
STATUTORY INSTRUMENTS

2013 No. 349

**The National Health Service (Pharmaceutical and
Local Pharmaceutical Services) Regulations 2013**

PART 8

Dispensing doctors

Premises approval: relocations of practice premises which are not significant after outline consent has taken effect

55.—(1) A dispensing doctor (D) who—

- (a) is providing pharmaceutical services from listed dispensing premises; and
- (b) wishes to relocate and dispense from new medical practice premises in relation to the area for which D has outline consent,

may apply in writing to [F1NHS England] for premises approval for the new medical practice premises from which D wishes to dispense.

(2) Subject to paragraph (3), [F1NHS England] must grant that application if it is of the type described in this paragraph, that is to say if [F1NHS England] is satisfied that—

- (a) for the patient groups that are accustomed to accessing pharmaceutical services at the existing premises, the location of the new premises is not significantly less accessible;
- (b) granting the application would not result in a significant change to the arrangements that are in place for the provision of pharmaceutical services (including by a person on a dispensing doctor list) or of local pharmaceutical services—
 - (i) in any part of the area of the relevant HWB, or
 - (ii) in a controlled locality in the area of a neighbouring HWB, where that controlled locality is within 1.6 kilometres of the premises to which the applicant is seeking to relocate; and
- (c) [F1NHS England] is satisfied that granting the application would not cause significant detriment to proper planning in respect of the provision of pharmaceutical services in the area of the relevant HWB.

(3) [F1NHS England] must, unless it has good cause not to do so, refuse an application under paragraph (1) if an application under—

- (a) that paragraph;
- (b) regulation 55(1) of the 2012 Regulations (premises approval: relocations of practice premises which are not significant after outline consent has taken effect); or
- (c) regulation 65(4)(a) of the 2005 Regulations^{M1} (premises approval: additional and new premises after outline consent has taken effect),

has been granted to D during the 12 months before the application was submitted under paragraph (1).

- (4) [F1NHS England] must notify its decision in relation to the application under paragraph (1) to the persons to whom it notified the application who made representations in relation to it under regulation 52(4), and it must include with the notification of its decision an explanation of—
- (a) the reasons for the decision; and
 - (b) if the person notified is a person with rights of appeal under regulation 63(1)(c) or (d), an explanation of how those rights may be exercised.

Textual Amendments

F1 Words in Regulations substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**

Marginal Citations

M1 Prior to its revocation, regulation 65 was amended by [S.I. 2006/3373](#).

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, Section 55.