

Market Study Notice

Housebuilding

1. The Competition and Markets Authority (the CMA) publishes this market study notice in accordance with section 130A of the Enterprise Act 2002 (the Act).
2. The CMA is proposing to carry out its functions under section 5 of the Act in relation to the supply of new homes to consumers ('housebuilding') in England, Scotland, and Wales, to consider the extent to which a matter in relation to the supply of those services has or may have effects adverse to the interests of consumers, and to assess the extent to which steps can and should be taken to remedy, mitigate or prevent any such adverse effects.
3. In this notice, the term 'housebuilding' encompasses all aspects of the construction and sale of new houses, flats, and any other accommodation, including securing land for future development (whether greenfield or brownfield), obtaining planning permission, putting in place agreements with the appropriate authorities, and the imposition of post-purchase charges or restrictions on freeholders where this occurs. It excludes conversions or changes of use of existing buildings. It also excludes the repair, renovation, and remodelling of existing housing stock. In relation to the imposition of post-purchase charges or restrictions on freeholders, it excludes charges or restrictions in respect of private gated residential estates, but otherwise includes the process of providing ongoing services or approvals in respect of such post-purchase charges or restrictions.
4. Further details of this market study, including detailed issues on which the CMA would welcome responses, are provided in the Statement of Scope document annexed to this notice.
5. The CMA now invites any persons wishing to make representations on the matter, including on whether the CMA should make a market investigation reference under section 131 of the Act, to do so in writing no later than 20 March 2023.
6. If the CMA proposes to make a market investigation reference, or if a representation (as provided for in section 131A of the Act) has been made to the CMA that such a reference should be made but the CMA proposes not to make one, the CMA will publish a notice of that proposal and begin the

process of consultation under section 131A(2)(b) of the Act no later than 27 August 2023.

7. Save where paragraph 5 applies, if the CMA decides not to make a market investigation reference under section 131 of the Act, the CMA will publish notice of that decision under section 131B(3) of the Act no later than 27 August 2023.
8. The CMA will publish its market study report, setting out its findings in relation to the matter specified in this notice, and the action (if any) which the CMA proposes to take in relation to that matter, no later than 27 February 2024.

28 February 2023

Competition and Markets Authority

Notes

- (i) Representations should be emailed to housebuilding@cma.gov.uk.
- (ii) A copy of this notice is placed on the CMA webpages on 28 February 2023.