth of our business over the last 4 years”*

### CRS supports SafeLives

Alongside funding from the Charles Russell Speechlys Foundation, we, as a Firm, look to offer our support by providing pro bono legal assistance and the use of our professional skills to help our charity partners tackle major social issues.

Our partnership with SafeLives, a nationwide charity dedicated to ending domestic abuse, began last year with inspiring conversations on how best to support them and build a meaningful relationship. By taking a multi-faceted approach to the partnership, we can see that the charity has already made huge strides in their influencing work in relation to the Family Court, the Domestic Abuse Bill and the Government's new Violence Against Women and Girls strategy, and our Family Team continue to work closely with them advising on complex domestic abuse cases.

Early in the Covid-19 pandemic, the incredible SafeLives pioneer survivors of domestic abuse put forward the idea of a 'codeword' that could be used in the shops that were still open during the lockdown, including pharmacies. With support from the Domestic Abuse Commissioner, Nicole Jacob, and the Victim's Commissioner, Dame Vera Baird, SafeLives proposed the scheme to the Home Office and worked with them to create Ask for ANI.

Ask for ANI (Action Needed Immediately) allows victims of domestic abuse to discreetly tell pharmacy staff that they need help and support. The pharmacy environment was chosen especially, as most pharmacies will have consultation rooms available and the staff will have already undergone safeguarding training. When a survivor uses the codeword 'ANI' or makes a related request for support, they are seeking immediate and urgent help. If possible, they should have



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## Articles

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- [Is this how we make hub-and-spoke work for all independent pharmacies?](#) (Chemist and Druggist)
  - [LAW: Balancing act of medicine supply](#) (Pharmacy Business)
  - [LAW: Managing employee performance](#) (Pharmacy Business)
  - [NHS angle can affect how pharmacies change hands](#) (P3 Pharmacy)
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access to a quiet and private space, and the opportunity to call the police, a national helpline or a local specialist domestic abuse service as they wish.

As the Covid-19 restrictions ease, the scheme is as important as ever: many survivors are allowed to seek medical assistance from a pharmacy, whereas they may be prevented from accessing other spaces alone. Further information, including a Toolkit and a training video for staff, is available on Gov.uk: <https://www.gov.uk/government/publications/ask-for-ani-and-safe-spaces-schemes-training-toolkit>

### Pharmacy real estate podcast

Pharmacy property is a specialist area that contains many traps for the unwary.

Not having the right knowledge or understanding of the complexities of Pharmacy Law could cause problems in negotiating a Pharmacy property transaction or in safeguarding your business interests.

A member of our team of pharmacy property experts, Claire Timmings, has recorded a podcast (together with Rachel Warren who is a pharmacy regulatory expert). Claire and Rachel discuss the key issues that landlords, tenants and their advisers need to know when navigating such transactions, focussing on the significant legal and practical issues involved.

You can listen to the podcast here:

<https://www.charlesrussellspeechlys.com/en/news-and-insights/podcasts/2021/property-patter--navigating-the-complexities-of-pharmacy-property/>

### Covid-19 and the GPhC

Regular readers of our Pharmacy Brief will know that we have covered the importance of pharmacy premises being Covid-19 secure several times over the last six issues.

We are now starting to see investigations by the GPhC into pharmacy owners, superintendent pharmacists and RPs where it is alleged that a pharmacy is either not working to appropriate Covid-19 standards, or staff are being instructed to come to work despite positive Covid tests or self-isolation instructions.

We have not yet seen any cases progress further than an initial investigation (with the pharmacy owner/pharmacist able to re-assure the GPhC that appropriate steps had been taken and that the allegations were without foundation). However, these investigations serve as a reminder to pharmacists and pharmacy owners to make sure that premises, staff and patients continue to be safe even as we exit the current lockdown restrictions.

### NHS England and Health and Wellbeing Boards

Does NHS England understand the role of Health and Wellbeing Boards in respect of market entry rules in England?

Since NHS England is responsible for processing and determining market entry applications then you would hope so, but a recent letter received from NHS England in respect of a consolidation application makes me doubt this.



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As readers may be aware, an application to consolidate two pharmacies onto one site (closing the other pharmacy) may only be granted if NHS England is satisfied that doing so would not create a gap in service provision that could be met by another new contract application.

Our client made an application for consolidation to NHS England which was refused (on grounds that weren't part of the regulatory test, but that's a whole other matter). On behalf of our client we submitted an appeal, and NHS England responded to our client's appeal.

As part of its response, NHS England stated that the HWB *"has no role or responsibility for assessing whether a gap in pharmaceutical services can be met by a routine application to meet a current or future need for pharmaceutical services"*. This is despite the fact that HWBs have a direct and explicit statutory role to assess gaps in service provision which may be met by a routine application through the publication of a PNA.

I have often wondered what the purpose of PNAs is; the fact that NHS England itself doesn't seem to think that there is any role for HWBs in assessing the need for pharmaceutical services in its area suggests that NHS England shares my musings too!

#### **It's a deal**

Our Pharmacy Transactions team has seen very high levels of market activity over the last few months with recent completions including:

- Sale by AMG Healthcare Ltd of London based pharmacy to Wellcare Group (brokered by Christie & Co)
- Purchase by Noorul Healthcare Ltd of Hertfordshire based pharmacy from Johns & Kelynak Ltd
- Purchase of Dudley Taylor Pharmacy Group (operating 57 branches across England & Wales) for Avicenna Group
- Sale of Pharma-Z Ltd (pharmacy independent operating 6 branches across East Anglia) to Bestway National Chemists Ltd (brokered by PSC sales)
- Purchase for X-Pharm Ltd of a group of 7 pharmacies from West Midlands Co-Operative Chemists Ltd (brokered by Hutchings Consultants)
- Purchase of Bedfordshire based Gamlingay Pharmacy Ltd for Rightpharm Ltd (brokered by Hutchings Consultants)
- Purchase of Sheppards Pharmacy Group (operating 34 branches across Wales) for Avicenna Group

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