

LBRO

Local Better Regulation Office

BOARD MEETING

Minutes of the 14th Meeting of the LBRO Board
Held on 22 April 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
	Ann Hemingway	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
	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	

**Person
Responsible
For Action**

Wednesday 22 April 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 Rob Leak.

1.3 Minutes of previous meeting and summary of outstanding actions

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

Summary actions: 04 March 2009, Item 2.0: We have now received a revised proposal from RSA regarding a joint activity. Jane Martin will respond to this.

2. REPORT FROM CHAIR

The Chair reported back on the workshops and board supper from the previous day.

Although licensing is a low key activity for LBRO, this area also covers health and social behaviour issues and therefore should still be on LBRO's agenda.

The Chief Executive will feed back to the Executive discussions from the Board supper.

ACTION

Chief Executive to feed back to the Executive items discussed at the Board supper. Graham Russell

3. REPORT FROM CEO

3.1 CEO Policy Update

The Chief Executive had previously circulated eleven reports:

1. Strategic Development

Information was presented on the proposed process for strategic development in the forthcoming year, preparing for the publication of a refreshed strategy for 2010-2013. This will be covered at the July and October Strategy days, where the Board can see how this make a coherent strategy.

2. Localism

A discussion on how local delivery of regulation delivers desired regulatory outcomes of prosperity and protection in an effective and efficient manner but can create systemic problems that impact on businesses, consumers and regulators alike.

3. Political Engagement

To present the rules surrounding political engagement by civil servants. Although LBRO staff and board members are not civil servants, their status in operating on behalf of a statutory body funded wholly through public funds presents LBRO with similar considerations in respect of political engagement.

4. National Threats and the Consumer White Paper

A White Paper following the Consumer Law Review was announced on 17 March. The team are working up the policy options for the White Paper in BERR, the Consumer Policy and Protection Directorate. There is potential for LBRO's work, including the National Threats project, to provide solutions and an evidence base in this area.

5. Feedback from CIEH Year Ahead Conference

Sarah Smith attended this conference, which provided an opportunity for delegates to hear about key issues from central and local government and share best practice.

6. Regulatory Reform Committee Inquiry

LBRO has been invited to submit a memorandum on the RRC's Themes and Trends in Regulatory Reform Inquiry and a draft reply will be ready by 24 April. This is an opportunity for LBRO to bring some of its thinking together.

7. Feedback from BRE Heads of Regulators Meeting

Carol Brady attended this meeting which was an opportunity to engage with the Heads of Regulators. The meeting was held to discuss, in broad terms, what is currently happening within BRE around the regulatory agenda and to feedback what is happening from the National Regulators perspective.

8. The Protection of Children in England

This report looks at leadership and focuses on outcomes.

9. Evaluation of the HSE/LA Partnership

This report learns lessons from the partnership.

10. Pennington Report – e-coli issues

Although LBRO is an enabler/facilitator rather than taking a lead, there was a discussion about whether LBRO should be seen to be more visible. We will await the response from the FSA and Wales Assembly Government before taking any further action.

It was suggested that Professor Pennington be invited to a future Board workshop or LBRO's conference in November.

11. Review of the Regulation of Investigatory Powers Act

This should be a transparent and clear process, with a need to be satisfied on how it has been used. This is for consultation by the Home Office, rather than LBRO, although as an NDPB we should be able to make comment.

ACTION

Circulate examples of use of powers by RIPA by local authorities to the Board.

Sarah Smith

4. ORGANISATION AND STAKEHOLDERS

4.1 Budget

Richard Wilson presented the budget monitoring paper covering the 2008/09 budget and the accrued expenditure to 28 February 2009, using the latest financial information available from AMEY. There will be no indication of our allocated budget for 2010/11 until next year.

LBRO are currently in discussions with Wales Assembly Government on what we can deliver for next year and what they will fund.

DECISION

The Board noted the budget position.

4.2 Information Asset Owners

Richard Wilson presented this paper, confirming that Government guidance has indicated that the Information Asset Owner must be a senior member of the organisation, necessitating a change in the Board's earlier decisions on Asset Owners.

DECISION

The board agreed to appoint Richard Wilson as an Information Asset Owner.

4.3 Risk

Richard Wilson informed the board that risks have been reviewed since the March Board report and there are no significant issues to bring to the Board's attention.

LBRO need to reflect on the risk register in terms of the revised budget and BERR need to be aware that this raises our risk of delivery failure.

A workshop on risk will be held at the July Board Meeting, when the Executive will bring a revised risk register to the Board.

DECISION

The board noted that the risk management position should be considered.

4.4 Publication Scheme

Wendy Rimmer presented this report. To be In line with the Freedom of Information Act (FoIA), we need to ensure that our business is transparent. Measures would be taken to comply with the FoIA publication scheme, which became statutory in January 2009.

DECISION

The Board agreed to the priorities for addressing the outstanding areas of LBRO's compliance with the publication scheme.

The Board agreed in principle to the publication of the Board Minutes, on our web site, and that the detail of implementing this is left to the Executive, with final approval by the Chair;

The Board agreed that Board Papers and Board and SMT Expenses are priority areas for consideration and discussion, with proposals to be brought back to the Board at a later date.

The Board agreed that a fuller appraisal of the nature and extent of any further changes required complying with the scheme will be carried out at a later date.

4.5 Programme Overview

Wendy Rimmer presented this report which aimed to show the Board how well programmes of work are progressing. The majority of programmes from this year are ongoing into 2009/10, and is reflected in the risk register.

DECISION

The Board noted the progress of the programmes of work.

5. STRATEGY AND GOVERNANCE

5.1 Corporate Plan – Final

Wendy Rimmer provided the Board with a final copy of the Corporate Plan 2009-2012.

The Chair appreciated the pressures and difficulties encountered in finalising the Corporate Plan. For next year, some earlier discussions would be held to enable the Board to make some choices on the targets. BRE are very positive and LBRO were able to meet all their challenges.

A summary document will be posted on LBRO's website, as well as the full report.

DECISION

Subject to the minor amendments below, The Board agreed the contents of the corporate plan 2009-2012.

ACTIONS

Page 26 of the document (400 PA partnerships) to be re-worded. Wendy Rimmer

Page 27 MORI figure – Executive to clarify the inconsistency in these figures, together with clarification on what the base line is. Wendy Rimmer

Pages 13, 17 and 20 – some budget figures are incorrect – to be amended. Richard Wilson

All Board Members to be listed on major LBRO external documents. Jane Martin

6.0 SUPPORT SERVICE IMPROVEMENT

6.1 LBRO Guidance in the Economic Downturn

Jane Martin presented the Board with a final copy of the draft advice and guidance that had been issued to local authorities and provided an overview of the co-production approach that will be taken to prepare the final advice and guidance ahead of the Local Government Association conference in July 2009.

Jane Martin circulated the engagement plan outlining the co-production approach.

The Board were asked for any thoughts on who else we should engage with, and report their ideas back to the Executive

Key business representatives would be invited to the Municipal Journal Round Table meetings to be held in April and May, and some business organisations, professional bodies and major regulators would be asked to endorse the final version of the LBRO Guidance in the Economic Downturn, and we are currently collecting evidence to support this.

DECISION

The Board noted the contents of the final draft advice and guidance in supporting businesses during a recession and beyond.

ACTIONS

Key business representatives to be invited to the Municipal Journal Round Table meetings to be held in April and May Jane Martin

Business organisations, professional bodies and major regulators to be asked to endorse the final version of the LBRO Guidance in the Economic Downturn. Jane Martin

6.2 NEP final report

Sarah Smith presented the final report from the Institute of Local Government Studies (INLOGOV) concluding the action research project into the use of the national enforcement priorities, using case studies from seven local authorities.

The final report will be available to stakeholders via the LBRO website but should be sent out via a press release.

DECISION

The Board noted the contents of the final report of the action research report and approved its contents for publication on the LBRO website.

ACTIONS

The final report to be sent out as a press release as well as being available via the LBRO website.

Sarah Smith

6.3 REP update

Carol Brady updated the Board on progress made to date with the Retail Enforcement Pilot (REP):

Half of the pilots have now come to an end and the others involved in REP are soon close to completion and an update will be brought back to the Board in June.

A discussion was held on how these should be put into the public arena.

The Board noted the progress to date of the Retail Enforcement Pilot.

6.4 Trading Places

Carol Brady updated the Board on the launch and rollout plan.

Following its national launch on 25th March, Trading Places is now moving into rollout phase. A visit format suitable for smaller businesses has been developed and is currently in pilot. Initial feedback is that this is potentially very effective in driving cultural change. Carol Brady presented the rollout plan by which we aim to meet the target of 750 placements by end of March 2010. There has been strong support from stakeholders for the development of a format for business visits to LARS.

DECISION

The Board noted the progress to date, together with the rollout plan.

The Board agreed that the Executive would support the achievement of the target by signposting and recruiting LARS and business contacts whenever possible.

The Board noted the potential development of Trading Places, which includes a visit format by business colleagues to LARS.

ACTION

Carol Brady to let Board Members have further details regarding Trading Places.

Carol Brady

6.5 Improvement Journeys

Carol Brady described our approach to improvement in Local Authority Regulatory Services. It is based on a sector led approach to sustainable change with a focus on ensuring that those who need most help, and those who need help most, receive the help they need.

LBRO will work with authorities who are in need of help, to identify what those problems are, together with some sense of what our intervention strategy could be. This will be discussed at the Board Meeting in October.

BRE are keen to see where there has been an improvement in local authorities.

Local Economic Development Councils are being established and Uday Dholakia suggested that he join one of these.

Carol Brady will speak to Rob Leak regarding the conversations he has held with London Chief Executives.

Decision

The Board approved LBRO's approach to Improvement Journeys through work in three areas: self identification, key work (various projects), and targeting those that need most help.

The Board approved the set up of partnerships to help identify and implement a programme of improvement support for LARS as set out in this paper.

The Board noted LBRO's engagement to date with the Regional Improvement and Efficiency Partnerships.

The Board approved the additional funding of up to £50,000 to support the improvement of those authorities in most need and who need help most.

Actions

A report on identification, response and action to be brought to the Board in October. Carol Brady

Carol Brady to speak to Rob Leak regarding the conversations he has held with London Chief Executives. Carol Brady

6.6 Stakeholder Engagement Strategy Update

Jane Martin provided an update on stakeholder engagement activity against the performance indicators set out in the Stakeholder Engagement Strategy 2008-11.

It is proposed that new indicators are established from April 2009 - March 2010 and presented to the June Board for approval.

Responsibility for Pinnacles has been moved into the Stakeholder Strategy and the Board are to be more involved in the identification.

DECISION

The Board noted the progress against indicators.

The Board noted the deferral of the stakeholder survey until September 2009.

The Board agreed that new indicators should be set for 2009-10 and brought back to the June Board.

7. DIRECTLY DELIVERY CONSISTENCY

7.1 Primary Authority

Sarah Smith presented the progress of the primary authority programme and LBRO are now focussing on its delivery.

Significant progress has been made in the programme, including the commencement of Primary Authority on the 6th April; the successful launch of the IT system; the publication of the LBRO Statutory Guidance; the finalisation of the LBRO determination process; the Statutory Instruments being laid; and 14 regional seminars being held for local authorities. Three partnerships were nominated at commencement.

The Primary Authority IT has proved to be tremendously successful and the Chair, on behalf of the Board, thanked Sarah Smith and her team for the work carried out on the project so far.

It was reported that 169 separate local authorities have accessed the IT system since 6th April. There was a 90+% attendance at the road shows, with further road-shows in the process of being organised for those local authorities who were unable to attend the previous ones.

As new partnerships develop, these should be linked with the business and a press release issued.

The Chair will write to each of the three current partnership businesses, and will also write to each new business when they are signed off, together with the Leader and Chief Executive of the local authority.

Should any Board Member receive any business leads, these should be sent to Lynne Howard, who will ensure they are followed up accordingly.

A discussion was also held on PA charging.

The Board will receive an automatic notification when a nominated partnership is put on LBRO's website, by way of a weekly update containing a website link.

DECISION

LBRO website to have a list of partnerships nominated under the scheme that the Board can access.

ACTIONS

The Chair to write to each of the three current partnership businesses, together with the Leader and Chief Executive of the relevant local authority. Sarah Smith

8. IMPROVE THE SYSTEM

8.1 World Class data sharing update

Jane Martin provided an update on the World Class Data Sharing module, specifically the work that LBRO has commissioned from CIPFA.

This is a critical piece of work to take forward and is moving in a promising direction.

DECISION

The Board noted the initial findings of the work and next steps.

8.2 Mapping: development plan

Jane Martin presented an update on the development of the mapping project and set out the key elements of the project approach. It focuses primarily on the research aspects of this project, although it also sets out how the outputs of the research can feed into engagement activities.

The Board will receive an automatic notification when this is put on LBRO's website, by way of a weekly update containing a website link.

The Chair, of behalf of the Board, extended thanks to Ffiona Kyte for this piece of work.

DECISION

The Board approved the proposed approach.

9. CLEARANCE OF PAPERS

Subject to some minor amendments, all papers to be sent to BRE. **Lynne Howard**

10. ANY OTHER BUSINESS

LBRO is now generating stories/statistics, which need to be captured and available to both Board Members and Executive.

ACTIONS

A pdf document to be made available on LBRO's website, containing key information, for the Board to access easily. **Jane Martin**

11. CLOSE OF MEETING

The meeting closed at 12:45 hrs.

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

12. DATE OF NEXT MEETING

The next meeting will be held on 02 June 2009 at LBRO Offices, The Axis, Birmingham.