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## REFERENCE RELATING TO THE ANTICIPATED ACQUISITION BY YORKSHIRE PURCHASING ORGANISATION OF FINDEL EDUCATION LIMITED

### Cancellation of merger reference<sup>1</sup>

1. On 2 November 2020, the Competition and Markets Authority (CMA) cancelled the merger reference concerning the anticipated acquisition by Yorkshire Purchasing Organisation (YPO)<sup>2</sup> of Findel Education Limited (Findel).
2. The merger reference was made by the CMA on 30 June 2020 in exercise of its duty under section 33(1) of the Enterprise Act 2002 (the Act). The terms of the reference required the CMA to decide (in accordance with section 36(1) of the Act):
  - (a) whether arrangements are in progress or in contemplation which, if carried into effect, will result in the creation of a relevant merger situation; and
  - (b) if so, whether the creation of that situation may be expected to result in a substantial lessening of competition within any market or markets in the United Kingdom for goods or services.
3. The CMA has received written assurance from YPO and the Council of the City of Wakefield<sup>3</sup> that the anticipated acquisition has been abandoned.
4. The Inquiry Group, having had regard to the written assurance, is satisfied that the proposal to make arrangements of the kind mentioned in the reference has been abandoned. Accordingly, in exercise of the CMA's duty under section 37(1) of the Act, the Inquiry Group has cancelled the reference.

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<sup>1</sup> Published pursuant to section 107(2)(a) and 107(4) of the Enterprise Act 2002.

<sup>2</sup> YPO is a 'joint committee' operating under the Local Authority (Goods & Services) Act 1970. YPO is governed and controlled by 13 founder members with the Council of the City of Wakefield acting as the lead authority of YPO. YPO's Founder Members are: (i) Barnsley Metropolitan Borough Council; (ii) The Borough Council of Bolton; (iii) City of Bradford Metropolitan District Council; (iv) Borough Council of Calderdale; (v) Doncaster Borough Council; (vi) The Council of The Borough Of Kirklees; (vii) Knowsley Metropolitan Borough Council; (viii) North Yorkshire County Council; (ix) Rotherham Borough Council; (x) St Helens Borough Council; (xi) the Council of the City of Wakefield; (xii) Wigan Borough Council; (xiii) Council of The City of York.

<sup>3</sup> On 15 December 2019, the Council of the City of Wakefield, acting in its capacity as the lead authority of YPO, entered into a share and loan purchase agreement with The Studio Retail Group PLC under which it agreed to acquire, on trust for the other founder members of YPO, the entire share capital of Findel.

(signed)  
Stuart McIntosh  
*CMA Inquiry Chair*  
2 November 2020