
REPORT TO:	Environment and Development Service Committee	AGENDA ITEM: 10
DATE OF MEETING:	21st November 2013	CATEGORY: DELEGATED
REPORT FROM:	Bob Ledger – Director of Housing and Environmental Services	OPEN
MEMBERS’ CONTACT POINT:	Matt Holford – Environmental Health Manager, 01283 595856, matthew.holford@south- derbys.gov.uk	DOC:
SUBJECT:	Regulator and Business Partnership Charter	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE: EDS14

1. Recommendations

- 1.1 That Members approve that South Derbyshire District Council become a signatory to the D2N2 Local Enterprise Partnership Regulator and Business Partnership Charter (attached as Appendix 1).
- 1.2 That Members approve the proposed partnership with the D2N2 Chamber of Commerce and Derbyshire County Council Trading Standards to provide a pilot health and safety advisory service for businesses in Derbyshire and Nottinghamshire.

2. Purpose of Report

- 2.1 To provide Members with a summary of the existing work being undertaken by South Derbyshire’s regulatory teams to support local business growth and of the direction of travel being taken to further support growth.
- 2.2 To seek Members approval of the D2N2 Local Enterprise Partnership Regulator and Business Partnership Charter.

3. Background to the Charter and ‘Better Regulation’

- 3.1 The regulation of business must strike a balance between being sufficiently robust in order to protect the public, employees and the environment whilst not being an excessive burden to economic growth. The perceived burden of regulation on businesses has particularly come under scrutiny during recent years when the need for economic growth has become more acute.
- 3.2 There is anecdotal evidence that some forms of regulation are more burdensome than others. The extent of health and safety law, employment law and taxation law are all regularly cited by the business community as unnecessary ‘red tape’. Over the last two years the Department for Business, Innovation and Skills (BIS) has been promoting the concept of ‘better regulation’. This is summarised as “Working towards a simple and clear regulatory environment in which businesses have the confidence to invest and grow, and citizens and communities are properly protected”.

3.3 Underlying the concept is not the wholesale removal of regulation (most of which was implemented for entirely appropriate and proportionate reasons), but to improve the way in which the regulations are interpreted and enforced. The development of the concept has particularly taken hold in the areas of Environmental Health and Trading Standards, but it is now growing to include more and more areas where businesses are regulated.

3.4 The better regulation agenda has been active in South Derbyshire for the last 6 months or so and the principle has been fully supported by the Derbyshire and Nottinghamshire Local Enterprise Partnership and Chamber of Commerce. The way in which the principle is being actively implemented is taking a number of forms;

- SDDC in partnership with Derbyshire County Council Trading Standards has obtained funding from the LEP to provide a 'without prejudice' pilot health and safety advisory service for businesses across the D2N2 region. The project has two aims - to provide businesses in the region with practical health and safety advice in order to improve workplace health; and to seek to obtain direct, specific evidence about whether health and safety is really a burden to business, how much it costs and how it can be improved. The pilot project proposes to deliver up to 100 advisory interactions with businesses across the Derbyshire / Nottinghamshire region during this 6 month pilot period.
- A single point of contact is being developed to enable businesses to access information on all sorts of regulation in one web portal. The underlying concept is to reduce the often substantial amount of time businesses have to take to find and understand their legal duties and to ensure that the advice they get is as consistent as possible. The portal is proposed to be led and hosted by the LEP with the supporting information provided by all regulatory agencies.
- 'Trading places' is a programme of getting regulators to walk in the shoes of business operators for a short time. The concept is to get regulators to better understand the pressures business operators work under and to better understand the consequences of their regulatory decisions on business operators. The programme is being developed through a Regulators' Steering Group hosted by the LEP with a first event programmed for 5th December 2013.
- We are developing with colleagues at County Council an award scheme to promote healthier food offerings from our retail food outlets. The proposed scheme will encourage food businesses to sign up to specific pledges; such as providing products with lower fat or salt content, or smaller portion sizes. The scheme will link to the enormously successful "Scores of the Doors" food safety rating scheme which will ensure that businesses holding the award are both healthy and safe. The Scores on the Doors scheme is proving an excellent example of how regulation can be used positively via market forces to promote growth in high performing businesses.

3.5 The Regulator and Business Partnership Charter is part of the overall 'better regulation' offering. By signing up to the Charter the Council is committing all of those relevant parts of the Council that regulates business to adhere to the principles of the Charter. The regulatory services provided by the Council to which we propose to apply the Charter are;

- Health and safety law;
- Food safety law;

- Environmental law (air pollution, land contamination, noise, waste regulation);
 - Licensing law;
 - Private sector rented housing law;
- 3.6 Currently excluded from the proposed coverage of the Charter are Business rates, planning enforcement and building control, although it is possible that the principles of the Charter may be extended to apply to these service areas at a later date.
- 3.7 The aspiration of the LEP is that the Charter will be signed by all of the regulatory bodies across the Derbyshire / Nottinghamshire region, including the Environment Agency, Fire Services, Food Standards Agency, all District and City Councils, HMRC, Health and Safety Executive, etc.
- 3.8 On a practical level many of the principles are already contained in the Council's Enforcement policies to which Council officers are legally obliged to pay due regard in making enforcement decisions.
- 3.9 In the longer term, the implications of the Charter for SDDC are likely to be on shaping the development of annual service plans and the need for managers to include mechanisms of monitoring the implementation of the principles of the Charter in each of the respective services.
- 3.10 By adopting the Charter, SDDC would be one of the first (if not the first) regulatory agency in the region to sign up. It would provide a clear signal to the LEP that South Derbyshire continues to be at the forefront of promoting local economic development whilst supporting our businesses to protect health and the environment.

4. Financial Implications

- 4.1 Positive. There are no immediate financial implications and we would hope to use the Charter as a means of accessing potential future funding streams to promote better regulation and improve public health.
- 4.2 The pilot advisory service we would provide across the D2N2 region is to be funded by the LEP.

5. Corporate Implications

- 5.1 The proposals align with the “sustainable growth and opportunity” and “safe and secure” Corporate Plan Objectives.

6. Community Implications

- 6.1 Positive. The delivery of the objectives of the Charter will directly contribute to improved trading conditions for local businesses.