



Withdrawal of Case

Merger of Derby City Provider Services and Derby Hospitals NHS Foundation Trust

The Cooperation and Competition Panel (CCP) has decided to take no further action in relation to the proposed merger of Derby City Provider Services and Derby Hospitals NHS Foundation Trust, following NHS Derby City's request to withdraw its notification.

The CCP has been working with NHS Derby City and other principal parties since its acceptance of the case on 24 July 2010. In line with the published timetable, it was required that Phase 1 of the inquiry be completed by 21 September 2009. However, during the course of Phase 1 it became apparent that further information was required for the inquiry to proceed.

Specifically, the CCP raised concerns that the business plan lacked a clear and robust benefits case demonstrating the anticipated value to be derived by patients and/or taxpayers as a result of the transaction. Accordingly the inquiry was suspended on 17 September 2009 until such time that outstanding information requests had been satisfied.

On 9 December 2009, NHS Derby City was informed that they were to provide the outstanding information by 23 December 2009. This deadline was subsequently extended to 4 January 2010. On 7 January 2010, NHS Derby City informed the CCP that following a decision to significantly revise its plans for divestment of community services it wished to withdraw its merger notification.

The CCP has decided to take no further action at this time on the condition that neither the proposed merger, nor any alternative arrangement falling within the scope of the Principles and Rules of Cooperation and Competition, would proceed prior to the completion of a CCP inquiry.

Andrew Taylor
Director, Cooperation and Competition Panel

28 January 2010