



Harvey Ingram LLP  
solicitors

PMA Conference  
Manchester  
19<sup>th</sup> May 2011

# The competition hots up for retailers



# Introduction and background



**Caroline Smith**  
**Partner and Head of Retail Property**  
**Harvey Ingram LLP Solicitors**

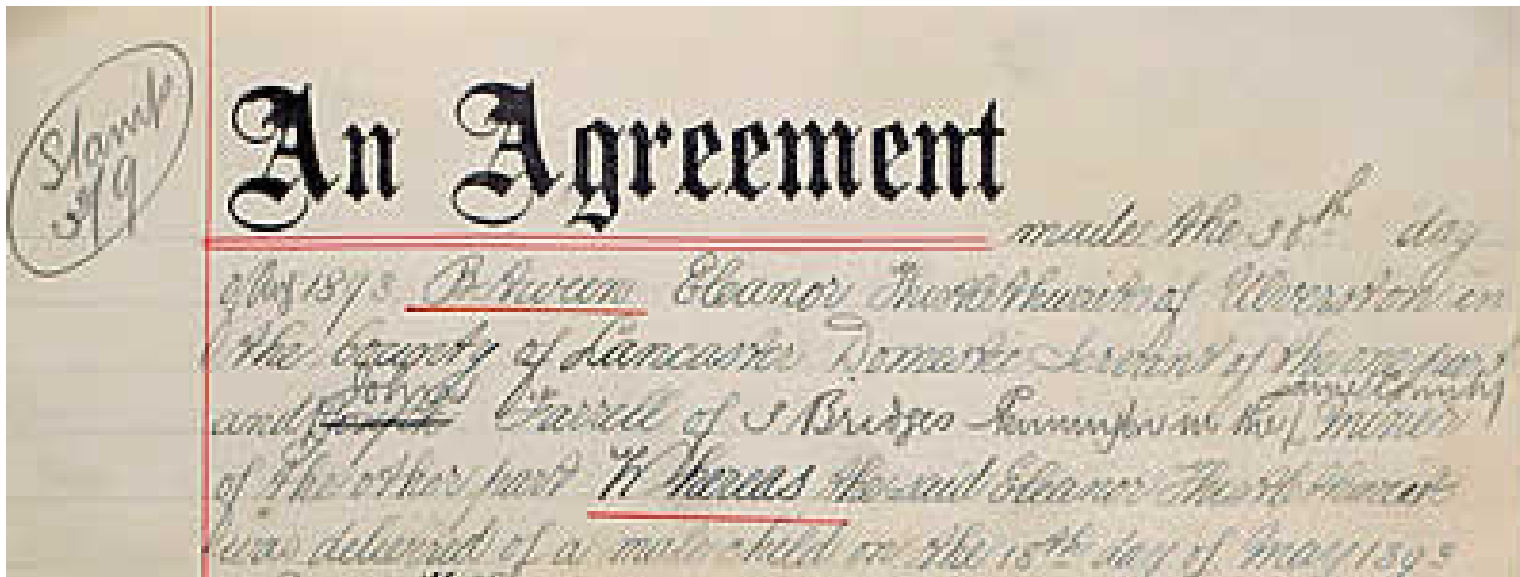


**Simon Bates**  
**Partner and Head of Competition**  
**Harvey Ingram LLP Solicitors**

*What are the broad principles surrounding UK Competition Law and what does it seek to achieve?*



*What do they mean by 'land agreement' and what types of agreement need we be concerned with?*



*What types of restrictive clauses may lead our retail clients to be in breach of competition law?*



*Are there any exemptions that we can advise our retail clients to rely on?*



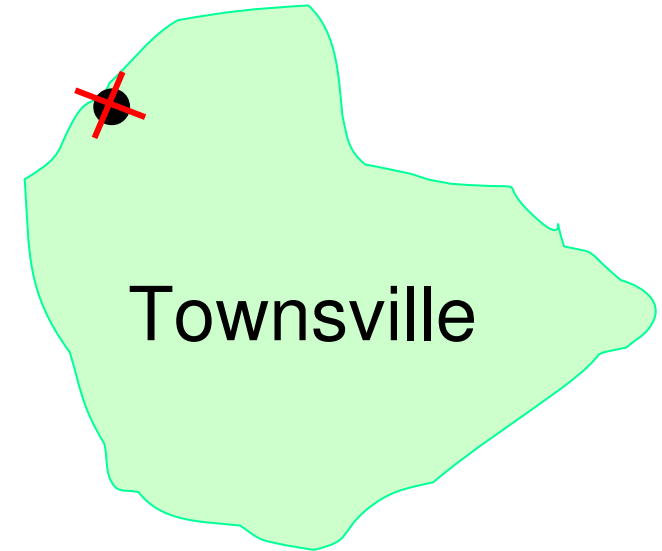
*What are the potential consequences for one of our retail clients if they are found to be in breach?*



*On each particular transaction where we could be facing an issue, how do we assess 'the relevant market' and 'market share'?*



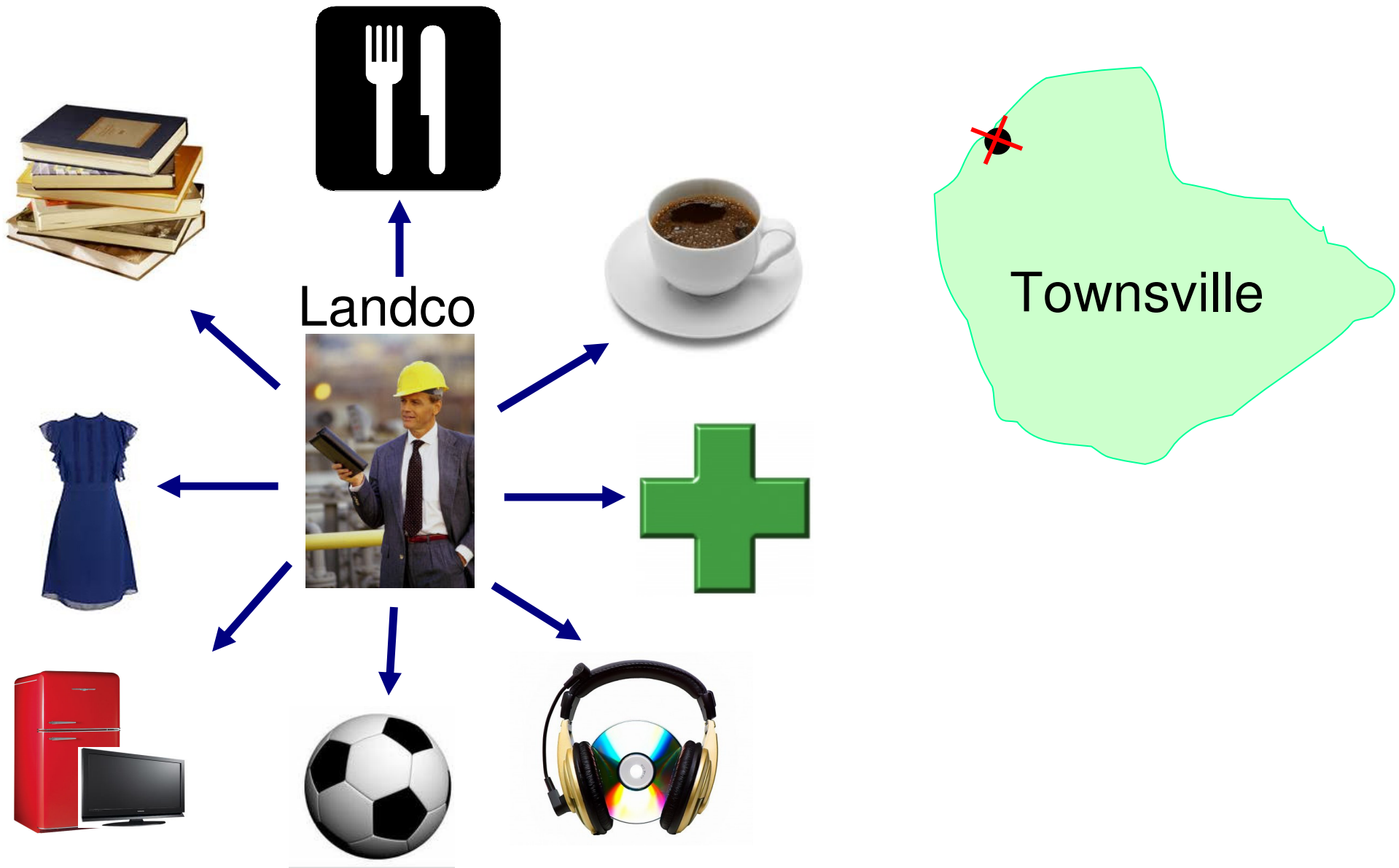
# Landco



25 year lease with  
exclusivity clause



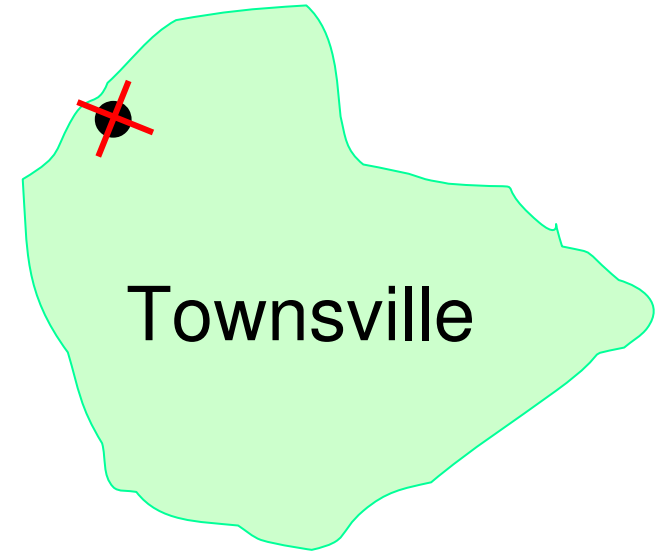
Buy & Buy

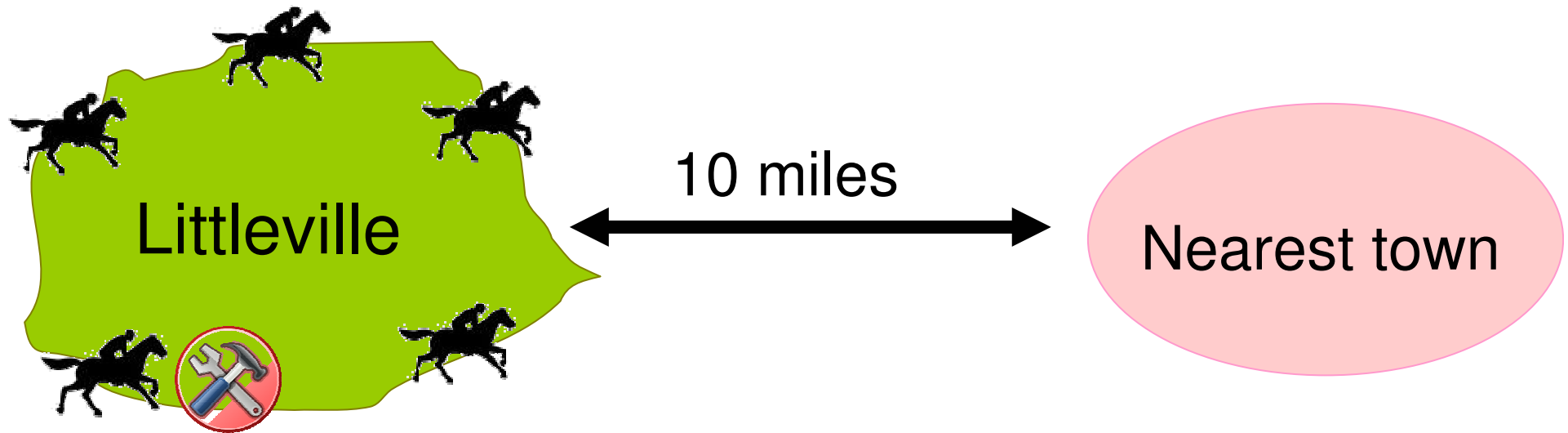


Landco



10 year lease with  
exclusivity clause





 = betting shops

 = hardware store

*Can I have some drafting tips to reduce the potential of our clauses being in breach?*



# *Can tenant retailers use the change in the law to their advantage?*





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Thank you

