

Minutes of Code Change Committee

Meeting 07

22 September 2022

Elxon, 350 Euston Road, London NW1 3AW

Status of the Minutes: Final

Anthony Pygram	AP	Independent Chair	Ulrike Hotopp	UH	Independent Member
Mike O'Connor	MO	Independent Member	Neil Pendle (Alternate)	NP	Retailer Member
Mike Rathbone	MR	Wholesaler Member	Matthew Glover	MG	Retailer Member
Paul Stelfox	PS	Wholesaler Member	Christina Blackwell	CB	Customer Representative
Steve Creighton	SC	Alternative Customer Representative			

AFFILIATE MEMBERS PRESENT

Dan Mason	DM	Ofwat Affiliate Member			
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SECRETARIAT

Adam Richardson	AR	Panel Secretary	Nichola Vincendeau	NV	Secretariat (item 4)
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OTHER ATTENDEES

Darren Hayes	DH	Ofwat	Sasha Pearce	SP	Ofwat
Stuart Boyle	SB	MOSL Presenter (item 3)	Amanda Hinde	AH	MOSL Observer

APOLOGIES

Sarah McMath	SM	MOSL Affiliate Member	Claire Yeats	CY	Retailer Member
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1. Welcome and Introductions

- 1.1. The Chair welcomed members to the Code Change Committee meeting.
- 1.2. It was confirmed that the meeting was quorate.
- 1.3. Apologies were received and accepted from SM and CY. NP attended as an alternate for CY.
- 1.4. Code Change Committee members were asked to declare any potential conflicts of interest in relation to the meeting agenda. PS confirmed that he had been appointed as a member of the MOSL Board. It was agreed by the CCC that this presented no conflict of interest for this meeting.

2. Minutes and Outstanding Actions

- 2.1. The Committee noted the minutes from Code Change Committee 06 (23 August 2022) had been circulated for review. There were no additional comments, and the minutes were approved.
- 2.2. The Code Change Committee agreed that the following actions should remain open:
CCC01_08, CCC02_01 and CCC03_01.
C01_08 and CCC03_01 were due to come back to the Code Change Committee in September for an interim review but it was agreed that this should be deferred to the Code Change Committee meeting in October; CCC02_01 had a target completion date of 31 December 2022.
- 2.3. The Code Change Committee agreed that the following action should be closed:
CCC06_01 (This action referred to an item on the agenda later in the meeting).

3. Change Report

- 3.1. SB presented a summary of the change report. This highlighted the delivery programme, the upcoming changes, the changes that were currently on hold, those in the pipeline, consultations and Ofwat decisions.
- 3.2. The Committee discussed the slowing down of Trading Party led code change proposals. Several possible reasons for this were put forward, including the work being carried out by the Strategic Panel, the Bilaterals programme and a reduction in or lack of resources or bandwidth for Trading Parties, particularly for smaller ones. Another reason could be down to the work carried out through industry groups such as the Retailer and Wholesaler Group (RWG) and it was suggested that the Code Change Committee was not the only forum for change as other paths are available, such as Best Practice Guidance.
- 3.3. The Committee was asked to agree that CPW070g “Bilaterals Phase 6” be delayed until October 2022. It was noted that CPW070g and CPW085 both impacted on Process G6 in the Operational Terms. CPW085 was previously approved by Ofwat for implementation on 2 December 2022. CPW070g was in development under the Bilaterals Programme. The implementation of CPW070g was expected to fall in the same week as CPW085 (but on a different day).
- 3.4. It was noted that it was not ideal to have two changes to the same part of the codes being implemented in the same week. The deferral of the recommendation on CPW070g would provide an opportunity to ensure the prospective implementation of the two changes (if approved) could be appropriately aligned. It was noted that MOSL had discussed the optimum approach to manage the potential interaction of these changes with Ofwat.
- 3.5. The Code Change Committee:
 - **NOTED** the change report.
 - **AGREED** (unanimous) to delaying CPW070g until October 2022

4. Approval of Conflicts of Interest Guidance

- 4.1. The Code Change Committee considered the final draft of the Conflicts of Interest Guidance Paper. A member asked for clarification about the term Industry Groups as it covers many different types. It was suggested and agreed that working practice would mean that any member of the committee who felt that there was an area where there was a conflict of interest could and should raise this at the beginning of the meeting or nominate an alternate if this was the case.

- 4.2. There was an error in the cross referencing of the document circulated to the committee but subject to this being changed the Committee was happy to adopt the guidance.
- 4.3. The Code Change Committee:
 - **AGREED** (unanimous) to adopt the Guidance subject to the small edit that was suggested.

5. AOB

- 5.1. DM advised the committee that Ofwat had published its State of the Market Year 5 report earlier in the week and if any members of the Committee wished to have a teach-in session, he would be happy to arrange this.
- 5.2. The Committee noted that the Strategic Panel would need to give consideration to the future of the Code Advisory Group following conclusion of its work on CPW070. This was a matter for the Strategic Panel. Committee members also observed that MOSL would need to give consideration to other groups associated with the Bilaterals Programme, particularly given the appetite among Trading Parties for further development of bilateral processes. AR observed that the provisions for ongoing development and evolution of the Bilaterals Hub were under consideration and that this would likely form a topic of engagement in relation to MOSL's business planning going forward.
- 5.3. The Chair thanked the members of the Committee for their input and the meeting closed at 10.38am.