COMPETITION APPEAL TRIBUNAL

NOTICE OF AN APPLICATION TO COMMENCE COLLECTIVE PROCEEDINGS UNDER SECTION 47B OF THE COMPETITION ACT 1998

CASE NO. 1782/7/7/26

Pursuant to rule 76(8) of the Competition Appeal Tribunal Rules 2015 (S.I. 2015 No. 1648) ("the Rules"), the Registrar gives notice of the receipt on 24 June 2026 of an application to commence collective proceedings, under section 47B of the Competition Act 1998 ("the Act"), by HOCR Limited (the "Applicant/Proposed Class Representative/PCR") against: (1) Barratt Redrow plc, (2) Redrow Limited (formerly Redrow plc), (3) Bellway plc, (4) The Berkeley Group plc, (5) Bloor Homes Limited, (6) Persimmon plc, (7) Taylor Wimpey plc, (8) Vistry Group plc, and (9) Countryside Partnerships Limited (formerly Countryside Partnerships plc) (together the "Respondents/Proposed Defendants/PDs"). The Applicant/Proposed Class Representative/PCR is represented by Hausfeld & Co. LLP and Geradin Partners Limited (Reference: Scott Campbell and Belinda Hollway / Patrick Teague and Jenny Reeves).

The claims which the PCR seeks to combine (the "Claims") are for loss and damage allegedly caused by the Proposed Defendants' (or their group entities') breach(es) of statutory duty, in particular by their infringement of section 2 of the Act.

According to the collective proceedings claim form ("CPCF"), the Proposed Defendants all engage in the acquisition of land, obtaining planning consents, and building new homes to bring to market in Great Britain (and/or are all part of undertakings that do so).

On 30 October 2025, the Competition and Markets Authority (the "CMA") adopted a decision (the "CMA Decision") in which it accepted commitments (the "Commitments") from the Proposed Defendants in relation to certain competition concerns the CMA had identified. In broad summary, the CMA's competition concerns were that the Proposed Defendants and/or certain other housebuilders regularly and frequently exchanged competitively sensitive information ("CSI") during the period from January 2022 until February 2024 and that this may have had the object or effect of preventing, restricting or distorting competition within local areas across Great Britain.

The PCR's case is as follows:

(1) The Proposed Defendants exchanged CSI on multiple occasions and thereby committed a single and continuous infringement of section 2 of the Act ("the Infringement").

(2) Pending disclosure and evidence, the PCR seeks damages from 1 October 2015 onwards. The PCR submits that the Infringement came to an end (at the earliest) at the time when the Commitments were implemented (i.e., no earlier than 30 October 2025).

(3) The Infringement caused the prices of new homes in Great Britain to be higher than they otherwise would have been.

(4) Purchasers of those new homes are entitled to damages for the losses caused by the increased prices. Those losses are equivalent to the difference between the actual prices paid for new homes and the prices that would have been paid absent the Infringement ("the overcharge"), as well as interest and other increased costs that purchasers bore as a result of the overcharge.

The PCR's claims are standalone claims, but are informed by the CMA Decision. The PCR says the Tribunal may legitimately have regard to the Decision for the purposes of (inter alia) demonstrating the strength of the claims at an interlocutory stage and considering the evidence that might be available at trial.

The PCR seeks to bring these proceedings on an opt-out basis on behalf of individuals (except buy-to-let and build-to-rent landlords) who, during the "Relevant Period" (being the period starting on 1 October 2015 and ending on the date of the CPCF) bought newbuild residential properties from the Proposed Defendants (or entities in their undertakings or entities acting on their behalf). The PCR estimates that there are approximately 715,415 such persons. The PCR's expert economists estimate that the total damages are likely to be in the region of £4.5bn.

The PCR submits that it is just and reasonable for it to be authorised to bring the Claims on behalf of the proposed class members ("PCMs"). In summary:

(1) The PCR is controlled by Mr Mark McLaren, who has relevant experience, including through:

   (a) his nine years of working for The Consumers' Association (commonly known as "Which?");

   (b) his work on the Consumer Panel of the Legal Services Board;

   (c) his work on the General Optical Council's hearing panel;

   (d) his position as a non-executive director of the Property Ombudsman; and

   (e) his role as sole director of the class representative in the RoRo case before the Tribunal (Case 1339/7/7/20).

(2) It has a workable plan for the proceedings.

(3) It has access to experienced and knowledgeable advisors.

(4) It has adequate arrangements in place to fund the proceedings.

(5) It has no conflict of interest.

(6) It has adequate arrangements in place to cover the risk of adverse costs.

(7) It does not seek an interim injunction, meaning there is no need to consider any possible undertaking as to damages.

Further, the PCR will act fairly and adequately in the interests of the PCMs:

(1) The PCR is not a member of the Proposed Class (and neither is Mr McLaren).

(2) The PCR is a company incorporated for the purpose of these proceedings, not a pre-existing body. It was incorporated for the sole purpose of bringing these proceedings; is wholly owned and controlled by Mr McLaren, who is its sole member and director; and acts through Mr McLaren alone, albeit that Mr McLaren intends to take advice from his consultative group.

(3) The PCR's plans for the proceedings are in its litigation plan (the "Litigation Plan"). As explained in the Litigation Plan, this case is informed by the CMA Decision. The evidence that

was made available to the CMA during its investigation (the "CMA File Documents") resulted in the addressees paying £100 million to government programmes for the construction of affordable housing and giving legally binding commitments as to their future conduct in order to address the CMA's competition concerns. The PCR states that the CMA File Documents are likely to be important to the case and will need to be disclosed in due course.

(4) The PCR has entered into a litigation funding agreement with a third-party funder to pay the costs of the proceedings. A comprehensive budget has been agreed in connection with the funding arrangements and the the PCR has insurance in place which is adequate and appropriate.

The PCR submits that the class is identifiable because it is possible objectively to determine whether a person is a PCM by reference to the class definition. Further, the Proposed Defendants ought to have records of persons who made relevant purchases for a substantial part of the Relevant Period.

The CPCF states that the following issues are "*common issues*":

(1) what CSI the Proposed Defendants exchanged and how;

(2) how the Proposed Defendants used the CSI;

(3) whether any exchange of CSI was in breach of section 2 of the Act;

(4) whether any of the Proposed Defendants' conduct caused PCMs to suffer loss and damage;

(5) the quantification of any aggregate award of damages; and

(6) the basis, rate and duration of interest to which the PCMs are entitled.

The proposed collective proceedings are said to be an appropriate means for the fair and efficient resolution of the issues common to the underlying Claims and are likely to be the only practically and economically viable method for many PCMs to obtain compensation for the losses suffered as a result of the Infringement. That is for the following reasons:

(1) Many of the Claims are likely to be relatively low in value on an individual basis (compared, for example, to the costs of litigation of this nature) but very substantial in aggregate.

(2) All of the PCMs are individual consumers, who would be unlikely to have the awareness understanding, means, or appetite to participate in individual proceedings.

(3) Such Claims are precisely the type of claims that collective proceedings provisions are designed to enable. It would be neither fair, nor efficient, nor in the interests of access to justice to require PCMs to litigate these claims individually. Indeed, it is overwhelmingly unlikely that they would do so at all.

(4) Furthermore, if each underlying Claim were to be brought on an individual basis, the common issues would in any event need to be resolved in each separate individual litigation. It is fair and efficient to resolve those issues together in these proposed proceedings.

(5) Finally, if each underlying Claim were to be brought on an individual basis, that would create a risk of inconsistent decisions. For example, different cases might reach different conclusions on the Proposed Defendants' liability or the effects of their conduct on members of the Proposed Class; or some of the Proposed Defendants might be held liable while other might not. It would be preferable for such questions to be answered once and for all in a single set of proceedings.

The PCR considers that it is likely to be possible to distribute a substantial proportion of any damages or settlement sums to PCMs in a practical, proportionate and efficient manner. Any sums not distributed to PCMs would be dealt with in accordance with the Tribunal's directions and applicable statutory provisions.

The relief sought in these proceedings is:

(1) Damages and (compound or alternatively simple) interest;
(2) The PCR's costs; and
(3) Such further or other relief as the Tribunal may think fit.

Further details concerning the procedures of the Competition Appeal Tribunal can be found on its website at www.catribunal.org.uk. Alternatively, the Tribunal Registry can be contacted by post at Salisbury Square House, 8 Salisbury Square, London EC4Y 8AP, or by telephone (020 7979 7979) or email (registry@catribunal.org.uk). Please quote the case number mentioned above in all communications.

Charles Dhanowa CBE, KC (Hon)
Registrar
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