

LBRO

Local Better Regulation Office

BOARD MEETING

Minutes of the 13th Meeting of the LBRO Board
Held on 04 March 2009
The Rubens Hotel, Buckingham Palace Road, London

Present:	Clive Grace	Chair of LBRO Board
	Robin Dahlberg	Board Member
	Uday Dholakia	Board Member
	Michael Gibson	Board Member
	Ann Hemingway	Board Member
	Robert Leak	Board Member
	Rebecca Marsh	Board Member
	David Thurston	Board Member
	Graham Russell	CEO and Board Member
In attendance:	Carol Brady	Project Director
	Jane Martin	Director of Policy & Engagement
	Sarah Smith	Director of Delivery & Performance (item 8.1 only)
	Loris Strappazon	Head of Board Support & Strategy
	Richard Wilson	Head of Resources and Corporate Services
	Lynne Howard	Chair & Board Support Officer
	Rekha Lodhia	Policy & Board Support Manager
	Wendy Rimmer	Head of Board Support & Strategy (Commencing 16 March 2009)
	Angela Goldberg	Gatenby Sanderson (observer)
	Mandy Parker	Gatenby Sanderson (observer)

**Person
Responsible
For Action**

Wednesday 04 March 2009: BOARD MEETING

1. WELCOME

The Chair, Clive Grace, welcomed everyone to the Board meeting and introduced Wendy Rimmer, who will be taking up the position as Head of Board Support & Strategy, commencing 16 March 2009, and Rekha Lodhia, Board Support Manager.

1.1 Declarations of Interest

There were no new declarations of interest.

1.2 Apologies

No apologies were received.

1.3 Minutes of previous meeting and summary of outstanding actions

The minutes were approved as an accurate record of the January 2009 Board Meeting.

Rolling Actions from 21 January 2009 – Item 3.1: LBRO has requested to be one of the organisations to be consulted on the local economic assessments. Discussions are still in progress.

Rolling Actions from 05 March 2008 – Item 6.1: It has been accepted that Audit Committee Minutes will not be put on LBRO's website.

This subject to be brought to the next Board meeting in April.

Action

Publication of Minutes to be brought to the April Board meeting.

Rekha Lodhia

2. REPORT FROM CHAIR

The Chair reported back on the workshops from the previous day and also the Beacons Awards Dinner held the previous evening. It is important to keep local authorities engaged. Rebecca Marsh and Carol Brady would arrange to visit Association of Greater Manchester Authorities (AGMA).

A proposal had been received from the Chief Executive at the RSA to host a joint event. The audience would need to include business associations and journalists. It was suggested that Philip Hampton should be invited. Board Members were asked for any comments to be given to Graham Russell or Jane Martin.

The Board requested the Executive to explore the possibility of joining up with the Whitehall Industry Group.

Action

Carol Brady and Rebecca Marsh to visit AGMA

Carol Brady

Jane Martin to follow up the joint event with RSA

Jane Martin

Executive to explore the possibility of joining up with the Whitehall Industry Group.

Rekha Lodhia

3. REPORT FROM CEO

3.1 CEO Policy Update

The Chief Executive had previously circulated ten reports:

1. Slowdown guidance decision on statutory nature.

The Board agreed guidance to be redrafted as non statutory advice and guidance. It was suggested to incorporate recent changes to the regulatory landscape. Final guidance will be issued in early June to all Leaders and Chief Executives of local authorities.

2. Coaching – decision on contract

The Chief Executive explained that the executive had undertaken a value for money assessment of the alternative the Board agreed that this piece of work could proceed.

3. Opposition Local Government Paper

The board noted that LBRO have an obligation to be equal in any engagement with any political party.

4. Service Transformation Plans – information from BERR

The Board noted this report.

5. Simplifications

This followed from the board members visit to Cambridgeshire and viewed what businesses are looking for regarding sector specific advice. This will follow onto the Business Support Best Practice work.

6. Latvia and Risk report

The Board noted this report.

7. E-coli update

The Board noted this report.

8. Economic Slowdown update on the guidance

The Board noted this report, which has since been updated (see item 1. above).

9. Intercessional Budget Paper as at 31.12.08

The Board noted this report.

10. Best Practice in Shared Services project outline

The Board noted this report.

A paper on The Regulatory Reform Committee - an inquiry of themes and trends in regulatory reform was also circulated which will form the basis of the Terms of Reference for the inquiry. Any comments on this document should be sent to Loris Strappazon, who in turn will send out the Terms of Reference as soon as they are received. The Chair and Chief Executive are meeting with Andrew Miller MP chair of the committee on 24 March.

An LBRO Strategy Day to be scheduled in June or July.

BERR are holding a series of regional roadshows, and intelligence will be shared with the Board. Jane Martin to look at the dates of these roadshows to see if either a member of the Executive and/or a Board Member should attend.

Decision

The Board approved that the SMT Coaching contact can go ahead.

Actions

Jane Martin to determine if it would be suitable for either an Executive Member or a Board Member to attend the BERR roadshows.

Jane Martin

An LBRO Strategy Day to be scheduled in June or July.

Lynne Howard

8. DIRECTLY DELIVERY CONSISTENCY

This item was taken between items 3 and 4.

8.1 PA Update including determinations and database

Sarah Smith updated the Board on the progress of the primary authority programme. Proposals for the operation of the determination process have been developed. The Executive will

operate the case management process and the Board, through the establishment of a Consent and Determinations sub committee, will undertake the decision-making processes in relation to content and will make the determination decision.

All Board members agreed that they were willing to serve on the Sub-Committee if required, and David Thurston, Rob Leak and Rebecca Marsh also offered to serve as Chair.

It was suggested that one or two Board members should be excluded from the process and decision making, although it was felt this might be difficult to build in at this stage. A Policies and Procedures document is being prepared by with Wragges. This to be brought back to the September Board.

Significant progress has been made in the development of phase 1 of the IT system, which will provide secure access for all local authority users, a register of partnerships, access to inspection plans and advice issued to local authorities. It will facilitate communication between enforcing authorities and the primary authority to support the launch of the scheme on 6 April 2009.

Testing of the scheme is continuing and a programme of 14 regional events will be held through March 2009. These are designed to prepare local authorities to meet their statutory duties under the scheme from 6th April 2009.

It was reported that Wragges had been very helpful. The Board congratulated Sarah Smith and all her team in getting to this stage.

Following a presentation to the Board of the IT system, the Board had requested some further information on usage of the system. The Chief Executive and Sarah Smith would send this to the Board by early next week.

The Board agreed that the statutory guidance on PA could be formally approved by e-mail.

Decision

The Board approved the approach to the determination process.

The Board agreed to establish a Consent and Determinations sub-committee with responsibility for consent and determination decisions.

The Board agreed to the scheme of delegations for Primary Authority scheme and the terms of reference for the Consent and Determination Sub-Committee.

The Board agreed that the statutory guidance on PA could be formally approved by e-mail.

Actions

The exclusion of one or two Board members from the process and decision making to be brought to the September Board. Loris Strappazon

A Policies and Procedures document is being prepared with Wragges. This to be brought back to the September Board. Sarah Smith

The Chief Executive and Sarah Smith to send some further information on usage of the IT system to the Board early next week. Sarah Smith

4. ORGANISATION AND STAKEHOLDERS

4.1 Budget

Richard Wilson provided the Board the budget position statement to the end of January 2009 and the anticipated outturn spend for 2008/09, after incorporating revisions to the programme spend budgets.

The Grand in Aid is expected to be fully spent.

The Welsh budget for next year is restricted and there is a question over the funding for next year.

The Board noted the budget position.

4.2 Risk

The risks have been reviewed since the January Board, and there were no significant issues to bring to the Board's attention. The Board requested an annual review of risks to be put on the forward programme and it was proposed to run this as a workshop session at the July Board.

At the last meeting of the Audit Committee, Phil Drye from BERR internal audit team informed the Committee that he was extremely impressed with LBRO's risk management reporting process, which he believed to represent best practice. He said that he would be promoting our risk process within the BERR family.

The Board noted the risk management position.

Actions

The Board requested an annual review of risks to be put on the forward programme and it was proposed to run this as a workshop session at the July Board.

Rekha Lodhia

4.3 Programme Overview

Loris Strappazon presented this report to show the Board how programmes of work are progressing, which the Board noted.

The Board noted that the Programme Overview reporting framework is due to be revisited post March 2009.

As new projects emerge, the next programme overview will be different and will inject more debate and discussion.

4.4 Performance Indicators

Loris Strappazon presented this report, updating on progress with both one-year and three-year performance indicators.

Good progress is being made with our performance on one-year indicators, and some evidence is being collected towards the three-year indicators.

Looking forward to 2009-10, some indicators should be amended to focus on delivery and impact of programmes.

The word 'draft' should be changed to read 'indicative' in the title of the paper.

The Board noted the contents of the paper.

Actions

The word 'draft' should be changed to read 'indicative' in the title of the paper.

Loris Strappazon

4.5 Audit Committee Minutes

Robin Dahlberg presented this report, stating that these were still in draft form and not yet approved.

LBRO's existing accounting system will be changed in April 2009.

LBRO need to keep due regard to governance, and the resource situation post implementation of the new system will need to be reviewed again.

4.6 Board Engagement – feedback

Loris Strappazon presented this paper. The Board discussed the initial action plan, looking at how it is currently working. Laura Robinson was congratulated by the Board on the work she had carried out on this project.

The Executive to look at LBRO in joining and attending Chamber of Commerce Committees, as ideally we would like to be part of the various policy teams, as well as engaging in their events.

Jane Martin has already met with the FSB, IOD and other organisations and some leads are already in place. Jane is looking at some other trade associations to see what other membership opportunities are available to us.

Board Engagement document to be refreshed and updated, and this item to be brought back to the next Board Meeting.

Actions

The Board Engagement document to be refreshed and updated, and this item brought back to the next Board Meeting.

Loris Strappazon

5. STRATEGY AND GOVERNANCE

5.1 Corporate Plan – draft report

Loris Strappazon updated the Board on the corporate plan.

The strategy planning event took place in October 2008 which developed the strategic direction of LBRO for the next year.

The 2009-10 corporate plan is in the process of being developed. Additional information gained from the strategic planning event and ensuing discussions highlighted the need to review the one year indicators for 2009-10 and refresh the three year indicators.

The corporate plan needs to be signed off by the end of March for publication April/May. Any comments received will be sent to Board Members by the end of next week.

The board agreed to approve the plan by email.

5.2 National Threats – update

Loris Strappazon updated the Board on progress since the project 090421-00b – Minutes of the LBRO Board meeting held on 04 March 2009, RL 1.0

plan was submitted in July 2008.

The Executive is actively managing the risks of the research phase of this project (Phase 1), which is being done via an Expert Panel. The panel includes a member of the Board and commissioning of a Lead Expert.

The research phase is on track to deliver an evidence base upon which to develop options for reform (Phase 2).

The Consumer Law Review offers an opportunity for potential options for reform to be taken forward within a wider policy reform effort.

The Board discussed the project and congratulated the Executive on a good piece of work.

5.3 Governance Items for Decision: Framework

Loris Strappazon presented this report. The Board discussed the governance issues.

The Board requested three minor changes to the report:

- LBRO Corporate Governance Framework: Item 5: 'Management and use of resources'. To be reworded.
- LBRO Corporate Governance Framework: Item 6.2: 'Support the growth'. To be reworded.
- Fraud Policy: Should read 'Fraud Prevention Policy'

Subject to the changes above, the Board approved both policies.

Decision

The Board approved both the LBRO Corporate Governance Framework and the Fraud Prevention Policy, subject to three minor changes.

Action

Richard Wilson to make changes to the reports presented as follows:

Richard Wilson

- **LBRO Corporate Governance Framework: Item 5: 'Management and use of resources'. To be reworded.**
- **LBRO Corporate Governance Framework: Item 6.2: 'Support the growth'. To be reworded.**

- **Fraud Policy: Should read 'Fraud Prevention Policy'**

6.0 SUPPORT SERVICE IMPROVEMENT

6.1 LBRO Guidance in the Economic Downturn

This items was discussed in item 3.1, CEO update.

6.2 Beacons Dissemination – update

Following the award of Beacon status to three local authorities, LBRO, in co-ordination with the Improvement and Development Agency (IDeA) and the Better Regulation Executive – will develop a formal engagement plan with each winning authority tailored to the award and to the authority and will continue to work with other shortlisted authorites.

Action

Carol Brady and Rebecca Marsh to arrange to meet with AGMA regarding working more closely

Carol Brady

Develop formal engagement plan for all the winning Beacon authorities with IDeA and BRE

Carol Brady

7. IMPROVE THE SYSTEM

7.1 Memoranda of Understanding – drafts paper

Jane Martin updated the Board on the status of the MoUs.

These are statutory documents and need to have the signature of both the Chair and Chief Executive from both parties. The Chair would try to meet with the Chair and/or Chief Executive of each organisation prior to signing of the MOUs.

7.2 World Class

Jane Martin presented three papers in relation to the World Class programme.

A similar approach is proposed for both the risk assessment and competency modules to produce a draft common framework. The plans for both modules are currently at a high level to give an overview of the timescale for implementing common frameworks for each.

Further research of existing risk assessment frameworks and scope for commonality is about to be undertaken.

A discussion took place on the timescale and the Board asked whether it was possible for this to be advanced. This was unlikely, and some topics are further back than others and have greater risks. Consistency in terms of competency needs to be built into the process by the Executive.

The Board approved the proposed approaches to developing common frameworks for risk assessment and competency.

9. CLEARANCE OF PAPERS

The Chair thanked Loris Strappazon and the Board Support team on the good standard of Board papers.

All Board papers to be sent to BRE, subject to some slight word changes on items 4.4 and 5.3.

Feedback from previous Board papers received from BRE's internal audit has been that LBRO Board papers have been well received, and are good in both quality and quantity.

Actions

Full set of Board Papers to be sent to Rachel Holloway and Philip Drye at BRE.

Lynne Howard

10. ANY OTHER BUSINESS

Uday Dholakia asked if any progress had been made on the proposal on business failures and was informed that BERR are currently taking this forward as the benefits of regulation project. The European Commission had asked Uday to prepare a paper, suggesting that BERR look at the impact on SME's. This would be an opportunity to show what LBRO is doing. Uday to provide Chief Executive with further information.

Actions

Rekha to liaise with Uday to provide further information on the European Commission

Rekha Lodhia

11. CLOSE OF MEETING

The meeting closed at 12:00.

Minutes taken by Lynne Howard, Chair and Board Support Officer.

12. DATE OF NEXT MEETING

The next meeting will be held on 21 and 22 April 2009 at LBRO Offices, The Axis, Birmingham.