

9 December 2016

Wellington House
133-155 Waterloo Road
London SE1 8UG

T: 020 3747 0000
E: nhsi.enquiries@nhs.net
W: improvement.nhs.uk

By email [REDACTED]

Dear [REDACTED]

Request under the Freedom of Information Act 2000 (the “FOI Act”)

I refer to your email of 3 November 2016 in which you requested information under the FOI Act from Monitor. Since 1 April 2016, Monitor and the NHS Trust Development Authority are operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means Monitor.

Your request

You made the following request:

Under the FOIA I would be grateful if you can provide the following:

*1. On the 29th November 2013 Tameside Hospital Foundation Trust sold the protected asset known as Darnton Building (ordnance survey map reference SJ9599NW). Original title included within Land Registry **GM921300 - Tameside General Hospital OL6 9RW**.*

- Can you please provide a copy of the approval authorised by NHS Improvements that allowed Tameside Hospital to dispose of this protected asset.*

2. NHS Improvement (Monitor as was in 2013) requires all Trusts to provide annual plans which must include proposed changes in the treatment of assets that are protected and identify proposed disposals and acquisitions:

- Please provide a copy of Tameside Hospitals Annual Plan that included the proposal to dispose of the land/building known as Darnton Building.*

3. Please provide a copy of both the proposal and the approval that allowed/authorised Tameside Hospital, effective March 2015 to acquire/lease, the top floor of the new build Darnton House Nursing Home, located on ordnance survey map reference SJ9599NW - please see point 1 above) and now owned by London and Manchester Healthcare (Darnton Ltd). This floor is known as the hospitals, Transitional Care Unit (renamed July 2016 as the Stamford Unit).

Decision

NHS Improvement does not hold the information that you have requested.

NHS Foundation Trusts are only required to notify NHS Improvement of the disposal of certain assets that are required for the provision of services that have been designated as Commissioner Requested Services. We understand that the building to which your request refers was not a relevant asset at the time of its disposal and the trust would not have needed to seek NHS Improvement's approval or authorisation to make the disposal. NHS Improvement therefore does not hold information in respect of part 1 of your request.

It follows that, as no authorisation or approval of NHS Improvement was required, NHS Improvement also does not hold information in respect of part 2 of your request. However NHS Improvement does hold information contained in annual planning documents provided by the trust that relate to this disposal. NHS Improvement has decided to disclose this information and it is set out in the Annex to this letter.

In respect of part 3 of your request, NHS Improvement is not required to approve the lease of a building by an NHS Foundation Trust. Therefore NHS Improvement does not hold the information that you have requested.

Review rights

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to nhsi.foi@nhs.net.

Publication

Please note that this letter and the attached information will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,



Paul Chandler
Delivery and Improvement Director, (Cheshire and Merseyside)

Annex

Extract from “*Forward Plan Strategy Document 2012-13*”

Appendix 3f: Financial commentary: Capital Expenditure

Key capital expenditure priorities	Amounts	Timing	Contribution to the strategy (including service delivery)	Key actions and delivery/finance risk
Other estate strategy				
Site Rationalisation	£165k	2012/13	Continuation of the phased vacation of Darnton Building in preparation for disposal as part of the Estate Rationalisation strategy.	Planning process well underway.
Sale of Darnton Building and land	£650k income	2013/14	Marketing to commence in May 2012	Marketing strategy in place