

COMPANY DIRECTORS DISQUALIFICATION ACT 1986
COMPETITION DISQUALIFICATION UNDERTAKING

IN RE: ECO-BAT TECHNOLOGIES LIMITED (Company number 02901883) ("ECO-BAT")
AND RE: H. J. ENTHOVEN LIMITED (trading as BLM British Lead) (Company number: 02821551) ("BLM")

CASE 50477: CMA INVESTIGATION INTO ROOFING MATERIALS

I, **JOCELYN CAMPBELL** of [REDACTED] hereby undertake to the Competition and Markets Authority ("**the CMA**"), on the basis of the conduct set out in the CMA's decision of 4th November 2020 and summarised in the schedule attached to this disqualification undertaking, that in accordance with section 9B of the Company Directors Disqualification Act 1986 ("**CDDA 1986**"):

I WILL NOT for a period of **6 years 6 months**:

- a) be a director of a company, act as a receiver of a company's property or in any way, whether directly or indirectly, be concerned or take part in the promotion, formation or management of a company unless (in each case) I have the leave of the court; or
- b) act as an insolvency practitioner.

Further I understand that if I act in contravention of the above disqualification undertaking:

- a) I may be prosecuted for a criminal offence (CDDA 1986 section 13); and
- b) I may be personally responsible for all the relevant debts of a company (CDDA 1986 section 15).

I further confirm and undertake to the CMA that I will use my best endeavours to cooperate with, and assist, the CMA in its competition disqualification investigation in relation to Case 50477 and any related proceedings.

I confirm that I had the benefit of legal advice before signing this undertaking.

Signed

[REDACTED]

Jocelyn Campbell

17 FEB 2021

Date

Accepted by

[REDACTED]

Jessica Radke, CMA Director

18 February 2021

Date

Note: the period of disqualification commences at the end of **28 days** beginning with the day on which the disqualification undertaking is accepted by the CMA, and that commencement date is **18 March 2021**.

SCHEDULE TO THE DISQUALIFICATION UNDERTAKING GIVEN BY

JOCELYN CAMPBELL

For the purposes of the CDDA 1986 and other legislation consequential to the giving of a disqualification undertaking, I admit the following matters:

I was a director of BLM between 23 January 1995 until my resignation on 29 February 2020.

BREACHES OF COMPETITION LAW

1. As found by the CMA in its Decision issued on 4 November 2020 (the **Decision**) and admitted in writing by BLM and Eco-Bat on 30 April 2020 in settlement of case 50477 (roofing materials), BLM, under my direction, infringed the prohibition imposed by section 2(1) of the Competition Act 1998 and Article 101(1) of the Treaty on the Functioning of the European Union ('**TFEU**') within the United Kingdom ('**UK**') and within the internal market by participating in 4 agreements and/or concerted practices which had as their object the prevention, restriction or distortion of competition within the UK and/or the internal market.
2. Specifically, as set out in particular in, but not limited to, section 1.4 of the Decision, BLM admitted to participating in the following:
 - (a) in October 2015, an agreement and/or concerted practice with Associated Lead Mills Limited ('**ALM**') and/or Royston Sheet Lead Limited ('**RSL**') (formerly known as Jamestown Metals Limited) not to supply Contractor Buying Group Limited ('**CBG**') by withdrawing or otherwise refusing to supply, underpinned by an exchange of commercially sensitive information; and
 - (b) in July 2016, an agreement and/or concerted practice with ALM and/or RSL to share the market through the allocation of a particular customer by way of a non-aggression pact and/or to fix prices in relation to that customer, including an exchange of commercially sensitive pricing information; and
 - (c) in August 2016, an agreement and/or concerted practice with ALM and/or RSL to share the market by way of a non-aggression pact and/or to fix prices, including an exchange of information regarding competitively sensitive market and pricing strategy; and
 - (d) in April 2017, a concerted practice with ALM and/or RSL to fix prices through the alignment of prices in respect of certain buying group customers, effected by a unilateral disclosure of commercially sensitive pricing information.

(the **Admitted Infringements**)
3. BLM was incorporated on 26 May 1993 and was an active company during the period of the Admitted Infringements.
4. The evidence in respect of the Admitted Infringements, as set out in the Decision is accurate insofar as it relates to me.

MATTERS OF UNFITNESS

1. I accept that in the following respects my conduct as a director of BLM was such as to make me unfit to be concerned in the management of a company.
 - 1.1. I directly participated in the Admitted Infringements between October 2015 and April 2017 as outlined in paragraph 2 above and further particularised in the Decision from paragraphs 3.56 to 3.152;
 - 1.2. By disclosing and accepting information which was competitively sensitive in nature I knowingly substituted practical cooperation for the risks of competition and consequently breached competition law.
 - 1.3. On 13 October 2015, I initiated communications with Graham Hudson in order to coordinate BLM's closure of business accounts which one of BLM's competitors, Contractor Buyer Group ('CBG'), held with BLM. The purpose of this coordinated action was to remove a competitive threat.
 - 1.4. I used a second mobile phone from December 2016 until December 2017 to conceal my communication with competitor businesses.
 - 1.5. My intention in participating in the Admitted Infringements was to create conditions of competition which did not correspond to the normal conditions of the market, and to reduce strategic uncertainty in the market.
2. My conduct directly contributed to the breaches of competition law outlined in paragraph 2 above.

