

**REFERENCE RELATING TO THE COMPLETED ACQUISITION
BY BREEDON AGGREGATES LIMITED OF CERTAIN SCOTTISH ASSETS OF
AGGREGATE INDUSTRIES UK LIMITED**

**Notice of provisional findings made under Rule 10.3
of the Competition Commission Rules of Procedure**

1. On 24 September 2013, the Office of Fair Trading, in exercise of its duty under section 22(1) of the Enterprise Act 2002 (the Act) referred to the Competition Commission (CC) the completed acquisition by Breedon Aggregates Limited of certain Scottish assets of Aggregate Industries UK Limited for investigation and report within a period ending on 10 March 2014.

Provisional findings

2. The CC inquiry group (the Group) appointed to consider this reference has made the following provisional findings on the statutory questions it has to decide pursuant to section 35(1) of the Act:
 - (a) a relevant merger situation has been created; and
 - (b) the creation of that situation has resulted, or may be expected to result, in a substantial lessening of competition within the ready-mix concrete market in the Peterhead area and the asphalt market in the Aberdeen and Inverness areas.
3. The Group's reasons are set out in full in the provisional findings report, which is attached to this notice, and are summarized in the summary of the provisional findings report (see note below).

The next steps

4. Anyone wishing to comment on the provisional findings is now invited to provide the Group with their reasons in writing as to why these provisional findings should not become final (or, as the case may be, should be varied).
5. These reasons should be received by the Inquiry Manager on behalf of the Group no later than 5pm on 27 February 2014.
6. The Group will have regard to any such reasons in making its final decisions on the statutory questions and actions.
7. The Group is also publishing a Notice of the actions which it considers might be taken by the CC to remedy the SLCs and any adverse effects provisionally identified.

(signed) SIMON POLITO
Group Chairman
6 February 2014

Notes

- (i) A copy of this Notice and the summary of the provisional findings report will be placed on the [CC website](#) on 6 February 2014. The CC proposes to publish the provisional findings report on its website by 7 February 2014. The published version of the provisional findings report will not contain any information which the Group considers should be excluded from the report, having regard to the three considerations set out in section 244 of the Act.
- (ii) Comments should be sent by email to Breedon-AI@cc.gsi.gov.uk; or in writing to:

Inquiry Manager
Breedon/AI inquiry
Competition Commission
Victoria House
Southampton Row
LONDON
WC1B 4AD