

Worcestershire Regulatory Services Board

24th November 2016

Primary Authority

Recommendation

That the Board notes the report and progress made by WRS on Primary Authority Partnerships.

Contribution to Priorities

Income generation being an important element of what WRS do and supporting businesses to grow in Worcestershire.

Working with the Economic Development teams based at the County to build regulatory support into the promotional offer used to persuade businesses to relocate to Worcestershire.

Report

What is Primary Authority?

Primary Authority is a statutory scheme, established by the Regulatory Enforcement and Sanctions Act 2008 (the RES Act). It allows an eligible business to form a legally recognised partnership with a single local authority in relation to regulatory compliance. This local authority is then known as its 'primary authority'. Primary authorities play a valuable role in leading and shaping the regulation of businesses that partner with them. In doing so, they deliver benefits for the regulatory system as a whole, for the businesses they partner with, and for those that the regulations are designed to protect – consumers, workers and the environment

Primary Authority provides businesses with consistent, tailored, assured advice they can rely on and provides regulators with flexible ways of working. This gives businesses greater confidence to invest and grow and increases regulator efficiency.

The scheme makes it easier for business's to comply with regulation and operate in the UK.

Types of partnership

There are two types of partnership: 'direct' and 'co-ordinated'.

The term 'direct partnership' is used where the business accesses the scheme by virtue of being regulated by more than one local authority or trades across council boundaries.

The term 'co-ordinated partnership' is used where the business accesses the scheme by virtue of the fact that it shares an approach to compliance with other businesses for example a trade association that provides regulatory guidance to its members

The scheme is very successful and growing. According to the Primary Authority Register there are 15818 businesses in 16920 partnerships of which 2163 are in Direct Partnerships and 14757 are in Co-ordinated Partnerships with 181 different Local Authorities.

What does Primary Authority Partnerships Cover?

Primary Authority is available to businesses for support in all areas of Trading Standards, Environmental Health and Licensing delivered by local government. Appendix 1 contains a list of all these specific areas.

WRS have 7 Direct Primary Authority Partnerships and 1 Co-ordinated Partnership, 5 of which are Worcestershire based.

WRS Approach

One of WRS's key strategies is income generation. By working more collaboratively with businesses to support growth and provide assured advice across a number of regulatory functions instils confidence and maintains essential public protections. Inevitably providing partners with an economic growth stream.

Requests from business in and outside of Worcestershire to enter into a Primary Authority Partnership either come from the business directly or they are referred via Regulatory Delivery. Suitability is assessed as part of the nomination process and factors such as resourcing, expertise and on-going competency is reviewed.

Current Primary Authority Partnerships

Business	Signed	Based
Bobby's foods	2014	Bromsgrove
Aspens Services Ltd	2015	Hindlip
Galloping Gourmet	2015	Worcester
Malvern Tyres	2015	Droitwich
Servest	2016	Solihull
My E Chef	2016	Dudley
SC Entertainment	2016	Worcester
Bangladesh Caterers	2016	London

Investment

Businesses want good regulation that gives them more confidence to prosper and reduce risk whilst government and

local authorities want to promote economic growth, provide business support and ensure protections. This is why WRS invest time and resources into this area of work by being selective in the primary authorities they sign up and allocating the necessary resources that businesses need.

Benefits to Regulators

- Fewer Inspections required
- Leading and shaping regulation
- Working proactively with business
- Formulating better relationships with other LA's
- Cost Recovery
- Focus strategy on outcomes
- Targeted regulatory delivery
- Transparency and Accountability

Benefits to Business

- Greater Clarity and Protection if challenged
- Helps businesses to comply and grow
- Provides Assurance
- Reduces Compliance Costs
- Fewer Inspections
- Confidence that advice received is legally binding
- Reduces the administrative burdens of regulation

Financial Implications

Income Generation from Primary Authority are advised to be on a cost recovery basis.

Sustainability

The current model operates using highly skilled experts in the field and WRS are aware that the preliminary stages of any Primary Partnership require a surge of resources. Therefore each partnership that is brought to WRS is looked at on a case by case basis to sustain the commitment to current business's already in the WRS Primary Authority portfolio. The risk of taking on too many may require additional resources.

Contact Points

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Background Papers

Appendix 1:Primary Authority Categories

Appendix A: Primary Authority Categories

WRS can act as a Primary Authority in one or more of the following categories:

- Age-restricted sales

The Sale and supply of goods that have an age restriction associated with them.

- Agriculture

Manufacture, composition and labelling of animal feed and fertilisers, and food hygiene at primary producers.

- Animal establishments and companion animal welfare

Licensing of animal establishments and the welfare of companion animals.

- Environmental protection

Control of noise, pollution (other than permitting), statutory nuisance, contaminated land and waste.

- Explosives licensing

Licensing and storage of explosives.

- Fair trading

Business-to-consumer transactions, pricing, description of goods/services, trading practices, intellectual property.

- Farm animal health

Movement, importation and marking of farm animals and the control of animal disease.

- Fire Safety

Legal requirements, Risk assessments, Fire precautions.

- Food safety and hygiene

Safety and hygiene of food, the manufacture, preparation and selling of food, and matters of pest control.

- Food standards

Labelling and composition of food.

- General licensing

Licensing of people, places and vehicles, house-to-house collections, sex establishments, Sunday trading, charity collections, scrap metal dealers and pavement cafes.

- Health and safety

Health and safety of workers and visitors to local authority- regulated premises.

- Metrology

Control of weighing and measuring equipment and the sale of goods by quantity.

- Petroleum licensing

Licensing and storage of petroleum.

- Pollution control

Permitting of premises with respect to pollution control.

- Product safety

Safety and labelling of products.