

NEW FRONTIERS

# REGULATIONS (POST-BREXIT)



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## Context

Cornwall Council provides expert business support capability and capacity as a unitary authority with a high level of contacts with local businesses, including over 4000 food inspections a year. We have already developed a successful Business Regulatory Support Hub with the support of the Cornwall & Isles of Scilly LEP, are a champion of “Better Business for All” (BBfA) and lead in developing business support packages to help businesses save time and money.

**The proposals in this chapter apply to Cornwall only and do not cover the Isles of Scilly.**



## Unlocking barriers

### The rationale for change

Regulation should be simple. The over-layering of regulatory responsibilities between agencies is unnecessarily complex, inefficient, and is not suitable for enabling businesses to achieve regulatory compliance quickly. This costs businesses both time and money. Brexit is an opportunity to review, simplify and roll back responsibility to a local level.

For example “approved premises” that present higher food safety risks are mostly inspected by Cornwall Council’s environmental health officers, yet meat cutting and game handling plants in Cornwall are inspected by the Food Standards Agency (FSA). Similarly businesses seeking to export food may require permission to do so from different agencies depending upon the type of food product.

Businesses that comply with regulations should have regulatory burdens eased. Additional flexibilities would be required to enable Cornwall Council’s officers to grant local food businesses “earned recognition” when there is assurance of compliance. Currently local flexibility is restricted by a national, “hard-wired” risk assessment scheme.

Community protection can be enhanced and resources applied more efficiently through the greater empowerment of town and parish councils and through greater availability of more cost-effective sanctions for breaches (eg fixed penalty notices).

Moreover, the relationship between business and with the environment is another aspect of regulatory compliance, and we recognise that the system assuring business compliance with environmental regulations has become increasingly complex.

## Our ask

Regulatory powers over areas such as Animal Health, Environmental Health, Licensing, Port Health and Trading Standards should, as a default principle, be devolved to Cornwall Council.

### Specific empowerment is sought to:

- Enable local flexibility over the FSA's Codes of Practice to tailor intervention strategies for businesses, including by basing earned recognition on local accreditation schemes.
- Issue certificates to permit the export of all food products. Currently different agencies permit the export of different products.
- Redraw local enforcing responsibilities for health and safety with HSE to ensure the best use of collective resources to provide support to Cornwall's businesses.
- Simplify regulation in farming (currently divided between numerous agencies) through the consolidation of statutory powers to the Council where possible.
- Devolve the power to make Public Space Protection Orders to appropriate local town and parish councils.

- Issue a single, "life time" licence to businesses for all licensable activities with local fee-setting powers and a single public record.

Additionally, we seek the active participation of DEFRA's agencies – and other associated Government agencies where relevant – to work with us to examine how we could, at a local level, create a single integrated interface for businesses with their environmental regulatory requirements. In 2018, the CIOS LEP and CIOS LNP will be commissioning a feasibility study to consider how this area of regulation could be delivered through a single point access model. Our project will map existing provisions to enable the production of a skills matrix and library of knowledge, provide up to date information from our business surveys to inform a model and proposed working principles. Our intention is that this will enable a 'full societal cost benefit analysis'. Participation in the project design and analysis from DEFRA would be welcomed to ensure our local level activities reflect what will be evolving at a national level post-Brexit.

**In short Cornwall Council is asking for  
“a seat at the table” as discussions  
about future regulation unfold**

## Our offer

Cornwall Council's close relationship with the Cornwall & Isles of Scilly LEP, status as a champion of BBfA and leading role in developing business support innovation demonstrate that we are capable and ready to take on wider regulatory responsibilities.

The simplification of regulatory arrangements and the appointment of Cornwall Council as a local single point of contact for managing more regulatory arrangements would improve compliance, improve business competitiveness and potentially allow Cornwall Council to make changes to some regulations in order to boost local economic growth and enhance Cornwall's contribution to UK PLC.

Cornwall Council offers assistance in piloting and evaluating proposed regulatory changes i.e. to act as a "test bed" to aid future central government policy decisions.

Our environmental regulations project seeks to build on the success of our BBfA work, Growth Hub and Skills Hub to examine with partners how an optimal new regulatory system can drive environmental outcomes through environmental growth, whilst minimising business costs and disruption. This will enable us to build on the depth of understanding provided by our ERDF-funded Environmental Growth for Business project, and to draw on the insight and enthusiasm of the cohort of engaged businesses who participate in our Cornwall Sustainability Awards.

## Benefits

Businesses will benefit from a local, more joined-up regulatory framework, which will simplify regulations and save time and money. Improved business competitiveness and economic growth in Cornwall have the potential to attract more businesses to operate in Cornwall and create jobs. Communities in Cornwall will benefit from the devolution of regulatory powers/sanctions to Cornwall Council with the further devolvement of community protection powers to town and parish councils delivering whole system efficiencies. Cost-effective sanctions will also reduce burdens on the courts system. The Cabinet Office estimate potential average savings of 10% to regulators' costs from earned recognition/regulated self-assurance.

