

AHDB Horticulture Board Meeting
MINUTES OF THE MEETING OF THE
HORTICULTURE SECTOR BOARD HELD
ON 1 NOVEMBER 2022

CONFIDENTIAL

PRESENT: Peter Judge (PJ), Michael Barker (MB), Jamie Dewhurst (JD), Mark Eves (ME), Roma Gwynn (RG), Rob Saunders (RS), Robin Squance (RSq), Keston Williams (KW)

APOLOGIES – None

IN ATTENDANCE:

Ken Boyns (KB) – Divisional Director - Services

Rob Clayton (RC) – Sector Director - Horticulture

Debbie Wilson (DW) – Senior Research & Knowledge Exchange Manager

Alison Thomas (AT) – Executive Assistant, minute taker

AGENDA ITEM 1 – Welcome & Apologies for absence

1.1 The Chair welcomed those in attendance. No apologies for absence had been received. The Chair declared an interest as a director of the British Berry Growers, RG declared an interest as Vice President of International Biocontrol Manufacturers Association.

AGENDA ITEM 2 – Minutes of the meetings held on 8 September 2022

2.1 The minutes of the meetings held on 8 September 2022 were approved.

AGENDA ITEM 3 – Matters arising from the meeting held on 8 September 2022

3.1 The Chair acknowledged and thanked board members for their help in obtaining letters from across the industry to demonstrate to Defra strong support for the establishment of a new organisation to continue delivery of the EAMU/EA service.

3.2 The Chair also paid tribute to the AHDB staff, in particular Ken Boyns and Rob Clayton, for their outstanding efforts and persistence.

AGENDA ITEM 4 – AHDB Board decision on EAMU/EAs and next steps

4.1 The Chair invited RC to provide an update on activity and progress following the AHDB board's decision to support a proposal to grant fund surplus levy in stages to a new horticulture organisation to deliver services to the industry in future. It was emphasised that this proposal still required Defra approval.

4.2 RC explained that events had unfurled quickly since the AHDB board's decision and consequently the paper provided for the meeting had been superseded. A brief presentation summarising activity to-date and the latest situation was given.

4.3 The board was advised that meetings had taken place with BGA to discuss the transfer plan, arrangements for project transfer and communications. Discussions were also underway with Defra and work had begun on the development of a business case for the grant funding for their consideration.

4.4 Six key components and workstreams associated with the plan for transfer to the new organisation had been identified, namely: Defra approval; the EAMU/EA pause process; historic and current liabilities; IP and sensitive data; staff; and funds and transfer. The board was informed of the status of each, together with their associated risks and the mitigations in place to minimise these.

4.5 The board was advised that the temporary pause on EAMU/EA applications which had been introduced to avoid creating new liabilities was now being reviewed and was likely to be lifted as the risk was diminishing with CRD continuing to be very helpful and plans in place to establish a Memorandum of Understanding between BGA and AHDB to clarify responsibilities and ownership from 1 April 2023.

4.6 Noting the extent and complexity of issues around data and ensuring appropriate permissions in place to support its transfer, RG highlighted that retention timelines existed and asked if data was being checked against these. RC gave assurance that the team was aware of these and was working with support from AHDB's legal manager to ensure data was being managed effectively. He acknowledged that this work would take some months to complete.

4.7 The horticulture team had been briefed on the AHDB board's decision and discussions between HR and individuals were now taking place. It was likely that one fixed term post would be created within the technical team to manage the completion of remaining projects. Funding for this role had already been allocated within the control budget.

4.8 A question was raised by RS regarding the remaining projects and the likelihood of the new organisation having capacity to take these on. RC commented that early discussions with BGA had indicated a desire to focus on EAMU/EA work initially before possibly broadening its work in time and all agreed that it was important that the new organisation determined its own work programme. It was agreed that the list of ongoing and completed projects across all panels would be circulated to the board for awareness.

Action: List of projects across all hort panels to be circulated.

4.9 Calculations to ascertain the size of the fund available to be transferred to the new grower-led organisation were being prepared. It was emphasised that funds would be handed over in tranches, with release of monies subject to achievement of milestones/measurables yet to be determined.

4.10 Whilst the smooth and efficient running of the new company was a matter for its directors, AHDB still had a responsibility to ensure that repatriated levy funding was used for the purposes for which it was intended as any failure in this regard could potentially damage its reputation. It would also be important to be able to demonstrate good governance and due diligence if challenged whilst not overburdening the new organisation. Under the Framework Agreement, formal Defra approval was required for AHDB to grant fund monies and it was likely that Defra would require several checks and balances to be in place.

4.11 It was agreed that the criteria for the grant agreement would be shared with the Horticulture board for comment once available.

Action: Draft criteria for grant agreement with new organisation to be shared with Horticulture board

4.12 RC advised that work to prepare a proposal for consideration by the AHDB board in respect of royalties continued. Although relatively straightforward for soft fruit, this was proving more complex for protected edibles, even though the sums involved were not particularly significant. The AHDB board had agreed to consider a proposal via email for a decision on this matter to be taken prior to its next meeting.

4.13 The Chair commented that the Horticulture board would dissolve on 31 March 2023, hopefully having fulfilled its obligation to find a solution to ensure effective ongoing delivery of services to the industry and the repatriation of levy. He encouraged board members to offer their support to the new organisation which he was sure would be welcomed. It was noted that if they did so, this would be in an individual capacity and that all AHDB Hort board discussions must remain confidential.

AGENDA ITEM 5 – Any Other Business

None

AGENDA ITEM 6 – Date of next meeting

Tuesday 17 January 2023