

[News story: Fishing boat skipper gets suspended sentence for running his vessel aground off Plymouth](#)

Michael Kinnaird, had earlier pleaded guilty to the charges at Plymouth magistrates court on 6 December, which related to an incident on October. It was shortly after 8.45pm on 7 October 2017, that Mr Kinnaird's vessel, a 21metre trawler FV Algrie left its moorings at Sutton Harbour. It then continued out of the harbour entrance but did not alter course into the shipping channel.

Instead, the FV Algrie kept a steady course at seven knots before running aground at Mountbatten Breakwater. None of the five crew on board was injured and there was no reported pollution as a result.

Minor damage was caused to the vessel and it was recovered back to its moorings on the next high tide.

When interviewed by MCA Enforcement Officers, Mr Kinnaird said he had navigated into and out of the harbour hundreds of times, but on this occasion, became confused when he saw lights from anglers who were fishing from the breakwater. He was asked why he didn't reduce his speed or reverse, use his navigation aids or even his spot light but he could give no answer.

Mr. Kinnaird was sentenced to a total of four months imprisonment which has been suspended for two years. He was also ordered to pay costs of £5000 and £115 victim surcharge.

In passing sentence, District Judge Taylor said that alcohol did affect Mr Kinnaird's actions that night and he didn't accept his explanation about being confused by the lights on the breakwater.

Ian Blair, technical manager from the Maritime & Coastguard Agency's marine office at Plymouth said, 'Preparing a comprehensive passage plan and maintaining a safe and proper navigational watch at all times, by use of all available means, is of paramount importance in order to prevent incidents such as this from occurring.'

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Press release: CMA launches digital tool to fight bid-rigging

The Competition and Markets Authority (CMA) has worked with Spend Network, a company specialising in public procurement and finance data, to develop the tool which is freely available for procurement professionals to download and use.

The software uses algorithms to spot unusual bidder behaviour and pricing patterns which may indicate that bid-rigging has taken place.

Bid-rigging is a serious form of illegal behaviour that can cause public authorities to overpay when buying goods and services.

It occurs when suppliers form a cartel and agree the prices they will bid when quoting for contracts rather than competing fairly.

This removes the incentive for businesses to keep their prices low and means purchasers can end up paying more than they should.

In some cases, this kind of cartel can raise prices by as much as 30%.

John Kirkpatrick, CMA Senior Director of Advocacy, said:

Bid-rigging in the public sector can cost taxpayers many millions of pounds. Companies disguise their bids so that they look like they're genuinely competing, when in fact they are colluding with each other to take advantage of the public purse.

We have launched this free tool to help public procurers spot and stop cartels and make sure real competition gets them good value for taxpayers' money.

The Central Procurement Directorate is responsible for public procurement policy in Northern Ireland and has been a key partner in developing and testing the tool.

It said:

Public authorities are under constant pressure to ensure maximum value for taxpayers' money. That is why we welcome this invaluable tool from the CMA, which can help procurement teams check they are not being unfairly taken advantage of by suppliers who try to 'game the system'.

We've been testing the tool and it's quick and easy to use. Once you've organised your data, you can run it at the click of a button! It provides you with a clear report at the end, and even allows you to adjust the thresholds and weightings to make it more suitable to the data you are testing.

We would encourage all local authorities to download and use the tool to help combat fraud in the public sector, and provide peace of mind that supply chains are healthy and competitive.

The tool will tell you which – if any – of your procurement exercises show signs of bid-rigging and might merit a closer look.

If, having investigated any suspicious procurement exercises, something still looks odd, you can call the [CMA cartels hotline](#) and we can help you investigate.

The free tool is digitally signed with Microsoft Authenticode certification and has high level IT assurance from the Government Digital Service (GDS) – so we're confident it works well.

After carrying out rigorous penetrating testing on the tool, the GDS is content that issues identified have been remediated to an acceptable level of risk for government usage in alignment with Government Security Secretariat

policy.

It is available for download on GitHub, an open source development platform. To receive log in details to access the GitHub site, please email screeningforcartels@cma.gsi.gov.uk.

For further details, please see [Screening for cartels: tool for procurers](#).

The CMA has also produced other guidance on bid-rigging to help procurers. This includes a [60-second summary](#), an [open letter](#) and an [e-learning module](#) that gives pointers on what to look out for.

Notes for editors

1. The CMA is the UK's primary competition and consumer authority. It is an independent non-ministerial government department with responsibility for carrying out investigations into mergers, markets and the regulated industries and enforcing competition and consumer law.
2. The Competition Act 1998 prohibits anti-competitive agreements, concerted practices and decisions by associations of undertakings which have as their object or effect the prevention, restriction or distortion of competition within the UK or a part of it and which may affect trade within the UK or a part of it. Similarly, Article 101 of the Treaty on the Functioning of the European Union (TFEU) prohibits such anti-competitive agreements, concerted practices and decisions by associations of undertakings which may affect trade between EU member states.
3. The CMA has produced a series of [animated videos](#) explaining the main principles of competition law and how they affect small businesses.
4. Any business found to have infringed the Competition Act 1998 could be fined up to 10% of its annual worldwide group turnover. In calculating financial penalties, the CMA takes into account a number of factors including seriousness of the infringement(s), turnover in the relevant market and any mitigating and/or aggravating factors. Bid-rigging cartels are amongst the most serious and harmful forms of offence the CMA investigates.
5. An early version of the tool was tested by some public authorities, as a result the algorithms and thresholds were adjusted in light of their experience.
6. The tool secured a [higher level of IT assurance from the GDS](#). So we are confident it is safe and ready to use.

7. For more information on the CMA see our [collection page](#) or follow us on Twitter [@CMAgovuk](#), [Facebook](#), [Flickr](#) and [LinkedIn](#). Sign up to our [email alerts](#) to receive updates on Competition Act 1998 and civil cartels cases.
8. Enquiries should be directed to Rebecca Cassar rebecca.cassar@cma.gsi.gov.uk, 020 3738 6633.

[News story: Pubs Code Adjudicator \(PCA\) Bulletin December 2017](#)

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[Consultation outcome: Contracts for Difference \(CfD\): proposed amendments to the scheme](#)

Updated: Part B of government response published, along with follow-up consultation.

We're seeking views on proposed amendments the Contracts for Difference (CfD) scheme, which provides support for new low carbon electricity generation projects, to enable it to continue to support new generation and provide best value for bill payers in coming years.

Government aims to support the development of onshore wind projects on remote islands, where they benefit local communities. This consultation sets out a proposed definition of remote islands wind, as a new technology that can compete in future auctions for 'less established' technologies. An impact assessment is published regarding this proposal.

The responses to the [Call for Evidence on fuelled technologies in the CfD scheme](#), published in November 2016, have informed the development of a number

of policy changes relating to fuelled technologies. This consultation proposes:

- refinements in relation to Advanced Conversion Technologies, to ensure that only more innovative and efficient plants are awarded subsidy
- changes to the overall efficiency requirements for Combined Heat and Power, to ensure that CfD supported plants are of a suitably high overall efficiency; an impact assessment is being published regarding this proposal
- updated greenhouse gas emissions criteria that new projects using solid and gaseous biomass as feedstock will have to comply with

The consultation also makes new proposals to facilitate more accurate forecasting of budget spend, and invites views on various other potential changes to the detailed terms of new CfD contracts.

As part of this consultation, stakeholder engagement events were held in Glasgow, Cardiff and London. The questions raised and points of clarification on the proposed changes are answered in the Stakeholder Q&A.