LBRO
Local Better Regulation Office

Primary Authority

What is Primary Authority?

Primary Authority is a new scheme launched by the Local Better Regulation Office on the 6th April 2009 and is aimed at improving the way in which local regulators work with business.

What does Primary Authority mean for business?

Primary Authority will:

- **Provide consistency within advice and instruction:** Primary Authority will ensure that any company trading across council boundaries is guaranteed access to robust and reliable advice about its regulatory responsibilities.
- **Encourage partnership working:** The advice will be provided through the creation of new legal partnerships with local regulators. These registered primary authorities will liaise with other councils to ensure that inspection and enforcement action taken anywhere in the UK reflects the advice given.
- **Reduce unnecessary checks and inspections:** A primary authority can also work with its business to produce a national inspection plan, giving guidelines to other councils to avoid unnecessary checks and tests.
- **Be flexible to business needs:** Primary authority partnerships can cover the full range of regulatory services or specific functions, such as health and safety, food safety or product safety.

Importantly, the question of resourcing the partnership is up to the councils and businesses concerned, allowing a primary authority to recover the costs of providing this premium service.

LBRO will register partnerships, provide guidance and help resolve any disputes – providing continuing support to the successful operation of this important initiative.

What are the benefits of signing up to Primary Authority?

- **Protection from inconsistent enforcement** – All formal action (including all notices and prosecutions) MUST be notified to your primary authority before it proceeds. Your primary authority will ensure that where proposed enforcement action is not in line with the approach that you have agreed with them, then it does not go forward. Enforcement action that is not referred to your primary authority will fail.

- **Advice that you can rely upon** – Once your business has entered into a primary authority relationship, the advice that you receive from your primary authority will be legally binding upon all other local authorities. The advice you receive from your primary authority will therefore provide you with assurance that you can rely on.

- **An opportunity to communicate positively with all local regulators** – Your primary authority will have access to the LBRO's secure website. You will be able to place information on this website that you feel will to be useful to enforcing authorities.

- **Reduced administrative burdens** – The administrative burden of dealing with enquiries from local authorities will be reduced. Local authorities will have more information from the outset and will know what matters have already been dealt with and agreed by the primary authority.

What additional benefits can I expect my Primary Authority partnership to bring as the partnership develops?

- **An approach to inspection that recognises your good practice** – Inspection plans can be developed to ensure that all enforcing authorities take proper account of your internal compliance activity when carrying out their risk assessments to determine inspection frequency.

- **Local inspections that do not revisit matters already dealt with** – inspection plans will ensure that local inspections focus on matters that warrant local auditing, and do not re-examine matters that you have already dealt with nationally through your primary authority.

- **An increasing portfolio of advice** – Your partnership will be able to identify the key areas where you would benefit from a single agreed approach that will be respected by local authorities. As your partnership works through these issues together, a portfolio of advice will build, upon which you can rely.

- **Better co-ordination of local authorities** – Where appropriate your primary authority will seek the co-operation of local authorities in national approaches to issues. Your primary authority can use its national perspective to identify opportunities to arrange for an appropriate level of compliance checking that minimises burdens for you and for local regulators.

More information is available at www.lbro.org.uk or by contacting:

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