

# Press release: CMA accepts commitments offered to address online auction concerns

The Competition and Markets Authority (CMA) has today [accepted final commitments](#) offered by the company, which it believes will enable more competition between online auction platforms. It consulted on ATG Media's proposed commitments [last month](#).

ATG Media is the largest provider of live online bidding platforms in the UK, including 'The Saleroom' – an arts and antiques platform. These platforms are used by auction houses to facilitate online live bidding without bidders having to attend in person.

Last November the CMA launched a Competition Act investigation into 3 practices used by ATG Media which it considered may breach competition laws by preventing or discouraging its customers from using rival platforms.

The 3 practices under investigation were:

- obtaining exclusive deals with auction houses, so that they do not use other providers;
- preventing auction houses getting a cheaper online bidding rate with other platforms for their bidders – through contract clauses known as most favoured nation (MFN) or price parity clauses; and
- preventing auction houses promoting or advertising rival live online bidding platforms in competition with ATG Media.

The CMA considers that these practices may have prevented ATG Media's rivals from being able to compete effectively in the market and prevented consumers from getting a better deal for online bidding.

ATG Media has today given legally binding promises to the CMA (known as commitments) to stop carrying out any of these practices for a period of 5 years.

Following acceptance of these commitments, the CMA has closed its investigation into whether ATG Media has abused a dominant position or entered into anti-competitive agreements.

The CMA no longer needs to take a decision on an application from a third party for 'interim measures' directions, to halt the practices pending the outcome of a full investigation, as the commitments fully address all its

competition concerns and bring a halt to those practices. The CMA had given serious consideration to the application for interim measures but shortly before it was to make a final decision on this, ATG Media made its commitments offer.

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

We are pleased that ATG Media has given commitments which address all our concerns. Now these previous restrictions have been removed, we believe alternative platforms or new entrants will be able to compete more easily and offer cheaper commission rates to bidders.

Online and digital markets represent a large and growing part of the economy and we must ensure that these often fast-moving markets do not evolve in ways which may harm consumers.

Reaching a swift outcome in this case demonstrates our ability to ensure that potentially anti-competitive practices are ended quickly.

Further details about the CMA's investigation can be found on the [case page](#).

## **Note 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. For CMA updates, follow us on Twitter [@CMAgovuk](#), [Flickr](#), [LinkedIn](#) and [Facebook](#). Sign up to our [email alerts](#) to receive updates on Competition Act 1998 cases.
2. The Chapter I prohibition in the Competition Act 1998 (the Act) prohibits anti-competitive agreements and concerted practices between businesses which have as their object or effect the appreciable prevention, restriction or distortion of competition within the UK. The Chapter II prohibition in the Act prohibits the abuse of a dominant position by one or more companies which may affect trade within the UK or a part of it. Articles 101 and 102 of the Treaty on the Functioning of the European Union (TFEU) contain equivalent provisions applicable where there may be an appreciable effect on trade between EU Member States.
3. On 22 November 2016, the CMA launched an investigation into suspected breaches of competition law in respect of the supply of auction services in the UK. The investigation is under Chapters I and II of the Act, and Articles 101 and 102 TFEU. The investigation relates to suspected anti-competitive agreement(s) or concerted practice(s) and suspected abuse of

dominance in the supply of live online bidding auction platform services in the UK, in particular, suspected exclusionary and restrictive pricing practices, including most favoured nation provisions in respect of online sales.

4. Where the CMA has begun an investigation under section 25 of the Act, it may accept commitments to take such action as it considers appropriate for the purposes of addressing the competition concerns it has identified. When the CMA has formally accepted commitments, it must close its investigation into the conduct that was the subject of the investigation.
5. The decision by the CMA to accept commitments does not amount to or imply any finding as to the legality or otherwise of the conduct by the parties under investigation either prior to acceptance of the commitments or once the commitments are in place.
6. The CMA may reopen its investigation and take other action in certain limited circumstances (for example, where it has reasonable grounds for suspecting non-compliance with the commitments or believing that there has been a material change of circumstances since the commitments were accepted).
7. Any businesses or individuals that have concerns about compliance with the commitments can contact the CMA by email ([general.enquiries@cma.gsi.gov.uk](mailto:general.enquiries@cma.gsi.gov.uk)) or by phone (020 3738 6000).
8. The CMA also received an application under section 35 of the Act for interim measures in connection with this case. As a result of acceptance of commitments and closure of the investigation, the CMA will not reach a decision on whether or not to issue interim measures directions.
9. Media enquiries to the CMA should be directed to [press@cma.gsi.gov.uk](mailto:press@cma.gsi.gov.uk) or 020 3738 6798.

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**Statement to Parliament: Grenfell**  
**Inquiry Chair: statement by the Prime**

# Minister

I am announcing today the appointment of Sir Martin Moore-Bick to head the Public Inquiry into the Grenfell Tower fire. The Inquiry will be established under the 2005 Inquiries Act, with full powers, including the power to compel the production of documents, and to summon witnesses to give evidence on oath. The Inquiry will be held in public.

In relation to the appointment of the Chair, the Lord Chancellor asked the Lord Chief Justice for the name of a judge who, in his view, would be best suited to the task and available to start work immediately so that we can get answers to what happened as quickly as possible. The Lord Chief Justice recommended Sir Martin Moore-Bick: a highly respected and hugely experienced former Court of Appeal judge. I have accepted the Lord Chief Justice's recommendation.

I am determined that there will be justice for all the victims of this terrible tragedy and for their families who have suffered so terribly.

The immediate priority is to establish the facts of what happened at Grenfell Tower in order to take the necessary action to prevent a similar tragedy from happening again. But beyond that immediate focus it is also important that all the wider lessons from both this catastrophe, and the inspections of other buildings around the country that followed it, are identified and learnt.

Before the Inquiry starts Sir Martin will consult all those with an interest, including survivors and victims' families, about the terms of reference. Following that consultation he will make a recommendation to me. I will return to Parliament with the final terms of reference once this process has taken place. Then the Inquiry will begin its work.

We must get to the truth about what happened. No stone will be left unturned by this Inquiry, but I have also been clear that we cannot wait for ages to learn the immediate lessons and so I expect the Chair will want to produce an interim report as early as possible.

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## Statement to Parliament: Annual update on Crossrail 2017

I am pleased to report that earlier this month, the first new Class 345 train entered passenger service on the TfL rail line between Shenfield and Liverpool Street. Although the trains were due to enter service in May 2017 some of the testing, assurance and approvals took a little longer than

originally expected. The successful introduction of the train marked the first stage of the 5 staged Crossrail opening strategy. The service will be named the Elizabeth line when the central section opens in central London from December 2018.

Stage 2 of the Crossrail opening strategy which will see TfL rail services operating with the new trains between Heathrow Terminals 2, 3 and 4 and Paddington (high level station), is due to start from May 2018. A major step forward in delivering this new service was the installation of new digital signalling in the Heathrow tunnels in April 2017. Testing and commissioning of the new signalling system is now underway, ahead of the new trains commencing testing later this year.

I am pleased to report the Crossrail project's health and safety indicators demonstrate strong performance over the year with all the key indicators exceeding the corporate objectives for the year 2016 to 2017.

In the past year significant progress has been made across the project. The Crossrail programme is approaching 85% complete. In the central tunnel section all platforms have now been completed, track installation is over 90% complete, power and ventilation installation have reached 70% and 30% complete respectively, and installation of platform edge screen doors has commenced at Bond Street and London Paddington. Architectural finishes are being applied and escalator and lift installation has commenced across the central stations. Testing of the new central section infrastructure and systems will commence by the end of 2017, with the new central section stations being completed during 2018.

The critical works for the stabling facility at Ilford depot was completed in May 2017, to support the introduction of new trains into passenger service. Further work at Ilford depot to support stage 4 (Paddington to Shenfield) opening continues and is expected to be delivered by May 2019. Works continue at Old Oak Common depot to support stages 2 and 3 (Paddington to Abbey Wood).

Major surface works were delivered by Network Rail on the existing rail network this year. During the Christmas 2016 blockade an unprecedented level of works were successfully delivered on the Great Western and Anglia railways. These works included the entry into service of the new Acton Dive Under and the Stockley Flyover, both of which will improve capacity and reliability between Heathrow and Paddington. Christmas 2016 also saw the start of the remodelling of tracks at Shenfield, which was completed during May 2017.

Manufacturing of the new trains is progressing. Trains will be progressively introduced over the next few months, with 11 in service by autumn, replacing just over half the existing train fleet. In preparation for the operation of the Elizabeth line services a purpose built facility has been commissioned to simulate the operation of passenger services and ensure key components and software are tested. The Crossrail integration facility is an essential element to support the next stages and success of the Crossrail opening strategy.

Training of the new operations workforce is well underway. Drivers are familiarising themselves with the new trains and route. There are now circa 700 apprentices who have gained experience across the project. Crossrail's purpose built training facility, the Tunnelling and Underground Construction Academy has now become part of Transport for London and will continue to offer apprenticeships and training to support the next generation of skills for rail and tunnelling projects.

The Crossrail Board forecast that the cost of constructing Crossrail will be within the overall £14.8 billion funding envelope (excluding rolling stock costs). Cost pressures are increasing across the project and Crossrail Ltd is identifying and implementing initiatives to deliver cost efficiencies until completion in 2019. Crossrail's joint sponsors (Department for Transport and Transport for London) will continue to meet regularly with Crossrail Ltd to ensure that the project is being effectively managed and will be delivered within funding and on schedule.

During the passage of the Crossrail Bill through Parliament, a commitment was given that a statement would be published at least every 12 months until the completion of the construction of Crossrail, setting out information about the project's funding and finances.

In line with this commitment, this statement comes within 12 months of the last one, which was published on 30 June 2016. The relevant information is as follows:

Total funding amounts provided to Crossrail Limited by the Department for Transport and TfL in relation to the construction of Crossrail to the end of the period (22 July 2008 to 29 May 2017)	£10,860,539,046
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Expenditure incurred (including committed land and property spend not yet paid out) by Crossrail Limited in relation to the construction of Crossrail in the period (30 May 2016 to 29 May 2017) (excluding recoverable VAT on land and property purchases)	£1,636,471,000
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Total expenditure incurred (including committed land and property spend not yet paid out) by Crossrail Limited in relation to the construction of Crossrail to the end of the period (22 July 2008 to 29 May 2017) (excluding recoverable VAT on land and property purchases)	£10,886,978,000
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The Amounts realised by the disposal of any land or property for the purposes of the construction of Crossrail by the Secretary of State, TfL or Crossrail Limited in the period covered by the statement.	Nil
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The numbers above are drawn from Crossrail Limited's books of account and have been prepared on a consistent basis with the update provided last year. The figure for expenditure incurred includes monies already paid out in relevant period, including committed land and property expenditure where this has not yet been paid. It does not include future expenditure on construction contracts that have been awarded.

Crossrail's opening strategy introduces services in 5 phases to gradually

increase the number of services. The phases are:

- May 2017 – the new rolling stock is introduced on existing suburban services between Liverpool Street and Shenfield
- May 2018 – the Heathrow Connect service will cease and Crossrail will operate a stopping service between Heathrow Terminal 4 and Paddington high level which from this date will double in frequency to 4 trains per hour
- December 2018 – Crossrail services commence in the central tunnel section between Paddington low level and Abbey Wood
- May 2019 – Crossrail services commence between Paddington low level to destinations on the Great Eastern route (Shenfield)
- December 2019 – full Crossrail services between Reading, Heathrow and Paddington in the west to Shenfield and Abbey Wood in the east

The total funding amounts provided to Crossrail Ltd by the Department of Transport and Transport for London refers to the expenditure drawn down from the sponsor funding account in the period 22 July 2008 and 29 May 2017. Included within the amount is £642,959,962 of interim funding that has been provided to Network Rail to finance the delivery of the on-network works. This amount is due to be repaid to Crossrail Ltd by 30 September 2017.

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## [Press release: Fish pass plans for Howsham weir](#)

The Environment Agency is finalising plans to install a fish pass on the River Derwent at Howsham to help migrating fish, eel and lamprey access spawning grounds upstream.

The work is part of a joint programme with Natural England to improve a number of weirs and other structures that the Environment Agency owns in the lower Derwent.

The project will involve the installation of an enhanced single Larinier fish pass near the existing hydropower turbines, along with eel and lamprey tiles at two locations on the weir. Improved passage will help fish populations by allowing them to move freely between the river and coastal waters to access breeding, nursery or feeding grounds. It will also help species to naturally re-colonise the river upstream after floods, droughts or pollution.

The design is being developed following a public consultation with the local community, environmental organisations, and people who use the river regularly, including anglers and canoeists. It aims to provide a significant improvement for fish while at the same time allowing continued use of a chute across the weir for canoe and kayak training and competitions.

Ineke Jackson, project manager at the Environment Agency, said:

The upstream reaches of the River Derwent and the Rye have very low numbers of lamprey, eels and salmon, so this is a really important project for the environment.

We have opted for a single fish pass with a special design and additional flow to make it particularly attractive to fish, while protecting canoeing and kayaking. This will be a substantial improvement for fish, and requires only a small reduction in flow through the canoe chute. We will put lamprey and eel tiles on the weir to help these species make their way across.

We are grateful to everyone who contributed during the consultation because this helped us to find a solution which balances all interests.

Construction on the scheme is expected to begin in spring or summer next year.

More information on the public consultation can be found at [www.gov.uk/government/consultations/howsham-weir-fish-passage-consultation](http://www.gov.uk/government/consultations/howsham-weir-fish-passage-consultation).

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## **News story: Grave of brave Sussex born WW1 sailor finally rededicated almost a century later**

Cross referencing research was key in identifying the final resting place of Able Seaman (AB) Reginald Cecil Evenden. The 23 year old died along with 53 comrades as their warship, HMS Recruit, was sunk during World War 1 on 9 August 1917. Almost a century after AB Evenden's body was washed up on a beach in Blokhus, Denmark, a rededication service was held on 28 June 2017 at the Commonwealth War Graves Commission (CWGC) Hune Churchyard, northern Jutland, Denmark.

The service, which was a fitting tribute to the sacrifice made by AB Evenden, was organised by the MOD's Joint Casualty and Compassionate Centre (JCCC), part of Defence Business Services, and was conducted by the Reverend Richard Rowe, Royal Navy.



For almost 100 years AB Evenden has had no known grave as he was buried in a local cemetery to where his body was found as an "Unknown British Seaman of the Royal Navy". Due to research conducted by a member of the Danish public, which was investigated and verified by JCCC, it is now known that his body was washed up on Blokhust Strand beach on 5 September 1917. He was not identified at the time due to being in the sea for nearly a month. However, with cross referencing local church records, it was possible to link the body to HMS Recruit.

The church records indicated that he was buried in Hune Parish churchyard by the parish priest on 9 September 1917. The records state that he was an English sailor and that on his wedding ring finger he was wearing a gold ring with the letters "R.C.E" engraved on the outside. Inside the ring was another inscription – "Dear Mother died 10 June 1915".

It has now been confirmed that no other ships sank in that area of the North Sea in August or September 1917. The positioning of HMS Recruit when it sank is consistent with where AB Evenden's body was found and of the casualties from HMS Recruit; no one else had the initials "R.C.E". It has also been confirmed that his mother did pass away on 10 June 1915.

(left to right) Henrik Kleis, Hon Consul representing the British Ambassador to Denmark; and Flight Lieutenant Ben Wallis, representing HM Armed Forces and Chief of Defence Staff, Crown Copyright, All rights reserved

Louise Dorr, JCCC said:

It is thanks to 2 members of the Danish public who drew our attention to the church records in Hune that we have been able to identify this grave as that of Reginald Evenden.

It's a great honour to have his family with us today as we pay tribute to him for his sacrifice and rededicate the headstone that now bears his name with honour.

Members of Reginald Evenden's family, Crown Copyright, All rights reserved

Reverend Richard Rowe, said:

It has been my duty and privilege to have been involved in the rededication and naming of a headstone as the mortal remains of an "unknown sailor" were identified and named. As a Royal Navy Chaplain it was fitting to reclaim 1 of our own, to support his family and thank the local community for the dignity and care they have taken, and continue to take, over many years.

Almost 100 years after he died, AB Evenden's grave has been rededicated and a

new headstone bearing his name has been provided by the CWGC.