

OFT (11) 10th minutes

Minutes of the Office of Fair Trading Board Meeting

Thursday 1 September 2011

Present:

Philip Collins (Chairman)

John Fingleton (CEO)

Vivienne Dews

Alan Giles

Frédéric Jenny

Robert Laslett

Tony Lea

Philip Marsden

Clive Maxwell

Bill Moyes

Apologies:

Frances Barr

OFT Staff:

Paul Latham

David Leech (Item 1)

Gordon Ashworth, Cavendish Elithorn, Jackie Holland, Louise Marfany, Geoff Steadman, Bethan Watts (Item 4)

Cavendish Elithorn, Claudia Berg, Sue Oxley, Dan Moore, Ann Pope, Louis Christofides, Maria Rican, Hannah Priest (Item 5)

Mary Starks, James MacBeth, Min Lim, Hannah Priest (Item 6)

Executive Office:

Kate Bridge

Rachel Christopher

Erik Wilson

1 Board development

Board feedback

The Board continued its discussions at the July Board meeting on the feedback from staff attendees on impressions gained from discussions at the Board and made a number of suggestions. It was agreed that proposals will be developed to address the issues raised.

2 Case updates

Organisational updates

Monthly executive report to the Board September 2011

The Board received and noted this report.

Quarterly Board report September 2011

The Board received and noted this report.

Update on Competition Law compliance work

The Board received and noted this report.

Tobacco appeals update

The Board was updated on this case. Further updates will be presented to the October and November Boards.

Goods, Consumer, Cartels

Credit surcharges super-complaint

The Board was updated on the super-complaint.

Retirement homes

The Board was updated on this investigation into exit fees. A further update on this case will be presented to the October Board.

Services, Infrastructure, Public markets, Mergers

Dairy

This case has now been concluded with fines of £50 million. The deadline for appeals is 10 October 2011.

Possible super-complaint

The Board noted that the OFT may shortly receive a super-complaint.

Mergers update

The Board was updated on recent merger cases.

3 Operations

Progress on CD transition project

The Board received an update on the transfer of the Consumer Direct service to Citizens Advice.

IT

The Board was updated on recent IT improvements and noted that some minor IT issues with the PROMOD public register have now been resolved.

Restack

The Board was updated on this project and noted that procurement has begun and staff are now engaging fully. Externally, there remains positive interest in renting space within Fleetbank House.

Finance

The Board considered and noted the financial report.

Case updates

The Board received updates on credit casework.

4 External environment

The Board were updated on recent developments and discussed the draft response to the BIS consultation on the Consumer Landscape. The Board also received an update on the OFT's appearance before the Public Accounts Committee.

5 Goods, Consumer, Cartels

Goods and Consumer Portfolio and Pipeline

The team presented the portfolio of the Goods and Consumer Group and updated the Board on recent cases, explaining its priorities, its aim to give wider deterrence messages, and the use of the tools available. The Board asked about the pipeline in comparison with other jurisdictions and suggested some markets for consideration. The pipeline process was explained and the speed of cases was discussed. The Board supported the direction of travel and suggested the team focuses on improving the impact of cases.

Extended Warranties market study¹

The Board were updated on the study and discussions with parties.

Conclusion of Mobility Aids Market Study

¹ Bill Moyes informed the Board that he was president of the British Retail Consortium in 2001 and had given evidence to the CC on extended warranties at this time.

The Board were updated on the outcomes of the study.

6 Services, Infrastructure and Public markets

Off-Grid Energy Market Study

The Board received an update on this study.

9 Minutes of the Board meetings (21 July) and AoB

Minutes

The Board approved the 9th minutes with no changes.

AOB

There will be a Board coffee morning, an Audit Committee a Joint OFT/CC Board meeting and a dinner before the next Board meeting on 5 October.

10 Review of the Board meeting; future agenda items; carry forward

The Board was asked to send any comments on carry forward items of the future agenda to Erik Wilson (erik.wilson@oft.gsi.gov.uk).

Rachel Christopher

Executive Office

5 September 2011