

30 July 2009

T J OYLER  
Remedies Manager  
Competition Commission  
Floor 6, Zone 1, Point 3  
Victoria House  
Southampton Row  
LONDON WC1B 4AD

Dear Mr Oyler

**Competition Test Provisional Decision**

ACS (the Association of Convenience Stores) supports the introduction of a competition test as a remedy to the problem of highly concentrated local markets identified in the final report of the Groceries Inquiry in April 2008. We welcome the conclusion reached in the provisional decision to keep the remedy unchanged, and believe that the Commission has satisfied the requirements of the Competition Appeals Tribunal laid down in their order on 3<sup>rd</sup> April 2009.

ACS believes that the test will be complimentary to Planning Policy Statement 4, which is still to be finalised and put into place. Ideally the competition test as recommended would come into force at the same time as the revised retail planning policy in PPS4. It is frustrating that the delays occasioned by the legal appeal have made that unlikely.

ACS is keen to provide any further assistance if that is necessary. We hope very much that this revised work will lead to an expedited recommendation. Furthermore that the recommendation will lead to Ministerial action to make the competition test a reality.

Yours sincerely

Shane Brennan  
Public Affairs Director