



**Minutes for CCP Meeting 11-10, Monday 3 October 2011**

<b>ATTENDEES:</b>	Janet Husband	Kate Collyer
	John Swift	Chris Pike
	Peter Smith	Alistair Brown
	Guy Beringer	Anne-Marie Hellier
	Laura Carstensen	Ursula Everett
	Catherine Davies	Daria Prigioni
		Mylene Spence
		Peter Taylor
		Nick Warren
		Michiel Verkoulen
		Okeoghene Odudu
		Rory Taylor

**APOLOGIES:** John Wotton and Lord Carter of Coles.

Meeting commenced at 2 pm

**PART A – NON-CASE SPECIFIC AGENDA ITEMS**

**1. Opening and minutes of previous meeting**

Minutes of previous meeting were reviewed and agreed.

**2. Director's Report and update (CCP01)**

Catherine Davies (CD) report to update the Panel on recent developments.

CD noted that two new conduct cases had been accepted by the CCP since the previous panel meeting:

- i) *3Well conduct case*: a complaint from 3Well Medical about the commissioning decisions made by NHS Peterborough in deciding on options that it would consult on for the possible reconfiguration of primary and urgent care services in Peterborough, and the potential effect on patient choice and competition from a proposal practice at Alma Road; and

- ii) *Assura conduct case*: a complaint from Assura Riding LLP about the conduct of North Yorkshire and York PCT and York Hospitals FT in relation to the procurement of an orthopaedics, musculoskeletal clinical assessment, triage and treatment service at a loss making price.

CD noted that a new merger case had also been accepted since the last Panel meeting and involves York Hospitals FT, which is one of the parties that are also the subject of the conduct complaint by Assura Riding LLP. The proposed merger is between York Hospitals FT and Scarborough and North East Yorkshire Healthcare Trust.

CD noted that since the previous panel meeting several CCP reports were published including the reports for the merger of Nuffield Orthopaedic Centre Trust and Oxford Radcliffe Hospitals Trust, the NHS Wiltshire Conduct Complaint (Circle) and the NHS Western Cheshire conduct complaint.

CD introduced Mylene Spence (MS) to the Panel members, noting that MS is a new Legal Advisor seconded to the CCP for four months from Ofcom. CD also introduced Dr Okeoghene Odudu who is a lecturer in the Faculty of Law at Cambridge University. CD noted that Dr Odudu is carrying out research on ideas of "competitive neutrality", examining the ability to apply competition law to State owned and State funded service providers, focusing on the National Health Service in England. CD noted that Dr Odudu will be spending several days a week

CD noted that Monitor was due to make a decision in the next week regarding the Merger of Norfolk and Waveney Health FT and Suffolk Mental Health Partnership Trust.

CD mentioned that we had received comments from the Department of Health (DH) on issues that were raised by the CCP in the Any Willing P report. CD handed out to Panel members a document containing including proposed responses to the comments. There was a brief discussion about comments. CD noted that she would circulate the document to panel members to be settled out of the meeting.

## **PART B – CASE SPECIFIC AGENDA ITEMS**

[X]

The meeting concluded at 4pm.