

23 May 2014

Completed acquisition by CALA 1 Limited of Banner Homes Group Plc ('Banner') – release from initial undertakings accepted by the Office of Fair Trading ('OFT') on 31 March 2014 (the 'Initial Undertakings')

I refer to your request of 16 and 20 May 2014, sent to my colleague Peter Swan, to release CALA Group (Holdings) Limited and CALA 1 Limited (jointly, 'CALA') from the Initial Undertakings. As you know, on 1 April 2014 the OFT's merger control functions were transferred to the Competition and Markets Authority ('CMA') by virtue of the Enterprise and Regulatory Reform Act 2013.

In view of the detailed submissions you have made on the disproportionate harm to CALA that continued application of the Initial Undertakings will give rise to, and the current stage of the CMA's review of the completed acquisition of Banner, the CMA hereby releases CALA from the Initial Undertakings pursuant to section 71(4)(c) of the Enterprise Act 2002.¹

¹ Section 71 of the Enterprise Act 2002 remains in force as regards the Initial Undertakings pursuant to paragraph 5(1) of the Schedule to the Enterprise and Regulatory Reform Act 2013 (Commencement No. 6, Transitional Provisions and Savings) Order 2014 (SI 2014/416).