
STATUTORY INSTRUMENTS

2013 No. 349

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

PART 13

Local Pharmaceutical Services

Designation of areas, premises or descriptions of premises

99.—(1) [^{F1}NHS England] may designate relevant areas, premises or descriptions of premises for the purposes of paragraph 2 of Schedule 12 to the 2006 Act ^{M1} (LPS schemes – designation of priority neighbourhoods or premises).

(2) Any designation made is to be of an area in which, or premises or descriptions of premises at which, local pharmaceutical services are to be provided under a proposed or approved LPS scheme (referred to in this regulation as the “relevant scheme”), but a designation is not necessary in respect of every such scheme.

(3) Any designation made must—

- (a) be made in writing and be dated;
- (b) include a map showing the location of the area, premises or description of premises designated; and
- (c) include an outline of the services to be provided under the relevant scheme.

(4) [^{F1}NHS England] must give notice of the designation to—

- (a) the HWB (HWB1) for the area to which the designation relates, or (as the case may be) for the area in which the premises or descriptions of premises are situated;
- (b) any Local Pharmaceutical Committee whose area includes the premises, descriptions of premises, or all or part of the area to which the designation relates;
- (c) any Local Medical Committee whose area includes the premises, descriptions of premises, or all or part of the area to which the designation relates;
- (d) any NHS chemist whose listed chemist premises—
 - (i) are in the area of HWB1, or
 - (ii) are in the area of a neighbouring HWB and whose interests are likely, in the opinion of [^{F1}NHS England], to be affected by the designation;
- (e) any person who is entitled because of the grant of a routine or excepted application to be included in a pharmaceutical list—
 - (i) for the area of HWB1, or
 - (ii) for the area of a neighbouring HWB, if their interests are likely, in the opinion of [^{F1}NHS England], to be affected by the designation,

but who is not (yet) included;

- (f) any LPS chemist whose chemist premises—
 - (i) are in the area of HWB1, or
 - (ii) are in the area of a neighbouring HWB and whose interests are likely, in the opinion of [F1NHS England], to be affected by the designation;
 - (g) any dispensing doctor whose listed dispensing premises—
 - (i) are in the area of HWB1, or
 - (ii) are in the area of a neighbouring HWB and whose interests are likely, in the opinion of [F1NHS England], to be affected by the designation; and
 - (h) any Local Healthwatch organisation for the area of HWB1.
- (5) A designation under this regulation, and any designation by a Primary Care Trust under regulation 4 of the 2006 Regulations ^{M2} (designation of priority neighbourhoods or premises), may be varied by [F1NHS England] where—
- (a) if it relates to an area, the LP services to be provided under the relevant scheme are to be provided in or from part only of that area;
 - (b) if it relates to premises, the LP services to be provided under the relevant scheme are to be provided at or from part only of those premises;
 - (c) if it relates to a description of premises, the LP services to be provided under the relevant scheme are to be provided at or from parts only of the premises described.
- (6) Where a designation is varied under paragraph (5), that designation must—
- (a) satisfy the requirements of paragraph (3) (the date of the designation becoming the date on which it is varied); and
 - (b) be notified in accordance with paragraph (4).
- (7) [F1NHS England] must—
- (a) publish—
 - (i) all its (current) designations, including designations it has varied, under this regulation, and
 - (ii) all the (current) designations of Primary Care Trusts, including their varied designations, under regulation 4 of the 2006 Regulations; and
 - (b) ensure that each HWB has access to those designations which is sufficient to enable the HWB to carry out its functions under these Regulations.

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](#)
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Marginal Citations

- M1** Paragraph 2 has been amended by: the [Health Act 2009 \(c. 21\)](#), [section 29\(12\)](#); and the [Health and Social Care Act 2012 \(c. 7\)](#), [section 207\(12\)](#), and Schedule 4, paragraph 93(3).
- M2** Prior to its revocation, regulation 4 was amended by [S.I. 2009/599](#) and 2010/914.

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, Section 99.