

# LBRO

Local Better Regulation Office

## BOARD MEETING

Minutes of the 16<sup>th</sup> Meeting of the LBRO Board  
Held on 15<sup>th</sup> July 2009  
The Axis, 10 Holliday Street, Birmingham B1 1TG

Present:	Clive Grace	Chair of LBRO Board
	Robin Dahlberg	Board Member
	Uday Dholakia	Board Member
	Michael Gibson	Board Member
	Rob Leak.	Board Member
	Rebecca Marsh	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
	Wendy Rimmer	Head of Board Support & Strategy
	Richard Wilson	Head of Resources and Corporate Services
	Lynne Howard	Chair & Board Support Officer
	Rekha Lodhia	Board & Policy Manager
Duncan Johnson	Policy Manager (Item 8.1 only)	

**Person  
Responsible  
For Action**

### Wednesday 15 July 2009: BOARD MEETING

#### 1. WELCOME

The Chair, Clive Grace, welcomed everyone to the Board meeting.

#### 1.1 Declarations of Interest

There were no new declarations of interest.

#### 1.2 Apologies

Apologies were received from Ann Hemingway and David Thurston.

### **1.3 Minutes of previous meeting and summary of outstanding actions**

At 4.2, it should be recorded that the Chief Executive and Executive members left the meeting for consideration of the item.

Otherwise, the minutes were approved as an accurate record of the June 2009 Board Meeting.

#### **Summary actions**

##### **02 June 2009:**

**4.4** LBRO and BIS have agreed a joint presentation to the BIS Committee Chairs in January 2010.

**5.1** Uday Dholakia has made initial contact with the Portman Group, is speaking to their Director next week and will report back to Sarah Smith.

#### **ACTIONS**

**The Minutes of the previous meeting to record that the Chief Executive and Executive members left the meeting for consideration of item 4.1.**

**Lynne Howard**

### **2. REPORT FROM CHAIR**

The Chair reported that:

The meeting with Tim Soane BRE had been positive and we look forward to working with him.

The Chair and Wendy Rimmer had met with the new Minister, Ian Lucas.

#### **ACTION**

**The Minister would be invited to speak at the LBRO Conference in November and to TSI and LBRO joint dinner.**

**Wendy Rimmer**

### **3. REPORT FROM CEO**

The Chief Executive updated the Board on current staff changes. Nicky Sammons, Christopher Woolley and Rekha Lodhia will all be leaving LBRO as their current contract expires.

Jo Barker has joined LBRO as Communications Manager.

We are currently recruiting into the positions of Press Officer,  
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Business Engagement Manager and Senior Policy Analyst – Board Support.

### **3.1 CEO Policy Update**

#### **1. E-Coli**

The Pennington Inquiry Report identified the fault in the e-coli outbreak with the criminal behaviour of the trader. However, in identifying learning and important areas it raised issues about LARS staff competency and their awareness of the businesses they are regulating; the role of inspections in delivering effective compliance; availability of key business documents to inform inspections and risk assessment processes which are relevant to the local better regulation agenda.

LBRO will want to ensure the principles of better regulation are fully considered when proposals for action are being agreed. LBRO's programme of activities in relation to Primary Authority, Trading Places and our work on risk-based regulation and competency offer some potential solutions to some of the issues raised.

#### **2. LBRO Input into the Consumer White Paper**

The Consumer White Paper, a 'Better Deal for Consumers - Delivering Real Help Now and Change for the Future' ('CWP') was launched on 2 July 2009. Of particular relevance is Chapter 3 entitled 'Empowering consumers through better enforcement and information' which acknowledges LBRO's role in providing an evidence base to government to underpin policy to support local authorities in delivering economic prosperity and consumer protection.

#### **3. New HSE Strategy**

HSE's new strategy 'The Health and Safety of Great Britain: Be part of the solution', was launched on 3<sup>rd</sup> June 2009, following a three month consultation process. It replaces the Health and Safety Commission's 'Strategy for workplace health and safety in Great Britain to 2010 and beyond'.

#### **4. OECD (Organisation for Economic Co-operation and Development) guidance**

The OECD has produced guidance that focuses on the dissemination of knowledge about barriers encountered to the implementation of administrative simplification strategies and proposes some ideas and good practices to effectively cut red tape.

It presents five main areas of work for cutting red tape: *i*) regulatory management reform to improve the framework of the administrative system, *ii*) organisational re-engineering, *iii*) use of information and communication technologies (ICTs), *iv*) better information on the delivery of services and administrative requirements, and *v*) co-ordination of multiple requirements stemming from public administration. The update identifies the barriers, the recommendations to overcome them, and good practices. In relation to the latter; LBRO is mentioned.

## **5. Media Issues**

A pack containing a report and press clippings was circulated to the Board for information. Jane Martin was asked to consider whether there would be value in monitoring negative and positive press coverage.

A business facing discussion paper will be made available, including PA benefits, business support and the work we have carried out on alcohol. The Board is happy with this format, which should be ready by October.

A briefing pack on local regulation to be put together for those Board Members attending any party-conferences in a non-LBRO capacity.

The Board asked for a schedule of events being held over the Autumn to be prepared, with Board Members contributions and attendance to be identified.

Uday Dholakia contributed some ideas for communication on publicity and content;

## **6. Swine Flu (verbal report)**

The board considered how LBRO could assist supporting small business by encouraging LARS to distribute timely information and discussed making information available for Chambers of Commerce as an information channel.

### **ACTIONS**

**A further update on e-coli will be brought to the September Board Meeting.**

**Graham Russell**

**Uday will speak to Jo Barker to see how a step change in communications with the media can be achieved.**

**Uday Dholakia**

**A briefing pack on local regulation will be put together for those Board Members attending any party-conferences in a**

**Jane Martin**

**non-LBRO capacity.**

**A schedule of events being held over the Autumn will be prepared, with Board Members contributions and attendance identified.**

**Jane Martin**

**A business facing discussion paper will be produced, including PA benefits, business support and the work we have carried out on alcohol.**

**Sarah Smith**

#### **4. ORGANISATION AND STAKEHOLDERS**

##### **4.1 Budget**

Richard Wilson provided the Board with the budget position statement to the end of May 2009.

The budget monitoring paper covered the 2009/10 budget and the accrued expenditure to 31 May 2009, using the latest financial information available.

The Grant In Aid for 2009/10 is expected to be fully spent; there is a risk of an overspend, which is being managed.

GIA for 2009/10 is £4,100,000.

The spend profile is higher in the first six months of the year than the second six months, as demonstrated by the first two GIA claims and invoice payments to date.

Activities to be funded by the Welsh Assembly Government during 2009/10 are up to £300,000, subject to Welsh ministerial approval.

The Accounts and Annual Report have been signed off, and printed copies are now available.

The Chief Executive explained that budget pressures have meant reduced allocations for some programmes and those risks were being closely monitored. He confirmed that 750 remains an achievable target for Trading Places, despite a reduction in Associate time.

**The Board noted the budget position.**

##### **ACTIONS**

**The Chair to write to the Welsh Minister requesting confirmation of funding before their Summer recess.**

**Clive Grace**

**An update on Trading Places be brought to the September Board.**

**Carol Brady**

## 4.2 Risk

Richard Wilson informed the board that the Executive ran a workshop to undertake a 'zero-based' review of current risks. The list of approximately 50 risks has been distilled and refined to the proposed risk register for the Board's consideration. Whilst developing this comprehensive review, there have been no movements in the current risk register as brought to June Board.

**The Board agreed the proposed risk register subject to textual changes and directed the Executive on the production of a new scored risk register for the September Board.**

### **ACTIONS**

**Business Continuity Plans to be brought back to the September Board Meeting.** Richard Wilson

**Some minor changes to be made to the wording on some of the risks on the Risk Register.** Richard Wilson

## 4.3 Programme Overview

Wendy Rimmer presented the programme overview, showing progress and status of each programme in relation to milestones, budget and accountability. Board members discussed capacity and priorities and requested that a more detailed report is brought to the September board, which sets out priority rationale, inter-dependencies and resource allocation, to inform board discussion on priorities and impact.

### **ACTIONS**

**Programme paper to be brought to the September Board Meeting.** Wendy Rimmer

## 5. STRATEGY AND GOVERNANCE

### 5.1 Board Level Engagement – Next Steps

Jane Martin presented the results of the lessons learned exercise, conducted to assess the effectiveness of the Board level engagement processes. The paper outlined the proposed process improvements and revised focus of the approach. It highlighted that Board members expressed that they were supportive of an overall more flexible and strategic approach towards Board level engagement.

The work that Laura Robinson had contributed to this was acknowledged by Board Members.

The Board found the report helpful, and would like to reflect on this again in six months time.

**The Board agreed that the process improvements and enhanced focus of the approach should increase the effectiveness of its engagement activities.**

## **ACTIONS**

**The Board to consider a further review of Board Level Engagement in January 2010.** Wendy Rimmer

## **6.0 SUPPORT SERVICE IMPROVEMENT**

### **6.1 Beacons Engagement**

Sarah Smith presented the Board with LBRO's continued work with the Beacons authorities. As part of the wider objective to disseminate and embed good practice, LBRO proposes to train a cadre of mentors from among the Beacon authorities for the Cutting Red Tape theme.

Some case studies have already been prepared, and the Communications Team will take this forward.

**The Board noted the project implementation plan.**

### **6.2 Shared Services Update**

Carol Brady set out the findings of a report produced for the LBRO following initial research undertaken by LCS Limited. The research identified potential benefits from shared working, areas of best practice and barriers to effective shared working. Alongside this there have been some practical recommendations for LBRO in supporting shared working, in the following areas:

- National objectives
- Excellence Framework
- Leadership and management
- Qualifications
- Funding and,
- Service Transformation.

The Board felt this was a useful piece of work and is an active topic for discussion in local authorities.

**The Board agreed that the recommendations were in line with LBRO's approach to supporting LA shared working**

#### **ACTIONS**

**A briefing on our role with the five Olympic Authorities to be prepared for the Board.** Carol Brady

**A Shared Services report has been produced for Inverclyde area authorities and the Board requested that we gain access to this.** Carol Brady

### **6.3 REP update**

Carol Brady updated the Board on the recommendations and observations made within the Cumbria University Business Report on the Retail Enforcement Pilot (REP).

There are a number of recommendations and observations made throughout the report which have a wider impact both on business and on Local Authority Regulatory Services, beyond those involved in REP. Many of the findings are already being addressed through projects and initiatives supported by LBRO, while others are in the process of being scoped such as SAFE. The Cumbria University Report will complement the report due to be completed early autumn by Middlesex University on the local authority lessons learned.

**The Board noted the report and progress to date in relation to addressing the recommendations and observations.**

#### **ACTIONS**

**The Board requested that the summary of the REP draft report be prepared.** Carol Brady

**The REP Lessons Learned report should be circulated to RPC.** Carol Brady

### **6.4 SAFE PROJECT UPDATE**

Carol Brady updated the Board on the earlier verbal introduction to the Board by the Chief Executive of the SAFE Business.

A number of regulatory reviews have taken place, including the Anderson Review and those conducted by the Better Regulation Executive, the Health and Safety Executive, the Hampton Review and the Retail Enforcement Pilot, which suggest ways of improving the system. The most common recommendations entail:

- reducing the inspection burden;
- focussing on the needs of the business in question;
- offering assurance to SMEs;
- focussing resources; and
- risk-based inspection programmes.

While some recommendations from the reviews have been taken on board over the past 4 years (to varying degrees), the SAFE project could offer a much-needed solution for small and medium-sized businesses and could pull together initiatives currently underway at a regional level, encouraging their use nationally.

A meeting has taken place with BIS re the Anderson Helpline and LBRO is keeping a watching brief on this.

LBRO needs to work closely with Business Link, as they are the single point for all business advice.

**The Board notes the paper and early work to date.**

#### **ACTIONS**

**Information on Business Link to be circulated to the Board Members.** Carol Brady

**Uday Dholakia to be sent a copy of the Terms of Reference for Anderson Helpline particularly in relation to small businesses.** Carol Brady

**Uday Dholakia to send Loughborough University work on supermarket suppliers.** Uday Dholakia

### **7. IMPROVE THE SYSTEM**

#### **7.1 National Threats – Next Steps**

Sarah Smith presented an overview of the next steps for the National Threats research project.

The paper summarised the findings of the report under each threat examined, and set out potential ways forward.

The work with Matrix has now been concluded.

Sarah Smith and Jane Martin met with BIS re Restorative Justice pilots, and a report is due in September. The Board asked that this be brought to the September Board Meeting.

**The Board noted the proposed way forward.**

## **ACTIONS**

**National Threats to be brought to the September Board Meeting. A CCP workshop to be considered for September.** Sarah Smith

### **8. DIRECTLY DELIVERY CONSISTENCY**

#### **8.1 Primary Authority New Project Plan**

Sarah Smith provided an update on the progress of the Primary Authority project.

Significant progress has been made in terms of engagement with the key local authorities, regions, businesses, and trade bodies identified in the Project Implementation Document (PID). Much of this engagement has been focussed upon discussions in relation to the formation of partnerships with specific businesses, with some 105 businesses identifiable within these discussions to date.

Following discussion at the June Board a plan has been developed to utilise the Board's engagement roles in moving partnership discussions forward, especially in relation to local authorities.

An implementation plan has been produced setting out LBRO's proposals for the transition of lead authority partnerships to Primary Authority. This plan will be sent to HSE for consideration and joint implementation. Robin Dahlberg and David Thurston were requested to feed any comments back to Sarah Smith.

The development of the infrastructure necessary to support Primary Authority has continued with further progress in the development of phase two of the IT system, with a final workshop being held next week. There has also been further legal input to the determination process including advice in relation to the assessment of 'correct', and discussions with LACORS in relation to the formation of consistency groups.

The use of the Chief Executive's delegated powers from 2 June 2009 to 5 July 2009 were discussed.

**The Board noted the current status of the PA project.**

**The Board noted the use of the Chief Executive's delegated powers.**

## **ACTIONS**

**Milestones and tracking research for PA for the year ahead to be include in future updates.** Sarah Smith

**9. CLEARANCE OF PAPERS**

The Chair thanked the Executive on the quality of Board papers, which were all clear and helpful.

All Board papers to be sent to BRE.

**Lynne Howard**

**10. ANY OTHER BUSINESS**

The Board expressed their thanks and best wishes to Rekha Lodhia who will be leaving LBRO at the end of August.

**11. CLOSE OF MEETING**

The meeting closed at 12:30. Minutes taken by Lynne Howard, Chair and Board Support Officer.

**12. DATE OF NEXT MEETING**

The next meeting will be held on 08 and 09 September 2009.

Signed : \_\_\_\_\_  
Clive Grace, Chair

Dated: 09 September 2009