

**BIS** | Department for Business  
Innovation & Skills

**DELIVERING BETTER  
REGULATION**

Government Response to the  
Consultation on the Future of the  
Local Better Regulation Office

NOVEMBER 2011

# Contents

<b>Contents</b> .....	<b>2</b>
<b>Foreword</b> .....	<b>3</b>
<b>Introduction</b> .....	<b>4</b>
<b>Executive Summary</b> .....	<b>5</b>
<b>Responses Received</b> .....	<b>6</b>
<b>Analysis and Government Response</b> .....	<b>8</b>
Question 1: Functions and Name .....	8
Question 2: Governance .....	11
Question 3: Independence in Operating Primary Authority.....	13
Question 4: Membership of the Representative Steering Group .....	15
Question 5: Role of the Representative Steering Group.....	17
Question 6: Expert panels.....	19
Question 7: Devolution matters.....	21
<b>Next Steps</b> .....	<b>23</b>
<b>Annex A: Additional Breakdown of Responses</b> .....	<b>24</b>
Question 1:.....	24
Question 2:.....	25
Question 3:.....	26
Question 4:.....	27
Question 5:.....	28
Question 6:.....	29
Question 7:.....	30
<b>Annex B: List of Respondents</b> .....	<b>31</b>

# Foreword

The Government carried out a comprehensive review of public bodies in 2010 as part of the commitment to radically increase the transparency and accountability of all public services. The review of the Local Better Regulation Office (LBRO) concluded there were advantages in it ceasing to operate as a Non-Departmental Public Body and instead moving to become part of the Department for Business, Innovation and Skills (BIS).

In June this year the Department opened a public consultation on this proposal. Building on the feedback received, and subject to Parliamentary approval, the Government will now push ahead to make the planned changes. These will see the LBRO reconfigured as the Better Regulation Delivery Office within BIS.

Feedback on LBRO, and on the Primary Authority scheme which they operate, shows that stakeholders clearly value the organisation's work. They value the expertise of LBRO staff and the way in which they have effectively represented the perspectives of business and regulators whilst driving improvements in regulatory delivery.

The Board members who have helped to establish and steer LBRO have made a significant contribution to the success and impact of the organisation. The Department and Ministers recognise the solid foundations that have been laid and are extremely grateful to the Board for the strength of the legacy which they are passing on.

There are opportunities to realise savings in transferring the organisation into BIS, and to make greater use of its experience and expertise as part of the core policy-making capacity of the Department. At the same time it will be important to ensure that the transfer does not undermine the success of the organisation to date. We recognise the importance of building on LBRO's achievements, maintaining the capacity and capability of the organisation, and continuing the working practices and relationships with stakeholders that have proved effective to date.

Within BIS, the new unit will continue to have a distinct identity and will have a clear focus that maintains its delivery and service role. Most of the current team will transfer, supporting the ongoing functions and retaining existing expertise. Key aspects of independence will be maintained, especially in the operation of the Primary Authority scheme and the provision of impartial and well-informed advice to Ministers. The organisation will ensure that a strong and representative voice for business and regulators can be heard within government. The unit will continue to support both UK and Welsh Ministers and to help ensure a coherent approach to regulatory delivery across UK boundaries.

The Government has made fundamental changes to the way in which Whitehall generates new regulations. It is equally determined to deliver improvements in how regulation is implemented on the ground. LBRO has already made important contributions to this. The Better Regulation Delivery Office is firmly part of our plans to drive this agenda forward.

# Introduction

1. This document sets out the Government's plans to establish the Better Regulation Delivery Office (BRDO) within the Department for Business, Innovation and Skills (BIS) to build on the work of the Local Better Regulation Office (LBRO).
2. A review of LBRO was carried out by BIS in 2010 in the context of the wider public bodies review undertaken by the UK Government. The review of LBRO looked at its existing functions, whether these should continue, and the different organisational arrangements that might be put in place to deliver continuing functions.
3. The review concluded that the function of direct service improvement should stop, but that the Primary Authority scheme and wider work to drive improvements and simplification in the delivery of regulation were of recognised value and should continue.
4. Options for delivery included: transferring the functions to another body, merging LBRO with an existing organisation, changing the status of LBRO to an Executive Agency, and continuing as an Executive Non-Departmental Public Body, as at the time of review. The preferred model identified was to transfer the functions into BIS.
5. Following the outcome of the public bodies review, the Government announced its plans for managing the transfer of functions from LBRO into BIS. Specifically, it proposed that those functions would be carried out by a distinct new unit within the Department. That unit will be BRDO. It will build on the success of LBRO.
6. LBRO was established under the Regulatory Enforcement and Sanctions Act 2008. The Act requires that in order to dissolve the organisation the Secretary of State must first consult those persons affected by the proposed dissolution. In line with the requirements of the Act, and in order to better inform the process, the Department published a consultation document in June this year: 'The Future of the Local Better Regulation Office and Extending the Benefits of the Primary Authority Scheme: a Consultation'. The consultation closed on 16 September 2011.
7. This document summarises the responses relating specifically to the future of LBRO and sets out the Government's plans in light of the consultation. Responses relating to the proposed extension of the Primary Authority scheme are being handled separately and a Government statement on this will be published shortly.
8. The following sections provide a summary of the response, detail who responded, summarise the views expressed, state the Government's response, and set out next steps.

## Executive Summary

9. The review of LBRO's functions carried out in autumn 2010 demonstrated strong support for its work. Stakeholders commented on the expertise and delivery capability of the organisation and its staff, and they welcomed the independent way in which LBRO represented their views to government. The organisation was particularly praised by business for representing their views and experiences in an effective way. Professional bodies representing regulatory practitioners, such as TSI and CIEH, have also welcomed LBRO's approach of working with them to improve professional standards and support to regulatory officers.
10. The Government is keen to ensure that none of these benefits are lost as a result of the proposed transition. The weight of supportive responses to the recent consultation suggests the proposed approach is on the right track and that it is consistent with the findings of the 2010 review.
11. The Better Regulation Delivery Office will help deliver protection and growth. It will work to ensure that regulation is delivered in a way that: helps business to comply; positively supports growth; removes barriers to doing business; is cost effective for business and regulators; is delivered by confident and competent practitioners; and supports successful, safe business.
12. Taking into account responses to the consultation and the findings of the earlier review we plan to implement the proposed changes, as follows:
  - Reconstitute the Local Better Regulation Office as the Better Regulation Delivery Office within BIS, operating alongside the Better Regulation Executive to deliver a coherent programme of regulatory reform, and providing comprehensive advice and support to UK and Welsh Ministers;
  - Ensure that BRDO continues to operate the successful Primary Authority scheme, provide guidance and support to regulators, provide informed advice to the UK and Welsh Governments, and drive improvements in the delivery of regulation and simplification in the regulatory system;
  - Put in place a Representative Steering Group, supported by expert panels, that enables key stakeholders to inform the work and strategic direction of BRDO, and to provide a strong evidence base from which to deliver well-informed, impartial and independent advice;
  - Establish internal protocols and delegated responsibilities within BIS, ensuring the Primary Authority scheme is managed in an effective and independent way, and ensuring that BRDO's capacity to provide independent advice within government and to local authorities is preserved;
  - Put in place effective working arrangements with the Welsh Government so that BRDO can support both administrations and can continue to help deliver a coherent approach to business and to regulation across England and Wales.

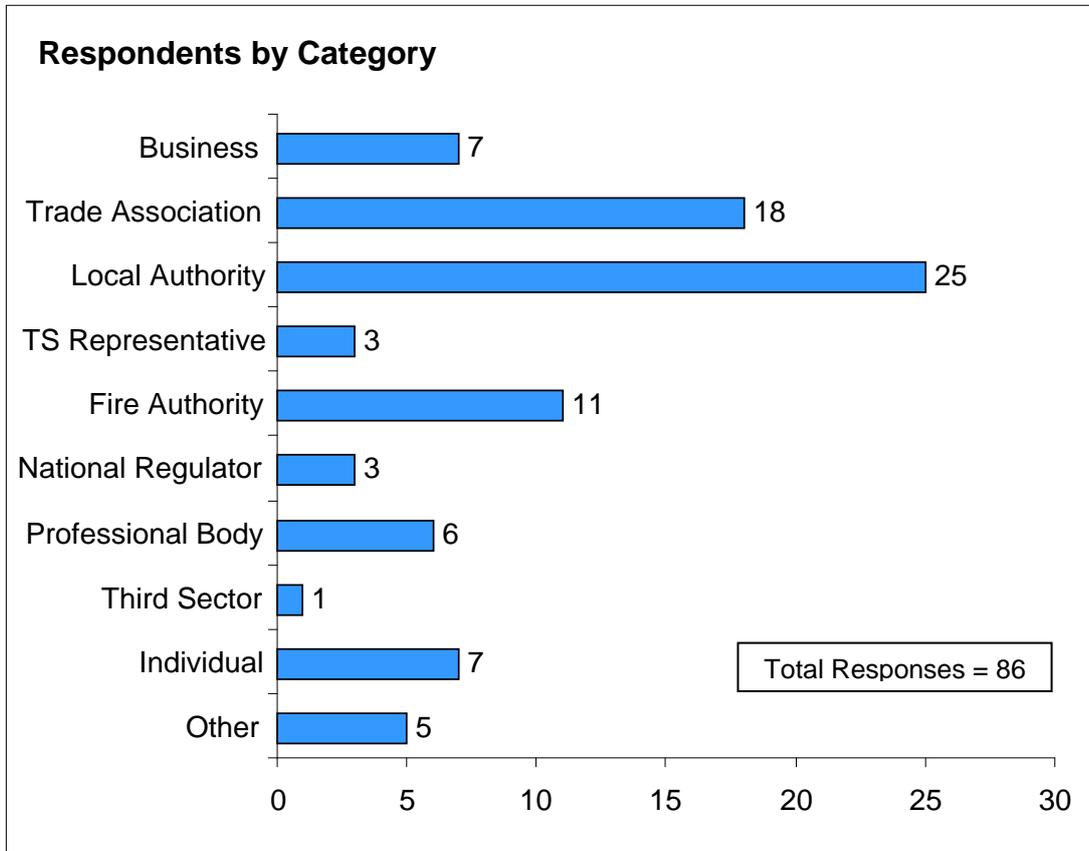
## Responses Received

13. A total of 86 responses were received. Responses came from businesses, trade associations, local authorities and other local regulatory bodies, as well as national regulators, professional bodies, and other groups. The table and chart below summarise the split of respondents by category. Annex A provides greater detail on responses by question, and Annex B provides a full list of respondents.
14. In addition to the written responses to the consultation our plans are informed by discussions with stakeholders representing businesses, regulators, and enforcement authorities, and by input to the original review of LBRO carried out in the autumn of 2010.

**TABLE 1: Respondents by Category**

Category of respondent	Number of respondents
Business	7
Trade Association	18
Local Authority	25
Trading Standards	3
Fire Authority	11
National Regulator	3
Professional Body	6
Third Sector Organisation	1
Individual	7
Other	5
<b>Total</b>	<b>86</b>

**CHART 1: Respondents by Category**



# Analysis and Government Response

15. This section provides a summary of responses received against each question in the consultation document, followed by a statement of the Government's planned course of action. A more detailed breakdown of responses by question is provided in Annex A. A full list of respondents is provided in Annex B.

## Question 1: Functions and Name

- Are the functions identified for the new organisation (Primary Authority and system improvement) consistent with the aspirations identified by the Government; and
- Does the name of the new organisation, Better Regulation Delivery Organisation, accurately reflect its scope and function?

**This question had a total of 75 replies of which 55 used the reply template provided including Yes/No options and 20 replied with text. Of the Yes/No options 80% were in favour of the proposals outlined in the question.**

**Businesses, trade associations, local authorities and fire authorities were broadly supportive. Of the professional bodies that answered one replied yes and the other replied no to this question.**

## Summary of Consultation Returns

16. The majority of respondents agreed with the two parts of this proposal:

- That the functions identified for the new organisation (Primary Authority and system improvement) were consistent with the aspirations identified by Government; and
- That the name of the new organisation accurately reflects its scope and function.

Functions:

17. Many replies explicitly endorsed the proposed functions. There were few objections or negative responses. A number of respondents offered suggestions or raise questions of detail around the functions.

18. Although not covered explicitly by this question, several respondents raised concern in this section of their response about the ongoing independence of BRDO and the possible loss of expertise associated with the proposed changes.

19. Respondents requested clarification on:

- The scope of the new organisation;
- How far the new organisation will retain a focus on regulation delivered by local authorities; and
- The links between BRDO and BRE in BIS.

20. The decision not to continue the LBRO's obligation to issue guidance and direction to local authorities was questioned. Clarity was requested on reconciling the localism agenda with the ongoing commitment to improve consistency and coherence in regulatory enforcement across the UK. The value of an outside organisation able to intervene and deal with problems in relation to enforcement at local level within local authorities was noted.

21. Concern was raised that there is little mention of the outcomes sought from regulation, many of which can be beneficial to businesses, especially where they protect markets and foster consumer trust. It was suggested that work be undertaken to bring the Home Authority and Primary Authority schemes closer together, so relevant persons can easily identify whether a business is included in either scheme.

Name:

22. Many replies endorsed the proposed named change. Some responses questioned the need to change the name at all. There were some comments that the name of the new organisation should fully reflect its important and independent role. There was concern expressed by some that removing the word 'local' from the title will take the focus of the organisation away from work done at the local level.

## Government Response

**23. LBRO will be reformed as the Better Regulation Delivery Office<sup>1</sup> reflecting the Government's increased focus on improving the implementation of regulation on the ground. This Government has already radically reformed the way in which the volume of regulation is managed. It is just as important to ensure that it is delivered in the right way.**

**24. The Better Regulation Delivery Office (BRDO) will:**

- **Help simplify the regulatory system;**
- **Drive improvements in regulatory delivery that support growth;**
- **Provide a forum for business engagement at the heart of the regulatory system;**
- **Provide advice on regulatory delivery within central government; and**
- **Continue to operate the Primary Authority scheme.**

**25. The organisation will continue to play a major role in delivering increased coherence and consistency in locally delivered regulation. In delivering this function we wish to move away from an approach based on direct service improvement and to build on the supportive and collaborative approach that LBRO has employed. The unit will maintain its role in issuing guidance to local authorities in line with its core aim of improving regulatory services. Local authorities will, as now, be obliged to have regard to any such guidance; but this will not be a directive relationship.**

**26. BRDO will also continue the work of LBRO in engaging with Local Enterprise Partnerships and supporting them in their efforts to drive improvements in the coordination and delivery of regulatory services within their areas.**

**27. BRDO will continue the collaboration begun by LBRO in working closely with professional bodies to improve the coherence between Home Authority and Primary Authority – whilst recognising that there are differences in the objectives of the two schemes.**

**28. The new organisation will sit alongside the Better Regulation Executive in BIS and alongside the Regulatory Policy Committee. Taken together, these three units will bring a coherent and concerted focus to the Government's work on improving all aspects of regulation – from design to delivery.**

**29. The Government recognises the track record of LBRO and the experience and expertise of its staff. Maintaining both will be central to building on the progress to date and to the success of the new unit.**

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<sup>1</sup> The name Better Regulation Delivery Office will be used – rather than Better Regulation Delivery Organisation, which was the working title at consultation stage – in part to provide for greater continuity between LBRO and BRDO through the transition.

## Question 2: Governance

- Will the proposed governance arrangements for the BRDO, including the creation of the Representative Steering Group and the draft Memorandum of Understanding with BIS provide the necessary levels of independent decision making and accountability to stakeholders?

**This question had a total of 70 replies of which 55 used the reply template provided including Yes/No options and 15 replied with text. Of the Yes/No options 67% were in favour of the proposal.**

**Businesses, trade associations, professional bodies, and fire authorities were all broadly supportive. Local authorities were on balance supportive but with a closer split between yes and no responses.**

### Summary of Consultation Returns

30. Respondents broadly agreed that independent decision-making and accountability to stakeholders would be provided through the proposed Representative Steering Group and memorandum of understanding (MOU) with BIS.
31. Concern was raised by some that a Memorandum of Understanding is weaker than independence being underpinned by statute and further clarity was sought on the relationship between the Representative Steering Group and BIS Ministers to ensure independent decision-making. It was noted that a more formal independent governance board similar to the Board of the Health and Safety Executive (HSE) could be an alternative approach.
32. Several respondents requested that appointments to the Representative Steering Group be independent and transparent.
33. It was also noted that the Representative Steering Group is key to the independence of BRDO and that stakeholder confidence will be maintained through the ability of BRDO to interact effectively with other parts of BIS and the Regulatory Policy Committee (RPC).

34. One respondent suggested the changes should be reviewed after 12 months of operation.

## **Government Response**

**35. The Board of LBRO have provided sound leadership and overseen a successful organisation. However, the proposed changes require a different model of governance.**

**36. The organisation is moving from a relatively autonomous relationship with the Department for Business, Innovation and Skills to becoming part of the core Department. We are putting in place arrangements to ensure we do not undermine the effectiveness of the organisation as a result, whilst still enabling us to reap the benefits of closer integration. It is recognised in particular that business has valued the expertise of LBRO, its operational focus and the level of independence and impartiality it has brought to its role.**

**37. BRDO must have sufficient and demonstrable independence to operate the Primary Authority scheme and to be able to provide effective advice to Ministers on regulatory delivery. The Primary Authority scheme is covered in more detail under Question 3. In terms of the relationship between Ministers and the Representative Steering Group, it will be necessary to strike the right balance between the benefits of direct engagement (for all parties) and the need to ensure that the Group feels able to bring an independent voice to the advice they offer.**

**38. The Memorandum of Understanding will clarify the operational arrangements between BRDO and Ministers, between BRDO and the rest of BIS (including the Better Regulation Executive) and between BRDO and the Regulatory Policy Committee (RPC). This framework will establish the key links between the different units as well as the areas of distinct responsibility. It will protect existing areas of independence. It will also explore the potential for better connections between the units to help improve the design and delivery of regulation across government.**

**39. Establishing the Representative Steering Group will support transparency in the work of BRDO and help to establish the desired level of accountability to stakeholders.**

## Question 3: Independence in Operating Primary Authority

- Do the arrangements for the Representative Steering Group and the draft Memorandum of Understanding with BIS provide sufficient assurance for businesses and local authorities in Primary Authority partnerships that the BRDO will be sufficiently independent?

**This question had a total of 68 replies of which 54 used the reply template provided including Yes/No options and 14 replied with text. Of the Yes/No options 61% were in favour of the proposal.**

**Local authorities, businesses, trade associations and fire authorities were broadly supportive. Responses from professional bodies and individuals were equally split between answering yes or no.**

### Summary of Consultation Returns

40. Respondents broadly agreed that the Steering Group and the Memorandum of Understanding (MOU) within BIS would provide sufficient assurance for businesses and local authorities in Primary Authority partnerships.
41. It was noted that the MOU is different in nature to the current legal framework, without the same mechanisms for enforcement or compliance. A number of respondents expressed a hope that BRDO would not lose its challenge function, and further clarity was requested by some on the relationship between the Representative Steering Group and BIS Ministers in ensuring independent decision-making.
42. Concerns were raised by some about the feasibility of the MOU making allowance for regulators and their role in acting as a check and balance for the administration of the Primary Authority scheme. Some respondents asked for consumer protection to be made a priority of BRDO.

## **Government Response**

- 43. The importance of maintaining independence in the operation of the Primary Authority scheme is fully recognised – both for its successful operation and for maintaining the confidence of all parties..**
  
- 44. The transition to establishing BRDO within BIS requires that the legal powers and duties associated with Primary Authority transfer to BIS Ministers. However, operation of the scheme will be delegated to the Chief Executive of BRDO. The unit will maintain its operational expertise to operate the scheme and will manage day-to-day delivery, including the nomination of partnerships, as now. The Representative Steering Group will also play a part in ensuring that due process is followed in operating the scheme.**

## Question 4: Membership of the Representative Steering Group

- Is the proposed membership of the Representative Steering Group appropriate?

**This question had a total of 66 replies of which 50 used the reply template provided including Yes/No options and 16 replied with text. Of the Yes/No options 50% were in favour of the proposal.**

**Trade associations, professional bodies and individuals responding were broadly supportive of the proposed membership. Fire authorities and local authorities were broadly against, and individual businesses were evenly split.**

### Summary of Consultation Returns

45. In aggregate the yes/no responses to this question were evenly split. Those answering no typically had suggestions for how the membership of the Representative Steering Group might be amended. As demonstrated in the responses to other questions, there was general support within the consultation responses for the creation and functions of the Group.
46. Fair representation through such a small number of representatives on the Steering Group was a concern for some respondents, and some wanted more sectors represented.
47. A number of respondents made suggestions for organisations that could be added to the proposed membership of the Group and some raised concerns that the proposal for 8 - 10 members may not be enough when consideration is given to the breadth of representation they were proposing.
48. It was noted by some respondents that the Steering Group would be independent from BIS if a majority of the members were independent.
49. Several respondents requested that the process for appointments to the Steering Group be independent and transparent.

50. Concern was raised that the Representative Steering Group will have a small minority of business representatives. The role of consumer representatives was questioned by one respondent who felt the body should be focused on improving regulatory enforcement for business.

## **Government Response**

**51. The Representative Steering Group will provide expert advice and a balanced range of stakeholder perspectives to help inform the work of the Better Regulation Delivery Office. The Group will advise on the strategic direction and approach of the organisation. The Representative Steering Group will not operate as a formal Board, and is not designed to oversee day-to-day operation of BRDO.**

**52. Make up of the Representative Steering Group will need to strike a good balance between securing input from a range of interested parties and maintaining a manageable size that can work effectively. Membership of the Group is expected to be limited to around 12 individuals.**

**53. We aim to strike the right balance between the regulated, regulators, and those that regulation seeks to protect. Core membership of the Group will therefore include representatives of: business, local government, Devolved Administrations, national regulators, professional bodies, consumers, and the workforce.**

**54. The Group will be supported by BRDO's expert panels, and together these will provide a balanced and strong network of expertise to help inform the work of the organisation. The continued use of the panels provides the opportunity to involve a wider range, and greater number of interested parties in helping to shape the work of BRDO.**

**55. Membership of the Representative Steering Group will be reviewed at regular intervals and refreshed in order to open up engagement and allow for fresh perspectives.**

## Question 5: Role of the Representative Steering Group

- Are the terms of reference and areas of responsibility for the Representative Steering Group appropriate?

**This question had a total of 65 replies of which 51 used the reply template provided including Yes/No options and 14 replied with text. Of the Yes/No options 80% were in favour of the proposal.**

**All categories of respondent were broadly supportive of the proposal.**

### Summary of Consultation Returns

56. Respondents broadly agreed that the terms of reference and areas of responsibility for the Representative Steering Group were appropriate. The proposal that the Group reports to, or has access to, a Minister was welcomed.
57. It was suggested that the main task of the Representative Steering Group should be to set the strategic direction and monitor its implementation; to provide advice to the Secretary of State on issues regarding regulatory delivery; advise on possible changes to BRDO's remit over time; and to comment upon the regulatory delivery implications of proposed new legislation, ideally at the pre-consultation stage.
58. Concern was raised that the proposed terms focused on the Primary Authority scheme when the scope of work includes simplifying the regulatory system, providing advice to government and providing a forum for business engagement. It was suggested that the Group should monitor the effectiveness of these roles as well.
59. It was also suggested by some respondents that the number of businesses represented should be in proportion to the number of local and national regulators represented, and that sufficient business expertise is required on the panel if it is to perform a genuine 'enquire and challenge' role, advising on regulatory delivery.
60. There was a request that the Group's role to ensure high-level dialogue between regulators and businesses be made more explicit, and for the terms to make

reference to supporting improvements through sharing good practice and highlighting excellence.

## **Government Response**

**61. The Representative Steering Group will be an advisory body. The core Terms of Reference for the Group will be to:**

- **Provide advice to the Secretary of State and Welsh Ministers on regulatory delivery;**
- **Oversee the effectiveness of the operation of the Primary Authority scheme ensuring correct and fair procedures are followed in line with statutory and published procedures;**
- **Provide advice to the Chief Executive of the Better Regulation Delivery Office on strategic direction and stakeholder views.**

**62. In relation to Primary Authority specifically, we believe it is most appropriate if the Group provides advice on the effectiveness of the scheme and on BRDO's management of it, rather than being involved in individual decisions on nominations for Primary Authority, or on determinations should these arise.**

## Question 6: Expert panels

- Do you agree that the BRDO should continue to support LBRO's existing stakeholder reference groups (World Class Coalition, Business Reference Panel and the Local Authority Reference Panel).

**This question had a total of 72 replies of which 55 used the reply template provided including Yes/No options and 17 replied with text. Of the Yes/No replies 95% were in favour of the proposal.**

**All categories of respondents were strongly supportive.**

### Summary of Consultation Returns

63. There was strong support for the retention of the three existing LBRO expert panels – the Business Reference Panel; The World Class Coalition; and the Local Authority Reference Panel.
64. Many respondents felt it would be helpful if the panels could in some way report into the Representative Steering Group and help BRDO develop policy.
65. Some respondents suggested there was an opportunity to supplement the groups with new members to represent the proposed extended coverage of the Primary Authority scheme.
66. It was suggested that a group be created to represent companies and local authorities that have a Primary Authority relationship. This could provide feedback on how the arrangements are working and offer mutual support and advice.
67. Another panel of regulatory practitioners from business was also suggested.

## **Government Response**

- 68. The consultation responses demonstrate clear support for the expert panels. The Department is grateful to members of the panels for their involvement to date, and to LBRO for the way in which these have been set up and run. The panels will continue as proposed, and as so clearly supported in the consultation responses. In tandem with the Representative Steering Group they will give BRDO a well-informed evidence base for its work. The panels will help maintain BRDO's ability to provide expert, impartial and independent advice to government on regulatory delivery.**
- 69. A new expert panel of Primary Authority users will be established. A Welsh Regulators Forum has also been put in place and this will continue as part of the ongoing support provided by BRDO within Wales and for Welsh Ministers.**
- 70. Membership of the groups will also be refreshed to reflect any changes to the scope of Primary Authority. These changes will be confirmed shortly.**

## Question 7: Devolution matters

- Are the arrangements for working with the Devolved Administrations appropriate?

**This question had a total of 55 replies of which 41 used the reply template provided including Yes/No options and 14 replied with text. Of the Yes/No options 80% were in favour of the proposal.**

**Businesses, trade associations, local authorities and fire authorities were all broadly supportive. Of the professional bodies that answered one replied yes and the other replied no to the question.**

### Summary of Consultation Returns

71. Respondents broadly agreed with the proposed working arrangements. A number noted the potential value of BRDO issuing guidance for the whole of the UK, not just England and Wales, and of the value this would bring for multi-site businesses. The advantages of BRDO problem solving on a national scale and taking a UK approach to sharing best practice were highlighted.

72. A new MOU between BRDO and Wales was requested to clarify reporting mechanisms and working arrangements. However, it was noted the LBRO has a limited remit in Scotland relating to the operation of the Primary Authority scheme. It was noted that the Devolved Administrations might have different approaches on regulatory matters.

73. A request was made for Primary Authority to extend its scope within the UK on the grounds that it is appropriate to have UK arrangements because UK-wide businesses value consistency across all four nations, supporting more effective compliance and lower prices for consumers.

## Government Response

**74. BIS will continue to work closely with Devolved Administrations to ensure that the benefits of BRDO's activities can be maximised, in particular in sharing experience and good practice and in providing support for UK-wide business.**

**75. In particular we will ensure the Better Regulation Delivery Office can work effectively across England and Wales in the same way as the LBRO currently does, and that it continues to support Welsh Ministers as well as BIS and Whitehall Ministers.**

**76. Where possible this will be set out in the legislation that will dissolve LBRO and transfer its powers and duties to Ministers. Any aspects that cannot be captured within the legislation will be set out in a Memorandum of Understanding between BIS and the Welsh Government.**

**77. In addition to the more detailed arrangements with the Welsh Government, LBRO liaises closely with the Devolved Administrations in Scotland and Northern Ireland. We will expect BRDO to continue this engagement recognising the similar interests that the administrations have in improving regulatory delivery, and the value for UK business of providing consistency where possible.**

## Next Steps

78. This response marks the conclusion of the formal consultation on the future of the Local Better Regulation Office; on the plans to dissolve the body as an Executive Non-Departmental Public Body and to transfer its functions into the Department for Business Innovation and Skills.
79. We intend now to move ahead with the plans as set out in this response.
80. LBRO cannot be dissolved, and its functions cannot be transferred without passing the necessary Statutory Instrument in Parliament. We will lay the necessary Statutory Instrument at the earliest opportunity.
81. It is our intention to complete the transition by the end of March 2012 in order to deliver stability for staff and for the businesses and regulators served by the organisation.
82. We are committed to improving the way in which regulation is delivered on the ground and wish to build on the success of LBRO to date. The new organisation starts from a strong position to meet this challenge and to support regulators and business in delivering protection and growth.

# Annex A: Additional Breakdown of Responses

## Question 1:

- Are the functions identified for the new organisation (Primary Authority and system improvement) consistent with the aspirations identified by the Government; and
- Does the name of the new organisation, Better Regulation Delivery Organisation, accurately reflect its scope and function?

		Total replies	3			Total replies	3
		Text replies	2			Text replies	2
		Y/N replies	1			Y/N replies	1
		Y/N Positive replies	0%	<b>National Regulator</b>		Y/N Positive replies	0%
<b>Question 1</b>		Total replies	75			Total replies	5
		Text replies	20			Text replies	3
		Y/N replies	55			Y/N replies	2
<b>Total</b>		Y/N Positive replies	80%	<b>Professional Body</b>		Y/N Positive replies	50%
		Total replies	7			Total replies	1
		Text replies	1			Text replies	1
		Y/N replies	6			Y/N replies	0
<b>Business</b>		Y/N Positive replies	67%	<b>Third Sector</b>		Y/N Positive replies	0%
		Total replies	14			Total replies	5
		Text replies	5			Text replies	0
		Y/N replies	9			Y/N replies	5
<b>Trade Association</b>		Y/N Positive replies	89%	<b>Individual</b>		Y/N Positive replies	100%
		Total replies	22			Total replies	4
		Text replies	3			Text replies	3
		Y/N replies	19			Y/N replies	1
<b>Local Authority</b>		Y/N Positive replies	68%	<b>Other</b>		Y/N Positive replies	100%
		Total replies	3			Total replies	0
		Text replies	2			Text replies	0
		Y/N replies	1			Y/N replies	0
<b>TS Rep</b>		Y/N Positive replies	100%	<b>EH Rep</b>		Y/N Positive replies	0%
		Total replies	11			Total replies	0
		Text replies	0			Text replies	0
		Y/N replies	11			Y/N replies	0
<b>Fire Authority</b>		Y/N Positive replies	100%	<b>Consumer Groups</b>		Y/N Positive replies	0%



### Question 3:

Do the arrangements for the Representative Steering Group and the draft Memorandum of Understanding with BIS provide sufficient assurance for businesses and local authorities in Primary Authority partnerships that the BRDO will be sufficiently independent?

<b>Question 3</b>		Total replies	1	<b>National Regulator</b>	Total replies	1
		Text replies	0		Y/N replies	1
		Y/N replies	1		Y/N Positive replies	100%
		Y/N Positive replies	100%			
<b>Total</b>	Total replies	68	<b>Professional Body</b>	Total replies	4	
	Text replies	14		Text replies	2	
	Y/N replies	54		Y/N replies	2	
	Y/N Positive replies	61%		Y/N Positive replies	50%	
<b>Business</b>	Total replies	7	<b>Third Sector</b>	Total replies	1	
	Text replies	1		Text replies	1	
	Y/N replies	6		Y/N replies	0	
	Y/N Positive replies	67%		Y/N Positive replies	0%	
<b>Trade Association</b>	Total replies	12	<b>Individual</b>	Total replies	6	
	Text replies	4		Text replies	0	
	Y/N replies	8		Y/N replies	6	
	Y/N Positive replies	75%		Y/N Positive replies	50%	
<b>Local Authority</b>	Total replies	21	<b>Other</b>	Total replies	2	
	Text replies	2		Text replies	2	
	Y/N replies	19		Y/N replies	0	
	Y/N Positive replies	58%		Y/N Positive replies	0%	
<b>TS Rep</b>	Total replies	3	<b>EH Rep</b>	Total replies	0	
	Text replies	2		Text replies	0	
	Y/N replies	1		Y/N replies	0	
	Y/N Positive replies	0%		Y/N Positive replies	0%	
<b>Fire Authority</b>	Total replies	11	<b>Consumer Groups</b>	Total replies	0	
	Text replies	0		Text replies	0	
	Y/N replies	11		Y/N replies	0	
	Y/N Positive replies	64%		Y/N Positive replies	0%	

## Question 4:

Is the proposed membership of the Representative Steering Group appropriate?

Question 4			National Regulator		
			Total replies	0	
			Text replies	0	
			Y/N replies	0	
			Y/N Positive replies	0%	
<b>Total</b>	Total replies	66	<b>Professional Body</b>	Total replies	5
	Text replies	16		Text replies	3
	Y/N replies	50		Y/N replies	2
	Y/N Positive replies	50%		Y/N Positive replies	100%
<b>Business</b>	Total replies	7	<b>Third Sector</b>	Total replies	1
	Text replies	1		Text replies	1
	Y/N replies	6		Y/N replies	0
	Y/N Positive replies	50%		Y/N Positive replies	0%
<b>Trade Association</b>	Total replies	9	<b>Individual</b>	Total replies	6
	Text replies	3		Text replies	0
	Y/N replies	6		Y/N replies	6
	Y/N Positive replies	67%		Y/N Positive replies	67%
<b>Local Authority</b>	Total replies	21	<b>Other</b>	Total replies	3
	Text replies	3		Text replies	3
	Y/N replies	18		Y/N replies	0
	Y/N Positive replies	44%		Y/N Positive replies	0%
<b>TS Rep</b>	Total replies	3	<b>EH Rep</b>	Total replies	0
	Text replies	2		Text replies	0
	Y/N replies	1		Y/N replies	0
	Y/N Positive replies	0%		Y/N Positive replies	0%
<b>Fire Authority</b>	Total replies	11	<b>Consumer Groups</b>	Total replies	0
	Text replies	0		Text replies	0
	Y/N replies	11		Y/N replies	0
	Y/N Positive replies	36%		Y/N Positive replies	0%

## Question 5:

Are the terms of reference and areas of responsibility for the Representative Steering Group appropriate?

		Total replies	0			Total replies	0
		Text replies	0			Text replies	0
		Y/N replies	0			Y/N replies	0
		Y/N Positive replies	0%			Y/N Positive replies	0%
<b>Question 5</b>				<b>National Regulator</b>			
	Total replies	65			Total replies	3	
	Text replies	14			Text replies	2	
	Y/N replies	51			Y/N replies	1	
<b>Total</b>	Y/N Positive replies	80%		<b>Professional Body</b>	Y/N Positive replies	100%	
	Total replies	7			Total replies	1	
	Text replies	1			Text replies	1	
	Y/N replies	6			Y/N replies	0	
<b>Business</b>	Y/N Positive replies	67%		<b>Third Sector</b>	Y/N Positive replies	0%	
	Total replies	13			Total replies	6	
	Text replies	4			Text replies	0	
	Y/N replies	9			Y/N replies	6	
<b>Trade Association</b>	Y/N Positive replies	89%		<b>Individual</b>	Y/N Positive replies	83%	
	Total replies	20			Total replies	2	
	Text replies	2			Text replies	2	
	Y/N replies	18			Y/N replies	0	
<b>Local Authority</b>	Y/N Positive replies	72%		<b>Other</b>	Y/N Positive replies	0%	
	Total replies	3			Total replies	0	
	Text replies	2			Text replies	0	
	Y/N replies	1			Y/N replies	0	
<b>TS Rep</b>	Y/N Positive replies	100%		<b>EH Rep</b>	Y/N Positive replies	0%	
	Total replies	10			Total replies	0	
	Text replies	0			Text replies	0	
	Y/N replies	10			Y/N replies	0	
<b>Fire Authority</b>	Y/N Positive replies	90%		<b>Consumer Groups</b>	Y/N Positive replies	0%	

## Question 6:

Do you agree that the BRDO should continue to support LBRO's existing stakeholder reference groups (World Class Coalition, Business Reference Panel and the Local Authority Reference Panel).

<b>Question 6</b>		Total replies	2	<b>National Regulator</b>	Total replies	5
		Text replies	1		Total replies	3
		Y/N replies	1		Y/N replies	2
		Y/N Positive replies	100%		Y/N Positive replies	100%
<b>Total</b>	Total replies	72	<b>Professional Body</b>	Total replies	1	
	Text replies	17		Text replies	1	
	Y/N replies	55		Y/N replies	0	
	Y/N Positive replies	95%		Y/N Positive replies	0%	
<b>Business</b>	Total replies	7	<b>Third Sector</b>	Total replies	6	
	Text replies	1		Text replies	0	
	Y/N replies	6		Y/N replies	6	
	Y/N Positive replies	100%		Y/N Positive replies	100%	
<b>Trade Association</b>	Total replies	13	<b>Individual</b>	Total replies	3	
	Text replies	5		Text replies	2	
	Y/N replies	8		Y/N replies	1	
	Y/N Positive replies	88%		Y/N Positive replies	100%	
<b>Local Authority</b>	Total replies	23	<b>Other</b>	Total replies	0	
	Text replies	2		Text replies	0	
	Y/N replies	21		Y/N replies	0	
	Y/N Positive replies	95%		Y/N Positive replies	0%	
<b>TS Rep</b>	Total replies	3	<b>EH Rep</b>	Total replies	0	
	Text replies	2		Text replies	0	
	Y/N replies	1		Y/N replies	0	
	Y/N Positive replies	0%		Y/N Positive replies	0%	
<b>Fire Authority</b>	Total replies	9	<b>Consumer Groups</b>	Total replies	0	
	Text replies	0		Text replies	0	
	Y/N replies	9		Y/N replies	0	
	Y/N Positive replies	100%		Y/N Positive replies	0%	

## Question 7:

Are the arrangements for working with the Devolved Administrations appropriate?

<b>Question 7</b>			Total replies	0	
			Text replies	0	
<b>National Regulator</b>			Y/N replies	0	
			Y/N Positive replies	0%	
<b>Total</b>	Total replies	55	<b>Professional Body</b>	Total replies	4
	Text replies	14		Text replies	2
	Y/N replies	41		Y/N replies	2
	Y/N Positive replies	80%		Y/N Positive replies	50%
<b>Business</b>	Total replies	7	<b>Third Sector</b>	Total replies	1
	Text replies	1		Text replies	1
	Y/N replies	6		Y/N replies	0
	Y/N Positive replies	83%		Y/N Positive replies	0%
<b>Trade Association</b>	Total replies	10	<b>Individual</b>	Total replies	6
	Text replies	4		Text replies	0
	Y/N replies	6		Y/N replies	6
	Y/N Positive replies	83%		Y/N Positive replies	67%
<b>Local Authority</b>	Total replies	15	<b>Other</b>	Total replies	2
	Text replies	2		Text replies	2
	Y/N replies	13		Y/N replies	0
	Y/N Positive replies	77%		Y/N Positive replies	0%
<b>TS Rep</b>	Total replies	2	<b>EH Rep</b>	Total replies	0
	Text replies	2		Text replies	0
	Y/N replies	0		Y/N replies	0
	Y/N Positive replies	0%		Y/N Positive replies	0%
<b>Fire Authority</b>	Total replies	8	<b>Consumer Groups</b>	Total replies	0
	Text replies	0		Text replies	0
	Y/N replies	8		Y/N replies	0
	Y/N Positive replies	100%		Y/N Positive replies	0%

## Annex B: List of Respondents

1. Asda Stores Ltd
2. Association of Chief Police Officers (ACPO)
3. Association of Convenience Stores (ACS)
4. Birmingham City Council
5. Bolton Council
6. Brighton and Hove City Council
7. Bristol City Council
8. British Frozen Food Federation
9. British Hospitality Association
10. British Independent Retailers Association (bira)
11. British Retail Consortium (BRC)
12. Cambridgeshire County Council
13. CIEH (Chartered Institute of Environmental Health)
14. Citizens Advice
15. City of Wakefield Metropolitan District Council
16. Council for Responsible Nutrition (CRN)
17. County Durham & Darlington Fire & Rescue Service
18. Derby City Council
19. Devon County Council
20. Directors of Public Protection Wales (DPPW) - Welsh Local Government Association
21. Dundee City Council
22. Eastleigh Borough Council
23. EETSA (East of England Trading Standards Association Limited)
24. Federation of Small Businesses
25. Food Standards Agency
26. Forum of Private Business
27. Glass and Glazing Federation
28. Gloucester City Council
29. Greater Manchester Fire and Rescue Authority
30. Hampshire Fire and Rescue Service
31. Haringey Council
32. Hertfordshire County Council
33. Home Retail Group (operating companies Argos Ltd, Homebase Ltd)
34. IOSH (Institution of Occupational Safety and Health)
35. Kent and Medway Towns Fire Authority
36. Knowsley Metropolitan Borough Council
37. Ladbroke plc
38. Leeds City Council
39. Leicester, Leicestershire and Rutland Combined Fire Authority
40. Local Government Group (LG Group)
41. London Fire Brigade Headquarters
42. Medway Council
43. Milton Keynes Council
44. Monmouthshire County Council

45. Moto Hospitality Ltd
46. Muller Dairy (UK) LTD
47. National Association of Licensing and Enforcement Officers (Naleo)
48. National Joint Utilities Group Ltd
49. National Measurement Office (an Executive Agency of BIS)
50. NETSA (North East Trading Standards Association)
51. NFU (National Farmers' Union)
52. OFT (The Office of Fair Trading)
53. Ornamental Aquatic Trade Association
54. Oxfordshire County Council, Trading Standards
55. Oxfordshire Fire and Rescue Service
56. Pet Care Trade Association
57. Pizza Hut UK Ltd
58. Portsmouth City Council
59. Proprietary Association of Great Britain
60. Provision Trade Federation
61. Residential Landlords Association
62. Rhondda Cynon Taff County Borough Council
63. Rushmoor Borough Council
64. Sainsbury's
65. Staffordshire Fire and Rescue Service
66. Tesco Stores Ltd
67. The Association of Chief Trading Standards Officers (ACTSO)
68. The Chief Fire Officers' Association (CFOA)
69. The Highland Council
70. The National Caravan Council (NCC)
71. Trading Standards Institute (TSI)
72. Trading Standards South East Limited
73. Trading Standards Institute - Business Members Group
74. Tyne & Wear Fire and Rescue Service
75. UNISON
76. United Kingdom Weighting Federation (UKWF)
77. Wakefield Council
78. Wandsworth Council
79. Watford Borough Council
80. West Dunbartonshire Council
81. West Midlands Fire Service
82. West Yorkshire Fire and Rescue
83. West Yorkshire Trading Standards Service
84. Westminster City Council
85. Worcestershire Regulatory Services
86. World Bank Group Investment Climate Advisory Services

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