

- (a) by virtue of which provisions of sections 6 to 8 of the Act that monopoly situation is to be taken to exist;
- (b) in favour of what person or persons that monopoly situation exists;
- (c) whether any steps (by way of uncompetitive practices or otherwise) are being taken by that person or those persons for the purpose of exploiting or maintaining the monopoly situation and, if so, by what uncompetitive practices or in what other way;
- (d) whether any action or omission on the part of that person or those persons is attributable to the existence of the monopoly situation and, if so, what action or omission and in what way it is so attributable; and
- (e) whether any facts found by the Commission in pursuance of their investigations under the preceding provisions operate, or may be expected to operate, against the public interest.

"the supply of residential estate agency services" means the undertaking and performance of engagements pursuant to instructions received from another person ("the client") who wishes to dispose of an interest in land used for residential purposes:

- (a) for the purpose of, or with a view to, effecting the introduction to the client of a third person who wishes to acquire such an interest; and
- (b) after such an introduction has been effected, for the purpose of securing the disposal of that interest, excluding the supply of conveyancing services.

The Commission shall report on this reference within a period of 9 months from the date hereof.

John Bridgeman
Director General of Fair Trading

13th March 1996

(94)

The Commission shall, in investigating and reporting upon the question of whether a monopoly situation exists by virtue of section 7(1)(c) of the Act, limit their consideration to:

- (a) the area of Scotland; and
- (b) agreements or practices whereby solicitors who are engaged in the supply of residential estate agency services conduct their affairs as mentioned in section 7(2) of the Act by:
 - (i) adhering to terms that an interest in land used for residential purposes may be advertised in a property centre only if restrictions on advertising it elsewhere are observed; or
 - (ii) participating in arrangements under which persons who are engaged in the supply of residential estate agency services but who are not solicitors are not permitted to advertise an interest in land used for residential purposes in a property centre.

For the purpose of this reference:

"conveyancing services" means services comprising the preparation of writs, contracts and other documents in connection with the transfer of an interest in land used for residential purposes, and services ancillary thereto;

"dispose of an interest in land used for residential purposes" means transfer or create an interest in land used for residential purposes; and any references to disposing of, or acquiring an interest in land used for residential purposes shall be construed accordingly;

"an interest in land used for residential purposes" means any estate, interest, servitude or other right in or over land in Scotland used for residential purposes:

- (a) which is capable of being owned or held as a separate interest; and
- (b) a title to which may be recorded in the Register of Sasines, or which may be registered in the Land Register of Scotland;

"a property centre" means an establishment used primarily for the purpose of providing advertising services to solicitors who are engaged in the supply of residential estate agency services, the premises of which are open to the public and have on display, or otherwise available, particulars of interests in land used for residential purposes which the solicitors using the establishment have been instructed to dispose of;

ABERDEENSHIRE COUNCIL

PLANNING AND ECONOMIC DEVELOPMENT SERVICES

NOTICES UNDER THE PLANNING ACTS

THE following applications have been submitted for the consideration of Aberdeenshire Council. Plans can be inspected during normal office hours at the locations specified. Any person wishing to make representations should do so in writing (quoting the reference number and stating clearly the grounds of their representation) to the Head of Planning Services at the relevant divisional office within the specified period.

NORTH DIVISION

Address representations to: Mr Keith Newton
Head of Planning Services (North)
Aberdeenshire Council
Town House
Low Street
Banff AB45 1AY

Address of Proposal	Proposal Reference	Name and Address of Applicant	Where plans can be inspected in addition to Divisional Office
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DEVELOPMENT AFFECTING THE CHARACTER OF A LISTED BUILDING OR CONSERVATION AREA

(Section 24, 25)

Representation Period - 21 days

House of Deer Old Deer	Alterations and extension to dwellinghouse N960014LB	Mr & Mrs Mitchell House of Deer Old Deer	Old Deer Post Office
4 Water Path Banff	Painting of front elevation and front door N960015LB	Mr William Fraser 4 Water Path Banff	Planning Services (North) Town House Low Street Banff

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