

AHDB Horticulture Board Meeting
SUMMARY MINUTES OF THE MEETING
OF THE HORTICULTURE SECTOR
BOARD HELD ON 17 JANUARY 2023

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 had previously declared an interest as Vice President of International Biocontrol Manufacturers Association.

AGENDA ITEM 2 – Minutes of the meetings held on 1 November 2022

2.1 The minutes of the meetings held on 1 November 2022 were approved.

AGENDA ITEM 3 – Matters arising from the meeting held on 1 November 2022

3.1 All matters arising would be covered by the agenda.

AGENDA ITEM 4 – Update on transfer to HCP and proposals on transfer of royalties

4.1 The Chair invited RC to provide an update on activity and progress with the transfer arrangements for EAMU and EA services.

4.2 RC drew attention to his report and reminded the board of the six key components of the transfer plan namely: Defra approval; the EAMU/EA pause process; historic and current liabilities; IP and sensitive data; staff; and funds and transfer. A verbal update on the status of each was given in line with the report presented.

4.3 It was reported that the grant application had been formally submitted to Defra and had been reviewed by its grants team with only minor amendments relating to financial controls made

4.4 Noting the dynamic nature of the finances involved in the transfer of the services, figures quoted within the grant application were approximate but, if approved, grant funding of up to £1.8m covering staff, known liabilities (current and accrued) and the new evidence programme would be awarded to HCP Ltd. It was anticipated that the application would be presented to the Minister for approval very soon.

4.5 RC advised that work was already underway to develop a schedule of payments and measures for the release of funds to HCP Ltd. It was agreed that a draft would be shared with the board in due course.

Action: Draft schedule of payments/measures to be shared with board.

4.6 The board asked how much progress had been made in terms of HCP establishing itself and its internal processes. RC responded that he was aware of plans for HCP to hold an AGM on 7 February (when meetings with AHDB staff who might TUPE to the company would also take place), and to recruit a Chief Executive. Whilst timelines might be tight, his impression was that there would be sufficient governance in place to allow the transfer to go ahead as planned at the end of March.

4.7 RC drew the board's attention to the timeline contained within his report. He confirmed that progress to-date indicated that work was on schedule and that the transfer agreement would be produced by the end of February, ready for execution at the end of March 2023.

Proposals on Transfer of Royalties

4.8 Noting the Chair's declaration of interest as a Director of British Berry Growers, this agenda item was chaired by RC.

4.9 Proposals for the return of revenue generated from IP in soft fruit and protected crops were outlined and the board asked to consider and vote upon future options and make recommendations for consideration by the AHDB Board. The following was agreed:

In soft fruit – Strawberries: with the exception of PJ who abstained, the board accepted the executive's recommendation that a contract novation be created and AHDB replaced with British Berry Growers as members of EMSBC, removing any future responsibility or liability for AHDB.

In soft fruit – Raspberries: apart from PJ who abstained, the board accepted that no further action was required with regard to this project given that neither AHDB nor its co-funder, the Scottish Government, have entitlement to benefit from IP and no receipts had been identified to-date.

In protected crops: with the exception of RSq who abstained declaring his interest as chair of a BPOA committee, the board agreed to recommend that a contract novation be created with BPOA replacing AHDB as the partner with Lancaster University, thus removing any future responsibility or liability for AHDB.

In root stocks: the board was advised that AHDB owned the IP which would allow commercialisation, but no exploitation had taken place yet. Although an offer to provide a route to market had been received from a commercial organisation, the board, apart from RS who declared an interest in British Apples and Pears Ltd (BAPL), supported the executive's recommendation that it would be congruous to follow suit on earlier recommendations and approach BAPL about the potential to transfer the IP to them.

4.8 It was confirmed that the recommendations agreed by the Horticulture Board would be presented to the AHDB board for consideration and approval at its meeting on 24 January 2023.

4.9 The board was advised that once the AHDB board had agreed a course of action, the process to initiate novation with scheme administrators could commence. In accordance with the transparent and consultative approach adopted in communicating the transfer of other horticulture products and services, the AHDB board's decision would also be publicised to allow others the opportunity to put forward alternative proposals for the distribution of receipts.

AGENDA ITEM 5 – Any Other Business

5.1 RC reminded board members of the need to submit any outstanding expense claims for this financial year, or previous ones, as soon as possible.

Action: Board members to submit expense claims for this financial year (or previous ones) as soon as possible

5.2 The Chair conveyed his thanks to Ken Boyns, Rob Clayton and other staff members for their hard work and perseverance in reaching this point. These sentiments were endorsed by board members.

5.3 The Chair also paid tribute to the board members. He acknowledged that there had inevitably been some difficult discussions and decisions along the way but believed these had ultimately helped achieve everyone's objective of securing the best possible outcome for the industry

5.4 KB reciprocated expressing his appreciation for the support, guidance and direction offered by board members and acknowledging that, without this, the achievements to-date would not have been possible.

5.5 It was noted that the board's next meeting on Tuesday 21 March 2023 would be its last and agreed that this should be held in-person if possible.

AGENDA ITEM 6 – Date of next meeting

10.00am, Tuesday 21 March 2023