



Harvey Ingram LLP
solicitors

PMA Conference
Manchester
19th May 2011

The competition hots up for retailers



Introduction and background



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

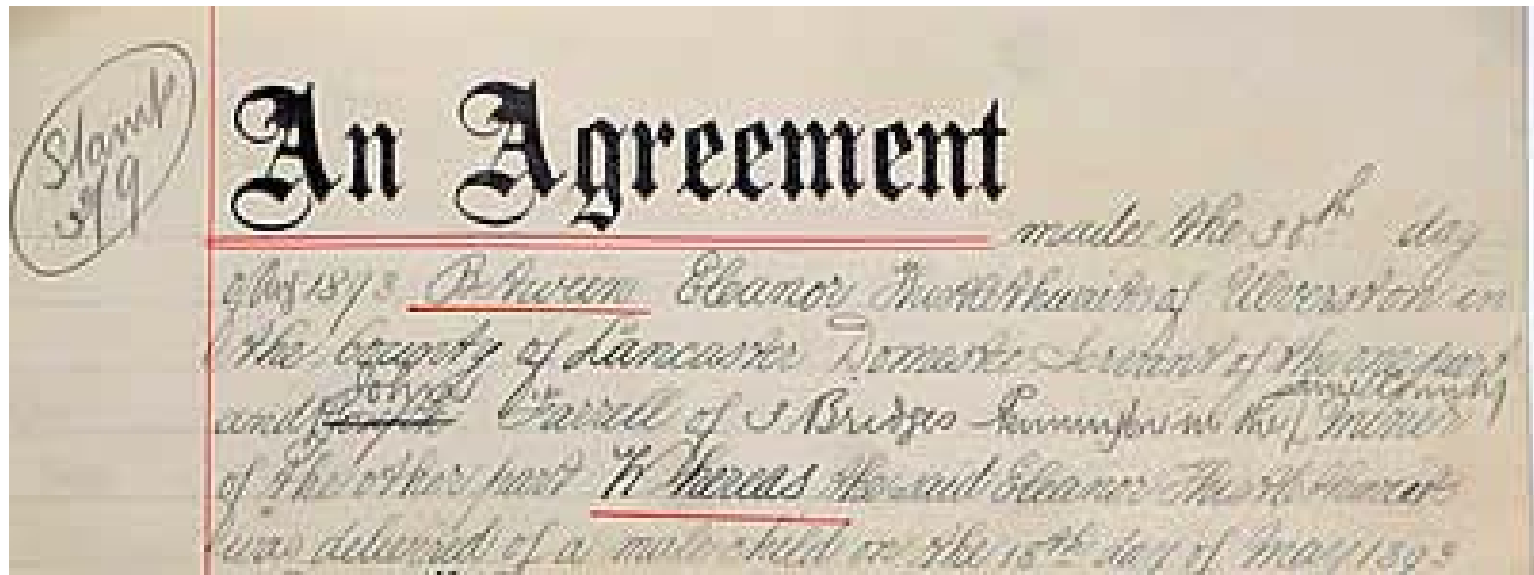


Simon Bates
Partner and Head of Competition
Harvey Ingram LLP Solicitors

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?



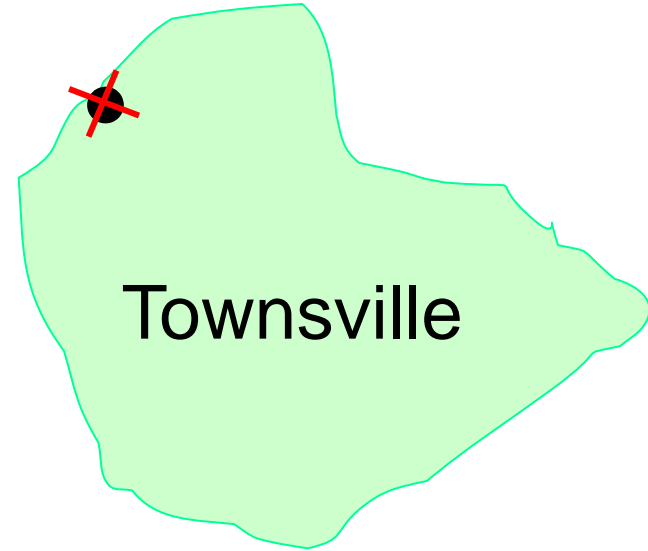
On each particular transaction where we could be facing an issue, how do we assess 'the relevant market' and 'market share'?



Landco



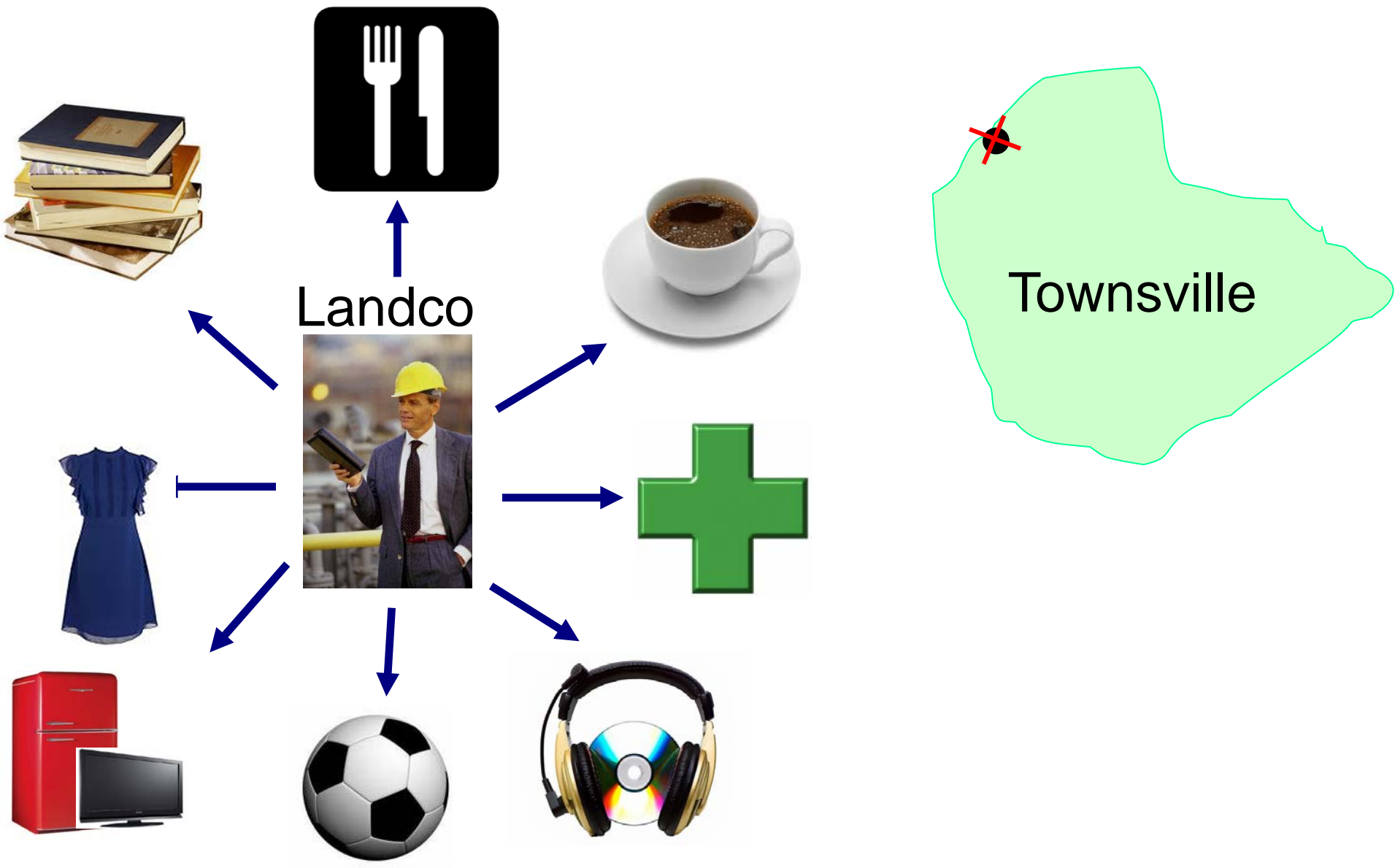
new centre



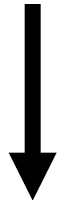
25 year lease with
exclusivity clause



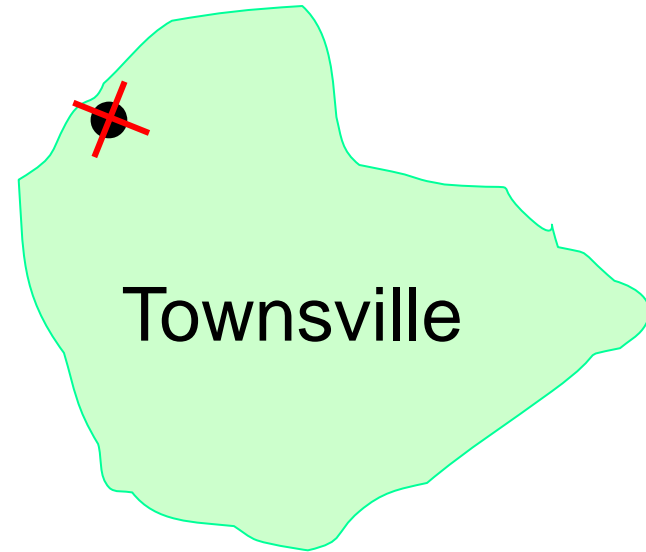
Buy & Buy

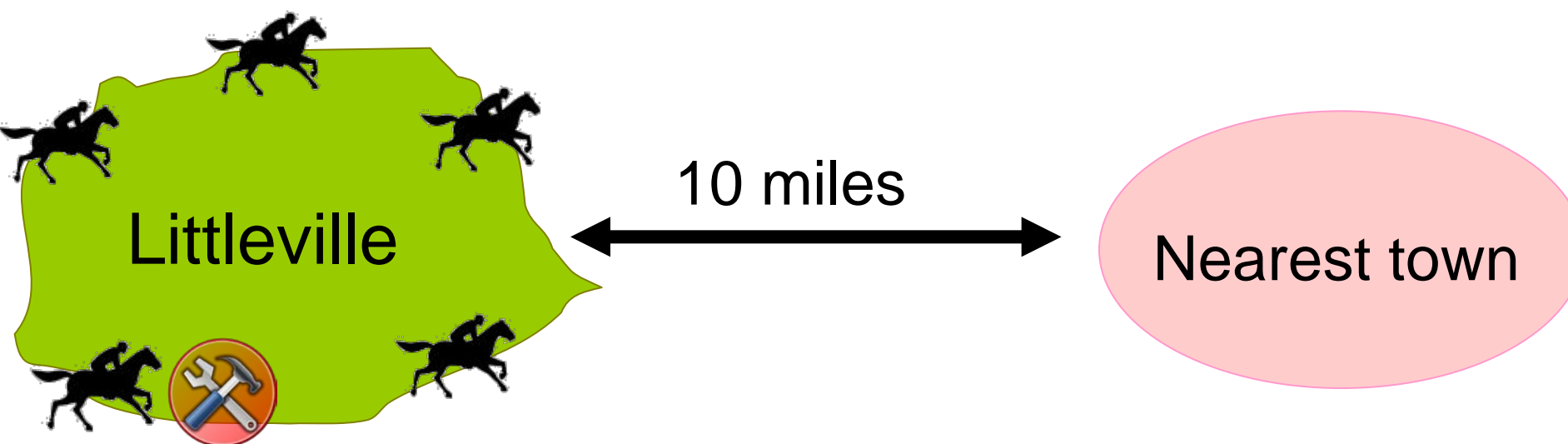


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10 year lease with
exclusivity clause





 = 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

