



Business Regulation Team End of Year Report 2003



Contents

	Page no
1 Executive Summary	4
2 Introduction	6
3 Ports industry	7
• Consent protocol for maintenance dredging operations	7
• Liability for pollution incidents	7
• Removal of unwanted pilotage powers	8
4 Standards for vehicle operators and manufacturers	9
• Headlight aim standards for commercial vehicle MOT tests	9
• Traffic Commissioners' bus punctuality standards	9
• Licensing of driver information systems	10
5 Food and drink industry	11
• Food Standards Agency	11
• Organic sector review	12
• Rural Enterprise Scheme	14
• Animal By-Product's Regulations and other issues	15
6 Pharmaceuticals	17
• Importation of germplasm	17
• Rabies quarantine	17
• Use of controlled drugs	18
7 Bio-pesticides	19
8 Statistical reporting	21
9 Update on 2002 work programme	22
• Retail industry	22
• Chemicals regulation	24
10 Conclusion	26
Annex A List of participants	27

1 Executive Summary

- 1.1 This is the Business Regulation Team's (BRT's) second annual report. It sets out the results of the BRT's work programme for 2003, the key elements of which can be summarised as follows:

Regulation of the ports industry

- 1.2 Development by Government departments, English Nature and the ports industry of a consent protocol for maintenance dredging that minimises delays and associated costs to port and marina operators while meeting the UK's obligations under the Habitats Directive.
- 1.3 A proposal by the Department for Transport (DfT) for a Regulatory Reform Order to allow a defence under the Water Resources Act when a pollution incident is caused while acting in good faith to prevent a greater catastrophe.
- 1.4 Reform of the Pilotage Act to allow harbour authorities to divest themselves of unwanted pilotage powers. To be taken forward among a package of measures in a draft Ports Safety Handout Bill or, should that fail, by Regulatory Reform Order.

Standards for vehicle operators and manufacturers

- 1.5 A project by the Vehicle & Operator Services Agency (VOSA) to investigate why headlamp defects are the leading cause of MOT failure and to recommend changes to existing practices that minimise the cost of compliance without compromising road safety.
- 1.6 Work by a sub-group of the Bus Partnership Forum, which represents the industry, local authorities, Traffic Commissioners and central Government, to define new evidence-based punctuality standards for bus operators.
- 1.7 Review by DfT officials of the outdated and complex licensing requirements for in-car driver information systems.

Food Standards Agency

- 1.8 The setting up of new Food Standards Agency (FSA) stakeholder fora to extend the range of mechanisms available for raising issues of concern with senior FSA staff.
- 1.9 FSA to publish information on the topics covered in Board briefings and the stakeholder representatives who are invited to attend them.
- 1.10 FSA review of internal guidance for authors of Board papers to include clearer advice, where appropriate, on costings relating to policy proposals.

- 1.11 FSA commitment to assess costs and benefits in relation to its codes of practice, which may be taken into account by enforcers.
- 1.12 FSA to ensure that industry receives the clear message that the due diligence defence and the eight criteria that food authorities are currently bound to consider before initiating a prosecution are not being removed or amended.
- 1.13 Board approval of proposed modifications to the way in which FSA monitors and reports on local authority enforcement performance.
- 1.14 FSA agreement to industry requests that they provide information on UK dairy establishment approval numbers.

Organic sector review

- 1.15 Review of the organic sector and subsequent confirmation by Defra of the measures it will take to underpin its continued development.

Rural Enterprise Scheme

- 1.16 Measures to improve the functioning of the Rural Enterprise Scheme, including scheme literature and guidance revision and fast-tracking of applications by the Rural Delivery Service.

Animal By-Products Regulations

- 1.17 Steps to address industry concerns relating to implementation of the Animal By-Products Regulations, including a Defra-sponsored survey of national abattoir capacity to inform Government attempts to address localised capacity constraints.

Regulation of the pharmaceuticals industry

- 1.18 Simplification of the process by which pharmaceutical companies apply for a licence to import embryos, semen and ova for research purposes.
- 1.19 Forthcoming review of the quarantine requirement for live animals imported for research purposes.
- 1.20 Removal of the requirement for companies employing veterinary surgeons engaged in research to be licensed to possess controlled drugs for animal welfare purposes.

Regulation of bio-pesticides

- 1.21 Development of a pilot project to reduce the cost of getting 'alternative' plant protection products into the market place.

Statistical reporting burdens

- 1.22 A joint BRT–Small Business Service (SBS) review of statistical reporting burdens on business, which led, indirectly, to a commitment by the National Statistician to take further action to minimise respondent burdens by, for example, rationalising the use of some surveys, using administrative data more widely and establishing a Small Business Forum to strengthen businesses' input into the process.

2 Introduction

- 2.1 The Regulatory Impact Unit (RIU) is based at the centre of Government in the Cabinet Office. Its role is to work with other Government departments, agencies and regulators to ensure that regulations are necessary, fair and impose the minimum burden. As well as taking an overview of regulatory proposals that affect business, the RIU also examines impacts on voluntary organisations and charities, and works to reduce bureaucracy and red tape in the public sector.
- 2.2 The Business Regulation Team (BRT) is one of six teams that together form the RIU. During 2001 the Prime Minister met representatives of a number of the UK's major corporations to hear their views about red tape and the burden of regulation on business. In response to their concerns, the Prime Minister invited each of the companies to nominate an individual to join the RIU on secondment.
- 2.3 As a direct result of this initiative, the BRT was established in September 2001. The Team aims to reduce the burden of existing regulation on the private sector by engaging directly with the business community to identify specific areas of concern and delivering change through joint action plans agreed with relevant Government departments and agencies.
- 2.4 The Team currently consists of four private sector secondees, Shelley Grey from BT, Stephen Dickinson from the Royal Bank of Scotland, Eric Arnold from HSBC and Chris Buxton from AMS Ltd, together with three civil servants: Jeremy Cole, David Kavanagh and Gareth Evans. David Pendlington returned to Unilever at the end of his two-year secondment in October 2003.
- 2.5 In developing its work programme for 2003 the Team concentrated on food and drink businesses and the ports industry, as well as certain performance and technical standards imposed on vehicle operators and manufacturers. Both sectors are highly regulated and major contributors to the UK economy. The food and drink manufacturing industry has a gross output of over £66 billion and employs some 500,000 people, representing around 13 per cent of the UK manufacturing workforce. It exports around £9 billion of food and drink and buys two-thirds of all the UK's agricultural produce. The UK's ports are vital gateways for trade and travel. Over 388 million tonnes of international freight and 177 million tonnes of domestic freight moved through UK ports in 1999. Thirty-two million international passengers use UK ports each year.
- 2.6 During autumn 2002, the BRT met a wide range of stakeholders including individual companies, trade bodies and Government departments. As well as identifying a number of regulatory issues in the priority sectors, the BRT was alerted to a general concern among the business community about the burden imposed by Government statistical surveys and excessive licensing requirements in the pharmaceuticals and bio-pesticides industries.
- 2.7 Over the last year, the BRT has worked with a number of Government departments and agencies to address the concerns of business in each of these areas. This report sets out the results of the BRT's 2003 work programme as well as providing an update on the 2002 work programme.

3 Regulation of the ports industry

Consent protocol for maintenance dredging operations

- 3.1 Maintenance dredging keeps channels and berths navigable. It is a highly regulated activity that is essential to the safety and continued operation of ports, harbours and marinas, which are themselves central to the UK's transport infrastructure and economic success.
- 3.2 The Government considers that proposals for maintenance dredging should be assessed in accordance with Article 6(3) of the EC Habitats Directive if they have the potential to affect certain coastal and marine sites designated for their wildlife interest.
- 3.3 The ports industry, harbour authorities and marina operators all expressed doubts to the BRT about the Government's interpretation of the law and concern that it could add greatly to the cost of securing consent for maintenance dredging operations, as well as introducing an unwelcome element of uncertainty into the process.
- 3.4 The cost of delayed approval for maintenance dredging could potentially amount to many hundreds of thousands of pounds, while an unsuccessful application could ultimately threaten a port's continued viability.
- 3.5 The BRT and the industry have worked with the Department for Environment, Food and Rural Affairs (Defra), the Department for Transport (DfT) and English Nature over several months to develop a consent protocol for maintenance dredging that minimises delays and the associated cost to port and marina operators while meeting the UK's obligations under the Habitats Directive.
- 3.6 The regulators have engaged constructively in this process and a draft protocol has now been agreed that allows the consideration of maintenance dredging proposals through the production of a single Baseline Document for each dredge and disposal area. The document will draw on existing and readily available information and will describe the current and historical patterns of dredging in relation to the conservation status of the site. Pilot studies to estimate the cost of producing a Baseline Document and to evaluate its subsequent use are expected to commence Q1 2004, with guidance rolled out later in the year. The BRT will continue to sit on the working group responsible for taking this project forward.
- 3.7 Industry has endorsed this approach: "We welcome the positive way in which the regulators have worked with industry to try to minimise the cost of gaining consent for maintenance dredging operations and are grateful for the support of the BRT in brokering agreement of the proposed protocol." (British Marine Federation)

Liability for pollution incidents

- 3.8 Section 85 of the Water Resources Act 1991 makes it an offence to cause or knowingly permit any polluting matter to enter controlled waters. Thus a port may be held liable even if the pollution occurred while towing a disabled ship into port or in the course of preventing greater environmental damage.

- 3.9 Following the grounding of the *Sea Empress* in 1996 and the subsequent prosecution of the port of Milford Haven by the Environment Agency, Lord Donaldson carried out a general review of salvage and intervention.
- 3.10 Lord Donaldson concluded that the threat of prosecution under the Water Resources Act could deter salvors from taking appropriate measures to minimise environmental damage and he recommended that a defence should be allowed when pollution was caused in good faith to avoid a greater catastrophe.
- 3.11 The ports industry voiced its concern to the BRT that Lord Donaldson's recommendation had not been acted upon. The BRT met DfT officials and, having taken legal opinion, set out a compelling case that the necessary reform of the Water Resources Act could be achieved by Regulatory Reform Order (RRO).
- 3.12 DfT accepts the need for reform and the scope of an RRO has now been agreed. There are, however, some remaining drafting details and legal questions to be resolved, particularly as policy responsibility for this area now rests with Defra.
- 3.13 DfT is currently prioritising potential future RROs and possible amendment of the Water Resources Act will be included in DfT's Regulatory Reform Action Plan when it is next updated.

The Pilotage Act

- 3.14 The Pilotage Act bestows pilotage powers upon Competent Harbour Authorities. However, as the ports industry pointed out to the BRT, an anomaly in the Act means that Competent Harbour Authorities cannot divest themselves of pilotage powers when these are unwanted.
- 3.15 The BRT and its legal adviser met DfT officials in Ports Policy to discuss the evidence for reform and the best method of achieving it. Our advice was that an RRO could be used. This would list a number of ports wishing to give up their pilotage powers. The list could subsequently be amended to include further ports.
- 3.16 DfT recognises the need to address this problem and has included reform of the Pilotage Act among a package of measures in a draft Ports Safety Bill, which is being taken forward as a handout bill. DfT should know shortly whether the Ports Safety Bill will proceed during the next session of Parliament.
- 3.17 Should the bill fail, legal opinion suggests that this particular reform of the Pilotage Act could be achieved by RRO and DfT will pursue this option instead.

4 Standards for vehicle operators and manufacturers

Headlight aim standards for MOT tests

- 4.1 One of the key issues raised with the BRT by the bus and haulage industries was the rate of vehicle test failure for headlamp aim faults. This is the leading cause of HGV and PSV test failures. Industry is concerned that the tolerances are so tight that even competent and conscientious operators find it difficult to comply. The cost to industry can be measured in terms of both re-test fees and the opportunity cost of having vehicles out of service.
- 4.2 The BRT gathered evidence from a number of bus operators of the extent of the problem and put this to the Chief Executive of the Vehicle Inspectorate, which has since become part of the Vehicle & Operator Services Agency (VOSA). VOSA has responded very positively by initiating a project to investigate why headlamp failures occur for all vehicle types and to recommend changes to existing practices that minimise the cost of compliance without compromising road safety.
- 4.3 VOSA's review is exploring testing methods, training, vehicle design and the appropriateness of current aim standards. The project is expected to report its recommendations within DfT early in 2004, with the aim of addressing the heavy vehicle industry's concerns as soon as possible. The BRT remains engaged with VOSA on this important issue and will continue to monitor progress.

Traffic Commissioners' bus punctuality standards

- 4.4 A number of bus operators and the Confederation of Passenger Transport (CPT) raised with the BRT their concerns about the Traffic Commissioners' punctuality standards. These require that a bus is no more than one minute early or five minutes late at any point on its journey. The Traffic Commissioners can impose fines or, ultimately, prohibit the operator from running local bus services, if their bus punctuality standards are not met.
- 4.5 Bus operators complained that the standard does not appear to be based on any recognisable benchmark and there is no guidance on how it should be achieved. They also argued that there seemed to be regional differences in interpretation and penalties were sometimes disproportionate. For example, one operator was fined £40,000 for failure to meet the standard despite the apparent mitigation of a spate of local roadworks. The BRT presented the industry's case for new punctuality standards to DfT, which administers the Bus Partnership Forum.
- 4.6 A sub-group of the Bus Partnership Forum, which represents the industry, local authorities and central Government, is now working to define a realistic, evidence-based standard that will accurately measure the performance of operators and ensure punctual services for bus users.
- 4.7 The BRT is encouraged to see all the interested parties working together in partnership and good progress being made, but will continue to follow developments. The group submitted an interim report to Ministers in the summer recommending further work, including pilot exercises to measure punctuality in real life situations.
- 4.8 Work is in hand to set up the pilots and it is hoped that surveys can be carried out by spring 2004.

Licensing of driver information systems

- 4.9 The Road Traffic (Driver Licensing and Information Systems) Act 1989 and associated 1990 Exemption Order introduced an enabling licensing regime for operators of in-vehicle driver information systems. These are the sort of systems that provide information on routing, position and traffic conditions. The Act enabled operators with different systems to operate on a level playing field by, among other things, allowing operators with systems dependent on roadside equipment access to roads owned by the Highways Authority. The Act also provides a mechanism for ensuring the human/machine interface (HMI) safety of the in-vehicle equipment and the appropriateness of any routing information being provided.
- 4.10 The Society of Motor Manufacturers and Traders (SMMT) was concerned that the legislation had been overtaken by the emergence of Global Positioning System (GPS) technology and it was now unclear whether the data provider, the hardware manufacturer or the car maker should be licensed. Essentially, the legislation was felt to be outdated and the licensing process unclear and excessively complex.
- 4.11 The BRT made the case to DfT that the installation of roadside transmitters and the safety of in-car displays could be separately regulated. Our advice was that an enabling order could achieve this separation and that in-car safety standards could be the subject of a voluntary agreement with industry. This would mean that information providers using roadside beacon technologies could continue as before, while companies using new technologies would not require a licence.
- 4.12 DfT accepts the need to revisit the existing licensing regime and is reviewing the legislation, but no recommendations have yet been put to DfT Ministers.

5 Regulation of the food and drink industry

Food Standards Agency

- 5.1 As part of its 2002 work programme, the BRT centred its efforts on improving the ways in which the regulators in the chemicals industry interact with their business customers. This recognised that imperfect communication between operators and their regulators carried the potential to add significantly to regulatory compliance burdens, for example by leading to over-compliance by companies or disproportionate or inconsistent enforcement action by their local inspectors.
- 5.2 Interestingly, similar issues emerged during the various discussions the BRT held with food businesses and their representatives. Concerns were voiced, for example, about the extent to which the Food Standards Agency (FSA) affords business the opportunity to influence upstream policy formation and about certain of the FSA's working practices, such as the use and publication of surveys and the operation of the FSA Board. Having gathered together a number of these FSA-specific issues, the BRT approached the FSA and held a number of meetings with senior officials. These discussions proved illuminating and useful.
- 5.3 Encouragingly, the FSA is committed to continuously improving the ways in which it engages with all its stakeholders. Thus, the Board agreed earlier in the year to extend the range of mechanisms available to them by agreeing that the FSA's Chief Executive should set up three new stakeholder fora: one for business, one for consumers and another for local authority enforcers. It is envisaged that each of these new groups will meet twice a year, giving each stakeholder group the opportunity to flag up issues of particular concern to them with senior FSA staff in an environment conducive to healthy debate. We believe that such steps, and the others described below, will help improve the way in which the FSA interacts with its stakeholders and encourage the formulation and implementation of better food-related regulation. This, in turn, should help reinforce the vital role that such regulation plays in protecting the consumer, while ensuring that compliance burdens on business are proportionate.
- 5.4 As well as putting in place the new stakeholder fora, the FSA is committed to a number of other initiatives. We believe these should also help reassure the food industry of the FSA's willingness to seek to review and improve its working practices, as well as those of the FSA Board, which plays a crucial role in establishing the overall strategic direction of the FSA within the policy framework laid down in the Food Standards Act 1999. In this regard, the FSA Board has decided to publish the topics covered in Board briefings and the stakeholder organisations involved, subject to the agreement of the latter. Although there are safeguards in place to ensure that these briefings are not used as lobbying opportunities, publication should help reassure particular groups of stakeholders that others are not being afforded greater access and opportunity to influence Board members.
- 5.5 The FSA has also decided to review its internal guidance for authors of policy-related Board papers with a view to introducing a requirement that they assess the costs and benefits associated with policy proposals. This recognises that, in the interests of proportionality, it is appropriate for Board members to have an understanding of the cost implications to business of proposals when determining FSA policy.

- 5.6 The same is true of the FSA's recent commitment to assess costs and benefits in relation to its codes of practice, which may subsequently be taken into account by enforcers. The FSA is keen that industry stakeholders contribute to the effectiveness of this commitment by providing information about the potential impact of FSA codes, a sentiment that we endorse.
- 5.7 An area of particular concern to food businesses, because of the level of cost involved and management time taken up, is the way in which food law is enforced, for example by local authority Environmental Health Officers (EHOs) and Meat Hygiene Service inspectors. A very important aspect of enforcement is the right for businesses to use the due diligence defence when accused of a breach of food safety law.
- 5.8 Other important safeguards that help ensure that enforcement actions accord with the principles of good regulation include the identification of eight criteria which food authorities have to consider before initiating a prosecution and the provision of guidance, for example on how to carry out investigations and evaluate relevant facts. These, and the due diligence defence, are included in codes of practice under Section 40 of the Food Safety Act 1990.
- 5.9 Earlier in 2003, the FSA consulted on proposals to replace these codes with a single, consolidated code of practice and associated practice guidance. However, the BRT was alerted to the fact that the draft revised code and practice guidance did not make specific reference to the due diligence defence and the eight criteria and included only very limited guidance on, for example, the conduct of investigations and the issuance of Improvement Notices.
- 5.10 We raised with the FSA the fact that businesses were concerned by what appeared to be a diminution in the status of these necessary protections and were reassured to learn that, as the defence of due diligence was contained within the Food Safety Act, there was no question of it being affected by changes to the code of practice. The FSA noted that they had received representations directly from industry as part of the consultation. As a result, the FSA will ensure that the food industry receives the clear message that the due diligence defence and the eight criteria that food authorities are currently bound to consider before initiating a prosecution will not be affected by the revision of the code of practice. The FSA plans to publish the amended code at the end of April 2004. The FSA also monitors local authority enforcement performance and Board approval has recently been given to proposed modifications to the way in which this monitoring role is performed and reported upon. These modifications mirror current Audit Commission thinking and form the first part of an iterative process that will continue during 2004.
- 5.11 Finally, the BRT was made aware of comments from certain food businesses that were having difficulty establishing the source of some ingredients necessary to comply with food traceability requirements. Frustration was voiced about an inability to obtain UK dairy establishment approval numbers, established under EC Directive 92/46, and held on a database by the FSA. We were interested to learn that the FSA's ability to provide this information has been constrained by Data Protection Act 1998 considerations and the fact that the database includes some commercially confidential information. We are pleased that positive steps are being taken to resolve the situation.
- 5.12 The BRT's work in the food and drink sector has been warmly welcomed by business: "Food retailers support the work of the RIU and have welcomed in particular the BRT's review of regulation of the sector. By encouraging the Food Standards Agency to employ evidence-based policy making more widely and to be more transparent about its internal processes, the Team is helping ensure that policy makers do not inadvertently impose the unnecessary burdens that stifle growth." (British Retail Consortium)

Organic sector review

- 5.13 Several of the businesses that the BRT consulted during the scoping phase of the food project raised concerns about the regulation of the organic sector. For example, it was alleged that the costs associated with demonstrating compliance with the EU regulations that set organic production standards

were excessive and acted either as a deterrent to market entry or, in the case of existing organic businesses, as a growth-inhibiting burden. It was suggested that this might be a particular problem for food caterers, though similar concerns were voiced throughout the supply chain.

- 5.14 The BRT was also alerted to concerns about the fact that EU regulations permit the existence of private standards, such as that operated by the Soil Association, which set higher production standards in areas such as animal welfare, for example. This, it was suggested, had resulted in the imposition of duplicative compliance requirements and additional costs as those certification bodies operating to higher standards sought to establish that their standards were being applied right along the supply chain.
- 5.15 Another set of issues raised with the BRT related to the role of the UK Register of Organic Food Standards (UKROFS) and certain Government-run stakeholder groups and about aspects of the way in which Defra's work on organic food and farming is organised. For example, it was alleged that the process of stakeholder engagement by Government was skewed in favour of certain interest groups, to the detriment of others. The BRT was also alerted to concerns that the Government was missing an opportunity to further support the market's development by failing to communicate a sufficiently clear message about the benefits of organic food; to doubts about the Government's ability to promote the procurement of organic food; to issues facing importers of organic produce; and to problems affecting the organic meat supply chain.
- 5.16 In response to hearing about these concerns, the BRT decided to conduct a more in-depth review of the sector. This involved taking the views of a wider range of stakeholders, including the certification bodies, interested parties across Government and a broad selection of primary producers, processors and retailers of organic food. Having reinforced its understanding of what was a complex blend of regulatory concerns, the BRT raised them with officials at Defra. These discussions were productive and we are pleased to report that solutions to some of the issues raised have been effected or are being pursued by Defra. These are illustrated in the following sections. Together we hope that they will help create the right conditions for the continued development of the UK organic market.
- 5.17 In relation to certification costs, Defra recognises the need to act to contain costs and is currently examining how far the economic costs of the approval system for certifiers can be constrained. It is hoped that competition within the certification system will help to contain costs to operators but it is recognised that more may need to be done. For example, in order to address the specific point about the costs of certifying caterers, Defra is in discussion with Local Authorities Coordinators of Regulatory Services (LACORS) about the possibility of surveillance of organic catering establishments by Trading Standards or Environmental Health Officers. Meanwhile, steps to clarify standards for catering operations are among those proposed for discussion at EU level.
- 5.18 Defra is addressing aspects of the issue to do with the costs associated with establishing standards equivalence by encouraging dialogue between the United Kingdom Accreditation Service (UKAS) and International Organic Accreditation Service (IOAS). The intention is that the former, which is the UK's only official accreditor of UK certification bodies, and the latter, a private body that operates its own cross-border accreditation systems for organic certifiers, seek to identify synergies and cost savings that could be achieved in respect of the organic certifiers subject to inspection by both. It is also envisaged that the newly formed Advisory Committee on Organic Standards (ACOS) will examine in due course the question of standards equivalence arising from the different private sector standards in use.
- 5.19 Governance issues have been addressed in a number of ways. For example, the process of replacing UKROFS with ACOS, which held its first meeting on 5 December 2003, was conducted in strict accordance with all relevant Government protocols and we believe that the establishment of ACOS widens stakeholder representation and provides the organic sector with an ideal opportunity to strengthen working relationships. It is also encouraging to be able to report that Defra has restructured its work on organic food and farming to give greater resources to the promotion of the Government's Organic Action Plan and the development and maintenance of standards for organic food production.

- 5.20 The doubts expressed about the clarity of the Government's stance on organic food are of concern to Defra and it is worth pointing out that the Department has commissioned and published on its website a fully referenced scientific review of the environmental benefits of the organic farming system. Moreover, the Food Standards Agency is meanwhile undertaking a consultation on the desirability and feasibility, or otherwise, of undertaking research on the nutrient content of organic food and on the comparative pesticide content of organic and conventional foods.
- 5.21 Concerns raised with the BRT about a lack of progress in promoting organic procurement within the public sector have been raised with Defra. However, the Department is evidently doing much to address the issue, as demonstrated by events such as the Defra-organised conference on sustainable food procurement in November 2003 where over 400 delegates were involved. Such initiatives suggest that the Department is more focused on the issue than perhaps is appreciated by many businesses in the sector.
- 5.22 A major problem raised with the BRT relates to organic importers bringing in fresh produce that arrives at UK ports from outside the EU other than in office hours. This produce was being spoilt because of the delay involved in clearing customs. Defra has recently revised the legislation governing imports from third countries (a new Statutory Instrument came into force on 1 December 2003) and issued revised guidance, which, in order to address this problem, includes provision for the prior approval by port health authorities of produce arriving over the weekend, subject to the provision of adequate notice.
- 5.23 Finally, concerns were voiced to us about the organic meat supply chain, including for example supply constraints relating to an alleged shortage of slaughtering and cutting capacity, which, in turn, was blamed on the high costs of regulatory compliance. We understand that the Food Chain Centre and the Red Meat Industry Forum have published a report recommending ways in which these costs might be reduced and value added in the red meat food chain, and look forward to hearing how Defra plans to implement these recommendations. Moreover, we are encouraged by the fact that it is proposed that further work be done to look at issues specifically affecting the supply of organic meat and by Defra's recently improved understanding of the extent of local abattoir capacity constraints (see also section relating to the Animal By-Products Regulations).
- 5.24 Industry is optimistic about the effects of the BRT's intervention: "Retailers believe the BRT's review of the regulations in the organic sector, which complemented Defra's own valuable work on organics, will help create the conditions under which the UK organic sector can more effectively meet the needs of organic consumers." (British Retail Consortium)

Rural Enterprise Scheme

- 5.25 During the course of the review of the organic sector, the BRT also asked the rural food businesses involved if there were any other regulatory issues that they would like to raise. A significant number claimed to have had difficulty accessing Government grant schemes, which they felt was hindering their attempts to support Government policy and diversify their businesses. The scheme most frequently mentioned was the Rural Enterprise Scheme (RES), which is part of the England Rural Development Programme (ERDP).
- 5.26 The ERDP implements the requirements of EU Commission Regulation 1257/1999 and provides a framework for the operation of ten separate but integrated schemes which provide new opportunities to protect and improve the countryside, to develop sustainable enterprises and to help rural communities thrive. A total of £1.6 billion of EU and UK Government funding is available to qualifying applicants in England. Within this framework, RES was created to provide targeted funding for the development of more sustainable, diversified and enterprising rural economies and communities and help protect the rural environment.

- 5.27 With regard to the experience of applying for RES grants, we were told by many of the businesses we spoke with that they found the scheme literature and guidance confusing, that many of the application requirements, for example relating to the production of business plans, were disproportionate given the modest sums of money involved and that the Rural Development Service (RDS), which administers the application process, compounded the situation in a number of ways. In particular, many of the applicants we spoke to expressed frustration at what they perceived to be the infrequency with which the RDS's Regional Appraisal Panels (RAPs) met to consider applications, the fact that little consideration seemed to be given to time-critical applications, and the lack of any means by which the progress of applications could be monitored or of an effective complaints procedure.
- 5.28 Having gathered this evidence, the BRT then held a number of meetings with officials at Defra and the RDS. These provided us with an opportunity to present the concerns voiced by small rural businesses and help influence the process of addressing them. We are pleased to report that a number of initiatives are now in train, which we think will significantly improve the functioning of the scheme to the benefit of many small rural businesses.
- 5.29 For example, though it remains essential that funding decisions continue to be based on an appraisal of applicants' business plans, steps are being taken to improve the clarity and transparency of the scheme literature and associated business planning guidance. This initiative is important because, although there is clear evidence that delivery processes and performance standards have improved over the last 18 months (before which delivery was impaired by Foot and Mouth Disease and inexperience of a new scheme), many applicants continue to struggle to put together cogent business plans because they have no previous experience of so doing. Clearer literature and guidance should also help reduce the number of inappropriate applications brought about because of a misunderstanding of its purpose and aims.
- 5.30 A number of RDS process improvements should also help address business concerns. For example, about 18 months ago the RDS was given the authority to replace the quarterly cycle of RAPs with more frequent meetings in order to cope with the pressures of demand. Most RAPs now meet on a six-weekly basis. The RDS will also in future pay closer attention to time-critical applications (e.g. those related to seasonal crop harvests etc – with more done to flush out such applications at an earlier stage) and is piloting a fast-tracking system for projects up to £15,000 that will allow RDS managers to make decisions without referral to the regular six-weekly RAP cycle. The RDS has also been advised not to insist on the requirement for businesses to provide three quotes for building work.
- 5.31 Perhaps most significantly, fundamental reform of the RDS technology platform will in the medium term result in considerable efficiency savings which it is anticipated will allow RDS staff to improve markedly the quality of customer service, bringing benefits in terms of speedier and more transparent decision making and tracking of application status. The technology reform will also permit electronic tracking of applications.

Animal By-Products Regulations and other issues

- 5.32 During the course of the food and drink processing project, the BRT's attention was drawn to a number of other regulatory issues of concern to the food industry, including egg labelling requirements, the enforcement of regulations governing on-farm slaughter, the operation of the date-based export scheme, the certification of exports of dairy products and the importation of frozen fish from outside the EU. The BRT sought to address such issues by, for example, involving RIU colleagues who acted to improve the quality of Regulatory Impact Assessments or by seeking clarification of particular regulatory requirements on behalf of affected businesses.
- 5.33 Arguably the most significant of these issues was the introduction earlier in the year of the Animal By-Products Regulations, which, in addition to burdening food processors and retailers with extra costs, it was feared would compromise the future viability of a significant number of smaller rural businesses. Of particular concern was the potential impact of the regulations on low throughput abattoirs, many of

which, it was alleged, were facing the prospect of closure, for example as a result of having to install costly blood collection tanks.

- 5.34 Industry requests that a survey should be conducted to ascertain the extent of this threat were met by Defra when, in the summer of 2003, the Department commissioned the production of an abattoir intelligence file that provides a detailed picture of the UK's existing slaughtering and meat cutting facilities.
- 5.35 In addition to information relating to the costs of complying with the Animal By-Products Regulations, the intelligence file also provides Defra with an ability to analyse the distribution of the nation's abattoirs by size, customer base and service provision, for example throughput by species type and whether rare breeds, game or organically certified livestock can be processed.
- 5.36 It is Defra's intention to use this intelligence to inform Government attempts to identify and address localised capacity constraints. Regional Development Agencies will, for example, be encouraged to take account of meat food chain constraints in their regional strategies and efforts made to direct ERDP funding towards appropriate projects.

6 Regulation of the pharmaceuticals industry

Importation of germplasm

- 6.1 Under the Importation of Embryos, Ova and Semen Order 1980, researchers employed by pharmaceutical companies (as well as universities and other research establishments) wishing to carry out experiments on laboratory rodents 'grown' from imported embryos, ova and semen have to comply with import licensing conditions designed to prevent the introduction of rabies into the UK.
- 6.2 The BRT was told by the industry that the compliance process was so confusing and unnecessarily bureaucratic that in most cases it proved easier to import live animals, which was a poor outcome in terms of animal welfare considerations. The BRT raised the issue with Defra officials who accepted that there was a case for change, provided that the proposed solution did not compromise the continued protection of public health. Defra then asked the Veterinary Laboratory Agency to carry out a rabies risk assessment in relation to the importation of rodent embryos, ova and semen for research. This confirmed that the element of risk was small and therefore that there was room for a simplification of the import licensing conditions. Defra officials, with BRT facilitation, arranged a stakeholder meeting at which a relaxation of the licensing conditions was discussed.
- 6.3 Revised import conditions were worked up by Defra officials in consultation with relevant stakeholders and agreed by Defra Ministers in the autumn. The revised procedure came into effect from 1 October 2003 and it is hoped that it will encourage researchers to substitute importation of embryos, ova and semen for imports of live animals.
- 6.4 Certainly, early feedback from industry has been encouraging: "The UK Pharmaceutical Industry and the Academic sector have benefited greatly from the simplification of regulation on import of germplasm. One of the UK's major pharmaceutical companies was able to use this increased flexibility both to implement new strategies that improved its productivity and also to enhance animal welfare."

Rabies quarantine

- 6.5 In addition to the completed revision of the conditions governing the importation of germplasm, Defra is also reviewing the quarantine restrictions on live rodents and lagomorphs imported for research purposes from outside the EU. The BRT learnt that these restrictions, which involve keeping the animals for six months in dedicated quarantine facilities and subjecting the latter to stringent licensing, monitoring and reporting conditions, impose considerable costs on researchers. For example, the Laboratory Animal Veterinary Association estimated that its members spent up to 5 per cent of their time administering them. In addition to this, the requirements impose a considerable enforcement burden on Defra officials.
- 6.6 Furthermore, it was argued, the restrictions deliver little or no additional protection from rabies because the associated risks are so small. In this regard, it was pointed out that the regulations controlling the movement of household pets have been substantially eased. The BRT discussed this issue in tandem with the concerns voiced about the importation of germplasm and, as already noted, the Defra officials

concerned responded very positively. An initial stakeholder meeting is planned for early 2004, again with BRT facilitation, which, it is hoped, will result in an amendment to the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 and a consequent relaxation in the quarantine conditions and reduction in costs to business.

Use of controlled drugs

- 6.7 Under the Animals (Scientific Procedures) Act 1986, all research establishments, including those operated by the pharmaceuticals industry, are required to appoint a Named Veterinary Surgeon (NVS) with responsibility for ensuring that appropriate standards of animal welfare are observed. In this regard, NVSs have to administer controlled drugs, which they are legally permitted to do by virtue of their possessing professional qualifications.
- 6.8 However, under the Misuse of Drugs Regulations 2001, a licensing regime is employed to govern the possession, use, supply and production of controlled drugs and the BRT learnt that the Home Office was insisting that the companies employing NVSs at research establishments fell within its scope. This, the industry argued, was inappropriate and costly in terms of the bureaucracy involved in complying with the requirements of the licensing regime. The BRT raised this issue with Home Office officials who accepted that the requirement relating to companies employing NVSs was unnecessary and should be dropped (subject to certain conditions, which have proved acceptable to the industry). Existing licence holders will be informed of the decision in writing when previously they would have received a notice of renewal.
- 6.9 The change has been warmly welcomed by the pharmaceuticals sector: "The industry welcomes the decision to drop the requirement that companies employing Named Veterinary Surgeons obtain these licences. The removal of a good deal of unnecessary administration and form-filling will make it considerably easier for vets to prescribe and dispense medicines for animals under their care."

7 Regulation of bio-pesticides

- 7.1 Increasing concern about the use of conventional pesticides to protect food crops from the damaging effects of insects has encouraged interest in the development of safer plant protection products and delivery systems involving, for example, the use of bio-pesticides such as pheromones or soil bacteria. The BRT became aware of this nascent market during its work with parts of the chemicals sector in 2002 and, interested to learn more, talked to a wide range of businesses and other stakeholder groups, including, for example, the Advisory Committee on Pesticides. However, the BRT discovered that, although Defra had been funding the research and development of 'alternatives' to synthetic pesticides, none had been able to obtain the authorisation required for such products to be placed for sale in the UK as plant protection products.
- 7.2 Further investigation revealed the fact that EU regulations require national regulatory authorities, in the UK's case the Pesticides Safety Directorate (PSD), to ensure that proper testing of product toxicity and efficacy is carried out. However, these testing requirements and allied procedures were evidently designed to cope with standard, mass-produced synthetic chemical pesticides which, by their nature, tend to deliver very high efficacy rates, and not with this group of safer alternatives. Consequently, while the fees involved had not proved a barrier to the development of synthetic pesticides, it appeared that they were acting to constrain the development of the alternatives market because it was populated with SMEs, typically with limited venture capital available and little by way of an income stream.
- 7.3 Having identified what appeared to us to be an interesting example of regulation-inspired market failure, the BRT approached PSD seeking to help establish a workable solution to the problem. Significantly, PSD was committed through its 2003–2006 business plan to encourage the development and introduction of 'alternative' control measures, so was keen to discuss ways in which the pursuit of this new aim could be promoted. Following a number of meetings, PSD agreed to launch a pilot scheme to investigate the best practice for processing applications for bio-pesticides.
- 7.4 The aims of the pilot scheme were threefold: first to assist companies in compiling reduced data packages by providing free 'pre-submission' meetings; second to enable alternative products (subject to evaluation) to enter the market and third to provide PSD with experience in processing these types of application and to consider an appropriate charging structure. We are pleased to report that the pilot is progressing to schedule. A range of applications covering three product categories has been identified, some of which are already at an advanced stage of the approval process.
- 7.5 Bio-pesticide manufacturers and farmers have welcomed the pilot scheme:
- "I would like to thank you formally for all the effort the Cabinet Office has put into the pesticide issues over the last 12 months. The intervention by yourself has prised open the doors and we are at last able to enter into discussion on the issues... I've just received Mrs Beckett's instructions to the Pesticides Safety Directorate. It includes a clear instruction on biologicals. Well done!"
(Graham Ward, NFU)

- "I write to offer my thanks for the assistance ExoSect Ltd have received from the Business Regulation Team over the last four months. Thanks to the BRT the Pesticides Safety Directorate has now agreed to use our products as part of a pilot scheme for the registration of 'biological' products with reduced data requirement and reduced application fees." (John Chandler, ExoSect Ltd)

8 Statistical reporting burdens

- 8.1 The BRT decided to look into the burden imposed on business by Government-inspired statistical reporting requirements because it was a complaint that we heard consistently during our first year in existence. Companies, particularly SMEs, complained that the various Government surveys were very time consuming, often required the creation of brand new data and seemed to serve no useful purpose. We discovered that similar complaints were being directed at the Small Business Service (SBS) so it was decided that we should work jointly on the project.
- 8.2 The Government publishes estimates of the burden placed on business by statistical surveys, broken down by the source of the survey. As most of the total burden was imposed by the Office for National Statistics (ONS) and by Her Majesty's Customs and Excise (HMCE), we focused our attention on these two organisations. We also surveyed the Heads of Statistical Profession (HoP) within all the other Government departments imposing a statistical burden.
- 8.3 Our discussions with the ONS and HMCE proved fruitful. We learned that in fact a considerable effort to minimise the survey burden has already taken place and that further modernisation plans will put further downward pressure on the scale of the burden. Nevertheless, in discussing our findings with HM Treasury officials, who also had an interest in the issue, it was agreed that more needed to be done to highlight the good work being done to reduce the burden, particularly by the ONS.
- 8.4 We helped work up proposals that were announced as part of the Chancellor's 2003 Budget Statement. The National Statistician and the Chancellor of the Exchequer announced that, following the release for public consultation of the National Statistics Protocol on Managing Respondent Load, further action would be taken to minimise the load of statistical surveys by building on the success of the ONS modernisation programme. Measures would include the rationalisation of some surveys, the wider use of administrative data, the greater use of new technology in data collection, and the establishment of a Small Business Forum to strengthen businesses' input into the process.
- 8.5 Following these announcements, the BRT, SBS, HMT and ONS agreed on steps to take forward the proposals. The initial focus has been on setting up the Small Business Forum, which met for the first time in July. The BRT and SBS have also provided input into the Protocol consultation process.
- 8.6 These announcements have been warmly welcomed by business: "Any moves that reduce the burdens on companies from government surveys are to be welcomed. By working together through the Small Business Forum, business and government can reduce the burden on companies from government surveys, whilst ensuring that accurate statistics are available to aid policymaking." (Confederation of British Industry)

9 Update on 2002 work programme

- 9.1 During 2002, the BRT worked with a number of Government departments and agencies to reduce administrative burdens on retailers and to improve the operational enforcement of environmental and health and safety regulations impacting on the chemicals industry. The results of the 2002 work programme were published in January 2003 and can be found at <http://www.cabinet-office.gov.uk/regulation/business/brtend.pdf>. This section provides a brief update on the progress of last year's projects.

Retail package

Sunday Trading Act and Sunday sales of methylated spirit

- 9.2 The Sunday Trading Act 1994 requires that large shops register with their local authority if they plan to trade on a Sunday and notify in advance any changes in opening times. At the same time, local authorities are obliged to maintain for public examination a register of such notifications. The BRT heard evidence from both retailers and local authorities that these administrative requirements served no practical purpose and made a persuasive case for reform to the Department of Trade and Industry (DTI).
- 9.3 DTI consequently announced that the relevant provisions of the Sunday Trading Act would be repealed by Regulatory Reform Order, together with Section 26 of the Revenue Act 1889, which prohibits the sale of methylated spirit on a Sunday.
- 9.4 The BRT had found that the restriction imposed by the Revenue Act was not universally observed or enforced and gathered evidence of the competitive disadvantage suffered by retailers as a result of their compliance with the law. The BRT developed a strong argument that this was an obsolete piece of legislation, ripe for repeal. This was accepted.
- 9.5 Consultation exercises were completed in June and, on 14 October 2003, the proposals were laid before scrutiny committees in both Houses of Parliament in the form of a draft order with a supporting explanatory document. The order is expected to come into force in spring 2004.

TV sales notification

- 9.6 Regulations made under the Wireless Telegraphy Act 1967 require retailers to advise TV Licensing within 28 days of transaction details relating to the sale or rental of television sets and other receiving equipment. Supermarket retailers argued that the requirement to collect names and addresses was excessively time-consuming and that the consequent delays at checkouts inconvenienced customers. The Radio, Electrical and Television Retailers' Association (RETRA), which represents smaller, specialist shops, supported the view that current notification procedures were unnecessarily cumbersome. It was also reported that customers sometimes refused to divulge the information or provided incorrect information.

- 9.7 The BRT put the retailers' case to TV Licensing, emphasising the need to weigh up the additional licence revenue generated by the scheme against its cost to industry and itself. In response, TV Licensing set up a working group to examine the whole problem of maximising licence revenue while minimising the administrative burden on retailers.
- 9.8 The working group's review concluded that increased electronic notification afforded the best opportunity to streamline the process of informing TV Licensing of sales and rentals of receiving equipment. A National Dealer Manager for TV Licensing was appointed in September 2003 to take this forward. Consultation with trade bodies such as RETRA and the British Retail Consortium (BRC) aims to encourage electronic notification and a new web-based notification system is being developed. The website, together with a CD version, will be launched early in 2004.

Poisons licence

- 9.9 The Poisons Act 1972 requires that shops wishing to sell certain products listed in the Part II Poisons List apply to their local authority for a licence. The cost is £23.80 for a new licence and £12.55 for annual renewals. A change of details costs £6.35. Many of the items contained in the Part II list are everyday household products such as kettle descaler. Only a pharmacist may sell substances on the Part I list.
- 9.10 Retailers complained to the BRT not only about the cost and bureaucracy of applying annually for a poisons licence but also about the burden of checking whether or not one was actually required for any of their product range. Furthermore, they argued that registration was a simple formality that consequently did nothing to protect consumers. It was also pointed out that the Poisons Act had been overtaken by the more modern requirements of the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 and the Dangerous Substances and Preparations (Safety) (Consolidation) Regulations 1994.
- 9.11 The BRT presented the findings of its research to the Home Office, which promised a full review of the Poisons Act, including its relevance and its potential for reform by RRO. The Home Office remains committed to carrying out this review but competing priorities mean that it will not now commence until 2004.

Proof-of-Age Standards Scheme (PASS)

- 9.12 The Licensing (Young Persons) Act 2000 and the Criminal and Justice Police Act 2001 made it an offence to sell age-restricted products, such as alcohol and tobacco, to persons under the specified age. The legislation places an absolute liability on retailers not to sell these products to underage persons.
- 9.13 In the absence of a national, Government-endorsed proof-of-age card, various independent proof-of-age card schemes had been developed, ranging from private national schemes to local authority cards. However, these did not share the same standards or provide national coverage.
- 9.14 The BRC consequently developed the PASS scheme to regularise the situation by introducing a minimum set of standards for card operators, including placing a hologram logo on each card to indicate that it is endorsed by Government. The Trading Standards Institute agreed to take responsibility for ensuring the standards were met.
- 9.15 The BRT played a significant facilitating role in securing ownership of the issue by the Home Office and in obtaining the Department for Education and Skills' (DfES's) agreement to apply the PASS scheme to its Connexions Card. This role is recognised by the retail industry: "Thank you and your colleagues for the help you have given us over the Proof-of-Age Standards Scheme (PASS), as well as with some of the other issues mentioned in your report. I am confident that, without your help, we would still be trying to persuade Government that PASS was an idea worth supporting. So, thank you very much indeed." (William Moyes, British Retail Consortium)

- 9.16 The PASS scheme was launched in January 2003 and it is expected that approximately 300,000 children will be issued with a Connexions Card in 2004.

Game licensing

- 9.17 The game laws regulate the taking and trading of wildlife species regarded as 'game'. The majority of species affected are birds, such as pheasant and partridge. The game laws are based on legislation passed in the 18th (Scotland) and 19th (England and Wales) centuries, which has not been substantially revised since the Game Licences Act 1860.
- 9.18 The retail industry argued that the game licensing regime is outdated and administratively burdensome. The BRT developed a convincing case for reform of the game licensing regime including evidence from extensive meetings with large and small retailers, butchers, trade associations and enforcing authorities.
- 9.19 The Home Office accepted the need to review this legislation, but there are other considerations that need to be resolved before it can begin the complex process of updating these laws.

Chemicals regulation – operational enforcement

- 9.20 The BRT's 2002 work programme included a commitment to address the concerns of the chemicals manufacturing industry about the way in which the Environment Agency (EA), the Scottish Environment Protection Agency (SEPA) and the Health and Safety Executive (HSE) implemented health and safety and environmental regulations.
- 9.21 Recognising that enforcement in the field is very much the result of a process that begins with the development of policy and involves consultation procedures and the provision of guidance, the industry highlighted the following generic issues, which were supported by numerous specific examples:
- poor consultation processes, a failure to involve industry sufficiently early on in the policy-making process, and a perceived failure to address industry concerns;
 - inadequate guidance on how to comply with regulations, particularly in terms of its quality and timeliness;
 - inconsistent and disproportionate application of regulations and the lack of a well publicised, accessible, fair and efficient procedure for resolving disputes; and
 - significant delays in the time taken by the regulators to authorise chemical products and processes.
- 9.22 Following discussions with senior representatives from the regulators, the chemicals manufacturing industry and its trade associations, in September 2002 the BRT invited all the interested parties to an externally facilitated workshop. Its purpose was to identify practical ways of dealing with the industry's concerns and a number of issues that had been raised by the regulators.
- 9.23 As a result of the workshop, a 22-point action plan was produced and approved by industry and the Minister for the Cabinet Office on behalf of Government. More than half the actions were to be completed by 30 June 2003. Five medium-term actions are due by 30 June 2004 and the remaining long-term actions by 31 December 2005.
- 9.24 It was agreed that the task of implementing the action plan would be managed by a Steering Group which was established in January 2003. The Group consists of senior representatives from the regulators and the Chemical Industries Association (CIA). It is currently chaired by the head of the BRT.
- 9.25 The 12 short-term actions have now been successfully delivered, with considerable progress having already been made with respect to the medium-term actions. Work is also in hand for the long-term actions.

9.26 Progress arising from the completed short-term actions to date includes:

- the establishment of a fast track procedure in respect of applications to the EA for Pollution Protection and Control permits. The new procedure will be applied in circumstances where permitting delays would lead to loss of business;
- a CIA and HSE pilot which has led to the establishment of an email-based helpline service for the chemicals manufacturing industry whereby operators are provided with the opportunity to contact either organisation with their regulatory queries;
- a review of the HSE's website which has resulted in extensive measures to improve its navigability and user-friendliness. The changes have been greeted positively by industry and, consequently, the EA and SEPA will be reviewing their own websites in the light of HSE's experience; and
- the regulators providing comprehensive information to the CIA regarding the boundaries to the advice that their local inspectors are authorised to give, including clarification of the circumstances under which the provision of advice would be chargeable. The regulators have also provided details of inspector training and enforcement policies and the quality assurance arrangements that ensure such policies are adhered to.

9.27 The chemicals industry remains very supportive of the approach taken by the BRT: "We were delighted to take up the opportunity offered by Shelley Grey and her colleagues to work together with the regulators to improve the quality of operational enforcement in our industry. The UK chemical industry is one of the most heavily regulated sectors of the economy and small changes in enforcement practice can have a significant impact on our industry's performance. At the same time we strongly believe that regulation has a place in our industry in setting minimum standards of operation and in helping to explore the boundaries of good practice. Only a strong relationship based on mutual trust can achieve that and we see the work of the Business Regulation Team as helping significantly towards that goal." (Jon Chapman, Chemical Industries Association)

10 Conclusion

- 10.1 The BRT has continued to build on the success of last year's work programme, fostering constructive relationships with the business community and identifying its legitimate concerns about unnecessary or excessive regulation. The BRT has made persuasive cases for change and Government departments and agencies have responded positively to the challenge of regulatory reform.
- 10.2 The value of the BRT's work was recognised in April 2003's Budget Report when the Chancellor announced that the Team would continue its programme of reviews by tackling regulatory burdens in the construction and environmental services industries and further areas of the transport sector. This new work programme is now under way.
- 10.3 The BRT will continue to monitor progress towards the reforms to which Government has committed itself and will vigorously pursue timely implementation.
- 10.4 Finally, the BRT would like to acknowledge and thank all the individuals and organisations that were consulted during the year for their time and valuable contributions. A full list of participants is at Annex A.

Annex A

List of participants

The BRT would like to thank the following organisations for contributing to the Team's work in 2003:

Ports and vehicle standards

ABP Marine Environmental Research
 Associated British Ports
 Automobile Association
 Bristol Port Company
 British Marine Federation
 British Ports Association
 CBI
 Confederation of Passenger Transport
 Countryside Commission for Wales
 Cowes Harbour Commission
 Defra
 DfT Ports Division
 DfT Shipping Policy
 DTI
 English Nature
 Freight Transport Association
 GB Railfreight Ltd
 Highways Agency
 HM Customs and Excise
 Hutchinson Ports UK
 Institute of Logistics and Transport
 Kings Ferry Coaches
 Marina Projects Ltd
 Marine Consents and Environment Unit
 MK Metro
 Office of Fair Trading
 Poole Harbour Commissioners
 Port of Boston
 Port of London Authority
 Port of Mostyn
 Ports of Truro and Penryn
 RAC Foundation
 Reading Buses
 Road Haulage Association
 Senior Traffic Commissioner
 Society of Motor Manufacturers and Traders Ltd
 (SMMT)
 The International Navigation Association (PIANC)

Tibbett and Britten Group plc

UK Major Ports Group
 Vehicle & Operator Services Agency (VOSA)
 Yellow Buses

Food and drink

Absolute Quality Consultancy and Training Ltd
 Aconbury Sprouts Ltd
 Alara Wholefoods Ltd
 Birds Eye Wall's
 Biscuit, Cake, Chocolate and
 Confectionery Association
 Boland Forest Foods Ltd
 British Meat Federation
 British Retail Consortium
 British Sandwich Association
 C. Lidgate
 Cambridge University
 Chadwicks Ltd
 Chelmsford Borough Council
 Cheshire Farm Ice Cream Ltd
 Chilford Hall Vineyard Ltd
 Country Land and Business Association
 Cumbria Organics
 Deer Park Farm
 Defra Food and Drink Sponsorship Division
 Defra Livestock Strategy Division
 Defra Organic Farming Branch
 Dorset County Foods Ltd
 Doves Farm Foods Ltd
 DTI
 Dunkertons Cider Ltd
 EPICC, Cleveland Business Centre
 Federation of Bakers
 Food and Drink Federation
 Food from Britain
 Food Standards Agency
 Food Technology Centre, University of Teesside
 Forest Products UK Ltd
 Forum for Private Business

Graig Farm Organics Ltd
 Gray's Devon Cider Ltd
 Greggs PLC
 Heart of England Fine Foods
 Henry Hirst (Provisions) Ltd
 Huntley Farm Foods
 Kinsale Farm
 Kitchen Gardens Food Ltd
 LACORS
 Lady Cranbrook
 Lancashire Rural Futures
 Low Sizergh Farm
 Lucrum Management Services Ltd
 Made in Cheshire, Cheshire County Council
 Made in Lancashire
 Marks and Spencer
 Marshalls of Butterwick Ltd
 McKinsey Healthy Herbs
 Musks Ltd
 Myerscough College
 National Association of Master Bakers
 National Farmers' Union
 National Federation of Meat and Food Traders
 Newbould Ltd
 North West Fine Foods
 Northern County Meats Ltd
 Northumbria Larder
 Norton Organic Grain Ltd
 Organic Certification Ltd
 Organic Farmers and Growers
 Organic Food Federation
 Pendrill 1651 Ltd
 Pinks Farm Produce Ltd
 Piperfield Ltd
 Plymouth City Council
 Provision Trade Federation
 Ravens Oak Limited
 Red Poll Beef
 Richard and Lesley Goodman
 Robert Wiseman Dairies Plc
 Saxon Agriculture Ltd
 Shepton Farms Ltd
 Small Abattoirs Federation
 Snack, Nut and Crisp Manufacturers Association
 Soil Association Certification Ltd
 Specialist Cheesemakers Association
 Sustain
 Tastes of Anglia
 Taste of the West
 The Boots Company PLC
 The Co-operative Group

The Dairy House
 The New Abattoirs
 The Organic Consultancy
 Unilever
 United Kingdom Accreditation Service
 University of Durham
 University of Newcastle upon Tyne
 W&H Marriage and Sons Ltd
 What-on-Earth Pizzas
 Whitworths Group Ltd
 Woolsery Cheese Ltd

Bio-pesticides

Advisory Commission on Pesticides
 Agrisense
 Certis-Bioscience
 Commonwealth Agricultural and Biological Institute
 Crop Protection Association
 Defra Arable Crop Sciences and Pesticide Safety Unit
 Eco-spray
 Eco-Stopes Consultancy
 ExoSect Ltd
 Food Standards Agency
 Horticultural Development Council
 International Biological Manufacturers Association
 National Consumer Council
 National Farmers' Union
 Pesticides Action Network
 RSPB
 Small Business Service
 Snaith Salad Growers Ltd
 Stockbridge House Technology Centre
 University of Southampton

Pharmaceuticals

Certificate Holders Forum
 Defra
 GlaxoSmithKline
 Harlan UK
 Home Office
 Institute of Animal Technology
 Laboratory Animals Veterinary Association
 LASA
 Merck, Sharp and Dohme
 MRC Harwell
 RSPCA
 The Association of the British Pharmaceutical Industry
 UK Life Sciences
 Veterinary Laboratories Agency

Statistics

British Chamber of Commerce
Confederation of British Industry
Defra
DfT
Department for Work and Pensions
DTI
Doves Farm Foods Ltd
Federation of Small Businesses
Forum of Private Business
Hamleys
Health and Safety Executive
HM Customs and Excise
HM Treasury
Home Office
Inland Revenue
Office for National Statistics
Oxford Chemicals
Robert Cornwell and Sons
Small Business Service
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