

**COMPLETED ACQUISITION BY BREEDON AGGREGATES LIMITED OF CERTAIN  
SCOTTISH ASSETS OF AGGREGATE INDUSTRIES UK LIMITED**

Terms of reference

1. In exercise of its duty under section 22(1) of the Enterprise Act 2002 ('the Act') to make a reference to the Competition Commission (the 'CC') in relation to a completed merger the Office of Fair Trading (the 'OFT') believes that it is or may be the case that –
  - (a) a relevant merger situation has been created in that:

enterprises carried on by or under the control of Aggregate Industries UK Limited have ceased to be distinct from enterprises carried on by or under the control of Breedon Aggregates Limited; and

as a result, the condition specified in section 23(3) of the Act is satisfied, with respect to the supply of primary aggregates, ready-mix concrete, and asphalt in local areas in Grampian, Tayside and Fife, and the Highlands, which together constitute a 'substantial part of the UK.'
  - (b) the creation of that situation has resulted or may be expected to result in a substantial lessening of competition within any market or markets in the UK for goods or services, including the supply of primary aggregates, ready-mix concrete, and asphalt in local areas in Grampian, Tayside and Fife, and the Highlands.
2. Therefore, in exercise of its duty under section 22(1) of the Act, the OFT hereby refers to the CC, for investigation and report within a period ending on 10 March 2014, the following questions in accordance with section 35(1) of the Act:
  - (a) whether a relevant merger situation has been created; and
  - (b) if so, whether the creation of that situation has resulted, or may be expected to result, in a substantial lessening of competition within any market or markets in the UK for goods or services.

**Sheldon Mills, Office of Fair Trading**  
**24 September 2013**

