

COMPETITION AND MARKETS AUTHORITY
Minutes of the Board
25 June 2014

Present:

David Currie (Chairman)
Alex Chisholm (CEO)
Sonya Branch
Andrea Coscelli
Alan Giles
Roland Green
Bill Kovacic
Sir Philip Lowe (items 1-11 only)
Jill May (items 1-7 only)
Annetje Ottow
Mike Walker
Erik Wilson
Roger Witcomb

Apologies:

Carolyn Fairbairn

CMA staff:

Michael Grenfell
John Kirkpatrick
Paul Latham
Sheila Scobie (items 2 and 10 only)

Executive Office:

Sean Cornall
Tim Jarvis
Rebecca Lyon (Minutes)

Introduction

1 Introduction

The Chairman welcomed members to the meeting, noting the success of the meetings and reception with stakeholders the previous day. The Chairman highlighted the Board Register of Interests, provided in the reading room, noting the importance of ensuring that this was kept up to date.

Declaration of conflicts / Recusals

It was noted that Sonya Branch was recused on Tobacco and would leave the meeting for that agenda item. Jill May and Roger Witcomb would leave the meeting for the banking item in fitting with the agreed practice that panel members who are CMA Board members may not take part in decisions to make market investigation references for any investigation on which it was anticipated they might sit on the Panel; and that the Chair of the Panel would recuse himself from decisions on potential market investigation references.

2 Plenary discussion of bilaterals, 24 June

The Board agreed that it had been valuable to meet in Edinburgh and the CMA should continue to build its presence in each of the devolved nations, including via Board meetings/stakeholder engagement, as well as case meetings. The meetings with stakeholders and the stakeholder reception had been helpful in developing relationships with key stakeholders and the Board noted the importance of maintaining engagement with these partners.

3 Review and approval of draft public and private minutes of the May Board meeting and draft minutes of the May pre-Board seminar

The Board approved each set of minutes without change.

4 Chief Executive's update

The Chief Executive updated the Board on key developments and highlights in individual directorates from the past month.

Core updates

5 Retail banking¹

(Andrea Coscelli, Michael Grenfell. By videoconference: Julie Bon, George Brenton, Kate Collyer, Daniel Gordon, Cristina Luna-Esteban, Sophie Mitchell, Dan Moore, David Roberts, Natalie Timan)

The Board discussed the Retail Banking workstream.

6 Update on Consumer work

(Sonya Branch)

The Executive Director, Enforcement updated the Board on two consumer cases.

7 Tobacco²

(Roland Green)

The Deputy General Counsel updated the Board on recent developments in the Tobacco litigation.

Organisational management and Thematic reviews

7B Global Competition Review rating

(Alex Chisholm)

The Chief Executive provided an overview of the paper on the Global Competition Review (GCR) – a rating often cited as a measure of the effectiveness of the UK competition regime. The Board noted that the GCR rating was focused only on competition enforcement activity and as such the CMA's wider work relating to markets, advocacy and consumer enforcement would not be considered in its future rating. The Board discussed the CMA's approach to the GCR.

8 Professionalism and Parity project

(Erik Wilson. By audio conference: Rosalind Bergemann, Carolyn Fairbairn, Carmel Flatley)

The team introduced the paper, setting out its evidence, analysis and mechanisms for addressing the identified issues in this project, following the research undertaken by Qi Consulting.

¹ Jill May and Roger Witcomb recused themselves from this discussion.

² Sonya Branch recused herself from this item.

The Board discussed the team's proposals, raising a number of issues to be further considered.

9 The CMA's advocacy function: ambition, approach and priorities for 2014/15

(Mike Walker, John Kirkpatrick. By videoconference: Kate Blatchford)

The team introduced the paper, summarising its proposed approach to the CMA's advocacy function, including its ambition and priorities for the coming year.

The Board agreed that the proposed approach to advocacy was suitable and was supportive of the ideas prioritised for proactive work. It suggested a few further areas for future consideration.

10 Devolved Nations Strategy

(Erik Wilson, Marian Cree, Hannah Frodsham, Simon Harris, Paul Latham, Sheila Scobie)

The team introduced the paper, noting its ambition for the CMA to step up its engagement with Scotland, Wales and Northern Ireland, both through its casework and via specific initiatives.

The Board was supportive of the team's proposals and ambitions, agreeing that it was important for the CMA to increase its engagement with all nations.

11 Communications Strategy

(Erik Wilson, Paul Latham. By videoconference: Sophia Bhatti, Judith Frame, Kasia Reardon)

The team introduced the paper, setting out its proposed approach to communications over the next two years.

The Board was supportive of the Strategy and was content with the proposed communications principles and narrative. It considered GOV.UK and was supportive of the proposed user survey.

12 Corporate Performance and reporting to the Board

(Erik Wilson, Tim Jarvis. By videoconference: Sophia Bhatti, Steve Clark, Shagufta Hassan)

The team introduced the paper. Its intention was to provide the first quarterly performance report in July, followed by a more detailed bi-annual report in October.

The Board discussed the draft performance report and proposed indicators, noting the need to get the level of detail right, to enable it to discharge its functions and hold the CMA to account. The Board made a number of suggestions to further enhance the report and KPIs.

13 Minutes of Committees

The Board noted the minutes of the Audit and Risk Assurance Committee (21 May), Case and Policy Committee (28 May), Executive Committee (28 May) and Remuneration Committee (29 May).

14 AOB

Board dinners

The Board agreed to hold its next pre-Board dinner in September.

Reading room papers

The two Reading room papers provided for the meeting had been considered earlier in the meeting:

- i) Global Competition Review rating
- ii) Register of Interests

Review of the meeting

The Board reviewed the meeting and the future agenda.