

LBRO

Local Better Regulation Office

BOARD MEETING

Minutes of the 10th Meeting of the LBRO Board
Held on 22 October 2008
Loxley Room, Alveston Manor Hotel, Stratford upon Avon

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
	Loris Strappazzon	Head of Board Support & Strategy
	Richard Wilson	Head of Resources & Corporate Services
	Lynne Howard	Chair & Board Support Officer

**Person
responsible
for action**

Wednesday 22 October 2008: BOARD MEETING

1. WELCOME

The Chair, Clive Grace, welcomed everyone to the Board meeting. He particularly thanked the Executive and staff who had participated in the Strategy event during the last two days, and will write to them accordingly.

Chair

1.1 Declarations of Interest

There were no 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 September Board meeting.

The Board thanked the Executive for their prompt response to any actions which are raised by the Board.

A Forward Programme will now be included as part of this item, and the Board agreed that this is useful.

The Board agreed that Board papers are now of a good quality, both in content and presentation, and the Chair thanked the Executive for this.

2. REPORT FROM THE CHAIR

The Chair reported back on the Strategy event which had taken place during the previous two days, and also the supper seminar held on 20 October. Good feedback was received for both events.

The Chair and Chief Executive will be signing off a note for inclusion in a submission to be sent to BRE today on LBRO giving guidance to local authorities on the response of LARS to the current economic situation, to go to Ministers and to the National Economic Council. This document will be circulated to the Board for information.

Action

Loris Strappazon to circulate to the Board the BRE submission, which is to go to the National Economic Council. Loris Strappazon

3. REPORT FROM CEO

3.1 The Chief Executive updated the Board on some staff changes: Helen Buckingham has joined us on secondment to work on PA testing; Erica Butler has joined us in the core policy area; Sara Barry will be joining us on secondment to work on MOUs and regional working; John Lawrence is working as a consultant working on Unitaries; Jane Grady will be joining us as Board Support Officer, replacing Rachel Holloway, at a start date still to be confirmed.

Sameen Farouk, who has been supporting Ffiona Kyte on Mapping, will be leaving us at the end of October, and Tony Dart, who has contributed to the development of financial management has now left.

Some important publications are currently being issued. The Strategy document is being circulated this week, together with the Business Survey report and an interim report on the National Enforcement Priorities.

Four authorities have been shortlisted for the Beacons project. These are Greater Manchester Partnership, Cambridgeshire, Bexley and Westminster. The Board asked to be informed of the date the final award would be made.

The e-coli in Wales report has been put back and is now due in early/mid

2009.

A discussion took place on out of code stock, and we should be aware that business has raised this issue with us.

A discussion also took place on metrication.

Action

The date of the Beacons Project final award to be circulated to the Board.

**Jane Martin/
Lynne Howard**

4. ORGANISATION AND STAKEHOLDERS

4.1 Budget

Richard Wilson introduced this paper, and provided the Board with the budget position statement for 2008/09 to the end of August. Financial statements for the six months to the end of September are currently being produced to mark the dissolving of the LBRO company. These will be brought to the next Board meeting for approval following audit by the National Audit Office and review by the Audit Committee in November.

The Grant in Aid has now been received from the Better Regulation Executive.

The National Audit Office is currently finalising the Company Accounts audit and has flagged up some minor issues, e.g. WAG have not confirmed their funding in writing.

The potential underspend on programmes is currently quite significant, and the Board asked if this could be put towards projects such as PA to advance their progress and impact.

Action

Proposals for re-allocating budget to be brought to the December Board. **Richard Wilson**

4.2 Programme Overview

Loris Strappazon presented this paper in the new format, as requested by the Board. Only the top priorities (3-5) are now listed.

The Board agreed that the style and content is much improved and will be reviewed again in March 2009.

The Board noted the good progress on programmes.

Action

An assurance statement to be included in future reports in respect of the lower priorities (1-2). **Loris Strappazon**

Report style and content to be reviewed in March 2009. **Loris Strappazon**

4.3 Corporate Risk Update

A substantial review of risks was provided at the last Board meeting in September, with no significant issues arising to date. The risk management process will be reviewed by the Audit Committee in November, and a revised risk report will be brought to the December Board.

Action

Revised risk report to be brought to the December Board.

Richard Wilson

5. STRATEGY AND GOVERNANCE

5.1 One Year Performance Indicators

Loris Strappazon provided an update on progress with one-year performance indicators.

To ensure that we continue to perform well up to the end of the year, LBRO will focus on tracking and recording advice given to government, including advice given to devolved administrations; identify resources to undertake measurement of the inclusion of National Enforcement Priorities in local authority business plans, and collect evidence on our engagement with Northern Ireland and Scotland.

5.2 Government Items For Decision

Two papers were presented to the Board by Richard Wilson.

Following input from the Board, the draft Whistleblowing Policy had been updated. This final version was approved by the Board.

The Model Publication Scheme for NDPBs was also discussed under this item. The list provided is not definitive, and included examples of the kinds of information that it would be good practice to provide. It was requested that Richard Wilson speak to BERR to identify and clarify what we are required to provide on our website.

Decision

The Whistleblowing Policy was agreed by the Board.

Action

Richard Wilson to write individually to all staff, attaching a copy of the Whistleblowing Policy.

Richard Wilson

Richard Wilson to speak to BERR to identify and clarify what we are required to provide on our website.

Richard Wilson

6. SUPPORT SERVICE IMPROVEMENT

6.1 Leadership

Carol Brady provided a verbal report on this item. There is currently a programme of Strategic Leadership development, sponsoring six delegates with bursary placements. This has proved both positive and successful, with the likelihood of another one starting in February 2009, with another six delegates.

Jane Martin and Carol Brady led a Leadership Summit meeting earlier in October. LBRO are now awaiting proposals from CIEH and TSI on how this can be taken forward. The meeting was positive, with discussions around partnership working and how the qualification framework could be better 'joined up'.

6.2 REP – Evaluation Issues

Graham Russell provided a verbal report on this item.

The Chief Executive and the Chair have met with Colin Church (BRE) to agree a proposed way forward bringing together lessons learned and cost benefit analysis. A joint governance framework will be developed to identify suitable resource to take the analysis forward in concert with the lessons learned evaluation.

Action

A joint governance framework will take the analysis forward in concert with the lessons learned evaluation.

**Loris Strappazon
Carol Brady**

6.3 REP Lessons Learned

Carol Brady presented this paper, which provided the framework for conducting the Retail Enforcement Pilot lessons learned over the next 12 month period. The framework identifies how LBRO will collect information on lessons learned throughout the life of the pilot, with the purpose of transferring these lessons into good practice guidance. The framework's purpose is to provide a tool that enables the executive to draw on the positive outcomes and learning experiences of those involved in the pilot.

We are currently engaging more with business, BRC and other trade associations and are working up some case studies.

The Board requested that they be kept updated on this project. A series of quarterly reports will be sent to the Board to bring back any findings.

Actions

Quarterly reports to be prepared to keep the Board updated on any findings.

Carol Brady

The fourth paragraph in the Board covers (081020-06a) to be updated.

Carol Brady

6.4 Regulatory Reform Committee

This item was withdrawn and will be dealt with separately.

7. IMPROVE THE SYSTEM

7.1 World Class Update – Macrory

Jane Martin updated the Board on the current status of the project. A positive and successful meeting was held on 16 September with coalition partners, and the intention now is to move ahead working up more detailed project plans for the modules, which will be brought to the January Board. These will be dovetailed with MOU activity.

Recent discussions with BRE regarding arrangements for the assessment of local authorities to enable powers to use ‘Macrory’ civil sanctions, and the LBRO role in advising the department, have reinforced the potential for the common excellence standard being compiled through the World-class project as the assessment vehicle.

Rob Leak held his first meeting with high level contacts on 17 October. Good feedback had been received and all were committed to supporting the work of LBRO, participating in an inter-active discussion via the website if required.

7.2 MOU Approach Paper

Jane Martin presented this paper to propose an approach and template for the development of Memoranda of Understanding with the five bodies named in the RES Act. This will assist in ensuring that the MOUs are in place within six months of commencement of the enactment of the Act.

There is a strong interdependency between the Environment Agency and DEFRA, who are also keen to take up an MOU with us. The Board felt there was some value in going ahead with this.

The Board were very supportive of the work carried out on MOUs to date, and negotiations with national regulators will be opened up and brought back to the Board in January. Although consultation is not a requirement, there will be some benefit in consulting other bodies.

Jane Martin asked if any of the Board would like to be particularly involved in the development of any specific MOUs, as it was not the intention to come back to the Board until approval. Jane would, however, alert the board of any significant issues and will report back to the January Board. Robin Dahlberg to be kept informed regarding HSE.

Decision

The Board approved the proposed approach subject to some redrafting, including reference to BRPs.

Actions

Board Members to be kept informed and updated at the December Board, Jane Martin particularly Robin Dahlberg with regard to the MOU with HSE.

7.3 H&S Review

Sarah Smith provided the Board with suggested LBRO actions in response to the review titled 'Improving Outcomes from Health and Safety', undertaken by the Better Regulation Executive. The actions focussed on LBRO's current programmes.

Decisions

The Board agreed that LBRO should work with BRE and other stakeholders to improve our understanding of the rationale and analysis of the review and to consider links to the retail enforcement pilot and world class programme in taking forward the recommendations.

Action

Executive to undertake discussions with BRE.

Sarah Smith

8. DIRECTLY DELIVER CONSISTENCY

8.1 PA – Update

Sarah Smith updated the Board with an update on progress in respect of the development of the IT solution, guidance and Statutory Instruments, progress in testing the scheme and awareness raising.

Robin Dahlberg will be meeting Steve Laslett, IT Consultant, later this week and will feed back to the Board. Subject to Robin's advice, Steve will then present to the December Board.

A PA workshop was held last week, with both authorities and businesses. This process is important to build confidence and understanding, but we do not want to expand the tests at this stage. Thanks and appreciations were extended to David Thurston, Sarah Smith and her team by the Board.

A Welsh business and authority have now signed up.

A request from Northern Ireland authorities had been received to consider their role in PA to some extent. Primary legislation would be needed in both places and in the future we will have to think about what we can do. This also needs to be explored in Scotland. A briefing on Primary Authority and the Devolved Administrations has been produced and this will be circulated later this week.

The Chair and Jane Martin had met with Linda Jackson and Graham Wynn recently, who had asked for more access to the pilot. It is important to keep business abreast of progress on PA and they should be invited to attend the final work shop. BRC and CBI could host an event for their own members.

Actions

Sarah Smith to invite Graham Wynn and Linda Jackson to the final PA workshop.

Sarah Smith

Briefing on Primary Authority and the Devolved Administrations to be

circulated to the Board.

Lynne Howard

9. ANY OTHER BUSINESS

1. Clearing papers for onward submission to BRE. This item to be a standing item at all future Board meetings. **Loris Strappazon**
2. All Board papers to be sent to BRE. **Lynne Howard**
3. LBRO Conference - 11 November: Full details of this event to be sent to Board Members. **Jane Martin/
Lynne Howard**
4. Pinnacles: Where notes get generated, all Board Members to receive notes of Chair's meetings, and Chair to receive all notes of other Board Members' meetings. Where one Board Member supports another, that Board Member to automatically receive a copy of the meeting note. Other notes of significance will also be copied to the Board as a whole. This process to be kept under review to ensure that the Board gets all the information it needs in this regard. **Laura Robinson/
Lynne Howard**

10. CLOSE OF MEETING

The meeting closed at 13:00 hrs.

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