



# Draft Legislation and Regulatory Subcommittee Minutes

**Date:** 19 November 2025

**Start time:** 2:15 pm

**Location:** Hosier Lane, London

**Members present:** Stephen Thomas (Vice Chair), Sukhi Basra, Peter Catee, Marc Donovan, and Gary Warner.

**In attendance:** David Broome, Phil Day, Sami Hanna (for item 2 only), Jenny Harries (Chair of CPE), Jas Heer, Mike Hewitson, Tricia Kennerley, Ifti Khan (for item 2 only), Fin McCaul, Niamh McMillan (for item 2 only), Has Modi, Beran Patel (for item 2 only), Mayank Patel, Prakash Patel, Adrian Price, Anil Sharma, Ian Strachan, Faisal Tudy, James Davies (Director of Research and Insights), Gordon Hockey (Director, Legal), Janet Morrison (Chief Executive), David Onuoha (Service Development Manager), Rosie Taylor (Head of Service Development), Caline Umutesi (Service Development Officer), Katrina Worthington (Regulations Officer).

**Apologies:** Lindsey Fairbrother (Chair)

**Conflicts of interest:** ----

**Minutes of the last meeting:** The minutes of the September 2025 meeting were agreed.

**Matters arising:** There were no matters arising.

## Actions

### Item 1: ---- (Confidential)

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**ACTION: ----**

**Item 2: ---- (Confidential)**

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**ACTION: ----**

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**Item 3: ---- (Confidential)**

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**ACTION: ----**

**Item 4: ---- (Confidential)**

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**ACTION: ----**

## Reports

**Item 6: ---- (Confidential)**

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**Item 7: ---- (Confidential)**

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**ACTION: ----**

**Item 8: ----(Confidential)**

8.1 ----

**Item 9: ---- (Confidential)**

9.1 ----

## AOB

### The Minister's letter to MPs relating to Jhoots

10.1 The Minister's letter to MPs relating to Jhoots – this was attached. In this, the Minister states:

*My officials are carrying out a rapid analysis of the regulations governing pharmacies. I will consider any changes required as identified in this work as soon as possible, recognising some of the changes may be to primary legislation and would require time to be properly scrutinised by Parliament.*

The Director, Legal indicated that in preliminary discussions with DHSC, the following had been raised/discussed.

- He had acknowledged the seriousness of the issues with Jhoots.
- Said he was keen to retain the current PLPS regulations so far as possible, as they applied to the vast majority of contractors: they were tried and tested and crafted over many years, with significant enforcement options for the commissioner and protections afforded to contentious contractors who may make a mistake from time to time.
- DHSC had outlined regulatory changes it is considering, including dealing with the company rather than the pharmacy; considering all companies one or more owners have together, going behind the corporate veil to consider equitable ownership of a company; powers to address specific issues, such as stopping nominations to pharmacies closed for a long time; and more powers for counter fraud investigations.
- There had been discussion of the disqualification of a company – a provision found in the NHS Act 2006.
- The potential for greater powers to be given to the commissioner if the issues move from local or regional to national;
- After questions, he also confirmed there had been discussion on support for contractors nearby closed pharmacies, such as closed-door working and the recognition that they may not be able to manage all the prescriptions presented to them by patients. As well as a need for the commissioner to support, for example, with a pop-up LPS pharmacy or directed (and paid) opening hours to nearby pharmacies to open extra hours to try to cope with the extra prescriptions.

There was discussion of the issues and comments included:

- The current PLPS regulations have adequate enforcement provisions if used to their full.

- This was an unprecedented issue, and until it is clear that changes to the regulations are needed and would address the issues, they should not be made.
- The issue is primarily caused by underfunding, and proper funding of community pharmacy is the way to respond to the issues.
- Additional powers on a national basis are not appropriate or necessary and could easily be misused by a commissioner.
- Sometimes Ministers change their view on legislation changes when the risks associated with such changes are explained.

It was noted that this conversation is ongoing and these initial views should be provided to the DHSC and NHSE.

**ACTION: The views of the subcommittee are to be provided to the DHSC and NHSE.**

### MOD FP10 prescriptions

11.1 MOD will start to use FP10 prescription forms for all outsourced prescriptions issued by MOD medical facilities – funded by the MOD (not from the global sum) – a trial will take place from **24 November 2025**, full roll-out from the **start of 2026**. (In 2022, 89,000 prescriptions were dispensed by community pharmacies through private arrangements with the MOD, 499,000 through MOD dispensaries.)

There was a brief discussion of the MOD/DHSC scheme.