

Directors disqualified over illegal construction cartel

Press release

The CMA has secured the disqualification of 2 former directors of Northern Ireland-based firm FP McCann Ltd for their parts in an illegal construction cartel.



The move follows the Competition and Market Authority's (CMA) 2019 decision that FP McCann Ltd (FPM), along with 2 other suppliers of pre-cast concrete drainage products – Stanton Bonna Concrete Ltd and CPM Group Ltd – infringed competition law.

The CMA found that, from July 2006 to March 2013, the suppliers agreed among themselves to fix or coordinate their prices, shared out the market by allocating customers and exchanged with each other competitively sensitive information. FPM appealed against this decision, but in December 2020 the CMA's determination was upheld by the Competition Appeal Tribunal.

Reflecting the serious nature of the infringement and the directors' involvement, the CMA has now secured the disqualification of Mr Eoin McCann and Mr Francis McCann, both of whom were directors during the entire period in which the infringing conduct took place and attended regular cartel meetings on behalf of FPM. Mr Eoin McCann will be disqualified for 12 years and Mr Francis McCann for 11 years, the longest period for director disqualification secured by the CMA to date. The disqualifications will commence on 31 March.

Michael Grenfell, Executive Director of Enforcement at the CMA, said:

The length of these disqualification periods reflects the seriousness of this case.

The CMA will continue to take strong action, where necessary, to protect the public from illegal anticompetitive practices. The message to directors is clear – you are personally responsible for ensuring that your company complies with competition law, and if it doesn't you risk disqualification.

These disqualifications follow the disqualification of Mr Philip Stacey and Mr Robert Smillie, who were previously directors of CPM, in April 2019.

They bring the total number of disqualifications, as a result of CMA investigations, to 25.

The CMA has issued a range of guidance to help businesses and directors understand more about how to comply with competition law, including [compliance advice for company directors](#) on how to avoid director disqualification and the [competition law risk guide](#).

Notes to Editors

1. More information on this case can be found on the [pre-cast concrete drainage cartel inquiry case page](#).
2. Under the Company Directors Disqualification Act and the Company Directors Disqualification (Northern Ireland) Order 2002, the CMA has the power to apply to the court to disqualify a director from holding company directorships or performing certain roles in relation to a company, for a specified period, if a company of which he or she is a director has breached competition law. The Act and the Order also allow the CMA to accept a disqualification undertaking from a director as an alternative to bringing proceedings and obtaining an order in Court; such an undertaking has the same legal effect as a disqualification order. These disqualifications were secured by such undertakings.
3. The register of disqualified directors is published on the Companies House website.
4. Media queries should be directed to: press@cma.gov.uk or 020 3738 6460.

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