

MINUTES OF THE CMA BOARD

Meeting date: 23 June 2021
Venue: By video conference

Members present^{1, 2}

Jonathan Scott (Chair)
Kirstin Baker
Martin Coleman
Andrea Coscelli (CEO)
Cynthia Dubin
Amelia Fletcher
Michael Grenfell
Bill Kovacic

CMA staff present

Stuart Hudson, Senior Director, Strategy,
Communications and Advocacy
Kate Bridge, Director of Executive Office
Sukhinder Lalli, Legal Director, Governance,
Compliance and Risk
Board Secretary (minutes)

Teams

The meeting was attended by staff from across the CMA including Directors from the delivery teams and the new functions, and staff from the Campaigns, Governance, Markets and Remedies teams.

Advisors present

Sarah Cardell, General Counsel
Mike Walker, Chief Economic Adviser³

Apologies

Erik Wilson (COO)

1. Introduction

The Chair welcomed the Board members to the meeting. There were no new conflicts declared or declarations of gifts or hospitality.

2. Minutes

The Board approved the minutes and actions from the CMA Board meetings held on 11 and 19 May 2021 with no changes.⁴

The Board acknowledged the committee minutes received.

¹ MG joined the meeting shortly after the start of item 3.

² MC was recused from item 7 as ERRA; schedule 4; paragraph 33 requires the recusal of a Board member on a matter where the Board is considering whether to refer a matter to a Panel, and the Board member in question might reasonably be expected to be a member of a group formed in connection with the matter.

³ MW missed the first third of item 8 due to a technical issue.

⁴ The minutes and actions from the May Board meetings were formally approved after item 3.

3. Chief Executive's update including Corporate risk register and External guidance tracker

The CEO updated the Board on developments at the CMA, including recent developments in digital and consumer cases, and mergers. The Board also noted the Risk Register and the new External guidance tracker.

4. Audit and Risk Assurance Committee (ARAC) update

The Board was updated on the 21 June meeting of ARAC, noting that ARAC recommended that the Board approves the Annual Accounts.

5. Pipeline Steering Group update

The Executive Director, Enforcement updated the Board on the recent discussions on the pipeline of cases.

6. Open banking future governance

The Board discussed the outcomes of the recent consultation on options for the future governance and oversight of open banking. The Board also agreed to establish an Open Banking Committee.

7. Potential Market Investigation Reference

The Board approved a proposal for a market investigation reference into the mobile radio network for the Police and the Emergency Services, to be launched in early July.

8. CMA/BEIS framework agreement

The Board approved a framework agreement between CMA and BEIS, noting that having such an agreement is required by Cabinet Office and HM Treasury guidance. The Board noted that the agreement will be made publicly available on the CMA's webpages, once approved by BEIS and HM Treasury.

9. Next steps for CMA 2020s

The Board was updated on the CMA 2020s initiative which aims to bring the CMA closer to the needs of consumers.

10. Consumer campaign

The Board agreed a proposal for a consumer-focused campaign on the issue of misleading online practices, noting the strategic alignment of this work with the CMA's priorities.

11. AOB

The Board formally approved:

- The CMA's Annual Report and Accounts 20/21, the CMA's Annual Report and Accounts 2018/2019 and delegated the sign off and publication process to the CEO.
- The CMA Annual Impact Assessment 20/21, noting that this will be published alongside the Annual Report and Accounts.
- A paper on the CMA's Estates.

The Board noted four papers received for information:

- Future operating model update
- Corporate Action Plan 21-22 Q1 progress update
- Advisory Committee Chair appointment
- Finance update June 21.

The Chair thanked all the teams involved.