

Minutes of 09 March 2020 committee meeting

Attendees	
The Committee Stephen Gibson (SG) – Interim Chair Jonathan Cave (JC) (Teleconference) Laura Cox (LC) Sheila Drew Smith (SDS) Jeremy Mayhew (JM) Brian Morgan (BM) Andrew Williams-Fry (AWF)	RPC Secretariat Stuart Sarson (SS) – Head of Secretariat Present for items A and B: The Lord Callanan – Lords Parliamentary Under Secretary of State BRE Chris Carr (CC) – Director Rob Brightwell (RB) – Deputy Director

A. Welcome 11:00 – 11:05

1. The Chair welcomed everyone to the meeting.
2. The Chair introduced Lord Callanan, the Lords Parliamentary Under Secretary of State, Minister for Climate Change and Corporate Responsibility.
3. The committee members introduced themselves to Lord Callanan.
4. Lord Callanan thanked the Chair for inviting him to the meeting and for stepping into the chair role on an interim basis.

B. Introduction to Lord Callanan 11:05 – 11:25

5. Lord Callanan quoted from the 2019 Conservative Party manifesto:

“Good regulation is essential to successful businesses: we will strive to achieve the right regulatory balance between supporting excellent business practice and protecting workers, consumers and the environment. Through our Red Tape Challenge, we will ensure that regulation is sensible and proportionate, and that we always consider the needs of small businesses when devising new rules, using our new freedom after Brexit to ensure that British rules work for British companies”.
6. Lord Callanan said that the RPC has a key role in delivering on that manifesto commitment and ensuring that the degree of regulation is both necessary and desirable; there is a balance between the degree of regulation and the costs imposed on businesses, particularly small businesses.
7. The committee agreed that the manifesto quotation read by Lord Callanan could be used in reporting.

C. Matters arising 11:25 – 11:35

8. No apologies were received.

Minutes of the 20 January 2020 committee meeting

9. The minutes of the January meeting were agreed with no changes. They will be published on the RPC website following the meeting.

Register of Interests and Gifts and Hospitality Register

10. The registers were circulated before the meeting. The Chair asked the members to check their entries were up to date on both registers. One change on the Register of Interest was noted before the meeting, with no amendments to the Gifts and Hospitality Register noted. The changes will be made to the registers and updated versions will be published on the RPC website along with the minutes of the January meeting.

D. International engagement 11:35 – 12:00

International Regulatory Cooperation

11. BRE briefed the Committee on the work underway on international regulatory cooperation (IRC). This encourages regulators and policymakers to consider the international implications of regulation during the development process, to help resolve non-tariff barriers to trade and foster better cooperation with other countries.
12. In 2018, BRE commissioned the OECD to review IRC practices in the UK.
13. The Chair suggested that the RPC already comments on international impacts but cannot red rate on it. The RPC does not produce case studies on this as commenting on international impacts is not in the Better Regulation Framework.
14. The committee asked whether changes to the Better Regulation Framework had been identified that could encourage IRC good practice. BRE said that the OECD had identified that international considerations were implied in the framework but were not explicit. BRE is working with HMT to ensure that the Green Book is explicit in reinforcing the importance of international considerations.
15. The committee noted that their preference for including the impact on international trade in IAs. RB clarified that when the framework is revised, the impact on trade will need to be integrated into core activity rather than considered as a bolt-on.
16. BRE set out the next steps for the government's response to the OECD review. A systematic approach to IRC will be formally imbedded the Better Regulation Framework. BRE will develop guidance for policymakers to ensure a consistent approach to IRC and will work with the RPC to consider the methodology for evaluating the use of evidence in international IAs.
17. BRE plans to launch a consultation to find out how different stakeholders are currently engaging in IRC and to identify areas to focus future efforts. BRE does not envisage any aspects of IRC to become mandatory but suggested that these changes are behavioural.

International engagements

18. The Secretariat gave an overview of the international engagements.

RPC engagement with stakeholders

19. The Chair gave an overview of the upcoming committee engagements with external stakeholders.

E. Defra update 12:00 – 12:10

20. The secretariat gave an update on the RPC's statement on the Agriculture and Fisheries Bills.

F. MSG update 12:10 – 12:25

21. The secretariat updated the committee on the recent MSG meeting. Case histories guidance on permissive regulation has recently been published and case histories guidance on appraisal periods has been sent to departments for comment.
22. The secretariat will be producing a revised competition assessments paper for the April MSG meeting, taking account of committee comments at the February MSG meeting. The secretariat will consult with BRE and the Competition and Markets Authority in taking this work forward.
23. The secretariat will revise its draft guidance on counterfactuals to take account of comments at the February meeting, notably producing explicit overarching principles encapsulating where alternative counterfactuals should be used. The secretariat will also engage with BRE on whether any central government guidance will be produced covering baselines for the post (EU-exit) transition period.

G. BRE update 12:25 – 12:55**Reforming Regulation Initiative (RRI)**

24. CC updated the committee on the new Secretary of State and Minister with the Better Regulation portfolio.
25. CC informed the committee that the write-round for the RRI is now closed. It is expected to be announced in the Budget on 11 March. [Post-meeting note: it was announced in the Budget.]
26. BRE will continue to improve the toolkit and guidance on the innovation test.
27. The committee asked whether a process or toolkit existed to help departments to review vast quantities of regulations. CC confirmed that this did not exist; RB suggested that rather than considering this from a departmental perspective, BRE should approach this from a business perspective. The committee observed that the REFIT assessment process (using a clear framework to determine the necessity of a large number of regulations) would be a suitable choice. Members commented that small businesses may struggle to respond to the RRI and that any approach must be targeted. They suggested that BRE speak to general counsels of businesses to get feedback.

H. Business plan 12:55 – 13:05

28. SS introduced the proposed RPC business plan 2020/21. He proposed to take input on KPIs by correspondence in order to finalise the business plan by the May committee meeting.
29. The committee agreed that the role of the RPC was not to provide a channel for business to lobby government about regulation, but that the RPC was an independent body that could engage with the public and stakeholders.
30. The committee signed off the vision and the mission statements. SS committed to providing revised strategic objectives and KPIs, to be agreed by the beginning of the new financial year.

I. AOB 13:05