

Minutes of the Disputes Committee Meeting Three

20th January 2021 | 10:30 – 13:30 | Via MS Teams

Status of Minutes: FINAL

MEMBERS PRESENT

Member	Abbreviation	Role
Elsa Wye	EW	Chair
Neil Pendle	NP	Committee Member (Retailer)
Peter Strain	PS	Committee Member (Retailer)
Wendy Monk	WM	Committee Member (Retailer)
Dylan Freeman	DF	Committee Member (Wholesaler)
Paul Stelfox	PS	Committee Member (Wholesaler)
Martin Mavin	MM	Committee Member (Wholesaler)
Matthew Rix	MR	Committee Member (Wholesaler)
Julian Trantor	JT	Committee Member (Wholesaler)
Markus Lloyd	ML	MOSL
Ivy Mandinyenya	IM	MOSL (Presenter)
Joe Smith	JS	MOSL (Presenter)
Ethan Fleming	EF	MOSL (Secretariat)

1. Welcome and Introductions

- 1.1. The Chair welcomed everyone to the meeting and apologised for the late circulation of papers. The Committee agreed that on this occasion the late circulation of papers was acceptable due to the circumstances involved.
- 1.2. Apologies had been received from PM.
- 1.3. The committee agreed to adjust the agenda to consider all open items of business before entering the closed session at the end of the meeting.
- 1.4. PS and JT declared a conflict in relation to the closed session, it was confirmed that neither would attend the closed session and had not received the papers.

2. Minutes of the Previous Meeting

- 2.1. There had been no comments received on the minutes of the previous meeting.
- 2.2. The minutes of the meeting were approved as an accurate record.

3. Review of Outstanding Actions

- 3.1. JS reported that all actions were complete or present on the agenda for discussion and therefore could be closed.
- 3.2. The committee approved the closure of the actions noting items remained on the issue log for resolving at an appropriate time in the future.

4. Housekeeping Change Following Implementation of CPW092 and CPM029

- 4.1. IM presented a proposed change following the implementation of CPW092/CPM029. This change would rectify drafting errors that had occurred and resolve conflicting areas that required clarification. As the changes amended the business terms, operational terms and the MAC IM was seeking committee approval and a proposer.
- 4.2. A member asked for clarity on the informal procedure and if there was a timescale for this. IM confirmed there was not however a TP should write formally to the other TP on escalation to a formal dispute before contacting the MO. The MO would be required to receive evidence that efforts had been made to resolve the dispute informally. This was consistent with the trading disputes procedure.
- 4.3. A member raised several other drafting issues that should be resolved including elements that switched between plural and singular and where the code was not consistent with the DC TOR's. The member would submit any further comments to the MO by the end of the week.
- 4.4. The committee approved the change and agreed that to ensure it had the appropriate quality checks and legal review, it could be delayed until the March Panel if required. PS agreed to be the proposer for the change.

5. Closed Session – Urgent Dispute Request

6. Migration of Historic Disputes

- 6.1. JS reported that Castle had been approached for an update on their historic non-trading disputes, to migrate them onto the new process or close them. Castle had responded that this was not possible, and they could not be escalated unless they were on the new process which Castle were not agreeing to. If neither party took any action on them, they would remain open with no route to the committee unless migrated over. Several members expressed dissatisfaction with this approach and were very disappointed in the actions and behaviours of the TP's involved.
- 6.2. The Waterscan disputes were in the process of being migrated into the new system.

7. New Disputes

- 7.1. There were no new disputes to report.

8. AOB

- 8.1. There were no items of AOB.