CMA
Competition & Markets Authority

Invitation to Comment on the potential designation of Aldi and Lidl under the Groceries Market Investigation (Controlled Land) Order 2010

12 March 2026

Introduction

1. The Groceries Market Investigation (Controlled Land) Order 2010 (the Order) was introduced to prevent large supermarkets from using certain land agreements to block competitors from opening nearby stores.[1]

2. When the Order was made, seven large supermarkets were formally designated as Large Grocery Retailers[2] and required to comply with its terms. They were designated as Large Grocery Retailers on the basis that they: (a) operate Larger Grocery Stores[3] throughout Great Britain or Northern Ireland or both or in a considerable part of the UK; (b) offer for retail sale a full range of Groceries[4]; and (c) maintain an integrated grocery wholesaling function that procures products directly from grocery suppliers.

3. Aldi and Lidl were not at that time designated as Large Grocery Retailers. They were instead considered to be Limited Assortment Discounters, reflecting their more limited product ranges and low-price business model.[5]

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[1] The Order prohibits Large Grocery Retailers (as designated under the Order) from entering into new Restrictive Covenants or Exclusivity Arrangements (greater than five years in length) in their land agreements and also requires Large Grocery Retailers to release existing Restrictive Covenants and Exclusivity Arrangements as specified by the Order.

[2] Asda Stores Limited, Co-operative Group Limited, J Sainsbury plc, Marks and Spencer plc, Tesco plc, Waitrose Limited, and Wm Morrison Supermarkets Limited.

[3] A Larger Grocery Store means a Grocery Store with a Net Sales Area of more than 1,000 square metres.

[4] The Order defines Groceries as meaning food (other than that sold for consumption in the store), pet food, drinks (other than those sold for consumption in the store), cleaning products, toiletries and household goods; but **excluding** petrol, clothing, DIY products, financial services, pharmaceuticals, newspapers, magazines, greetings cards, CDs, DVDs, video and audio tapes, toys, plants, flowers, perfumes, cosmetics, electrical appliances, kitchen hardware, gardening equipment, books, tobacco and tobacco products.

[5] *The supply of groceries in the UK market investigation*, 30 April 2008, paragraph 3.3.

4. The CMA can designate additional retailers as Large Grocery Retailers[6] if they meet the criteria in the Order. To date, no further retailers have been designated.

5. We are now considering whether Aldi and/or Lidl satisfy the criteria for designation in the Order. As part of this work, we have already gathered evidence from Aldi and Lidl, and intend to gather further evidence from them and Large Grocery Retailers. We are now also inviting views and evidence from all interested stakeholders to inform our assessment, via this Invitation to Comment.

Key issues we want to explore

6. We are particularly keen to understand how Aldi and Lidl operate today and therefore, we are seeking your views, supported by evidence, on the following questions:

   1) Please provide any information which you think is relevant to our assessment of whether Aldi or Lidl should continue to be considered Limited Assortment Discounters[7] or be designated as Large Grocery Retailers under the Order. In particular:

      a) Do Aldi and Lidl offer a range of Groceries that is significantly more limited than that offered by the Large Grocery Retailers?

      b) Do Aldi or Lidl offer their products at a lower price than Large Grocery Retailers?

      c) What do you consider to constitute a full range of Groceries?

      d) Do you consider that Aldi or Lidl stock a full range of Groceries?

   2) Has there been, or could there be, any impact on competition or to consumers from Aldi and Lidl remaining outside the scope of the Order? We are particularly interested to hear of any examples where retailers have been unable to open a grocery store because Aldi or Lidl are not designated under the Order.

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[6] Article 3(3) of the Order.

[7] A Limited Assortment Discounter is defined in the Order as a Grocery Retailer which sells a significantly more limited range of Groceries than a Large Grocery Retailer at a low price.

How to respond to this Invitation to Comment and how we will use your response

7. We welcome evidence-based responses to the questions set out above by **5pm** on **Monday 13 April 2026**.

8. Please send responses to CLO2026@cma.gov.uk. When responding, please state whether you are responding as an individual or on behalf of a group or organisation. If you are representing an organisation, please make clear who you are representing and their role or interest.

9. As part of our commitment to being open and transparent about our work, we intend to publish non-confidential versions of responses on our website. We may also refer to comments we receive in future publications.

10. Information we receive as part of this Invitation to Comment is subject to Part 9 of the Enterprise Act 2002. We will take account of the public interest and the need to protect personal and commercially sensitive information when deciding what to publish or otherwise disclose. If your response contains material you believe should not be published, please also provide a non-confidential version explaining what has been removed and why you consider it to be confidential.

11. The CMA will process any personal data you provide in line with UK data protection law, as explained in our Personal Information Charter.[8]

12. Information and personal data provided in response to this Invitation to Comment may be subject to requests under the Freedom of Information Act 2000. In responding to such requests, we will consider any confidentiality representations you make. We will also be mindful of our responsibilities under the data protection legislation referred to above and under the Enterprise Act 2002.

13. After this Invitation to Comment closes, we will consider all responses alongside our own analysis before reaching a provisional decision on whether Aldi or Lidl meet the designation criteria.

[8] Personal information charter - Competition and Markets Authority - GOV.UK.