

CMA provisionally finds illegal cartels in construction industry

- Bid rigging conduct relates to 19 contracts worth over £150 million
- 8 of the firms involved admit participation
- Met Police Training College, Selfridges and Oxford University among those affected

Following an investigation launched in 2019, the Competition and Markets Authority (CMA) has provisionally concluded that the firms colluded on prices through illegal cartel agreements when submitting bids in competitive tenders for contracts. These bids were rigged with the deliberate intention of deceiving the customer that they were competitive when that was not the case.

The bids were rigged by one or more construction firms which agreed to submit bids that were deliberately priced to lose the tender. This practice, known as 'cover bidding', can result in customers paying higher prices or receiving lower quality services.

The CMA is proposing to impose fines on the businesses concerned if it reaches a final decision confirming that they have broken the law.

In addition, the CMA has provisionally found that 7 of the firms, on at least one occasion each, were involved in arrangements by which the designated 'losers' of the contracts were set to be compensated by the winner. The value of this compensation varied but was higher than £500,000 in one instance. Some firms produced false invoices in an attempt to hide this part of the illegal behaviour.

The CMA has provisionally found that the collusion affected 19 contracts for demolition work in London and the Midlands, including contracts for the development of Bow Street's Magistrates Court and Police station, the Metropolitan Police training centre, Selfridges, Oxford University, shopping centres in Reading and Taplow, and offices on the Southbank, London. Not all of the firms were involved in colluding in each of these contracts, and not every contractor who submitted a bid for these contracts was involved in the illegal collusion.

Eight of the firms have admitted their involvement in at least one instance of bid rigging between January 2013 and June 2018: Brown and Mason, Cantillon, Clifford Devlin, DSM, J F Hunt, Keltbray, McGee, and Scudder.

Two other firms, Erith and Squibb, have not admitted their involvement in any bid rigging and it should not be assumed that they have broken the law.

Michael Grenfell, the CMA's Executive Director for Enforcement, said:

The construction sector is hugely important to Britain's economic

well-being. Bid rigging can result in worse deals, which can leave businesses – and sometimes taxpayers – out of pocket.

This is unacceptable, and the CMA won't hesitate to come down hard on these activities and impose appropriate fines.

The CMA's findings are provisional, and it should not be assumed that any company has broken the law at this stage. The final total of any fines to be paid will also be determined at the end of the investigation.

The CMA's "[Cheating or Competing](#)" campaign has advice for businesses to help them spot, report and deter illegal anti-competitive practices such as market sharing, fixing prices and bid-rigging.

More information on this case is available on the [Supply of construction services case page](#).

1. The 19 contracts affected by the suspected cartel activity were at the following sites: Bishop Centre; MPS Training and Operations Centre, Hendon; Southbank, London; Bow Street, London on 2 separate occasions; Station Hill, Reading; Lots Road Power Station, London; Duke Street, London; Lombard House, Redhill; 18 Blackfriars Road, London; Underground car park, High Wycombe; 33 Grosvenor Place, London; Wellington House, London; Ilona Rose House, London; 44 Lincoln's Inn Field, London; 57 Whitehall Old War Office, London; 135 Bishopsgate, London; Civic Centre Scheme, Coventry; Tinbergen Building, Oxford.
2. The 7 firms provisionally found to have been involved in compensation arrangements as well as cover pricing are: Brown and Mason; Cantillon; McGee; Scudder; DSM; Erith; and Squibb. Erith and Squibb are contesting the finding.
3. The Statement of Objections in this case was addressed to the entities listed below on 23 June 2022. In some cases it was addressed to entities who are either the economic successor or parent companies of those directly involved in the conduct: Brown and Mason Group Limited, Cantillon Limited, Cantillon Holdings Limited, Clifford Devlin Limited, DSM Demolition Limited, DSM SFG Group Holdings Limited, Nobel Midco Limited, Nobel Topco Limited, Erith Contractors Limited, Erith Holdings Limited, John F Hunt Limited, John F Hunt Group Limited, Keltbray Limited, Keltbray Holdings Limited, McGee Group (Holdings) Limited, MFCOIL Limited, T. E. Scudder Limited, P.J. Carey Plant Hire (Oval) Limited, Carey Group Limited and Squibb Group Limited.
4. A party under investigation by the CMA may enter into a settlement agreement if it is prepared to admit that it has breached competition law, and is willing to pay a penalty and agree to a streamlined administrative procedure for the remainder of the investigation.

5. A statement of objections gives parties notice of a proposed infringement decision under the competition law prohibitions in the Competition Act 1998 or the TFEU. Parties have the opportunity to make written and oral representations on the matters set out in the statement of objections. Any such representations will be considered by the CMA before any final decision is made. The final decision is taken by a 3-member case decision group, which is separate from the case investigation team and was not involved in the decision to issue the statement of objections.
6. Under the CMA's leniency policy, a business that has been involved in a cartel may be granted immunity from penalties or a significant reduction in penalty in return for reporting cartel activity and assisting the CMA with its investigation. In this case, Scudder and McGee reported their involvement in the conduct under the CMA's leniency policy and will benefit from a discount on any fine, provided they continue to co-operate and comply with the other conditions of the CMA's leniency policy. Individuals involved in cartel activity may also, in certain defined circumstances, be granted immunity from criminal prosecution for the cartel offence under the Enterprise Act 2002 and from competition disqualification proceedings. The CMA also operates a rewards policy under which it may pay a financial reward of up to £100,000 in return for information which helps it to identify and take action against cartels. For more information can be found on the CMA's [leniency](#) and [informant reward](#) policies.
7. For more information on anti-trust investigations, visit the [CMA's procedures in Competition Act 1998 cases](#).
8. Anyone who has information about a cartel is encouraged to call the CMA cartels hotline on 020 3738 6888 or email cartelshotline@cma.gov.uk.
9. Media enquiries should be directed to the CMA's press team: press@cma.gov.uk or 020 3738 6460.

PM meeting with President of Nigeria: 23 June 2022

Press release

The Prime Minister met with the President of Nigeria, Muhammadu Buhari, at

the Commonwealth Heads of Government meeting in Kigali this afternoon.



The Prime Minister met Muhammadu Buhari, President of Nigeria, at the Commonwealth Heads of Government meeting in Kigali this afternoon.

He set out the UK's intention to boost economic ties with Nigeria, as Africa's largest economy, highlighting today's announcement of the new Developing Countries Trading Scheme as an example of UK efforts to cut trade barriers and stimulate growth.

The leaders discussed the huge challenges posed to all countries, but particularly those in Africa, by rising global commodity prices fuelled by Russia's invasion of Ukraine. They agreed to look at ways to increase cooperation between the UK and Nigeria on energy supplies and clean technology.

The Prime Minister welcomed progress on climate action post COP26, including Nigeria's leadership on the Great Green Wall initiative and Forest Declaration.

They also discussed regional security, covering the ongoing threats from Boko Haram in Nigeria and the situation in Libya, and committed to deepen cooperation on defence and security.

The leaders looking forward to a successful Commonwealth Heads of Government Meeting over the coming days.

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Highlighting our efforts to avert humanitarian catastrophe and economic

collapse in Afghanistan

Thank you, President.

First, let me join colleagues in conveying our sincere condolences to the people of Afghanistan for the suffering caused by the devastating earthquake. As my Ministers have said, the United Kingdom stands ready to support them at this difficult time. The UK is one of the largest donors of humanitarian aid to Afghanistan, and we are already working with teams on the ground, including the UN, NGO's and the Red Cross to get assistance to those who most need it.

Let me also thank DSRSG Alakbarov and USG Griffiths for their briefings – and in particular our civil society briefers, whose testimonies are powerful and moving.

The humanitarian and economic situation in Afghanistan remains critical. Over 24 million Afghans are in need of humanitarian support and nearly 20 million are facing acute food insecurity. Urgent action is needed to avoid a humanitarian catastrophe and economic collapse.

Strong UN leadership remains crucial for coordinating the international community's support and negotiating effectively with the Taliban to ensure principled humanitarian access across the country.

The UK remains committed to the Afghan people. Our Foreign Secretary co-hosted the UN humanitarian pledging conference on 31 March, raising \$2.4 billion. We have nationally committed \$380 million in aid this financial year to support humanitarian and basic human needs.

We strongly support the 1988 sanctions regime as a key tool to promote the peace, stability and security of Afghanistan. The humanitarian exception ensures the regime poses no obstacle to the provision of humanitarian assistance and other activities that support basic human needs.

President,

economic stability and the delivery of basic services are essential to ending the cycle of humanitarian need and suffering. We support the UN's leadership in this respect, and stress the need for the Taliban to stand by their commitments to both the Afghan people and the international community.

As we heard today from Ms Hakim and Ms Royan, women and girls in Afghanistan are facing unacceptable restrictions on their freedom of movement and dress, as well as access to education, jobs and services. Educated women and girls who are able to participate fully in society will contribute to economic development, peace and security.

The United Kingdom is deeply concerned by serious allegations of extra-judicial killings, detentions and disappearances of Afghans, including civil society activists, former security forces and government officials.

Reports of terror attacks have also increased. Terrorist and narcotic threats from Afghanistan pose a risk, not just to the country, but to regional security.

President, the UN's role remains more important than ever. We pay tribute to the work of Deborah Lyons, and look forward to working with the new leadership team.

The international community must continue to speak with one voice to press the Taliban on their commitments, and to advance shared objectives on human rights, humanitarian access, counter-terrorism, and more inclusive government.

I thank you.

Life on Mars? – ExoMars Programme

The ExoMars mission was set up to address one of the biggest space science questions of our age – to understand whether life has existed elsewhere in the Universe.

The European Space Agency's Exploration Programme established the ExoMars programme, which consists of two missions for this purpose – in 2016 and 2022.

The missions will answer important questions about the Martian environment and develop technologies that will lay the foundations for human exploration beyond low Earth orbit. The missions are in collaboration with Roscosmos, the Russian Space Agency.

The main aims of ExoMars are to examine the geological environment on Mars and search for evidence of environments that may have once, and perhaps could still, support life.

It will also assist in preparing for other robotic missions, including a Mars Sample Return mission, and possible future human exploration. Data from the mission will also provide invaluable input for broader studies of martian geochemistry, environmental science and exobiology – the search for evidence of life on planets beyond Earth.

A mission in two parts

2016 mission into the Martian atmosphere

The 2016 mission concentrated on orbital science observations, particularly those of the methane in Mars' atmosphere, first detected by [ESA's Mars Express mission](#) in 2003.

The presence of methane in the Martian atmosphere could suggest evidence for possible biological or geological activity.

This first mission arrived with two elements– the Trace Gas Orbiter (TGO) and an Entry, descent and landing Module, known as Schiaparelli. The TGO started scientific operations in April 2018.

The TGO carried [four scientific instruments](#) to detect and study atmospheric trace gases, such as methane.

ExoMars Trace Gas Orbiter analyses the martian atmosphere. Credit: ESA/ATG medialab

The UK was involved in the development and delivery of one of these instruments called NOMAD with [Dr Manish Patel at the Open University](#).

Read about the results of this mission:

2022 (date postponed) mission onto the Martian surface

The 2022 (date postponed, please see latest update below) rover named 'Rosalind Franklin', will be devoted to study geology, geochemistry and exobiology. It will search Mars' surface for evidence of environments that may once have supported life, and may even still do so today.

As the first European rover to traverse the surface of Mars it will uniquely drill down to two metres into the martian surface allowing the Rosalind Franklin rover's scientific instruments to sample and analyse the soil, determine its mineral content and composition, and search for evidence of whether past environments could once have harboured life.

The Rosalind Franklin will roam around the Martian surface by using electrical power generated from its solar arrays. It's software will have a degree of 'intelligence' and autonomy to make certain decisions on the ground and will navigate using optical sensors. On arrival of the Rosalind Franklin in 2022, the orbiter will relay data from the rover back to Earth.

The UK is the second largest contributor to the ExoMars mission with a contribution of €287 million.

How is the UK involved?

The Rosalind Franklin rover was built by [Airbus Defence and Space](#), at the company's UK facility in Stevenage, UK.

The rover has been named after Rosalind Franklin, a UK scientist and co-discoverer of the structure of DNA. ExoMars is the first to honour a woman scientist on its flagship discovery craft.

[SCISYS UK Ltd](#) has been supporting the development of the Rosalind Franklin rover on-board software and its autonomous operations.

Rosalind Franklin rover will house a number of scientific instruments and there is considerable UK involvement from a number of academic institutions with the on-board rover instruments:

PanCam

PanCam mast fitted to ExoMars rover. Credit: Airbus–M.Alexander.

The panoramic camera (PanCam) system on the Rosalind Franklin rover is UK-led with scientists from University College London's Mullard Space Science Laboratory (MSSL) working with the University of Aberystwyth, Birkbeck College and the University of Leicester. PanCam will provide imagery of Mars' surface that will allow reconstruction by 3-D digital terrain mapping.

It will also provide context for drill sampling and rover instrumentation.

The wide-angle cameras will provide stereo information while the high-resolution camera will enable close-up images of martian structures and features.

Raman LIBS

The University of Leicester, Bradford University and STFC Rutherford Appleton Laboratory are key players in the development of the CCD camera on the Raman Laser Spectrometer (Raman LIBS), which can detect the presence of chemical compounds including minerals and also specific types of "biomarkers" – chemicals indicative of past or present life – that are produced by primitive micro-organisms to enable them to adapt to life in extreme environments.

Such organisms are well-known on Earth and probably represent the most likely form of life that could have existed on Mars.

Latest Update

ESA's ruling Council met on 16-17 March 2022 in Paris and assessed the situation arising from Russia's invasion of Ukraine regarding ExoMars, and unanimously:

- acknowledged the present impossibility of carrying out the ongoing cooperation with Roscosmos on the ExoMars rover mission with a launch in 2022, and mandated the ESA Director General to take appropriate steps to suspend the cooperation activities accordingly;
- authorised the ESA Director General to carry out a fast-track industrial study to better define the available options for a way forward to implement the ExoMars rover mission

Although the 2022 launch window for the mission is no longer possible, the mission's System Qualification and Flight Acceptance Review took place in March 2022. The Review Board confirmed that the spacecraft would have been ready for the shipment to the launch site and the programme had a sufficient

time margin for the original launch opportunity opening on 20 September 2022.

Due to the suspension of the 2022 launch, the ExoMars elements are now being prepared for storage at a Thales Alenia Space site in Italy.

The Review Board members specifically expressed their appreciation and thanks to the review team for the exhaustive work performed over the past months.

Based on the decision by ESA Member States at its March Council meeting, a fast-track industrial study will now start to better define the available options for a way forward to implement the ExoMars rover mission in a future launch.

The teams will be looking for the earliest possible launch depending on how quickly technologies can be developed to support a European-led mission, or in collaboration with other international partners, and the availability of compatible launchers and launch site.

Dairy Crest given record fine for Davidstow environmental offences

The environmental performance of Dairy Crest Limited has been unacceptable for too long and needs to significantly improve, says the Environment Agency.

Dairy Crest Limited, owned by Saputo Dairy UK, and its management of the Davidstow Creamery near Camelford, north Cornwall, has been falling way short of the standards expected by the Environment Agency when it comes to the company's management of liquid waste, odour and environmental reporting, Truro Crown Court heard.

Ever since the site changed production to focus on whey processing, particularly to produce powder used in baby milk and other products, the effluent being discharged into the River Inny has been more challenging to treat. This has resulted in unacceptable pollution of the local river, which is a tributary of the River Tamar, causing significant harm to fish and other aquatic wildlife. Another issue has been foul odours which have often affected the lives of local residents.

Dairy Crest, which produces brands such as Cathedral City at its Davidstow plant, previously pleaded guilty to 21 of 27 charges brought by the Environment Agency. For committing this catalogue of offences, the firm was fined £1.52 million at the crown court on 23 June 2022. It had already agreed to pay costs of £272,747.

An Environment Agency employee inspects the outfall at the River Inny

Delivering the sentence, HHJ Simon Carr expressed the view that he had not seen consistent performance evidenced by the company over a 5-year period. The judge identified a poor, middle management culture as a contributing factor to the environmental harm caused that should have been dealt with by senior management much sooner.

He said it felt like there was never a time without a problem and some of those responsible for the wastewater treatment plant felt bullied and unable to come forward.

Judge Carr added he had been 'moved' when reading testimony from residents whose lives had been 'blighted' by odours.

The offences included:

- Releasing a harmful biocide, used to clean the wastewater tanks and pipework, into the river and killing thousands of fish over a 2 kilometre stretch on 16 August 2016.
- Coating the River Inny with a noxious, black sludge for 5 kilometres in 2018, through a release of a mass of suspended solids in July and August 2018.
- Consistently exceeding limits on substances like phosphorous and suspended solids entering the River Inny, from 2016 up to 2021.
- Numerous leaks of part-treated effluent into nearby watercourses and onto the land.
- Foul odours repeatedly affecting residents over many years.
- Failing to tell the Environment Agency within 24 hours of when things had gone significantly wrong on site, on 7 separate occasions.

Helen Dobby, Area Director of the Environment Agency, said:

As a large and well-established operator, Dairy Crest Limited should be up to the job of maintaining the required environmental standards. Instead, it has over a period of many years failed to comply with its environmental permit and not been able to protect local people and the environment.

We acknowledge that Dairy Crest Limited has been taking steps to remedy the various problems, but unfortunately, these actions were not swift enough on many occasions and proved to be ineffective in stopping pollution.

The Environment Agency remains deeply concerned about the environmental performance of this site and its impact on the environment. It will continue to monitor the situation and regulate this site closely and urges the operator to make the right decisions and level of investment on site to better protect the wildlife and people of Cornwall.

Davidstow Creamery is the UK's largest dairy processing facility and one of the largest manufacturing sites in Europe. Each year it produces 57,000 tons of dairy products, including Davidstow Cheddar and Cathedral City.

About 1.3 million litres of milk is brought to site daily from about 370 local dairy farms.

About 1.2 million litres of treated process effluent is discharged into the upper reaches of the River Inny daily.

Substances or products created during the manufacturing process are harmful to the environment, which means it is a regulated facility and requires an environmental permit from the Environment Agency to operate.

This permit has several conditions which must be met to minimise the risk of pollution to the environment. These include limits of the quality and amount of treated effluent that is discharged into the River Inny as well as odour and noise.