

## **MARKET INVESTIGATION INTO THE SUPPLY OR ACQUISITION OF AGGREGATES, CEMENT AND READY-MIX CONCRETE**

### **Notice of release of Interim Undertakings pursuant to section 157(3) of the Enterprise Act 2002**

1. On 18 January 2012 the Office of Fair Trading made a reference to the Competition Commission (CC) under section 131 of the Enterprise Act 2002 (the Act) concerning the supply or acquisition of aggregates, cement and ready-mix concrete in Great Britain (the Reference).
2. On 14 January 2014 the CC published its report on the Reference, entitled *Aggregates, cement and ready-mix concrete market investigation: Final report* (the Report), in which it concluded that:
  - (a) a combination of structural and conduct features in the bulk and bagged cement markets in Great Britain (GB) gave rise to an adverse effect on competition (AEC) in those markets (the GB cement markets);
  - (b) there were further features of the GB cement markets which combine to give rise to an AEC in the market for the supply of ground granulated blast furnace slag (GGBS) in GB, as well as to an additional AEC in the GB cement markets;
  - (c) the likely effect of those features and resulting AECs is higher prices for cement and for GGBS than would otherwise be the case;
  - (d) in order to address those AECs and the resulting customer detriments, remedies should be imposed under section 138(2) of the Act consisting, in particular, in the divestiture of a cement plant by Lafarge Tarmac and an active GGBS plant by Hanson, together with the right of the acquirer of the GGBS plant to obtain supplies of granulated blast furnace slag (GBS) or pellite and access to existing stockpiles of GBS or pellite; and
  - (e) a monitoring trustee should be appointed as soon as reasonably practicable following the publication of the Report, for the purpose in particular of ensuring the protection of the divestiture package.

3. On 28 February 2014 the CC, in accordance with section 157 of the Act, accepted Interim Undertakings from Lafarge Tarmac to prevent action being taken which might impede the taking of any action by the CMA under section 138(2) of the Act (the Interim Undertakings).
4. On 1 April 2014 the remaining functions of the CC in relation to the Reference were transferred to the Competition and Markets Authority (CMA) under Schedule 5 to the Enterprise and Regulatory Reform Act 2013 and the Schedule to the Enterprise and Regulatory Reform Act 2013 (Commencement No. 6, Transitional Provisions and Savings) Order 2014.
5. As required by the Report, Hanson completed the sale of its GGBS plant in Scunthorpe to Francis Flower on 31 July 2015; on the same date, Lafarge Tarmac sold its business in the UK, with the exception of the Caudon and Cookstown cement plants, to the Irish construction materials firm CRH and thereby completed the divestment remedies arising from the Report.
6. In accordance with section 157(3)(c) of the Act, the CMA now releases Lafarge Tarmac from the Interim Undertakings.
7. This Notice will be published on the [CMA website](#).

MARTIN CAVE  
*Group Chair*  
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