

Report to the Tyne and Wear Trading Standards Joint Committee

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Report on the Government's Cutting Red Tape review programme

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Purpose of the report

To inform the Committee about the Government's Cutting Red Tape review programme as it affects local authority Trading Standards services.

The Cutting Red Tape review programme

1. The Cutting Red Tape review programme was launched by the Government in July 2015 with a pledge to cut £10 billion in 'red tape' over the course of the current parliament. It has been implemented as a rolling programme of reviews of various sectors, including house building, childcare, energy, agriculture and local authorities.
2. The Cutting Red Tape review of Local Authorities is being led by the Cabinet Office, the Department for Communities and Local Government (DCLG), and the Department for Business, Innovation and Skills (BIS), and applies to English local authorities only.
3. The stated aim of the Local Authorities review is 'to identify and remove unnecessary regulatory barriers to growth and associated costs placed on businesses by local authorities, while ensuring necessary protections are maintained, and also gather evidence of where regulation imposes unnecessary or avoidable burdens and costs on local government'. The government further advises that 'the review will examine any aspects of regulation and the way it is implemented or enforced which could be made simpler, more cost-effective, efficient, proportionate, or consistent.' (Source: <https://cutting-red-tape.cabinetoffice.gov.uk/local-authorities/>).
4. The Local Authorities review covers all local authority regulatory functions, including planning, building control, environmental health and trading standards.
5. The review encouraged businesses and trade associations to inform the Government how it might cut red tape and reduce bureaucratic barriers to growth and productivity within their sector. In particular, those conducting the review sought evidence on issues ranging from how inspections and visits are conducted and how data is requested through to guidance, advice and how accountable and responsive local authorities are to business needs.

Response by Trading Standards

6. Local authorities were also invited to comment as part of the review process, and a response was submitted on behalf of the twelve local authorities which make up the North East Trading Standards Association (NETSA) in relation to trading standards regulatory functions. A copy of the full response is produced as Appendix 1 to this report. The main points covered therein are:

- NETSA does not believe the activities of Local Authority Trading Standards Services (LATSS) have a detrimental or burdensome impact on legitimate businesses as their main focus is taking effective action against illegal, unfair and rogue business activities.
- LATSS in this region do not routinely visit businesses, and when visits are carried out it is usually in response to concerns expressed about business activities by consumers.
- Contacts, relationships and day to day dealings between LATSS and legitimate businesses continue to be excellent. Any evidence to the contrary would be well received and effectively responded to by individual LATSS.
- Support for legitimate businesses includes clear guidance and advice, which is a key theme of the BIS/Regulatory Directorate's "Better Business for All" agenda. NETSA does not believe that its activities cause a burden on legitimate business and consider it very unfair and indeed unjustified to suggest that this is the case.
- The Cutting Red Tape review fails to highlight any of the positive activities that LATSS carry out in order to protect residents, communities and legitimate businesses.
- LATSS are under a statutory duty placed upon them by central government to enforce certain legislation. The purpose of this legislation is primarily to ensure the safety and welfare of our residents and to protect the interests of our legitimate businesses.
- NETSA continues to take the view that local problems require local solutions, and NETSA is very concerned that the Cutting Red Tape review is seen as a way of limiting the abilities of LATSS to protect our businesses and residents.
- LATSS local strategies feed into regional and national partnership working as championed by the Intelligence Operating Model which was developed by the National Trading Standards Board. LATSS take a risk based and proportionate approach to the enforcement of all legislation which falls within their remit.

- NETSA can provide numerous examples where LATSS in this region have and continue to respond effectively to issues that have emerged as threats to the overall safety and wellbeing of the nation.

7. The Cutting Red Tape review of Local Authorities is now closed for comment.

8. Officers will update the Committee once the outcome of the review is known.

Recommendation

9. The Committee is asked to note the information.