

GRANT OF APPLICATION

**FOR THE TRANSFER OF STAFF, PROPERTY, RIGHTS AND LIABILITIES
OF THE ISLE OF WIGHT NATIONAL HEALTH SERVICE TRUST
TO SOUTHERN HEALTH NHS FOUNDATION TRUST**

Signed



Julian Kelly
Chief Financial Officer and Chair of
Strategy, Planning and Investment Committee
NHS England
24 April 2024

1. Interpretation

1.1 The following definitions apply:

“2006 Act” means the National Health Service Act 2006;

“Effective Date” means 1 May 2024;

“Services” means the community, mental health and learning disability services provided by the Transferor immediately before the Effective Date which are to be performed by the Transferee from that date;

“Transfer Scheme” means the transfer scheme made by NHS England pursuant to section 69A(1) of the 2006 Act to transfer the Services and staff, property and rights and liabilities connected to the Services from the Transferor to the Transferee;

“Transferee” means Southern Health NHS Foundation Trust; and

“Transferor” means the Isle of Wight National Health Service Trust.

1.2 Words and expressions used in this document shall be construed as if they were in an Act of Parliament and the Interpretation Act 1978 applied to them.

2. Grant of Application

2.1 NHS England grants the application of the Transferor and Transferee for the Transfer Scheme in exercise of the power conferred on it by section 69A(3) of the 2006 Act¹ and all other relevant powers exercisable by NHS England.

2.2 Pursuant to this grant of application, NHS England makes the Transfer Scheme, to come into force on the Effective Date.

3. Stamp Duty

3.1 By virtue of section 67A of the Finance Act 2003 (as amended by section 216 of the Finance Act 2012 and paragraph 2 of Schedule 7 of the Health and Care Act 2022), both the Transferor and the Transferee are exempt from any charge of stamp duty land tax in respect of any transfer of property or liabilities effected by the Transfer Scheme.

¹ Section 69A was inserted by section 69 of the Health and Care Act 2022.