

Consent under section 72(3C) of the Enterprise Act 2002 to certain actions for the purposes of the Initial Enforcement Order made by the Competition and Markets Authority ('CMA') on 1 March 2018

Completed acquisition by Flogas Consumer Limited of the LPG supply business of Countrywide Farmers plc

We refer to your letters dated 5 March and 9 March 2018 requesting that the CMA consent to derogations to the Initial Enforcement Order of 1 March 2018 (the 'Initial Order'). The terms defined in the Initial Order have the same meaning in this letter.

Under the Initial Order, save for written consent by the CMA, DCC, Topco and Flogas are required to hold separate the Countrywide business from the DCC, Topco and Flogas businesses and refrain from taking any action which might prejudice a reference under section 22 of the Act or impede the taking of any remedial action following such a reference.

After due consideration of your request for derogations from the Initial Order, based on the information received from you and in the particular circumstances of this case, DCC, Topco and Countrywide may carry out the following actions, in respect of the specific paragraphs, provided that in each case they do not share any confidential information more widely than is strictly necessary to carry out the relevant action:

2. Paragraphs 5(c), (i) and (j) of the Initial Order

In order to ensure the continuity and viability of the Countrywide business, the CMA consents to the Countrywide Senior Management Team requesting advice and assistance from [X] on an interim basis until 23 March 2018. The advice and assistance provided by [X] must be strictly limited to that which is necessary to ensure that Countrywide continues to operate independently and as a going concern in accordance with the requirements of the Initial Order, with a sole focus on customer service-related matters which therefore excludes any involvement in supplier-related issues. The CMA consents to this subject to the named individual signing an appropriate non-disclosure agreement and receiving appropriate training to ensure that she understands the requirements of the Initial Order.