

Mapping the
Local Authority
Regulatory Services
Landscape:
November 2009

LBRO
Better Local Regulation

**Policy
Context**

Part Two of Six

Themes:

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Part 2: Policy Context

- 2.1 This section sets out the two policy agendas that are driving change in this landscape: regulatory reform and developments in local government.
- 2.2 In 2009 the extent of the economic downturn following the economic shocks in 2007 and 2008 became apparent. The impact of the recession on public finances has yet to take full effect, although efficiency and value for money are highly likely to become key policy drivers in this landscape in coming years.

Regulatory reform

The evolution of the better regulation agenda

- 2.3 The Organisation for Economic Cooperation and Development (OECD) has exerted significant pressure on member states to develop and improve the principles of better regulation establishing a Regulatory Reform Programme to this end.¹ The Programme followed the recommendations of the Council of the OECD on Improving the Quality of Government Regulation in 1995. When reviewing the UK, it has highlighted the complexity of the institutional structures of regulatory bodies. Its influence on improving the quality of legislation is aimed at improving economic and social outcomes and creating a mechanism for better governance.
- 2.4 Several issues and developments affecting local regulation in the UK were highlighted in the OECD's most recent assessment of regulatory capacity in the EU.² In summary these are:
- The local authority regulatory landscape is still complex, both institutionally in terms of the number of actors and their relationships, and in terms of the range of regulations enforced at local level. The responsibility of local authorities for the enforcement of national regulations, as well as their responsibilities for licensing and planning, puts them at a critical interface between central government and local stakeholders who stand to benefit from better regulation.
 - There is a need to find ways of engaging local governments in administrative burden reduction, as some other countries are already doing with their programmes.
 - Local governments are the main interface with the large majority of businesses. Developing an approach to take more effective account of the impact of major new EU-origin regulations is also important, as the roots of some burdens predate the start of the simplification programme. Rebalancing enforcement resources away from inspections in order to put more effort into preventative advice on compliance is a major step forward.
- 2.5 The OECD believes that to ensure better regulation principles are borne through local regulation, it is imperative that rationalisation takes place to address complex regulatory and performance demands on local authorities. Recent important initiatives to rationalise and coordinate the approach to local regulatory enforcement, such as the Rogers Review and the establishment of the Local Better Regulation Office (LBRO), represent an important extension of better regulation policy to this level of government, which needs to be developed in other areas too, such as the administrative burden reduction programmes.

- 2.6 In 2009, the OECD also issued guidance to regulatory policy makers on overcoming barriers to administrative simplification strategies that highlighted the work of LBRO and its role in coordinating multi-level governance.³
- 2.7 In the UK, the major better regulation policy instruments are:
- departmental regulatory impact assessments
 - simplification of legislation
 - reduction of administrative burdens on public bodies and business
 - independent reviews
 - development of a statutory Regulator's Compliance Code
 - support and guidance for better regulation.
- 2.8 Since 2004 the World Bank's *Doing Business* review has tracked regulatory reforms aimed at improving the ease of doing business.⁴ The most recent 2010 review includes a comprehensive survey across 183 economies, compiled using a range of techniques. Economies are ranked on their ease of doing business. A high ranking means that the regulatory environment is conducive to the operation of business. The UK is now fifth out of 183 countries, moving up one position since the 2009 report.
- 2.9 The Better Regulation Commission (BRC) was established in 2005 to take forward the work of the Better Regulation Task Force (BRTF),⁵ which recommended that better regulation policy should be embedded within government departments.⁶ Since 2007 this has been coordinated by the Better Regulation Executive (BRE) in the Department for Business, Innovation and Skills (BIS). The BRC provided independent advice to Government developed through consultation with business and other stakeholders. The BRC took on several new responsibilities from the BRTF including vetting departmental plans for simplification and administrative burden reduction.
- 2.10 The 2005 review by Philip Hampton provided the foundation for subsequent policy and improvement activity.⁷ It made a number of recommendations and articulated seven principles, summarised in Table 1, all of which were accepted by the Government in the 2005 budget. Importantly for this landscape, the Hampton Review concluded that the work of local authority trading standards and environmental health services suffered from inconsistencies in the application of national standards. Ensuring greater consistency is thus a key part of LBRO's mission.

Table 1. The Hampton principles

Hampton Principles, which underpin the Regulator's Compliance Code
Regulators, and the regulatory system as a whole, should use comprehensive risk assessment to concentrate resources on the areas that need them most
Regulators should be accountable for the efficiency and effectiveness of their activities, while remaining independent in the decisions they take. No inspection should take place without a reason
Businesses should not have to give unnecessary information, nor give the same piece of information twice
The few businesses that persistently break regulations should be identified quickly
Regulators should provide authoritative, accessible advice easily and cheaply
Regulators should recognise that a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection

- 2.11 It should be noted that the Hampton Review did not review the work of regulators in devolved administrations, such as the Scottish Environmental Protection Agency. There is a Regulatory Review Group⁸ in Scotland and Northern Ireland has its own Better Regulation Strategy at a departmental level.⁹
- 2.12 The Government has introduced a number of new measures to strengthen the management of regulation, including the Regulatory Policy Committee. This new independent body has been tasked with providing strong and effective external scrutiny throughout the policy making process. The Committee will undertake an advisory role, commenting on whether the Government has been effective in minimising the costs of measures and maximising the benefits of regulation. In this way the Regulatory Policy Committee will bring greater transparency to regulatory decision making within Government.

Implementation of Hampton

- 2.13 The Regulator's Compliance Code enshrines the Hampton principles and has recently been extended to local authorities and national regulators in Scotland, Wales and Northern Ireland. Work is being done by LARS to embed these principles through activities such as the development of enforcement policies. LBRO has convened a coalition of national regulators, government departments and professional and representative bodies who share an ambition to simplify the complex regulatory system and also to foster the conditions for better regulation. This coalition, facilitated by LBRO, is building consensus and is working hard to develop common approaches for local authorities and national bodies to take, that draw on the best elements of practice and which reduce duplication and bureaucracy in the system. Common approaches to competency and to risk assessment are being developed for example.
- 2.14 Fire and rescue services established the practices of risk-based enforcement through Integrated Risk Management Plans in 2003-04. The plans are developed by each fire and rescue service using an assessment of local risks to life from fire, to identify how resources should be deployed to tackle these risks and improve the safety of local people.
- 2.15 The BRE and National Audit Office carried out the first phase reviews of the implementation of Hampton during 2007. The reviews found that there had been good progress in implementing Hampton. However, there remained potential for development, with scope to implement a more comprehensive risk-based approach, increase transparency and accountability, and give more support to economic progress.¹⁰ Since then a further 31 reviews have taken place or are due to take place, including the Gambling Commission, Animal Health Agency and the National Measurement Office, plus a re-review of the Environment Agency.¹¹

Sanctioning powers: Macrory Review

- 2.16 The 2006 review of the system of sanctioning powers available to regulators stemmed directly from the Hampton Review, which had found that regulators' penalty regimes were cumbersome and ineffective. Professor Richard Macrory conducted the review with the aim of understanding how to reduce the inconsistency of enforcement while improving the level of compliance amongst UK businesses. The study looked at the areas of health and safety, food safety and consumer protection among other areas.¹²

- 2.17 The Macrory Review emphasised that Hampton-compliant risk-based regulatory enforcement will require reforming the sanctioning regime. Macrory found that there are a number of offences for which a range of sanctions would be appropriate across the range of enforcement functions in local authorities. Macrory recommended that civil and administrative sanctions should complement criminal offences to ensure enforcement policy is efficient and effective.

Table 2. Macrory sanctioning principles

Macrory Principles which include recommendations underpinning the RES Act
Regulators should publish an Enforcement Policy
Regulators should measure outcomes not just outputs
Regulators should justify their choice of enforcement actions each year to Stakeholders, Ministers and Parliament
Regulators should follow-up enforcement actions where appropriate
Enforcement should be in a transparent manner
Regulators should be transparent in the way in which they apply and determine administrative penalties
Regulators should avoid perverse incentives that might influence the choice of sanctioning response

- 2.18 The Regulatory and Enforcement Sanctions (RES) Act 2008 legislates for an extended range of sanctioning powers to be granted to regulators via Ministerial Order. Ministers would approve the extended sanctioning toolkit with the agreement of the Panel for Regulatory Accountability – a Cabinet Office sub-committee – if the regulator can demonstrate that it has put into practice the principles of good regulation primarily through a Hampton Implementation Review. LBRO will have a role in advising government on LARS' readiness to receive the powers.
- 2.19 The Department for Environment, Food and Rural Affairs (DEFRA) and the Welsh Assembly Government have recently consulted on their proposals to apply for civil sanctioning powers under the RES Act for the Environment Agency, Natural England and the Countryside Council for Wales. An initiative to test sanctioning powers to deliver restorative justice through pilots with trading standards services is outlined in the section on the Consumer White Paper below.

Priorities: Rogers Review

- 2.20 The 2007 review of national regulatory enforcement priorities by Peter Rogers was conducted in order to address the lack of effective priority-setting from the centre and effective central and local coordination. Again this stemmed directly from the findings of the Hampton Review. To place priority-setting for LARS into context, as the Rogers Review itself stated:

*'The Trading Standards and Environmental Health services of local authorities, taken en masse, are the largest enforcement operation in England... They are the means for achieving regulatory objectives of ten government departments and one non departmental public body; they enforce hundreds of pieces of legislation; and they operate in nearly every industrial and commercial sector'*¹³

- 2.21 Consumers, business representatives, LARS and national bodies were consulted on 61 policy areas.¹⁴ Consequently, the six national priorities recommended by the review and currently applicable to LARS in England are:
- Air Quality
 - Alcohol Licensing
 - Hygiene of Food Businesses
 - Improving Health in the Workplace
 - Fair Trading
 - Animal and Public Health.
- 2.22 The intention of the review was to enable local authorities to better plan their resources and prioritise their activities. A statutory function of LBRO is to manage the list of national enforcement priorities. In 2008, LBRO commissioned researchers from the Institute of Local Government Studies (INLOGOV) at the University of Birmingham to work with a representative cross-section of LARS in order to understand how the blending of national and local priorities works in practice.¹⁵
- 2.23 While the research found little evidence to suggest a significant increase in the commitment of resources at local level to the national enforcement priorities, the research did highlight considerable positive changes to the philosophy and approach to local regulation. This includes greater emphasis being placed on pro-activity and support to promote compliance, more reliance on intelligence-led inspection, joined-up working and information sharing and more focus on the outcomes and impacts of regulatory work.
- 2.24 LBRO is currently working with the Welsh Assembly Government and representatives of Welsh local authorities to prepare a first set of national enforcement priorities for Wales. A draft set of national enforcement priorities for Wales¹⁶ was issued for public consultation in November 2009.

Guidance to business: Anderson Review

- 2.25 BIS, as part of its 2008 Enterprise Strategy, asked Sarah Anderson, a member of the Small Business Council, to review the best ways in which government can provide advice to business. The resulting *Good Guidance Guide* highlighted a need for clearer, consistent and more accessible guidance, particularly for small and medium-sized businesses.¹⁷ This is being taken forwards in several ways, including BRE business helpline pilots and a LBRO/BRE project to develop support for micro-businesses.

Protecting consumers: Consumer White Paper

- 2.26 The Consumer White Paper (CWP), *A Better Deal for Consumers – Delivering Real Help Now and Change for the Future* was launched in July 2009. Of particular relevance is Chapter 3 *Empowering consumers through better enforcement and information*, which drew on LBRO's role in providing an evidence base to government to underpin policy to support local authorities in delivering economic prosperity and consumer protection. LBRO's national threats research specifically provided an evidence base in relation to the safety of imported goods at ports and LBRO will be working with Government to develop a national approach to this issue and to the wider issue of internet trading. There was also clear support for a common competency framework and LBRO's work with national regulators and professional bodies to develop the framework.

2.27 The CWP also contains a commitment by the Government to work with LBRO and the Office of Fair Trading to the test the new sanctioning powers under Part 3 of RES Act, particularly those relating to restorative justice, through pilots with local authority trading standards services.

2.28 Table 3 provides a summary of the key regulatory reform initiatives in England.

Table 3. Key regulatory reform initiatives in England

Aim	Means
Simplifying existing legislation	Simplification Plans: target to reduce the administrative cost that each government department places on businesses and charities by 25 per cent by 2010. In July 2009, the National Economic Council - Sub Committee on Better Regulation NEC(BR) agreed that for 2010-15 the Government would set a target to reduce administrative burdens by a further £1.5bn (net) and policy costs by £5bn (gross), with further details of how this would be delivered announced in the Pre-Budget Report.
Ensuring that Government Departments and regulators regulate only when necessary	Regulatory Impact Assessments, Economic Evaluation
Driving forward the better regulation agenda in Europe	Securing agreement from 27 member states and the Commission for a 25 per cent target for the reduction of EU law administrative burdens
Seeking frontline private, public and third sector input	Consultation via www.betterregulation.gov.uk
Rationalising national inspection and enforcement arrangements	Via information sharing, a risk-based approach to assessment and the merging of regulatory bodies. 31 existing national regulators will be consolidated into seven bodies by 2010.
Ensuring that regulators have access to a flexible set of modern sanctioning tools	Macrory Review as implemented through the RES Act
Improving the consistency and quality of enforcement by local authority regulatory services	Setting up LBRO and establishment of the Primary Authority Scheme
Ensuring policy makers focus on maximizing the benefits as well as minimizing the cost of regulations	The Benefits of Better Regulation project, commissioned by BRE, the Health and Safety Executive, Food Standards Agency and the Environment Agency identified best practice case studies and provided guidance on how the benefits of regulations can be maximized. ¹⁸
Prioritising the policy areas that local authority regulatory services currently enforce	From over 60 to six national priorities, following the independent Rogers Review, being managed by LBRO

Beneficiaries of better regulation: businesses, consumers, workers and the environment

Business and the economy

- 2.29 Reducing the burdens of regulation on business in order to foster economic prosperity and increased productivity is the key outcome in this landscape. The genesis of this cuts across political boundaries and there has been extensive research on the impact of regulation on businesses. This was the major thrust of the Hampton Review, encapsulated in the recommendations to adopt risk-based approaches and address inconsistencies in local enforcement.
- 2.30 The policy framework seeks to ensure public protection while sustaining a favourable context for business development and wealth creation. It seeks to reward self-regulation and compliance and focus regulatory effort on rogue business. This work is led by the BRE through initiatives such as the business help-line but is also being developed in each area of regulation by the relevant central government departments and national regulators.
- 2.31 LBRO has built up a solid evidence base of business views of LARS. Over 1,600 businesses have been interviewed as part of our research to date.¹⁹ LBRO is also developing an evidence-base in relation to the frequency of LARS as an interface between local authorities and businesses. A small-scale survey showed that 56 per cent of face-to-face contacts between businesses and local councils were with LARS officers.²⁰
- 2.32 LBRO's research to date shows that the views and indeed the needs of businesses differ, primarily according to their size but also due to their sector. This echoes the findings of Sarah Anderson's review. Furthermore, a survey of 1000 businesses conducted for LBRO by Ipsos MORI²¹ shows that:
- Businesses value the advice they receive. This was seen as the most important aspect of the service.²²
 - Officers' knowledge of the situation of each business was less highly rated by comparison to the other areas of the service provided by LARS.
 - Inconsistency of enforcement is an issue. One in three of the businesses operating across local authority boundaries had experienced inconsistency between LARS.
 - The burden of locally enforced regulation was perceived as broadly similar to the burden of planning, tax, employment and company law by 58 per cent. However, whilst the perception of overall burden was broadly similar, the survey suggested that businesses took a more positive view in relation to how easy it is to know what needs to be done to comply with regulation enforced locally, than in relation to national areas such as tax, planning, employment and company law.

In addition, the findings of a set of business case studies produced for LBRO by University of Cumbria²³ were that:

- Clear advice was wanted on how to remain compliant.
- The depth of officers' knowledge was viewed as important.

- The quality and longevity of the relationship between regulatory officers and businesses were also seen as important. It was noted that extra costs were often experienced due to poor communications between officers and business.
- A consistent approach from the regulatory system was required. Some of the case studies highlighted the different interpretation of regulations of different local authorities.
- The cost of the regulatory visit was viewed as only a small part of the total cost of regulatory compliance.

2.33 LBRO issued advice and guidance to local authorities about getting full value from their regulatory services by maximizing their contribution to local economic prosperity in the document *Supporting Businesses Towards Recovery*. The advice and guidance advocates greater innovation and collaboration and outlines practical ways in which councils can harness the potential of their regulatory services. The report is available from the LBRO's website: www.lbro.org.uk

Consumers

2.34 The CWP, described in paragraph 2.26 above, is structured around four key themes: vulnerable consumers, consumer credit, enforcement and information, and consumer law. It is a policy statement setting out the Government's new, more active and strategic approach to financial and other consumer markets. It explains how this approach will be extended to the major challenges that the global financial crisis and economic downturn have created for consumers, and how consumer regulation will be reshaped to reflect the new ways we shop.

Workers

2.35 The focus on economic prosperity through the reduction of red tape is not at the expense of public protection. The legislation against which LARS secure compliance is intended to achieve outcomes for workers. Consistent and risk-based enforcement of health and safety legislation will help protect employees from risks in the workplace and open up opportunities for the provision of occupational and general health information as part of the Health, Work and Well-Being Programme.²⁴

Environment

2.36 LARS secure compliance with legislation to address environmental priorities, although Macrory found the reliance upon criminal sanctions had undermined the effectiveness of enforcement, encouraging businesses to become more non-compliant. DEFRA and the Welsh Assembly Government are applying for the introduction of civil sanctioning powers in environmental regulation on behalf of the Environment Agency, Natural England and Countryside Council for Wales under the RES Act. Northern Ireland explicitly links the aims of their better regulation strategy towards improving environmental outcomes.²⁵

Better regulation in the UK administrations

Wales

2.37 LBRO's remit extends to Wales and the Welsh Assembly Government worked closely with the BRE to ensure that the RES Act is entirely consistent with devolution. The Assembly Government works with the BRE and LBRO to promote a consistent approach to delivering better regulation across the UK, while operating within a distinct Welsh policy context. Distinctive elements include the fundamental principle

to put citizens first and recognising that effective collaboration across organisational boundaries is key to success. LBRO has been working with the Welsh Assembly Government to develop the first set of national enforcement priorities for Wales that are outcome focused and reflect the One Wales agenda. One Wales aims to improve the quality of life for all people in Wales.

- 2.38 In September 2009, the Welsh Assembly Government published the Policy Statement Inspection, Audit and Regulation in Wales²⁶. The statement sets out the role that the Assembly Government expects inspection, audit and regulation to play in delivering accountable, citizen-centred services and the continual improvement of local services.

Scotland

- 2.39 The remit of LBRO, and by extension the better regulation agenda of Whitehall, does not formally extend to Scotland except on matters of reserved legislation. The Scottish Government established a Regulatory Review Group in 2004, which continues to be aligned with the Scottish Government's purpose of increasing sustainable economic growth and LBRO has observer status. The second Scottish Improving Regulation Report was published in 2009, which articulated the five principles of better regulation as the foundation for regulatory improvement.²⁷

Northern Ireland

- 2.40 The better regulation agenda sits within the Department for Enterprise, Trade and Investment within Northern Ireland. While mostly devolved from Whitehall, there appears to be broad acceptance of the tenets of the Hampton and subsequent reviews and recommendations insofar as they can be applied. As in Scotland, LBRO has a limited remit in Northern Ireland. The Northern Ireland Assembly and the local authorities in Northern Ireland have agreed a statement of intent to respect the notification and guidance requirements of the Primary Authority scheme. This is to enable businesses that trade in Northern Ireland and have a primary authority partnership in GB to receive a consistent approach to enforcement.

Developments in local government

England

- 2.41 The wider local government improvement agenda, as set out in the 2006 White Paper *Strong and Prosperous Communities*, provides important context for regulatory reform at the local level. The creation of the National Indicator Set, Local Area Agreements and the Comprehensive Area Assessment places the responsibility for the delivery of outcomes and improved performance on local authorities and their partners and less so on central government.

Local government's place shaping role

- 2.42 The White Paper noted the improvement in public services that had been achieved through regulation and inspection. It aimed to continue that improvement in public sector performance by making local agencies more accountable to local people and local communities and addressing the tension between competing central and local government priorities. This was reinforced by the 2007 Central-Local Concordat which set out local government's responsibilities to provide effective leadership and to empower local communities where possible.²⁸

- 2.43 The White Paper emphasised the flexibility of local councils to respond to local needs. The 2007 Lyons Review of local government coined the phrase ‘place shaping’ in relation to empowering local authorities to promote the well-being of communities and citizens through the creative use of their powers and influence.²⁹
- 2.44 This is at the heart of the evolution of local government in England and builds on evidence from the success of local public service agreements, Local Area Agreements Enabling Measures, Neighbourhood Renewal Funds and the Stronger and Safer Communities Fund.
- 2.45 The new approach to improvement responsibilities and agreement between central and local government is reflected in the National Improvement and Efficiency Strategy. This is complemented by nine regional improvement and efficiency strategies developed by the local authority led Regional Improvement and Efficiency partnerships (RIEPs). RIEPs drive efforts to find new ways to achieve efficiency savings, improve services, shape markets, and encourage greater innovation. Additional funding was announced in October 2009 to continue this work.

National Indicator set

- 2.46 A single set of 198 National Indicators was announced as part of the 2007 Comprehensive Spending Review and took effect from April 2008. This is a streamlined set of indicators that reflects priority outcomes for local authorities working alone or in partnership and is the successor to the Best Value Performance Indicators.

Local Area Agreements

- 2.47 Partnership between local authorities, health bodies, the police, charities and government agencies to deliver services and outcomes is the other guiding principle in the evolution of local government. LAAs are the formal agreement between local partners³⁰ and contain the outcome targets for each local area. From 2008-09 they became the main delivery contract between central government and local authorities and their partners. The achievement of LAA outcomes is assessed by Comprehensive Area Assessment, reviewed by a partnership of seven inspectorates coordinated by the Audit Commission.³¹ Further details are given in Part 5.

Total Place

- 2.48 Total Place is an ambitious initiative begun in 2009 that will consider how a ‘whole area’ approach to public services can lead to better services at less cost. The impact of the economic downturn means all of the public sector need to find new and more efficient ways to serve the public. There are 13 pilot areas across England participating in the scheme, with each area ensuring a diverse mix of economic, geographical and demographic profiles. Key Government Departments (including Treasury, Health, Work and Pensions, Home Office) are working closely with the Leadership Centre for Local Government, the Regional Improvement and Efficiency Partnerships (RIEPs), the Government Office (GO) network and the Improvement and Development Agency (IDeA) to ensure that Total Place is successful.³²
- 2.49 This work forms part of the Operational Efficiency Programme (OEP) strand led by Sir Michael Bichard, that seeks to create the environment where collaboration and innovation on the frontline leads to reduced costs and new ways of working, to live within more constrained resources while meeting the public’s expectations of higher quality services.

Evolution of Multi-Area Agreements

- 2.50 In July 2008, the first Multi-Area Agreements (MAAs) were signed. These are designed to be cross-boundary LAAs to tackle issues such as skills deficits, housing market imbalances, transport projects or economic development and were first mooted in the Local Government White Paper 2006.³³ MAAs will reinforce the delivery of outcomes from established joint-working agreements by LARS, for example LARS working together as part of the Association of Greater Manchester Authorities will contribute towards the outcomes of the Manchester MAA.³⁴
- 2.51 The MAA model is likely to become more prominent following the 2007 joint HM Treasury, BERR and CLG review of Sub-national Economic Development and Regeneration. This concluded that local authorities have a greater role to play in reducing economic disparities and suggested that cross-boundary partnerships were effective in achieving strategic outcomes. The Local Democracy, Economic Development and Construction Bill currently being legislated upon proposes a new statutory duty on upper tier local authorities to assess local economic conditions including, subject to consultation, the potential to develop statutory partnerships. There is a wider role for some local authorities in agreeing the revised Regional Strategy in partnership with regional development agencies.

Wales

- 2.52 Local authorities in Wales are monitored annually against national objectives through the Wales Programme for Improvement.³⁵ The Welsh Assembly Government monitors the performance of local authorities in Wales through best value performance indicators (established by statutory instrument) that focus on inspection activity.
- 2.53 The 2006 Beecham Review considered the delivery of public services in Welsh local authorities and recommended greater collaboration and cross-boundary working through the establishment of local service boards and delivery agreements. Local authorities sit on Local Service Boards that work across sectoral and organisational boundaries to deliver local services at a sub-regional level. Each Local Service Board has selected a number of collaborative projects to drive forward, on the basis of local needs assessments and engagement with citizens. They are drawn from the Community Strategy and other existing local plans and strategies. The purpose of the Local Delivery Agreement is to describe the problem being solved, demonstrate the citizen benefits and to set out clearly the direction of travel, key project milestones and how success will be measured.
- 2.54 The Welsh Assembly Government has taken forward the Beecham recommendations through the Making the Connections policy for public service reform and its current local government policy statement *A Shared Responsibility: Local Government's contribution to improving people's lives* outlines the vision of local governments becoming more responsive to local needs.³⁶

Scotland

- 2.55 The Scottish Government has established a concordat with local authorities for the period 2008-09 to 2010-2011.³⁷ The Concordat set out proposals for a Single Outcome Agreement (SOA) between each local council and the Scottish Government, based on 15 key national outcomes agreed in the concordat. The SOA sets out the outcomes which each local authority is seeking to achieve with its partners to reflect local needs, circumstances and priorities and have been extended to Community Planning Partnerships. SOAs are in place in all 32 councils.

Northern Ireland

- 2.56 The Review of Public Administration in Northern Ireland has recommended that the 26 local councils should be amalgamated into eleven in order to reduce the size of the administration of Northern Ireland and the timescale for implementation is May 2010.³⁸ The Department for Enterprise, Trade and Investment delivers trading standards services centrally for Northern Ireland. Environmental Health services are delivered by local authorities. Some responsibilities for alcohol licensing are delivered by the Police Service for Northern Ireland. The balance between local and central government in Northern Ireland is different to the rest of the UK and work is ongoing in this area.

Part 2: End Notes

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- 1 Further details via the OECD website www.oecd.org
- 2 *Better Regulation in Europe: An Assessment of Regulatory Capacity in 15 member states of the European Union. Better Regulation in the United Kingdom*, OECD, 2009. See endnote iv in part 1
- 3 *Overcoming barriers to administrative simplification strategies. Guidance for policy makers*, OECD, 2009
- 4 See www.doingbusiness.org
- 5 Archived material. See http://archive.cabinetoffice.gov.uk/brc/about_us.html
- 6 Archived material. See <http://archive.cabinetoffice.gov.uk/brc/upload/assets/www.brc.gov.uk/lessismore.pdf>
- 7 Reducing administrative burdens: effective inspection and enforcement. Philip Hampton, March 2005
- 8 Further details via the Scottish Government website www.scotland.gov.uk
- 9 Further details via the Department for Enterprise, Trade and Investment website www.detini.gov.uk
- 10 See the Hampton Implementation Reviews compendium report by the NAO *Regulatory Quality: How regulators are implementing the Hampton vision*, National Audit Office, 2008.
- 11 The full list of regulators undergoing Hampton Implementation Reviews and published reviews are available from the BIS website
- 12 *Regulatory Justice: Making Sanctions Effective*, Professor Richard B Macrory, November 2006, Crown Copyright 2008
- 13 *National Enforcement Priorities for Local Authority Regulatory Services*, Peter Rogers, March 2007, Crown Copyright 2007, page 8
- 14 *National Enforcement Priorities for Local Authority Regulatory Services, Supplementary Volume*, March 2007
- 15 The research report can be found via the LBRO's website www.lbro.org.uk
- 16 The consultation paper can be accessed via www.lbro.org.uk
- 17 *The Good Guidance Guide. Taking the uncertainty out of regulation*. Sarah Anderson 2009, Crown Copyright. Available via the BIS web pages www.bis.gov.uk
- 18 The Benefits of Regulation study published October 2009, is available from the BIS website
- 19 1,000 as part of Ipsos MORI *Business Perceptions of Local Authority Regulatory Services. A survey of businesses conducted for the Local Better Regulation Office*, September 2008. 403 as part of Research by Design *Protecting Young People from Alcohol Related Harm*, April 2009. Six in University of Cumbria Centre for Regional Economic Development *Review and assessment of the methodology of the retail enforcement pilot in a business environment*, May 2009. 200 as part of Kirkman Associates/Telephone Surveys *Business Relations with Local Authorities*, February 2009
- 20 Survey of 200 businesses. Kirkman Associates/Telephone Surveys Feb 2009
- 21 Survey of 1,000 businesses. Ipsos MORI Sept 2008
- 22 Ipsos MORI Sept 2008. 41 per cent saw the provision of advice by LARS as very important, 34 per cent saw it as fairly important. For Fire, 52 per cent saw this as very important, 31 per cent saw it as fairly important
- 23 Six business case studies from six different local authorities involved in the Retail Enforcement Pilot, built around interview with business. Focus group of seven business support groups: BRC, FSB, ACS, CBI, BHF, BCC, FPB
- 24 Further details via the Health and Safety Executive's website www.hse.gov.uk
- 25 See Better Regulation for a Better Environment, Environment and Heritage Service Better Regulation Programme, March 2008 via www.ni-environment.gov.uk
- 26 Inspection, Audit and Regulation in Wales Policy Statement, Welsh Assembly Government, September 2009 via www.wales.gov.uk
- 27 Further details via the Scottish Government website www.scotland.gov.uk
- 28 Further details via the CLG website www.communities.gov.uk
- 29 *Place Shaping: A Shared Ambition for the Future of Local Government*, Sir Michael Lyons, March 2007, Crown Copyright 2007
- 30 The Local Government and Public Involvement in Health Act 2007 establishes the framework and statutory duty of local area agreements
- 31 Further details via the Audit Commission website www.audit-commission.gov.uk

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- 32 For further details see the Leadership Centre for Local Government website
www.localleadership.gov.uk/totalplace
- 33 Although the concept of regional or sub-regional issues is not new
- 34 See the Manchester Multi-Area Agreement, June 2008
- 35 Further details via the Welsh Assembly Government website www.wales.gov.uk or the Wales
Audit Office website www.wao.gov.uk
- 36 Further details via the Welsh Assembly Government website www.wales.gov.uk
- 37 Further details via the Scottish Government website www.scotland.gov.uk
- 38 See the Local Government Boundaries Commissioner for Northern Ireland website [www.lgbc-
ni.org](http://www.lgbc-
ni.org)