

MINUTES OF THE CMA BOARD

Meeting date: 21 September 2022
Venue: In the Cabot, London and by videoconference

Members present

Marcus Bokkerink (Chair)
Kirstin Baker
Sarah Cardell (Interim CEO)
Martin Coleman
Cynthia Dubin¹
Amelia Fletcher
Michael Grenfell
Murdoch MacLennan
David Stewart
Erik Wilson (COO)

CMA staff present

Kate Bridge, Director of Executive Office, Security and Performance
Sukhinder Lalli, Legal Director, Governance, Compliance and Risk
Committee Secretary (minutes)

Teams

The meeting was attended by teams from Legal Services, Markets & Mergers, Corporate Services and Strategy, Communications & Advocacy.

Advisors present

Stuart Hudson, Senior Director Strategy, Communications and Advocacy
Lucy Robbins, Senior Director, People, Capability and Culture
Chris Prevett, Interim General Counsel Elect
Mike Walker, Chief Economic Adviser
Jonathan Scott

1. Introduction

The Chair welcomed the Board members to the meeting, including Jonathan Scott, who was attending in an advisory capacity and Lucy Robbins, who has been appointed as an advisor to the Board.

There were no new conflicts declared or declarations of gifts or hospitality.

Minutes

The Board approved the minutes from the meetings of the Board meeting of 20 July 22 with no changes. The Board acknowledged the committee minutes received.

¹ CD left the meeting from item 9

2. Stepping Back: Chair reflections

The new Chair outlined his observations on the time he had spent with the organisation so far, which included the CMA's strengths, the external forces that would impact its work and the organisation's Shaping the Future programme.

3. Government Update

The Senior Director, Strategy, Communications and Advocacy updated the Board on developments within the government, following the recent appointment of the new Prime Minister.

Strategy, Policy, Portfolio and Risk Management

4. Framing the New Approach

The Board discussed the new structure of the agenda of the Board meetings and the CMA's approach to reviewing its portfolio of casework. The Board would review the new portfolio dashboard quarterly.

5. CEO Opening Comments

The Interim CEO updated the Board on recent strategic and policy developments in the CMA. The Board reviewed the corporate risk register and the external guidance tracker.

6. Updates on CMA Strategic Steer

The Board discussed the UK government's intention to provide a new strategic steer to the CMA. The steer is updated periodically and outlines how the government would like the CMA to approach its work.

7. Update and next steps on Cost of Living

The Board received an update on the CMA's Cost of Living work, which includes horizon scanning to identify and monitor key potential areas of concern and some areas in which to undertake further pipeline work.

8. BEIS consultations on new functions

a) BEIS Statutory Consultation on the Groceries Code Adjudicator (GCA) – exploring potential closer ties between the CMA and GCA

The Board discussed BEIS' statutory consultation on the Groceries Code Adjudicator and noted that a working group has been set up to discuss benefits and options for closer ties between the CMA and GCA. The Board noted that one option was for the CMA to take on the GCA role. The Board agreed with the suggestions for the CMA to continue to engage with the BEIS working group and to highlight the potential constraints and risks.

(b) Smart Data Legislation

The Board was updated on the CMA's engagement with BEIS on the development of the Smart Data legislation.

Cases

9. CEO Opening Comments

The Interim CEO updated the Board on recent developments in the CMA's casework.

10. Mobile Browsers and Cloud Gaming: Decision on whether to launch a Market Investigation

The Board had an initial discussion on the launch of a market investigation reference (MIR) in relation to the supply of mobile browsers and mobile browser engines, and the distribution of cloud gaming services through app stores on mobile devices (and related ancillary goods and services) in the United Kingdom. The Board agreed to consider this subject further at a later meeting.

Business Model

11. CEO Opening Comments

The Interim CEO updated the Board on recent developments in Corporate Services.

12. Property Strategy

The Board was updated on the proposed property solutions, so that the CMA can meet the Places for Growth recruitment and relocation targets. The Board endorsed the progress made to establish an interim office location in Manchester.

People

13. CEO Opening Comments

The Interim CEO updated the Board on recent developments in recruitment and HR.

14. Board Engagement with Staff

The Board discussed its plans for greater engagement with CMA staff.

15. Free Discussion

The Board discussed improvements and logistics for future Board meetings.

16. AOB²

The Chair thanked the Board for the meeting.

² The Board noted its offline decision on 2 September 2022 to approve the appointment of Marcus Bokkerink and Kirstin Baker to the Open Banking Committee.