

Public Bodies Bill

Briefing on Bodies Listed in Schedules 1-5

2nd Reading: House of Commons

11 July 2011

PUBLIC BODIES BILL – A BRIEFING ON ALL PROPOSED REFORMS

11 July 2011

Summary of information

This pack provides up to date information on the proposed reforms to all bodies listed in Schedules 1-5 of the Public Bodies Bill. It is intended that this pack and the accompanying factual documentation will support debate as the Public Bodies Bill progresses through the remaining stages of its passage through Parliament.

This pack includes 66 individual briefs which represent all the agreed reforms included in Schedules 1 to 5. The briefs are grouped by Department and alphabetically within that structure.

There are 286 bodies in total currently named in Schedules 1 to 5, but a number of these are multiples of similar instances. For example there are 152 Internal Drainage Boards included in Schedules 3 and 5 which the Government plan to reform using Clauses 3 and 5 of the Bill.

Accompanying this document is the Government's updated Written Ministerial Statement issued by the Minister for the Cabinet Office on 16th March 2011. The Written Ministerial Statement refers to a number of proposed reforms which will not rely on the powers in the Public Bodies Bill – either because the body concerned does not have a statutory basis, or because another legislative vehicle is being used. An accompanying table - which details the outcome of the review, whether legislation is required for proposed reforms, and what legislative vehicle is being used - has also been made available.

Changes to the Public Bodies Bill

The Public Bodies Bill, as it is now drafted, is much changed from the version introduced into the House of Lords in October 2010. The Government worked constructively with Peers and with Committees in the House of Lords to discuss and agree a series of amendments to the Bill which have enhanced the safeguards contained within the Bill, altered the process for making reforms in the future and introduced a revised parliamentary procedure for scrutinising the orders that will effect changes to public bodies. Importantly, these amendments have retained the core purpose of the Public Bodies Bill, to facilitate diverse reforms to a large number of public bodies in a timely and efficient manner.

The amendments which were debated and agreed during the Bill's passage through the House of Lords covered a number of different aspects. The following section provides a summary of these amendments and an explanation of how they affect the Bill.

- **Consultation:** The Government tabled an amendment before Lords Committee Stage to add a statutory requirement for Ministers to consult in relation to their proposals, prior to bringing forward orders under the Bill. This requirement now makes up Clause 10 of the Bill and sets out that Ministers must have consulted the body or office holder and others considered to be representative of interests substantially affected by the proposal.
- **Parliamentary Procedure:** The Government tabled an amendment before Lords Committee Stage to build in the option for Parliament to opt for an enhanced affirmative procedure for scrutinising orders made under the Bill. Effectively this lengthens the Parliamentary procedure from 40 to 60 days, builds in time for a Select Committee to make recommendations on the contents of the order, and requires the Minister to have regard to resolutions of either House and any representations made during the 60 day scrutiny period.

As part of the procedure set out in Clause 11, Ministers are also required to lay an explanatory document alongside each draft order explaining the reasons for the order, why the minister considers that the safeguards have been met and summarising the responses received during consultation. Where the explanatory document refers to an order in relation to more than one body, it should also contain an explanation of why the minister considered that an appropriate approach.

- **Safeguards:** The Government tabled a compromise amendment during Committee Stage in the House of Lords to restrict Ministerial powers. This amendment ensures that orders that modify or transfer some important public functions must not prevent said function being exercised independently of Ministers. This particularly protects the independent exercise of judicial functions. It also sets out that provisions within an order must be proportionate to the reasons for the order. This amendment now forms Clause 7 of the Bill.

Government amendments tabled during Report Stage also make it clear that a Minister may only make an order if it will improve the exercise of public functions. This amendment now forms the new Clause 8 of the Bill.

- **Removal of Schedule 7:** Following strong representations from Lords Select Committees, individual Peers and others, the Government took the decision to remove the original Schedule 7 from the Bill during Committee Stage in the House of Lords. Schedule 7, and the corresponding power in Clause 11, would have allowed Ministers to move bodies that were to be retained from Schedule 7 to one of the active schedules (1-6) by order. Schedule 7 effectively represented the list of bodies that were included within the 2010 Public Bodies Review, and which could need the powers in the Bill to be reformed following future Public Bodies Reviews. In practice, this change

means that for Ministers to be able to use the powers in the Bill to reform bodies in the future, there will need to be prior primary legislation to add bodies to schedules 1-5.

- **Charity Consent:** Following discussions with a number of charities, the Government tabled an amendment at Report Stage in the House of Lords to insert a consent requirement that protects charities from being the recipient of functions without them giving prior consent. This is now included as part of Clause 22.
- **Consent of devolved Parliaments:** Following discussions with representatives from the Welsh Assembly and the Scottish Parliament, the Government tabled an amendment to clarify the issue of consent as it relates to Devolution. Clause 9 now specifies that UK Ministers should obtain the consent of the Welsh Assembly, Scottish Parliament and/or the Northern Ireland Assembly when bringing forward an order that contains provision within the legislative competence of each devolved legislature or which modifies the functions of ministers from each of the devolved administrations.
- **Sunsetting:** Following a number of discussions with key Peers the Government and the opposition both put their names to an amendment that sunsets the contents of the schedules for a period of five years. In practice this now means that the bodies named in the Bill's schedules upon Royal Assent will only be subject to the corresponding powers in Clauses 1 to 5 for five years. If a Minister has not used the powers in relation to a particular body in this time, or has not within that period made provision to remove that body from the Bill using the power in Clause 6(4), then the body will automatically be removed from the Bill. The only way a body can be added to, or remain in the schedules of the Bill beyond this 5 year period is through further primary legislation.
- **Welsh Provisions:** Provisions for Welsh Ministers were included in the Bill to give effect to policy agreed with the Welsh Government to give the Welsh Ministers the power to make decisions about the reform of public bodies and offices in Wales, for which the Welsh Ministers have devolved responsibility. The Welsh Government is currently conducting a review of how environmental policies are delivered in Wales. It has looked at a range of options as part of this review, some of which require primary legislative powers. The Bill provides an opportunity for ensuring that the Welsh Government has the appropriate power to give effect to a number of the options being considered as part of the review. This is consistent with the Welsh devolution settlement and the basis upon which a Legislative Consent Motion relating to the Bill was put before, and approved by, the National Assembly for Wales on 8 March 2011.

- **Removal of Clause 6:** Following the conclusion of the public consultation on the future of the National Parks Authorities and the Broads Authority, the Government tabled amendments that removed these two entries from Schedule 6 of the Bill. This was done on the basis that the powers in Clause 6 would not be required to implement that reforms that have come out of the consultation process. Given that the National Parks Authorities and the Broads Authority were the only two bodies named in Schedule 6, the Government took the decision to remove both the Clause and corresponding Schedule from the Bill.

There have also been a handful of changes to specific bodies during the Bill's passage through the House of Lords. These public bodies were:

- **Chief Coroner:** This was removed from Schedule 1 as a result of a Government defeat during Committee Stage. Since then, the Government have been working proactively with key Peers to agree a compromise position and the Government intend to table an amendment to add the Chief Coroner to Schedule 5 of the Bill which would allow Ministers to modify and transfer its functions. This will allow much needed reform of the coroners system to be delivered without having to establish a costly, brand new Office of the Chief Coroner.
- **Youth Justice Board:** This was removed from Schedule 1 as a result of a Government defeat during Report Stage. Following the defeat, the Government have been discussing compromise proposals and providing reassurances to those Peers who were originally opposed to the Government's plans. The Government are pleased with the progress that has been made and therefore plan to table an amendment to re-insert the Youth Justice Board into Schedule 1.
- **Administrative Justice and Tribunals Council:** The Government won a vote to keep the AJTC in Schedule 1 during Committee Stage. However, the Government subsequently lost a vote on an amendment that added AJTC (along with the Civil Justice Council) to Schedules 2 through 5, with a view to implementing reforms that stop short of abolition. The Government still propose to bring forward an order to abolish the AJTC rather than merge it with the CJC.
- **Security Industry Authority:** The Government tabled an amendment at Report Stage to remove the Security Industry Authority from Schedule 1 of the Bill. This was done on the basis that establishing the successor body will require primary legislation and it would be more coherent and straightforward to abolish the SIA in the same piece of legislation.
- **National Parks Authorities/Broads Authority:** The Government tabled an amendment to remove the NPAs and BA from Schedules 5 and 6 of the Bill

after it became clear from the public consultation exercise that there was little appetite for reforms that would require the powers in Clauses 5 and 6.

- **Passenger Focus:** The Government tabled an amendment during Report Stage to remove Passenger Focus (or the Passengers' Council) from Schedule 5 of the Bill after it became clear that the powers in Clause 5 would not be needed to deliver the planned reforms.
- **National Archives (and associated offices):** Following the removal of Schedule 7 and Clause 11, the Government needed to table a small number of consequential amendments to add bodies to the active schedules of the Bill. These consequential amendments were in line with the October announcement of the conclusions of the Public Bodies Review and simply represented a change in the legislative process for delivering reforms. Changes in relation to the National Archives resulted in the addition of the Keeper of Public Records, the Public Record Office and the Advisory Council on Public Records to Schedule 5 of the Bill.
- **Competition Commission/Office of Fair Trading:** The Competition Commission and the Office of Fair Trading were both added to Schedule 2 to be merged following the removal of Schedule 7. The original proposal was to use Schedule 5 to effect a modification of the functions of the OFT, and subsequently to use the powers associated with the original Schedule 7 to add both bodies to Schedule 2, enabling the proposed merger. However, once this was removed from the Bill it became necessary to name the two bodies in Schedule 2 from the outset, to deliver the reforms that were announced in October 2010.
- **British Waterways:** The Government made a minor and technical amendment to alter the way a particular restriction operates in relation to British Waterways. This will ensure that the Government can deliver the reform of British Waterways that will result in the establishment of a charity that will manage Britain's navigable inland waterways.
- **S4C:** The Government supported an amendment to add S4C to Schedule 3 to ensure that changes to S4C's constitutional arrangement that will come as a result of S4C's partnership with the BBC are put on a statutory footing. Doing so will also ensure that changes to S4C's constitutional arrangements are subject to the safeguards included in the Bill.

Regional Development Agencies: The Minister of State for Business and Enterprise announced on June 15 that the Government proposes to abolish the Regional Development Agencies on the face of the Public Bodies Bill, rather than through use of the order-making power in Clause 1. Amendments to this effect will be tabled before Committee stage in the Commons. Fundamentally, the Government believes that the Bill has been significantly improved during its passage through the

House of Lords. The Government also believes that, following these significant and important changes, the architecture of the Bill now strikes the right balance between Parliamentary scrutiny and safeguards, and gives Ministers the ability to implement much-needed reforms.

Further information

For further information on the Public Bodies Bill, please call the Bill Team on 0207 271 6322, or email PublicBodiesBill@cabinet-office.gsi.gov.uk

For further information on a body or office named in the Public Bodies Bill (including any proposed reforms to that body), please contact the sponsoring Department.

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* denotes bodies that are subject to proposed Government amendment.

BODY	Aircraft and Shipbuilding Industries Arbitration Tribunal
SPONSORING DEPARTMENT	Department for Business, Innovation & Skills
TYPE OF BODY	Public corporation
NUMBER OF STAFF	None
HEADLINE PROPOSAL	Abolish
<p><u>Aim of the Reform</u></p> <p>The Aircraft and Shipbuilding Industries Arbitration Tribunal was set up under the Aircraft and Shipbuilding Industries Act 1977 and related to the nationalised industries in aircraft manufacture and shipbuilding. These no longer exist, so the tribunal (which dealt with appeals in relation to the valuation of nationalised assets in these industries) is redundant. The tribunal is not sitting, has not sat for over 10 years and it is considered that there will be no cause for the tribunal to sit in the future.</p> <p>An appropriate consultation will be carried out in due course.</p>	
<p><u>Successor Arrangements</u></p> <p>There will be no successor arrangements.</p>	

BODY	BRITISH HALLMARKING COUNCIL (BHC)
SPONSORING DEPARTMENT	BIS
TYPE OF BODY	EXECUTIVE NDPB
NUMBER OF STAFF	0
HEADLINE PROPOSAL	RETAIN , BUT MODIFY SOME FUNCTIONS:
<p><u>Aim of the Reform</u></p> <p>The Government proposes to reform the BHC to:</p> <ul style="list-style-type: none"> • transfer the appointment process of Secretary of State appointees to the BHC. • To provide, as an option, for the Secretary of State to enforce in addition to the BHC, Assay Offices and trading standards. • To transfer representational responsibility on the BHC in relation to meetings of the International Hallmarking convention. • Also, to transfer rule marking powers of a wholly technical nature to the BHC. <p>These reforms are designed to give greater responsibility to the British Hallmarking Council in the selection and appointment process, in representing the department, and in taking technical decisions- enabling government to take a step back from a process which can be more appropriately carried out by the BHC. With enforcement currently only taking place by trading standards the addition of the Secretary of State is provided as a backstop measure. Consultation has taken place with the assay offices as part of the public body review. The BHC has no staff, therefore the proposed changes will have no impact on staffing.</p>	
<p><u>Successor Arrangements</u></p> <p>Not applicable, as the British Hallmarking Council will be retained.</p>	

BODY	British Shipbuilders Corporation
SPONSORING DEPARTMENT	Department for Business Innovation & Skills
TYPE OF BODY	Public Corporation
NUMBER OF STAFF	None
HEADLINE PROPOSAL	Abolish
<p><u>Aim of the Reform</u></p> <p>The British Shipbuilders Corporation has no active trading operations and exists solely to meet its residual liabilities (litigation, insurance claims and other contractual matters) relating to its former employees. The Government proposes to transfer all of British Shipbuilders' liabilities to the Department for Business, Innovation & Skills. The liabilities will continue to be met by the government. As these liabilities will be transferred it makes sense to wind up the corporation, as it has no functions which need to be carried out by a public corporation.</p> <p>An appropriate consultation will be held in due course.</p>	
<p><u>Successor Arrangements</u></p> <p>When the ship building industry was nationalised in 1977 it was assumed that the corporation would have sufficient assets to meet its liabilities. However, in recent years the corporation reserves have been placed under increasing pressure through the insolvency of an insurer and an increase in mesothelioma personal injury claims. Interim arrangements to fund the corporation using Dividend Capital have been used.</p> <p>Transferring the liabilities directly to the Department for Business, Innovation & Skills will provide a long term solution for managing these liabilities.</p>	

BODY	Certification Officer and Central Arbitration Committee
SPONSORING DEPARTMENT	BIS
TYPE OF BODY	TRIBUNAL NDPB
NUMBER OF STAFF	8 (supporting the Part-time Certification Officer and part-time assistant CO for Scotland)
HEADLINE PROPOSAL	Merge with Central Arbitration Committee (CAC)
<p><u>Aim of the Reform</u></p> <p>The reform aims to merge the CAC with the CO. This will bring together two small organisations which deal with related areas of the law. Consultation has taken place with the CAC and the CO over the merger and a public consultation on the merger will be conducted towards the end of the year. Following informal discussions with representatives of workers and employers, no concerns were raised.</p> <p>It is expected that the two separate secretariats which currently support the CO and the CAC respectively would merge into one. By law, the staff in these secretariats is provided by the Advisory, Conciliation and Arbitration Service (Acas). The two bodies, together with Acas, will decide how the staffing implications of this development will be handled ensuring that processes are in place to avoid any potential conflicts of interest.</p>	
<p><u>Successor Arrangements</u></p> <p>The CO's functions relate to trade unions and employers' associations. In particular, the CO determines the independence of trade unions, maintains lists of trade unions and employers' associations, processes their annual financial returns and where necessary may use investigative powers to consider their financial affairs. The CO also adjudicates in proceedings arising from complaints of breaches of internal rules or of statutory obligations by trade unions or employers' associations.</p> <p>All the functions that are currently performed by the CO would continue to be performed by the newly merged organisation. The merged organisation would also apply the same procedures established by the CO when exercising its judicial functions. The merger should therefore have little direct effect on the users of the CO's services.</p> <p>The CO is free from Ministerial direction and this will remain the case for the merged organisation. The Government has no intentions, as a result of the merger, to change the underlying rights and duties currently enforced by the CO.</p> <p>It is hoped that the merger will take effect during the second half of 2012.</p>	

BODY	Competition Commission
SPONSORING DEPARTMENT	Department for Business, Innovation and Skills
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	c.120
HEADLINE PROPOSAL	Merge with the competition functions of the Office of Fair Trading
<p><u>Aim of the Reform</u></p> <p>Subject to consultation, the Government proposes to merge the competition functions of the Office of Fair Trading (OFT) with the Competition Commission (CC). Merging the bodies will eliminate unnecessary duplication of effort for business as well as for the authority; it would be able to attract the best competition skills; and it would create a powerful, unified advocate for competition in the UK and internationally.</p> <p>The consultation on competition regime reforms opened on 16 March 2011 and closed on 13 June 2011.</p>	
<p><u>Successor Arrangements</u></p> <p>The new Single Competition and Markets Authority would be responsible for merger regulation, market investigations, cartel and antitrust cases, and possibly the appeal functions with respect to the regulated utilities. Competition enforcement is an important element to growth and productivity of the economy. Whilst the UK's competition regime already has many strengths, the Government believes that it is only right to consider where it can further strengthen and rationalise it in some way.</p> <p>The proposed merger would be taken forward using the power in Clause 2 of the Public Bodies Bill.</p>	

BODY	The Competition Service
SPONSORING DEPARTMENT	BIS
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	14
HEADLINE PROPOSAL	Proposed abolition of the Competition Service and transfer of its function of supporting the Competition Appeal Tribunal (CAT) to the Tribunals Service (TS), an agency of the Ministry of Justice.
<p><u>Aim of the Reform</u></p> <p>The Competition Service’s function is to provide administrative support to the CAT. The Government believes that there may be efficiencies if this function was transferred to the TS, and the Competition Service itself abolished, and therefore BIS and MoJ conducted a review to examine the case for the proposed abolition and transfer. It concluded that while there may be cost savings in the medium term, a final decision on whether to proceed with the proposed abolition should not be taken immediately. Firstly, we are currently considering possible reforms to the competition regime and some options being considered would lead to substantial changes to the role and location of the CAT, including potentially altering the department best placed to sponsor it.</p> <p>Moreover, the unification of the Courts and Tribunal Service under the Lord Chief Justice (who has jurisdiction only in England and Wales) has led to some uncertainty about the position of reserved jurisdictions whose administrative support is provided by the HMCTS. It is therefore appropriate to wait for clarity on these issues before a final decision on proceeding with an order, which would itself be subject to consultation and Parliamentary process.</p>	
<p><u>Successor Arrangements</u></p> <p>If the proposed abolition of the Competition Service proceeds, sponsorship of the Competition Appeal Tribunal would become the responsibility of the Tribunals Service and the Ministry of Justice.</p>	

BODY	Consumer Focus
SPONSORING DEPARTMENT	BIS
TYPE OF BODY	NDPB
NUMBER OF STAFF	156
HEADLINE PROPOSAL	Abolish Consumer Focus and transfer functions to Citizens Advice and Citizens Advice Scotland.
<p><u>Aim of the Reform</u></p> <p>To reduce the number of bodies involved in advocacy on behalf of consumers and to provide a better service for less public expenditure. The Citizens Advice service is at the front line of providing help to citizens and consumers and their brand is very well known and trusted by the public. Bringing consumer functions together with their other advocacy work on behalf of citizens will reduce duplication, save money and deliver a better service for consumers. This proposed reform will improve efficiency in the delivery of public functions, and contributes to the Coalition Government commitment to improve consumer empowerment. A consultation was launched on 21 June and runs until 27 September 2011.</p>	
<p><u>Successor Arrangements</u></p> <p>Consumer Focus carries out research and advocacy on behalf of consumers and has wide-ranging powers to require companies and other bodies to provide information to inform their inquiries. Consumer Focus also provides extra help to vulnerable customers of energy and postal services, particularly where there is a possibility of disconnection of gas or electricity supplies.</p> <p>Citizens Advice and Citizens Advice Scotland are enthusiastic about the proposals and about increasing their capacity to take on the expanded functions. They already have significant expertise in advocacy work as well as in dealing with consumers' problems on the ground at the local level. It will, of course, require these bodies to increase their internal capacity in a number of areas.</p> <p>It likely that any proposed transfer of Consumer Focus' functions will not be complete until April 2013 and we are working with the three organisations to achieve an orderly handover, should this be the option taken. We will of course work closely with the relevant Trades Union representatives and with the three organisations over the course of the proposed handover to minimise the impact on staff currently working for Consumer Focus.</p>	

BODY	THE NATIONAL ENDOWMENT FOR SCIENCE, TECHNOLOGY AND THE ARTS (NESTA)
SPONSORING DEPARTMENT	Business, Innovation and Skills
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	78
HEADLINE PROPOSAL	Recreate as an independent charity (no longer an NDPB), with a separate charitable trust to protect the National Lottery endowment, subject to Charity Commission approval. Subject to consultation, Minister will lay an order to abolish NESTA as an NDPB and transfer the endowment to the charitable trust and other assets and liabilities to the charity.
<p><u>Aim of the Reform</u></p> <p>The aim of this reform is to enable NESTA to continue the activities valued by Government but to reduce the need for NESTA to be accountable to Ministers. NESTA provides impartial evidence and practical insight on how the UK can best exploit innovation to promote economic growth and tackle social challenges. It is playing a key role in a number of Government priorities by contributing to the growth agenda and delivering Big Society programmes. NESTA already has a large amount of independence from Government as it is funded by the return on its endowment and its programmes and strategy are determined by NESTA's trustees.</p> <p>The Government proposes to reconstitute NESTA as an independent charity and public sector charitable trust, subject to Charity Commission approval. The intention is that NESTA's National Lottery endowment, valued at £321 million (as at end March 2011), will be transferred to the trust which will enable the income from the endowment to be distributed by the new charity in its capacity as trustee of the trust. The alternative option to transfer the endowment to the private sector was rejected as this would be accounted for as Government borrowing and would have triggered public finance concerns as the majority of the endowment is currently invested in Government gilts.</p> <p>The trust will be based on the successful precedent of the Millennium Awards Trust and will have a protector appointed by the Secretary of State. The Charity Commission and protector will ensure suitable oversight of propriety of expenditure of the endowment. The other assets and liabilities of NESTA, including staff, will be transferred to the new charity. Following transition, Government will not appoint the trustees of the NESTA board and both the charity and trust will comply with the Charities Act 1993 and Charity Commission requirements for accounts, annual reports and audits, rather than public sector finance guidance. NESTA are discussing the proposal with the Charity Commission to ensure that NESTA's work</p>	

will be classified as charitable and can be continued by the new charity. Where the Charity Commission advises that NESTA's current work is not charitable, such as NESTA Investments, the future form of those activities is under discussion.

The Government does not anticipate any impact on NESTA's work as a consequence of its change in status and there will not be a reduction in NESTA staff. The charity will be able to carry out its functions more efficiently and effectively as it will not be subject to Government reporting requirements and will be able to direct its resources towards fulfilling its charitable objects. The proposal would allow the NESTA sponsor team in BIS to be allocated to other Government priorities. The Government intends to consult on the proposal over the summer.

Successor Arrangements

The new charity will act as successor to the NDPB, continuing to carry out NESTA's functions. Subject to the outcome of the consultation, Charity Commission approval and passage of the necessary legislation, the Government is aiming to complete transition on 1 April 2012.

BODY	Office of Fair Trading (OFT)
SPONSORING DEPARTMENT	HM Treasury
TYPE OF BODY	Non Ministerial Government Dept
NUMBER OF STAFF	c.683
HEADLINE PROPOSAL	Merge with the Competition Commission and transfer out its consumer functions to other bodies.

Aim of the Reform

The Government has decided, in principle and subject to consultation, to strengthen the competition regime by bringing together the competition functions of the OFT with the Competition Commission to form a single competition and markets authority. Most of OFT's general consumer enforcement functions would transfer to Trading Standards who operate much closer to the public, which the Government believes is in line with the spirit of localism and increased accountability. Finally, OFT's consumer information and education functions would transfer to Citizens Advice and Citizens Advice Scotland. These changes will improve consumer empowerment and protection by simplifying the bewildering array of overlapping bodies faced by consumers when they have a problem.

A consultation on competition regime reforms opened on 16 March 2011 and closed on 13 June 2011. A consultation on consumer reform was launched on 21 June and runs until 27 September 2011.

Successor Arrangements

The new Single Competition and Markets Authority would be responsible for merger regulation, market investigations, cartel and antitrust cases, and possibly the appeal functions with respect to the regulated utilities. We will work to streamline procedures and processes to the benefit of those who use or who are affected by them, and to realise the potential for savings arising from removing duplication of some roles and functions.

Trading Standards would be given responsibility for enforcement of almost all consumer law. Devolving enforcement in this way would target resource where it is most needed, reduce the potential for gaps, and empower local authorities to find ways to address all threats which have a combined local and national dimension. Local threats to fair trading will, as now, be handled at local authority level. National threats could be addressed through one or more dedicated, expert teams, either

following the existing Scambusters model or through lead individual local authorities. A trading standards policy board, made up of Heads of Service from Trading Standards services in England and Wales would set priorities and coordinate effort between local and national levels to ensure a seamless service overall. We are in discussion as regards a similar model in Scotland.

Citizens Advice and Citizens Advice Scotland would take on OFT's information and education functions, which would be combined with the functions of Consumer Focus to create a strong single point for information, education and advocacy. The Citizens Advice services will also take on the responsibility for the Consumer Direct helpline (although for the most part this is separate from the Public Bodies Bill).

The OFT's Consumer Credit functions will be subject to a separate consultation as part of the HMT proposals for a new Consumer Protection and Markets Authority and any subsequent transfer to the CPMA would be dealt with primarily through separate financial services legislation.

The proposed merger would be taken forward using the power in Clause 2 of the Public Bodies Bill.

BODY	RDAs x8 (LDA abolished via Localism Bill)
SPONSORING DEPARTMENT	BIS
TYPE OF BODY	NDPB
NUMBER OF STAFF	Currently approximately 1310, down from c.3,000 at May 2010. Steadily reducing as RDA activities are wound down or transferred.
HEADLINE PROPOSAL	RDAs to cease activity by 31 March 2012 pending final abolition.
<p><u>Aim of the Reform</u></p> <p>The objective is to achieve an orderly and solvent closure of the eight Regional Development Agencies. RDAs will cease activities by March 2012, pending final abolition subject to the passage of the Public Bodies Bill.</p> <p>Abolishing the RDAs is a core element of the Government's reform of economic development in England. Reorganising the delivery of economic development will ensure a focused targeted delivery of policy/services in areas where it can have the most benefit.</p> <p>There will be redundancies from this reform and we are working closely with the RDAs and relevant Trades Union representatives.</p>	
<p><u>Successor Arrangements</u></p> <p>The Local Growth White Paper published in October 2010 set out the economic development activities best led at the national level, including business support; inward investment; innovation and technology development (including low carbon technologies); support for key sectors and their supply chains; and support to correct financial market failures.</p> <p>Staff delivering the UKTI Foreign Direct Investment service were transferred to the new national contractor, PA Consulting, on 1st May.</p> <p>Around 300 staff delivering the RDPE and ERDF projects were transferred to Defra and DCLG on 1 July.</p> <p>In addition to the functions that are being transferred to the national level, we are establishing new arrangements for the delivery of economic development in England. Local enterprise partnerships will see business and civic leaders work together, driving economic development and creating the conditions for private sector job growth across functional economic areas. This is a real power shift away from central Government and quangos, towards local communities and businesses who really understand the barriers to growth in their areas. 95% of all businesses in England are now covered by local enterprise partnerships.</p>	

BODY	VALUATION TRIBUNAL SERVICE
SPONSORING DEPARTMENT	Communities and Local Government
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	81
HEADLINE PROPOSAL	Transfer of VTS functions to Her Majesty's Courts & Tribunals Service (an executive agency of the MOJ) and, consequent on that transfer, abolition of the VTS.
<p><u>Aim of the Reform</u></p> <p>The transfer of VTS functions to Her Majesty's Courts & Tribunals Service and the parallel transfer of the Valuation Tribunal for England (VTE) to become a part of the First Tier Tribunal (under powers in the Tribunals Courts and Enforcement Act 2007) are both part of a long standing policy (following the 2001 Leggatt Report "Tribunals for Users: One System, One Service") to bring all tribunals and their administrative support under a single umbrella organisation.</p> <p>We expect consultation on these proposals to take place later this year.</p> <p>Efficiency savings produced by the VTS¹ will result in an estimated saving of £6.6m over the current spending review period, from 2011/12 until 2014/15.</p> <p>The driver for this reform is however more about the principle of moving further towards a unified tribunals' service than about efficiency savings. We do though expect that economies of scale will result from the merging of some back office functions following the transfer of the VTS' functions and the VTE' jurisdiction to the Unified Tribunal and the Her Majesty's Courts and Tribunals Service.</p>	
<p><u>Successor Arrangements</u></p> <p>The VTS' functions include provision of all the administrative support for tribunal hearings undertaken by the VTE, including accommodation, staff, IT, equipment and training. Its' staff also give general advice about procedure in relation to proceedings before the VTE.</p> <p>The VTE and VTS taken together provide an independent appeals service for those business rate and council tax payers who wish to challenge the basis on which the banding or valuation of their property has been calculated, or their liability to pay business rates or council tax. It is vitally important to retain this independence and impartiality to ensure the proper functioning of council tax and business rates systems and to sustain the appeals service to appellants.</p> <p>To maintain this independence the Government's proposal is that the functions of the</p>	

¹ It should be noted that the VTE has no budget; all resources are provided by the VTS.

VTS should transfer to Her Majesty's Courts and Tribunals Service and that the VTE should become a part of the unified structure for Tribunals within the soon to be created Land, Property and Housing Chamber of the First Tier Tribunal. At that point the VTE would cease to be a separate tribunal and the VTS and its Board would be abolished. We anticipate that the operational functions of the VTS will transfer to the Her Majesty's Courts and Tribunals Service and that, in line with TUPE, the staff associated with those functions will also transfer. Decisions as to precisely those staff and functions to be transferred have yet to be taken.

A timetable (to be agreed with the MoJ/HMCTS) has not yet been set for the implementation of these proposed reforms but it is not expected to be before the autumn of 2012.

BODY	Advisory Council on Libraries (ACL)
SPONSORING DEPARTMENT	Department for Culture, Media & Sport
TYPE OF BODY	Advisory NDPB
NUMBER OF STAFF	0 (7 unpaid members + 1 chair)
HEADLINE PROPOSAL	Abolish
<p><u>Aim of the Reform</u></p> <p>The ACL is an inflexible body which to an extent duplicates the knowledge and sector expertise already found within the Department for Culture, Media and Sport and currently provided by the Museums, Libraries and Archives Council (MLA) and other stakeholders. Though MLA will also be abolished as a result of this reform programme its responsibility for library development and improvement, including the provision of intelligence, will be transferred to Arts Council England (ACE) and will continue.</p>	
<p><u>Further detail</u></p> <p>The Museums, Libraries & Archives Council provides intelligence about the 151 library authorities in England and their local circumstances, which is supplemented by policy expertise within Government. When advice is needed to inform policy development on specific subjects, stakeholders with relevant expertise and knowledge are brought together as required.</p> <p>By drawing together experts as and when needed, rather than convening a regular group with limited membership, the quality and depth of the information and advice needed to support the Secretary of State in policy development and oversight is improved.</p> <p>This is the model that the Government intends to adopt for the sector going forward, and as a result these sources of intelligence: provided to Government by the MLA (and subsequently by ACE upon transfer of those functions); gathered through informal stakeholder meetings; and as advice from officials, will be sufficient to enable the Secretary of State to exercise his statutory duty effectively.</p> <p>ACL has no budget, premises, assets, liabilities, contracts or employees. Costs associated with ACL activity (members expenses and hospitality charges for meetings) are charged to the Department (approximately £2.5K pa) and a DCMS official acts as Secretary.</p> <p><u>Successor arrangements</u></p> <p>The functions of this body will not be transferred.</p>	

BODY	English Tourist Board / VisitEngland
SPONSORING DEPARTMENT	DCMS
TYPE OF BODY	Advisory NDPB
NUMBER OF STAFF	36 (as at Jan 2010)
HEADLINE PROPOSAL	Retain VisitEngland and Modify constitution of the VisitEngland Board to increase representation from local destinations.
<p><u>Aim of the Reform</u></p> <p>The aim is to increase representation from local destinations on the VisitEngland Board. A consultation will be undertaken on detailed proposals once the Bill receives Royal Assent. The Government is committed to greater democratic accountability at the local level. Tourism is taking its place within this landscape, with a strong emphasis on leadership by local tourism interests, in particular, local tourism businesses.</p> <p>VisitEngland is also adjusting to this new framework. The organisation is refocusing on supporting and investing in Destination Management Organisations, and is seeking to increase the involvement of local businesses and local authorities in tourism in England. VisitEngland has already begun discussions with DMOs to establish how best to operate in this new framework.</p> <p>Going forward, it will therefore be vital that local level tourism interests are represented appropriately on the VisitEngland Board (hence the listing of this body on Schedule 3 of the Public Bodies Bill). This will ensure those interests can make a strong contribution to supporting and growing the tourism industry in England.</p> <p>There will be no changes to VisitEngland’s functions as a direct result of the Public Bodies Bill. However, following the Spending Round allocation for VisitEngland (and VisitBritain) announced in October, as well as the new framework outlined above, VisitEngland has made changes to some responsibilities. For example, it is currently in the process of withdrawing from <i>Englandnet</i>, the national digital platform for the collation and distribution of information on the UK’s tourism product.</p>	
<p><u>Successor Arrangements</u></p> <p>VisitEngland’s core activity will be investment in and support for destination management organisations and the local businesses, local authorities and enterprise partnerships involved in tourism. This process has already started.</p> <p>VisitEngland is working closely with local areas and destinations, in line with Government’s localism agenda, to grow the value of local tourism economies. This is co-ordinated through the National Strategic Framework for Tourism, which includes an action programme developed in consultation with the tourism sector. VisitEngland is currently working with destinations across the country on a campaign to deliver economic growth from the domestic market, and to support employment.</p>	

BODY	Football Licensing Authority (FLA)
SPONSORING DEPARTMENT	Department for Culture, Media and Sport
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	15
HEADLINE PROPOSAL	No longer an NDPB - Abolish the current NDPB and transfer expertise and functions to another body.
<p><u>Aim of the Reform</u></p> <p>The Authority will continue as a separate body until after 2012 when its expertise and functions will be transferred to another body. The Government has committed to reducing the number and cost of public bodies. The Government believes that it would be more efficient if the Authority could be part of a larger organisation and share its back office functions, so it is less constrained from broadening out its role and making the best use of its expertise and reputation.</p> <p>We have been working closely with the Authority to develop the options and this will continue throughout. For example, we are currently developing a range of essential criteria that will enable us to ensure a successful transfer of functions and expertise to another body, and allow further growth.</p> <p>We also want to ensure that appropriate consultation takes place so that those affected by the proposal will have the opportunity to comment on the proposal itself and the suitability of partner bodies being considered.</p> <p>Cumulative administration savings following the last spending review of £0.53m over the spending review period. The Authority's grant-in-aid will have reduced to £1.14m by 2014-15.</p> <p>No decisions have yet been made about the future staffing of the Authority and its successor, or how to ensure that the current expertise will be retained. However, there are currently no plans to make any Authority staff redundant.</p> <p>The Government has also been supporting plans to extend the FLA's advisory remit to include other sports grounds through a Private Members Bill. These functions would then also be transferred. The Bill completed its Third Reading in the House of Lords on 16 June and is due to receive Royal Assent shortly. This will be followed in due course by commencement of the relevant provisions, which will include reconstituting the FLA as the Sports Grounds Safety Authority.</p>	
<p><u>Successor Arrangements</u></p> <p>The Government is committed to ensuring a smooth and successful transition and no risk whatsoever to the core safety responsibilities of the Authority in relation to</p>	

football. We have been clear that we are not changing the law in this regard and that these important functions need to be retained. The Government is therefore working with the Authority to consider the options so the benefits for the FLA, any host body, and all sports can be maximised.

The Government believes that the Authority's small size means that it is not currently able to fully realise its potential. The backing of a larger organisation would therefore mean that there could be some improved value for money through the sharing of basic office services and accommodation. But additionally the FLA could also further develop its commercial potential if it is part of a larger organisation with a greater reach and which has already developed business in areas such as publications, training support and commercial partnerships.

The Government has been clear that the Authority will continue as a separate body until after 2012. We currently expect that, subject to Parliamentary consideration and the outcome of a consultation exercise, the expertise and functions of the Authority will be transferred to another body around spring 2013

However, we will only abolish the Authority once we are sure that we have an appropriate home for its expert role and functions.

BODY	Gambling Commission and National Lottery Commission
SPONSORING DEPARTMENT	DCMS
TYPE OF BODY	Regulatory NDPBs
NUMBER OF STAFF	203 GC; 35 NLC
HEADLINE PROPOSAL	Merge
<p><u>Aim of the Reform</u></p> <p>The Government has committed to increasing the accountability and reducing the number and cost of public bodies. The Government believes that merging the Gambling Commission and the National Lottery Commission will help to achieve this aim whilst preserving the appropriate and effective regulation of both sectors.</p> <p>The Government believe that the new merged body - which will retain the existing functions of the Gambling Commission and National Lottery Commission - will be well placed to advise on gambling and National Lottery matters; it will make coordination of regulation easier to achieve and it will create synergies in understanding game and technological developments.</p> <p>Consultation and involvement of both Commissions from the outset formalised through a Project Board on which both Chief Executives are members. We will consult the wider industry and interested groups as necessary following Royal Assent of the Public Bodies Bill</p> <p>The Government believes that over time the co-location and merger will generate cost savings which should help reduce pressures on existing sources of funding, including fees. We anticipate savings arising from co-location and merger that will be offset by transitional costs over the SR period.</p> <p>35 posts will go in London when the National Lottery Commission relocate to the West Midlands (Birmingham) by January 2012.</p> <p>The timetable will be subject to progress and passing of the Public Bodies Bill, but the Government will be working with both the bodies on merging their operations as appropriate in the period prior to formal merger. We would estimate that the merged body would be in place from the Autumn of 2012, with co-location of the bodies taking place by January 2012, to coincide with the end of the NLC's lease on their London offices.</p>	

BODY	Horserace Betting Levy Board (HBLB)
SPONSORING DEPARTMENT	Department for Culture, Media and Sport
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	17
HEADLINE PROPOSAL	Modify functions to remove Secretary of State's role in determining the levy.
<p><u>Aim of the Reform</u></p> <p>The Government's ultimate policy aim is to remove itself from direct involvement in horseracing, including the funding of racing through the horserace betting levy. The Government has also committed to increase accountability and reducing the number and cost of public bodies.</p> <p>The Government will use the powers in the Public Bodies Bill to remove the Secretary of State's from the role of determining the Levy, which is engaged if the Levy Board is unable to agree an annual Levy scheme with the Bookmakers' Committee. This would go some way towards the Government's policy aim and would help increase accountability by delegating authority away from Government.</p> <p>Over the last year, the Government has been discussing the issues with interested parties to help develop potential options. We are currently seeking the views of key industry representatives on a number of these options as part of a pre-consultation exercise, including the Public Bodies Bill proposal. This pre-consultation closes on 4 July and will be followed by further engagement with interested parties to identify preferred options for consultation.</p> <p>It is currently expected that a public consultation exercise, including on the Public Bodies Bill proposal, will begin around autumn 2011.</p> <p>HBLB is self-financed from betting levy receipts so receives no grant-in-aid or Lottery funding.</p> <p>It is not currently anticipated that the PBB proposal will impact on jobs at the HBLB.</p>	
<p><u>Successor Arrangements</u></p> <p>Options are being considered for how the Secretary of State's role in determining the Levy might be replaced. These might include, for instance, the role being undertaken by an independent adjudication panel or commercial arbitration. We are committed to ensuring that the replacement mechanism is practical and fair.</p>	

BODY	OFCOM
SPONSORING DEPARTMENT	DCMS
TYPE OF BODY	Public Corporation
NUMBER OF STAFF	700
HEADLINE PROPOSAL	Changes to Ofcom duties and obligations to help Ofcom become more efficient and to meet its spending reductions.
<p><u>Aim of the Reform:</u></p> <p>The Government intends to amend or remove a series of the current duties undertaken by the Office of Communications in order to: transfer policy functions to Government; reduce unjustifiable expense; and avoid duplication.</p> <p><u>Further detail</u></p> <p>Reform is being progressed in close consultation with Ofcom. The proposed changes in the Order include the following:</p> <ol style="list-style-type: none"> 1) Amend the duty for Ofcom to review public service broadcasting every 5 years (Part 3, section 264 of the Communications Act 2003) so that a review will only be conducted at the discretion of the Secretary of State. The Secretary of State will also determine the scope of the review. 2) Allow Ofcom the flexibility to implement changes to their governance structures (amending part 1 section 12-21 of the Communications Act 2003). They will require the approval of the Secretary of State to any revised structure. 3) Remove the duty on Ofcom to promote development opportunities for training and equality of opportunity (Amend part 1 section 27 of the Communications Act 2003); 4) Change the regional Channel 3 networking arrangement review from an annual review to a reserve power for Ofcom to assess as required (Amend section 290-294 and Schedule 11 of the Communications Act 2003); 5) Amend the duty for Ofcom to review the Media Ownership rules every 3 years (Section 391 of the Communications Act 2003) so that a review will be conducted at the discretion of the Secretary of State; 6) Remove the requirement for PSB to provide annual statements of programme policy (SOPP) (Amend 266 & 270 of the Communications Act 2003); and 7) Amend the duty on Ofcom to review a “change of control” to a Channel 3 licensee or Channel 5 (Amend 351 & 353 of the Communications Act 2003) so that one isn’t automatically required. However the Secretary of State will retain 	

the power to request one. The fit and proper persons regime on new owners of channel 3 and 5 licences will remain.

- 8) Amend section 28 of the Communications Act 2003 to enable Ofcom to charge fees for satellite filings made to the International Telecommunications Union.”
- 9) Amend section 395 of the Communications Act 2003 in order to remove the requirement on Ofcom to obtain the consent of recipients before notifications and documents are sent to those recipients electronically.

These 9 changes will form an Order that will be taken through Parliament at the first opportunity following Royal Assent of the Public Bodies Bill.

A consultation will be carried out in line with the requirements of the PBB. Dates are yet to be finalised, but it is likely to be the first part of 2012.

There will be no impact on jobs.

Successor Arrangements

N/A

BODY	Sianel Pedwar Cymru (S4C)
SPONSORING DEPARTMENT	Department for Culture, Media and Sport
TYPE OF BODY	Public Broadcasting Authority
NUMBER OF STAFF	About 150
HEADLINE PROPOSAL	To provide the power to break the automatic RPI/funding link of S4C, to provide power to change the governance of S4C to implement the new partnership agreement with the BBC
<p><u>Aim of the Reform</u></p> <p>We are proposing to break the automatic RPI/funding link for S4C and establish a partnership with the BBC as announced as part of the Spending review October 2010. This is due to S4C currently being funded by a formula set out in section 61 of the Broadcasting Act 1990. The amount of funding for S4C has been considered in the wider context of the Government commitment to reducing the fiscal deficit. As part of this the Government wants to ensure that the channel offers the best possible Welsh Language Service to the audience and feels that the best way to secure its future while delivering a better service is through partnership with the BBC.</p> <p>We have taken into account the views of several interested parties, including the Welsh Assembly Government and the Welsh independent production sector. Before any changes are implemented, we will consult on the new governance arrangements with all relevant parties.</p> <p>DCMS savings of around £230 million are expected over the spending review period. This does not, however, represent the reduction in funding S4C will receive as £152.3m of this figure has been transferred to licence fee funding. The exact level of future funding cannot be calculated at present as it would have been dependent on annual increases in RPI. It is estimated that the reduction in funding to S4C is around £78m.</p>	
<p><u>Successor Arrangements</u></p> <p>It is proposed that from 2013/14 a partnership arrangement is established between S4C and the BBC to reflect the fact that the majority of S4C's funding will be provided by the BBC with the Government continuing to provide some funding. The Government is committed to a review of S4C's strategy and finances before the end of 2015 which will inform the future services and level of S4C's funding from 2015.</p> <p>Under these arrangements S4C's funding would be secure for the next four years and enable a strong future for Welsh Language programming. S4C will remain as an independent service retaining its brand identity and editorial distinctiveness.</p> <p>It is intended that the partnership between S4C and BBC will be up and running as soon as possible from 2012/13. The funding link will be broken as soon as possible (subject to the will of Parliament) in line with the spending review settlement letter that was sent in October, which detailed the amendment to S4C's budget in 2011/12.</p>	

BODY	Theatres Trust
SPONSORING DEPARTMENT	DCMS
TYPE OF BODY	Advisory NDPB
NUMBER OF STAFF	6.9
HEADLINE PROPOSAL	Abolish as an NDPB and continue as a charity
<p><u>Aim of the Reform:</u></p> <p>The Government intends to remove the statutory involvement of the Secretary of State for Culture Media and Sport in appointments to the Theatres Trust in order to allow them to operate as an independent statutory advisory body.</p> <p><u>Further detail</u></p> <p>The Theatres Trust will continue to operate as a statutory consultee on reform to theatres as part of the planning process. The objects of The Theatres Trust Act 1976 and The Theatres Trust (Scotland) Act 1978 – namely, the promotion of better protection of theatres for the benefit of the nation - will remain. The only thing that will change is the involvement of the Secretary of State in the Theatres Trust’s appointments.</p> <p><u>Successor Arrangements</u></p> <p>There will be no succession <i>per se</i>. We do not expect any change in staff or organisational role as a result of this change. We will simply be ceasing Government involvement in appointments.</p> <p>Theatres Trust anticipate a saving of administrative time as a result of the change, however they will need to allocate some internal resource to manage the transaction.</p>	

BODY	Advisory Committee on Hazardous Substances
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Statutory Advisory NDPB
NUMBER OF STAFF	0 (Advisory Committee with 11 members)
HEADLINE PROPOSAL	Abolish as an NDPB (and reconstitute administratively as an expert scientific committee)
<p><u>Aim of the Reform</u></p> <p>The abolition of the ACHS will pave the way for its reconstitution as an expert scientific committee. This is part of the wider Government reform programme for Arms Length Bodies, and also part of measures led by the Government Chief Scientific Adviser to increase the transparency, accountability, efficiency and effectiveness of scientific advisory bodies, for the delivery of independent and high quality scientific advice. The reform builds on the valuable work of the existing ACHS, and also recognises that the regulatory landscape for hazardous substances has evolved since the Committee was established twenty years ago.</p> <p>A public consultation will take place over the summer.</p> <p>No savings are envisaged from the transition to the successor body. The cost of this body will remain very modest (about £30K a year).</p> <p>There are no potential jobs impacts arising from this proposal – the size of the very small Defra Secretariat for this body will remain unchanged.</p>	
<p><u>Successor Arrangements</u></p> <p>The ACHS advises on the exercise of Ministerial powers to regulate hazardous substances. It also advises on the criteria, prioritisation and risk assessment of potentially harmful substances, including nanomaterials and on research needs. Most of this work would carry over to the successor body apart from the duty to give advice on domestic regulations for which there is less need given the advent of an EU regime for regulating chemicals. The new body would retain the impartiality, independence and relevant scientific expertise of the ACHS, which can be used to inform the UK position in the wider context of this EU regime.</p> <p>The work of the successor body will fall under new arrangements to strengthen the science and evidence base to support policy across Defra. The new body would operate within a closer network of expert bodies overseen by Defra’s Chief Scientific Adviser, supported by his Science Advisory Council, in a more flexible and enriched arrangement encompassing the full range of scientific advice across the Department.</p>	

The ACHS would be reconstituted as an expert scientific committee after the necessary enactment of the Public Bodies Bill, and the making of a body-specific Order to abolish the current body. We are aiming to put the successor arrangements in place from April 2012.

BODY	Advisory Committee on Pesticides (and ACP (Northern Ireland))
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Statutory Advisory NDPB
NUMBER OF STAFF	0
HEADLINE PROPOSAL	Abolish as an NDPB (and reconstitute as an expert scientific committee)
<p><u>Aim of the Reform</u></p> <p>The abolition of the ACP (and the ACP(NI) which is legally distinct) will pave the way for reconstitution as an expert scientific committee. This sits within wider Government reform for Arms Length Bodies, and measures led by the Government Chief Scientific Adviser to increase the transparency, accountability, efficiency and effectiveness of scientific bodies. The reform builds on the valuable work, transparency and independence of the ACP. It also takes account of the increasing role of the EU in the regulation of pesticides.</p> <p>A public consultation will take place over the summer.</p> <p>No savings are envisaged from the transition to the successor body. The cost of this body will remain modest (Defra pays about £34K a year; industry also funds part of the work).</p> <p>There are no potential jobs impacts arising from this proposal – the size of the very small Secretariat for this body (within the Health and Safety Executive) will remain unchanged.</p>	
<p><u>Successor Arrangements</u></p> <p>The ACP advises on the regulation of pesticides and particularly on the risk assessment. The work of the successor body would be similar but will take account of the developing EU regime. The new body would retain the impartiality, independence and relevant scientific expertise of the ACP.</p> <p>The successor body would work under new arrangements to strengthen the science and evidence base across Defra. The new body would operate within a closer network of expert bodies overseen by Defra’s Chief Scientific Adviser, in a more flexible arrangement for expert advice across Defra.</p> <p>The ACP would be reconstituted as an expert scientific committee after the necessary enactment of the Public Bodies Bill, and the making of an Order to abolish the current body. We are aiming to put the successor arrangements in place from April 2012.</p>	

BODY	Agricultural Dwelling House Advisory Committees (ADHACs)
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	NDPB
NUMBER OF STAFF	The ADHACs have no permanent staff
HEADLINE PROPOSAL	Abolish the ADHACs in England. The proposed Order would also abolish the Agricultural Wages Board for England and Wales and Agricultural Wages Committees in England, repeal the Agricultural Wages Act 1948 and make consequential amendments to the National Minimum Wage Act and the Working Time Regulations. The Welsh Assembly Government has powers in Section 13 of the Public Bodies Bill to abolish the Welsh ADHAC.
<p><u>Aim of the Reform</u></p> <ul style="list-style-type: none"> • ADHACs were established by the Rent (Agriculture) Act 1976 to advise on applications for re-housing tenants living in tied cottages, in particular on the agricultural need and urgency of the application. There is no statutory requirement to seek ADHAC advice. • Changes to housing legislation have led to a significant decline in requests for ADHAC advice and many local authorities take decisions on re-housing without reference to an ADHAC. • Defra intend to consult on the future of ADHACs in the autumn, and this will be part of a wider consultation package on the future of the Agricultural Wages Board and the Agricultural Wages Committees. • There will be minimal savings of £13,000 per year as a result of abolition. 	
<p><u>Successor Arrangements</u></p> <ul style="list-style-type: none"> • Under the Rent (Agriculture) Act 1976 local authorities will still be required to consider the interests of efficient agriculture when making a decision on re-housing. However, they will need to do so without advice from an ADHAC. In practice many local authorities already make decisions on re-housing without ADHAC advice. And, in this respect, the abolition of ADHACs will not have a significant impact. • The abolition of ADHACs will not affect the provisions in the Rent (Agriculture) Act 1976 which give security of tenure to protected tenants. Hence tenants will not lose any protection because of the abolition of ADHACs 	

BODY	Agricultural Wages Board (AWB)
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	NDPB
NUMBER OF STAFF	The AWB has no permanent staff.
HEADLINE PROPOSAL	Abolish the AWB and bring agricultural workers under the national minimum wage regime. The proposed Order would also abolish the Agricultural Wages Committees (AWC) and Agricultural Dwelling House Advisory Committees (ADHAC) in England, repeal the Agricultural Wages Act 1948 and make consequential amendments to the National Minimum Wage Act and the Working Time Regulations. The Welsh Assembly Government has powers in Section 13 of the Public Bodies Bill to abolish the Welsh AWC and ADHAC.
<u>Aim of the Reform</u>	
<p>To remove regulatory burden from agricultural and horticultural businesses to enable industry to adopt more efficient, modern flexible employment practices. Defra intend to consult on the future of the AWB in the autumn, and this will be part of a wider consultation package on the future of the Agricultural Wages Committees and the Agricultural Dwelling House Advisory Committees.</p> <p>Abolition of the Board will not result in any job losses. There are not expected to be any significant savings as there will be a resource transfer to the Low Pay Commission and HMRC for the additional work which will be incurred in bringing agricultural workers within the National Minimum Wage regime.</p>	
<u>Successor Arrangements</u>	
<p>Agricultural workers in England & Wales will be brought within scope of the national minimum wage legislation and Working Time Regulations 1998.</p> <p>Existing contractual rights will continue to apply until the contract is varied by agreement with their employer or until the contract comes to an end. Where an employer does not respect an existing contractual right a worker may be able to bring a claim before the Employment Tribunal and the Government will ensure that advice is available to workers on how to safeguard their existing contractual rights.</p> <p>Once the AWB is abolished, HMRC will enforce the national minimum wage for agricultural workers. However, Defra will continue to enforce underpayments of the agricultural minimum wage which occurred during the six year period prior to the abolition of the Board. Draft Impact and Equality Impact Assessments are being prepared and will be published as part of the consultation package.</p>	

BODY	Agricultural Wages Committees (AWCs)
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	NDPB
NUMBER OF STAFF	AWCs have no permanent staff
HEADLINE PROPOSAL	Abolish the AWCs in England. The proposed Order would also abolish the Agricultural Wages Board for England and Wales and Agricultural Dwelling House Advisory Committees in England, repeal the Agricultural Wages Act 1948 and make consequential amendments to the National Minimum Wage Act and the Working Time Regulations. The Welsh Assembly Government has powers in Section 13 of the Public Bodies Bill to abolish the Welsh AWC.
<p><u>Aim of the Reform</u></p> <p>The functions of the Agricultural Wages Committees (AWCs) have now largely lapsed or been taken over by wider employment legislation. Their remaining functions are:</p> <ul style="list-style-type: none"> • to appoint members of Agricultural Dwelling House Advisory Committees (ADHACS), which are also proposed to be abolished under the Public Bodies Bill; • to revalue the level of the benefit in kind attributable to a worker for the provision of living accommodation; and • to approve arrangements whereby certain premiums can be received in respect of learners and apprentices. <p>Of these, the revaluation of living accommodation and the approval of premiums for learners have fallen into disuse and, consequently, the AWCs have no real function.</p> <ul style="list-style-type: none"> • Defra intend to consult on the future of the AWCs in the autumn and this will be part of a wider consultation package on the future of the Agricultural Wages Board for England and Wales, and also ADHACs. • There would be minimal savings of £13,000 per year if AWCs were abolished. 	
<p><u>Successor Arrangements</u></p> <p>The functions of Agricultural Wages Committees are effectively defunct and do not need to be replaced. However, it should be noted that when the Committees are abolished, the Low Pay Commission will take into account the arrangements that apply to agricultural workers in respect of provision of accommodation when it makes its recommendations on the national minimum wage.</p>	

BODY	British Waterways (in England and Wales)
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Public Corporation
NUMBER OF STAFF	1600
HEADLINE PROPOSAL	To move British Waterways in England and Wales to civil society through the creation of a new Waterways Charity
<p><u>Aim of the Reform</u></p> <p>To move British Waterways in England and Wales from a Public Corporation to a charity, similar to a National Trust for the Waterways. This will allow key stakeholders the opportunity to play a role in its governance and allow them to bring their expertise and passion to the organisation. It will promote greater engagement of local communities leading to a range of enhanced public benefits including amenity, green travel to work, health and well-being and support to inner city and rural regeneration. It would also improve the long term financial sustainability of the waterways by offering new opportunities for growing income from private and commercial sources, efficiencies, and growth in volunteering to help maintain the heritage, environmental and amenity waterways assets.</p> <p>We intend using the powers in the Public Bodies Bill to transfer most functions to the new charity; any that do not are likely to be exercisable by Ministers. The Environment Agency navigations functions will transfer to the new charity in 2015/16 during the next Spending Review, subject to affordability.</p> <p>A high level consultation on the shape of the charity, including its governance, charitable constitution and business model has been publicly consulted on between March 30 2011 and June 30 2011.</p> <p>BW staff would transfer into the new charity with no direct loss of jobs. It will be for the charity to decide after that whether further changes including efficiencies are needed.</p> <p>Savings in the public funding of the waterways will depend on the outcome of negotiations on the long term funding contract between Government and the new charity and the extent to which new income sources developed by the charity reduce the need for Government support over time. There should be some savings from efficiencies and other benefits flowing from charitable status. Savings have been identified in an Impact Assessment which was issued alongside the consultation on the new waterways charitable model.</p>	

Successor Arrangements

A new waterways charity would replace British Waterways in England and Wales. The Scottish Government has decided to retain the Scottish Waterways in the public sector. They will take a view on whether to move the Scottish Waterways from British Waterways to another public sector body in due course.

The new charity would be in place from April 2012, subject to Parliamentary time and consent.

BODY	Commission for Rural Communities
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Non Departmental Public Body
NUMBER OF STAFF	3.5FTE + Chairman + 9 Commissioners
HEADLINE PROPOSAL	<i>Subject to consultation, to bring forward an order abolishing the Commission for Rural Communities</i>
<p><u>Aim of the Reform</u></p> <p>The Government does not believe it is necessary or appropriate to continue to fund an arm's length body to act as an expert advisor, advocate and watchdog on behalf of rural communities.</p> <p>The Government plans to consolidate resources to create a single centre of rural expertise in Defra. This will strengthen the department's ability to ensure that Government policies and programmes take proper account of rural needs and opportunities, whilst also eliminating duplication and reducing costs.</p> <p>Defra Ministers have taken personal responsibility for championing rural issues across Government. To support them in this role, Defra has transferred staff and resources from the CRC into the core department.</p> <p>The new Rural Communities Policy Unit was launched on 1 April 2011. It is developing its work programme, but is already helping policy-makers across Whitehall to understand the rural impacts of their proposals.</p> <p>Since 1 April 2011, the CRC has moved to a streamlined operating model. The Chairman and Commissioners act collectively and individually to exercise their statutory functions, supported by a small staff team (3.5 FTE staff).</p> <p>The Government plans to carry out a public consultation on the proposed abolition of the CRC in the Autumn. It is estimated that abolition will save about £600k per year.</p>	
<p><u>Successor Arrangements</u></p> <p>All departments are expected to take proper account of the needs and potential of rural communities when developing and implementing policy.</p> <p>Defra ministers will work with colleagues across Government to identify and address rural issues supported by the resources and expertise of the Rural Communities Policy Unit.</p> <p>Many voices speak up for rural communities both inside and beyond Parliament and we have every confidence that they will continue to hold Government to account.</p>	

BODY	Committee on Agricultural Valuation (CAV)
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	NDPB
NUMBER OF STAFF	The CAV has no permanent staff
HEADLINE PROPOSAL	Abolish
<p><u>Aim of the Reform</u></p> <p>The Committee on Agricultural Valuation was set up under the Agricultural Holdings Act 1986 to advise on end of tenancy compensation matters. It has not met for over 10 years and is effectively a defunct body. The Government's preferred option is to abolish it.</p> <p>Abolition of this body will contribute to the Government's objective of tidying up legislation and reducing the number of arms length bodies.</p> <p>There has been informal consultation under the previous administration with relevant stakeholders, who were content that the CAV should be abolished.</p> <p>The CAV has no budget and there will be no savings to the Department following abolition.</p> <p>No jobs will be lost as a result of abolition.</p>	
<p><u>Successor Arrangements</u></p> <p>Advice on agricultural tenancy matters is now provided by the Tenancy Reform Industry Group (TRIG), a non-statutory body composed of industry representatives, which meets as necessary on an ad hoc basis.</p>	

BODY	Drinking Water Inspectorate
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	The Drinking Water Inspectorate (DWI) is a lay term used to describe the Chief Inspector of Drinking Water (and inspectors) appointed under the Water Industry Act 1991 by the Secretary of State and Welsh ministers.
NUMBER OF STAFF	29 Inspectors and 10 technical support staff –
HEADLINE PROPOSAL	To introduce additional charging powers. The Order will enable the Secretary of State (and the Chief Inspector and his/her deputies) the power to recover costs of DWI regulatory activities from water companies. A similar Order will also be made in Wales for Welsh Ministers. The charging scheme would come into force on 1 st January 2013 for both England and Wales.
<p><u>Aim of the Reform</u></p> <p>It is proposed to implement a charging scheme to enable the Drinking Water Inspectorate (DWI) to recover the cost of regulatory work undertaken on behalf of the water industry (this excludes DWI enforcement activity).</p> <p>By introducing a charging scheme, the DWI will come into line with other related water regulators such as Ofwat and the Environment Agency and also the Consumer Council for Water (a consumer body), all of which charge for their regulatory activities. This proposal also brings the arrangements for DWI in line with general policy on charging, which is that businesses which benefit from regulation, not the taxpayer, should bear the cost of regulation. DWI are currently funded by Defra so the introduction of a charging scheme will result in a saving to the taxpayer of around £1.9m per year. If this charge is passed on to water customers it would increase the average annual water bill by around 15 pence.</p> <p>The charging scheme will result in proportionate charges on water companies based on the level of technical audits and inspections involved. This will create a financial incentive for water companies to improve their water safety management.</p> <p>An informal consultation relating to this proposal will be undertaken in the autumn and will be published on the Defra website.</p>	
<p><u>Successor Arrangements</u></p> <p>Not applicable.</p>	

BODY	Environment Agency
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	11,190 as at 31st May 2011
HEADLINE PROPOSAL	Retain and reform
<p><u>Aim of the Reform</u></p> <p>The Government intends to reform the Environment Agency through structural, process and cultural change to a more efficient and front-line focused organisation that works with others to fulfil its important statutory responsibilities for flood risk management and environmental protection at less cost. This includes: applying a leaner approach to all functions including streamlining environmental permitting and using more proportionate and effective sanctions; an overhaul of back office and support functions including procurement; joint working wherever practicable across the Defra Network; and further consideration of whether responsibilities for Navigation should transfer to a new waterways charity from 2015/16. The majority of these reforms will not rely on powers in the Bill. The only legislative reform that is planned relates to: the Environment Agency's functions in connection with Internal Drainage Boards; the designation of watercourses as main river; abolition of the fourteen advisory committees; and the potential transfer of responsibilities for Navigation.</p> <p>In relation to Internal Drainage Boards, it is intended to simplify procedures relating to these boards including those that relate to approval of amalgamations, boundary changes, and changes in rules of procedure. To achieve this, the Environment Agency would be given a decision-making role with a role for Ministers only in disputed cases, rather than relying on Ministerial Orders in each case, and simplifying the procedure to be followed. This is intended to make Internal Drainage Boards more flexible and able to respond to change more rapidly. These changes require the functions of the Environment Agency to be modified as well as in some cases the functions of the IDBs. Hence the Environment Agency in schedule 5.</p> <p>Similar changes in procedure are also planned in relation to designation of watercourses as main river or ordinary watercourses, which determines whether they are under the control of the Environment Agency or under local control (local authorities or Internal Drainage Boards). This will also mean changes to Environment Agency functions.</p>	
<p><u>Successor Arrangements</u></p> <p>Not applicable as no major changes to functions are contemplated.</p>	

BODY	Environment Protection Advisory Committees
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Statutory regional advisory committee
NUMBER OF STAFF	7 regional Chairs (England only)
HEADLINE PROPOSAL	Abolish as part of the work to make the Environment Agency a more efficient and customer focused organisation
<p><u>Aim of the Reform</u></p> <p>To abolish the statutory Environment Protection Advisory Committees (in England only) and establish more flexible non-statutory engagement arrangements at a more local level. The Environment Agency must be able to more actively engage locally with civil society, the public and business. Effective stakeholder engagement and partnership are key to successful delivery on the ground.</p> <p>Although the existing regional committees can provide a valuable contribution in terms of local engagement a new approach would provide greater flexibility without the constraints of a prescriptive statutory remit at regional level. This would enable a more local focus with stakeholders, partners and communities to deliver improved local engagement.</p> <p>Based on 2010/11 costs, there will be savings of £192,831. The majority will be salary (£123,487) for the 7 Chairs. The remainder will be Agency administration savings. Similar resources will be needed for future arrangements.</p>	
<p><u>Successor Arrangements</u></p> <p>Formal changes to the advisory committees will be made on the basis of the programme for the enactment and implementation of the Bill. In parallel, the Environment Agency will work with the Committee Members, key stakeholders and civil society at a regional and local level to develop ways of approaching engagement to tackle environmental issues and deliver outcome for people and the environment within local communities.</p> <p>Designing the detail of the future approach will be an important next step. The Environment Agency is working closely with the Chairs and Members of the current committees to develop thinking on how best to maximise future local community engagement and ensure a smooth transition as we develop new partnerships with the civil society groups and local stakeholders. The aim is to make sure that future arrangements are developed in parallel with progress of the Bill and consultation with Stakeholders later this year.</p>	

BODY	Food from Britain
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	None - operations effectively ceased on 31 March 2009, with remnant staff remaining in post until 30 June 2009.
HEADLINE PROPOSAL	Abolish
<p><u>Aim of the Reform</u></p> <p>To formally dissolve Food From Britain (FFB) in law. The body has already been administratively wound down.</p> <p>The decision to cease FFB's activities was taken by the FFB Council in early 2008, following a decision by the previous administration to reduce FFB's grant in aid. All FFB staff have been made redundant and it has vacated its former offices. Until it is legally dissolved, responsibility for FFB's residual activities, assets and liabilities rest with Defra.</p> <p>The winding down of FFB has saved Defra approximately £4m per annum in grant funding since the end of the 2008/09 financial year. The savings from the formal abolition of FFB will now be the cost of producing the annual report and accounts for FFB – estimated at between £10 - £15k per annum.</p>	
<p><u>Successor Arrangements</u></p> <p>UK Trade & Invest (UKTI), International Business Wales, Scotland Food & Drink, Invest Northern Ireland and the FFB's former network of International Offices, now known as the Green Seed Group, continue to offer specialist advice to businesses wanting to export food and drink. UKTI provides a range of unique services, including participation at selected trade fairs, outward missions and providing bespoke market intelligence, to support companies wishing to export to foreign markets and get to grips quickly with overseas regulations and business practice.</p>	

BODY	Home Grown Timber Advisory Committee
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Statutory Committee
NUMBER OF STAFF	0
HEADLINE PROPOSAL	Abolish a Committee which has not met for the past 5 years.
<p><u>Aim of the Reform</u></p> <p>The aim of this reform is to abolish a statutory committee which has not met since 2005 and which has been replaced by a more appropriate expert group.</p> <p>The Home Grown Timber Advisory Committee was set up in 1951 to advise Commissioners on the general duty of promoting the establishment and maintenance in Great Britain of adequate reserves of growing trees. The Committee, which operated under the working title of the Forestry Commission's Advisory Panel from April 1999, last met in September 2005. The members were not re-appointed when their term of office expired in July 2006 and there are no current members of the Home Grown Timber Advisory Committee.</p> <p>No staff are employed to support this Committee so there will be no job impacts.</p>	
<p><u>Successor Arrangements</u></p> <p>A UK-wide expert group was set up in 2003 to give advice to the Forestry Commission on the specific issue of timber trade and statistics, and this will remain in place.</p>	

BODY	Inland Waterways Advisory Council (IWAC)
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Advisory NDPB
NUMBER OF STAFF	2 Secretariat Staff
HEADLINE PROPOSAL	Abolish
<p><u>Aim of the Reform</u></p> <p>Abolish IWAC as an ALB is no longer needed to help develop policy for the inland waterways – this should be clear role of Government Departments and Ministers. The proposal to move British Waterways into civil society and to create a new Waterways Charity in April 2012 will also mean that for the future the Government will no longer need an organisation to provide advice for policy development. The Government and navigation authorities need to engage with stakeholders directly in the design, implementation and management of the new structure.</p> <p>The Parliamentary Under Secretary For Natural Environment and Fisheries met with the Chairman of IWAC to discuss the Government's proposal and individual members of the council were each informed of the decision by letter from the Minister. The Chairman noted the Government's intention to strengthen policy development within Defra.</p> <p>There will be consultation on the Order required under the Bill to abolish IWAC which will set out, among other things, the reason for the proposal, the arrangements for abolition and arrangements to enable those with an interest in inland waterways to engage with Government on waterways policy in the light of the creation of a new waterways charity in civil society. The Government will consider the outcome of the consultation before making a final decision on proceeding with the proposal to abolish IWAC. A public consultation will be undertaken in 2011.</p> <p>Abolishing IWAC will be cost neutral but savings of around £200,000 per year to Government are expected in respect of the costs of research projects, the Chairman's fees and Council members expenses and the cost of the small secretariat which supports the Council.</p> <p>The two Secretariat members were Defra staff. Abolition of IWAC will result in the loss of one full time Defra post.</p>	
<p><u>Successor Arrangements</u></p> <p>None, subject to the outcome of public consultation. The proposal to move British Waterways into civil society in April 2012 will also mean that for the future the Government will no longer need an organisation to provide advice for policy development. It is anticipated that subject to parliamentary time and consent IWAC will be abolished in early 2012 prior to the New Waterways Charity being set up.</p>	

BODY	INTERNAL DRAINAGE BOARDS
SPONSORING DEPARTMENT	Department for Environment, Food and Rural Affairs
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	152 boards (with very few paid staff working to each board).
HEADLINE DECISION	Retain and substantially reform

Aim of the Reform

To improve the efficiency and accountability of Internal Drainage Boards (IDBs), amend their functions, and increase the involvement of local communities. IDBs should determine their own size which allows them to provide the services to local communities they serve.

By simplifying procedures, IDBs where they choose to, can reorganise and change their boundaries more quickly as well as change rules of procedure. They will be able to respond to changes and take greater control over their organisations. By allowing for greater local authority representation where more funding is provided by local authorities, communities will have a greater say in the flood risk protection in their area. By providing for specialist interests such as biodiversity/conservation groups to be represented, there will be wider involvement of local communities.

By providing for functions to be modified it will be possible to ensure that IDBs can adapt and respond to change, strengthening these important local bodies.

It is not intended to use these powers to reduce the functions of IDBs.

Consultation

We will be consulting on the proposed reforms on IDBs, alongside other flood and coastal policy proposals, in September 2011.

Costs

There are no potential impacts on jobs, apart from transfer of Defra administrative time equating to less than 0.5 FTE annually to the Environment Agency.

Further Detail

The proposed reforms are to:

- (a) simplify procedures including those that relate to approval of amalgamations, boundary changes, and changes in rules of procedure by giving the Environment Agency a decision-making role with a role for Ministers only in disputed cases, rather than relying on Ministerial Orders in each case, and simplifying the procedure to be followed. This is intended to make IDBs more flexible and able to respond to change more rapidly. These changes will require the functions of the Environment Agency to be modified, as well as in some cases the functions of IDBs. Hence, the Environment Agency is also listed in schedule 5 of the Bill.
- (b) strengthen governance systems and incentives for efficiency, by providing for: the composition of Boards to reflect sources of funding; and for Boards to

include members representing specialist interests including the wider environmental interest.

(c) give IDBs a sustainable development duty in relation to their land drainage function to align this with their flood risk management, taking into account the impact of drainage on the wider environment including carbon stores.

(d) add to the functions of IDBs as necessary to ensure efficient management of water bodies along sub-catchment boundaries.

Successor Arrangements

Not applicable as no fundamental changes are proposed.

BODY	Joint Nature Conservation Committee
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	NDPB
NUMBER OF STAFF	131 FTEs (source 2009/10 Annual Report)
HEADLINE PROPOSAL	Retain on grounds of impartiality. Order under clause 3 to streamline governance.
<p><u>Aim of the Reform</u></p> <p>A number of streamlining measures are being considered some of which, for example reducing the number of Committee members, would require changes to primary legislation which could be effected by an Order made using the powers in the Public Bodies Bill. The Committee has also discussed a proposal to amend its corporate status to allow it to operate as a conventional NDPB rather than through a company limited by guarantee which would also require use of the Order making powers.</p> <p>The Northern Ireland administration, which is a joint sponsor of JNCC, would like to change the statutory provisions for their representative membership of the Committee to provide for <i>any</i> two members appointed by the Department of Environment Northern Ireland, rather than, as at present, the chairman and one other member of their countryside body, so appointed.</p> <p>We have consulted the devolved administrations and the Northern Ireland administration, who jointly fund and sponsor JNCC. Members of the Joint Committee (including representatives from the UK conservation bodies) have also discussed these proposals. We are committed to seeking the agreement of Ministers in the devolved administrations and the Northern Ireland administration once we are in a position to bring forward specific proposals to use the order making power in the Bill.</p> <p>Cost savings are mainly staff time and travel and expenses. Potential job impact is likely to be low.</p>	
<p><u>Successor Arrangements</u></p> <p>Not applicable</p>	

BODY	Marine Management Organisation (MMO)
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	Approx 244 FTE (250 total)
HEADLINE PROPOSAL	<p>Retain and review to improve efficiency and accountability</p> <p>Included under Schedule 4- Power to modify funding arrangements</p>
<p><u>Aim of the Reform</u></p> <p>To modify the charging powers for licences granted under Part 4 of the Marine and Coastal Access Act 2009 so as to allow the Marine Management Organisation (MMO) to recover licence compliance-monitoring costs and the cost of varying marine licences.</p> <p>The Secretary of State is one of several ‘licensing authorities’ under the Marine and Coastal Access Act 2009. The Secretary of State’s licensing functions are delegated to the Marine Management Organisation under Section 98 of the Marine and Coastal Access Act 2009 (except for some oil and gas related activities which are licensed by the Department of Energy and Climate Change).</p> <p>The licensing authorities have the power to charge for marine licence applications under section 67(1)(b) and (2) of that Act. The scope of those powers is currently insufficient to allow the recovery of costs incurred in: monitoring sites where licensable activity is taking place; reviewing monitoring reports required from licensing holders; and in varying existing licences .</p> <p>The proposed change will plug an unintended gap in charging powers that arose through the transfer of the licensing system from the Food and Environment Protection Act 1985, which contained this type of charging power, to the new system under the Marine and Coastal Access Act 2009. This proposal also brings the charging arrangements in line with Government policy on charging, which is that businesses which benefit from regulation, not the taxpayer, should bear the cost of regulation.</p> <p>A consultation on the proposed changes is planned for summer 2011.</p>	
<p><u>Successor Arrangements</u></p> <p>Not Applicable</p>	

BODY	National Park Authorities and Broads Authority
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	10 autonomous bodies funded by Defra but constructed along local authority lines
NUMBER OF STAFF	Around 1200 full time equivalents
HEADLINE PROPOSAL	To retain on the grounds that they perform a technical function which should remain independent of Government; but to review their governance and increase accountability.
<p><u>Aim of the Reform</u></p> <p>The Coalition Agreement contained a commitment to “review the governance arrangements of National Parks in order to increase local accountability”.</p> <p>This is being achieved through a public consultation which ran from 9 November 2010 to 1 February 2011. The outcome will be a list of changes to the governance arrangements for each Authority individually, proposed by that Authority, reflecting the comments made in consultation, and agreed with Defra.</p> <p>Alongside this, each National Park Authority and the Broads Authority is also looking for ways to streamline and modernise the way it delivers services, so as to make best use of the reduced funding it will have available from April 2011.</p> <p>Inclusion of the National Park Authorities and the Broads Authority in the Public Bodies Bill will ensure that improvements can be made as quickly and effectively as possible.</p> <p>Further detail will be in the Government response to the consultation on governance arrangements, expected shortly.</p>	
<p><u>Successor Arrangements</u></p> <p>Not applicable as the bodies are being retained.</p>	

BODY	Natural England
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	NDPB
NUMBER OF STAFF	2,169
HEADLINE PROPOSAL	The Secretary of State to have the power to make an Order to amend Natural England's existing powers to charge in relation to its licensing functions
<p><u>Aim of the Reform</u></p> <p>Natural England's existing powers to charge for its services are wide; subject to certain prerequisites, it can charge for services such as the provision of advice or training, and the issuing of licences (for example, wildlife licences which give permission to carry out an activity affecting a protected animal or plant that would otherwise be illegal). Natural England already charges for a small number of services it provides, but there is potential to go further through a more consistent approach to charging, both for discretionary services (where the customer has a choice over whether to use a service) and in relation to its licensing functions. This would also bring Natural England into line with those environmental regulators who already charge for licences and other types of consents.</p> <p>Natural England is included in Schedule 4 to enable the Secretary of State to make an Order to address an ambiguity over the scope of its charging powers under existing legislation in relation to its licensing functions - and thereby clarify that charges can be introduced to recover the cost of processing all licence applications - including licence applications refused or withdrawn.</p> <p>A more consistent approach to charging will help Natural England to develop innovative new ways of working and provide a higher quality service that is more responsive to the needs of customers. However, no changes would be made to Natural England's charging powers without an Impact Assessment and public consultation. Ministers would look closely at any impacts on developers, land managers and other stakeholders, as well as on the Government's objectives for the natural environment, before taking any decisions. At this stage it is too early to put an accurate figure on any potential savings to the tax payer that might be achieved as a result of Natural England imposing charges in relation to its licence functions. There is not considered to be any potential impact on employment.</p>	
<p><u>Successor Arrangements</u></p> <p>Not applicable</p>	

BODY	Plant Variety and Seeds Tribunal
SPONSORING DEPARTMENT	Fera (in turn sponsored by Defra)
TYPE OF BODY	Tribunal
NUMBER OF STAFF	none
HEADLINE PROPOSAL	Abolish the PVST, but transfer its remit and functions to the Ministry of Justice's Courts and Tribunals Service.
<p><u>Aim of the Reform</u></p> <p>The Government aims to abolish the Plant Variety and Seeds Tribunal, and to transfer its remit and functions to the Courts and Tribunals Service. It is Government policy to reduce the number of tribunals and to rationalise administration of remaining tribunals. Schedule 1 of the Public Bodies Bill provides Government with the legislative means to abolish the PVST, while preserving its essential functions in the First-tier Tribunal of the Tribunals Service. This approach has the agreement of the Devolved Administrations within whose competence the matter covered by the Tribunal lie. Appeal rights will be maintained and governance improved by removing responsibility for the Tribunal from the Bodies responsible for the decisions against which appeals may be made.</p> <p>The tribunal has not sat since 1984, has no staff and no premises. Therefore, it is not proposed to undertake any consultations.</p>	
<p><u>Successor Arrangements</u></p> <p>The proposed transfer to the Courts and Tribunal Service would be likely to take place in Autumn 2012.</p>	

BODY	Regional and Local Fisheries Advisory Committees
SPONSORING DEPARTMENT	Defra
TYPE OF BODY	Statutory regional advisory committee
NUMBER OF STAFF	7 regional Chairs (England only)
HEADLINE PROPOSAL	Abolish as part of the work to make the Environment Agency a more efficient and customer focused organisation
<p><u>Aim of the Reform</u></p> <p>To abolish the statutory advisory Regional and Local Fisheries Advisory Committees in England only and establish more flexible non-statutory engagement arrangements at a more local level. The Environment Agency must be able to more actively engage locally with civil society, the public and business. Effective stakeholder engagement and partnership are key to successful delivery on the ground.</p> <p>The Committees currently provide advice on maintaining, improving and developing fisheries as well as recreation, navigation and conservation issues. Although the existing regional committees can provide a valuable contribution in terms of local engagement, a new approach would provide greater flexibility without the constraints of a prescriptive statutory remit at regional level. This would enable a more local focus with stakeholders and communities to deliver improved local engagement.</p> <p>Based on 2010/11 costs, there will be savings of £225,388. The majority will be salary (£122,947) for the 7 Chairs. The remainder will be Agency administration savings. Similar resources will be needed for future arrangements.</p>	
<p><u>Successor Arrangements</u></p> <p>Formal changes to the advisory committees will be made on the basis of the programme for the enactment and implementation of the Bill. In parallel, the Environment Agency will work with the Committee Members, key stakeholders and civil society at a regional and local level to develop ways of approaching engagement to tackle environmental issues and deliver outcome for people and the environment within local communities.</p> <p>Designing the detail of the future approach will be an important next step. The Environment Agency is working closely with the Chairs and Members of the current committees to develop thinking on how best to maximise future local community engagement and ensure a smooth transition as we develop new partnerships with the civil society groups and local stakeholders. The aim is to make sure that future arrangements are developed in parallel with progress of the Bill and consultation with Stakeholders later this year.</p>	

BODY	BRB (Residuary) Ltd (BRBR)
SPONSORING DEPARTMENT	Department for Transport
TYPE OF BODY	Public Corporation
NUMBER OF STAFF	43
HEADLINE PROPOSAL	Minded to abolish BRBR and transfer functions to the Secretary of State for Transport.
<p><u>Aim of the Reform</u></p> <p>The reform would facilitate the winding up of BRBR with resultant cost savings. Responsibilities would be passed to the Secretary of State for Transport and land assets would be transferred to other entities to either safeguard operational transport requirements or deliver value for money on disposal.</p> <p>Rail industry wide consultation will be carried out on the proposal to abolish BRBR.</p>	
<p><u>Successor Arrangements</u></p> <p>If enacted, the Public Bodies Bill would enable the Department to bring forward an Implementing Order to make Transfer Schemes to move assets and liabilities to other entities. Broadly this comprises:</p> <ul style="list-style-type: none"> • The c. 4000 old statutory railway structures which no longer form part of the operational railway, known as the ‘burdensome estate’. This would be transferred to the Secretary of State and responsibility would be discharged through the Highways Agency. • Conduct of pre-privatisation industrial injury claims, which would be transferred to the DfT central department. • Property assets to safeguard operational transport schemes, which would be transferred to the central Department. Other remaining property assets would be transferred to other entities to ensure value for money is achieved on sale. <p>Subject to consultation, it is intended that BRBR will be abolished by March 31 2013, following the successor arrangements being put in place.</p>	

BODY	Disabled Persons Transport Advisory Committee (DPTAC)
SPONSORING DEPARTMENT	Department for Transport
TYPE OF BODY	Statutory NDPB
NUMBER OF STAFF	No directly employed staff
HEADLINE PROPOSAL	Minded to abolish
<p><u>Aim of the Reform</u></p> <p>We are minded to abolish DPTAC as a statutory body but will explore options for continuing to gain the disability advice we need through a more flexible, accountable structure. The Parliamentary Under-Secretary for Transport made a written ministerial statement (on 7th June 2011) seeking views and evidence with regard to potential successor arrangements. He also wrote to stakeholders inviting them to workshops where the Department and stakeholders will explore options to ensure that the Department gets the disability advice it needs but through a more flexible, accountable structure. We will consult formally on our proposals in the Autumn.</p> <p>The statutory framework which established DPTAC is now 25 years old, lacks flexibility, and lacks accountability to the taxpayer. Furthermore, disability issues are also now far better understood; for instance, under the Equality Act all public bodies will have a statutory duty to take equalities issues into account in their decision making.</p>	
<p><u>Successor Arrangements</u></p> <p>Stakeholders were invited to attend workshops on 27 June and 11 July. Written views have been requested by 21st July.</p> <p>The Department intends to go out to formal consultation in the Autumn on the our proposals.</p>	

BODY	Passenger Council (Passenger Focus)
SPONSORING DEPARTMENT	Department for Transport
TYPE OF BODY	NDPB
NUMBER OF STAFF	65
HEADLINE PROPOSAL	Substantially Reform
<p><u>Aim of the Reform</u></p> <p>To substantially reform Passenger Focus (PF) to reduce cost to taxpayers whilst focusing on the core role of protecting passengers. The Government intends to maintain a body capable of supporting passenger interests including dealing with appeals related to complaints about rail services. PF's inclusion in Schedule 3 of the Public Bodies Bill allows changes to be made to the make-up and composition of the PF Board, which could help generate administrative savings.</p> <p>PF has been implementing a major restructuring programme to fit in with a substantial reduction in its budget (cut from around £8m in 2010/11 to £4.7m in 2011/12). As part of this, the number of posts is being reduced from 65 to 40 through a combination of voluntary and compulsory redundancies.</p> <p>The Department intends to consult on changes to PF's governance arrangements.</p>	
<p><u>Successor Arrangements</u></p> <p>PF is expected to continue as an independent consumer body and so no successor arrangements have been drawn up. PF has been implementing a major restructuring programme to fit in with its substantially reduced budget. Although it will continue to represent rail, bus, coach and tram passengers, its activities and staffing are being reduced accordingly.</p>	

BODY	Railway Heritage Committee
SPONSORING DEPARTMENT	Department for Transport
TYPE OF BODY	Statutory NDPB
NUMBER OF STAFF	1 (directly employed by BRB (Residuary) Ltd)
HEADLINE PROPOSAL	Abolish
<p><u>Aim of the Reform</u></p> <p>The Department for Transport is minded to abolish RHC, but retain the Committee's power of designation, transferring it to the Board of Trustees of the Science Museum. The Board of Trustees is the legal entity which stands behind the National Museum of Science and Industry (NMSI), and is consequently responsible for the National Railway Museum.</p> <p>The Department considers that such a reform is the best way to ensure that railway heritage continues to get the protection it needs, while reducing administration costs to the taxpayer.</p> <p>The DfT intends to consult on both the proposal to abolish the RHC and to transfer its functions to the NMSI. The Department plans to begin a consultation process in Autumn 2011.</p>	
<p><u>Successor Arrangements</u></p> <p>Positive discussions between Department for Transport and the Department for Culture, Media and Sport (DCMS) have resulted in an agreement that the power of designation and the statutory protection it affords should be retained after the RHC itself is abolished, and that this power should be transferred to the NMSI in a smooth and timely manner.</p> <p>DCMS will take on ministerial responsibility for the designation power once it is transferred to NMSI. This will ensure that the railway industry's heritage will continue to get the protection it needs for future generations.</p>	

BODY	HUMAN FERTILISATION & EMBRYOLOGY AUTHORITY, AND HUMAN TISSUE AUTHORITY
SPONSORING DEPARTMENT	Department of Health
TYPE OF BODY	Executive Non-Departmental Public Bodies
NUMBER OF STAFF	Approximately 80 and 45 respectively
HEADLINE PROPOSAL	Transfer functions to other ALBs
<p><u>Aim of the Reform</u></p> <p>The Government has listed the Human Fertilisation & Embryology Authority (HFEA) and the Human Tissue Authority (HTA) amongst those Arms Length Bodies (ALBs) within the Public Bodies Bill (PB Bill) that will transfer their functions to other ALBs.</p> <p>In carrying out its review of ALBs, the Department of Health recognised the important role the HFEA and HTA have played, and continue to play.</p> <p>Nevertheless, it also recognised that times change and so has the way we regulate the delivery of health care. With the establishment of the Care Quality Commission (CQC), and the proposed creation of the Health Research Authority (HRA), new alternative structures will be available to ensure a joined-up system for both healthcare and health research regulation that will benefit patients, health professionals and researchers.</p> <p>A public consultation on the proposed transfer of functions, including an impact assessment on costs and savings (still under development), will be published later this year.</p>	
<p><u>Successor Arrangements</u></p> <p>Our preferred option is that the functions of the HFEA and HTA will transfer to the CQC, except for some research related functions that will transfer to the HRA.</p> <p>The CQC already regulates a wide range of NHS and independent healthcare providers. It registers them and ensures that they are meeting the essential standards of safety and quality. It takes action if services drop below essential levels of safety and quality and acts quickly if people’s rights or safety are at risk. It undertakes investigations where there are concerns about quality, seeks the views of people who use services and informs people about the quality of services. This is very similar to the role that HFEA and HTA undertake, on a smaller scale, in respect of the regulation of infertility treatment and activities involving the use of human tissue. The intention is that expertise will follow function, so our preference for this option should also provide greater assurance about the retention of expertise and for the future of HFEA and HTA personnel.</p> <p>It is intended that the HRA will take on certain health research related functions,</p>	

such as the licensing and regulation of embryo research. The creation of the HRA will simplify the currently complex framework of regulation by bringing all medical research regulation within the remit of a single specialist body. We made a firm commitment in the House of Lords that no HFEA or HTA functions will be transferred until the HRA is established in legislation.

Our plans are about streamlining the functions of the regulatory bodies concerned. We stress that there is no intention to revisit either the 'ethical' provisions and safeguards in the Human Fertilisation & Embryology Act (HFE Act), the principles set out in the Warnock Report or the principles of consent underpinning the Human Tissue Act. Indeed, the powers in the PB Bill could not be used to do so. The HFE Act provisions that recognise the special status of the human embryo will remain in place, as will the provisions in the Human Tissue Act that ensure that donors' and families' rights are protected.

We envisage that our proposals should offer benefits to patients, healthcare professionals and researchers. We envisage that the streamlining of regulation and reduction in the number of regulators should set up a less burdensome and less bureaucratic system for the NHS and the independent sector. Many establishments regulated by the HTA and HFEA are also already subject to registration with the CQC. For example, around 80% of centres licensed by the HFEA are also regulated by the CQC or are in premises that the CQC regulates. 60% of the centres licensed by the HTA are similarly covered by the CQC. It therefore seems unsustainable to continue to have these regulatory systems running in parallel.

We recognise that the HFEA's remit is UK-wide, the Human Tissue Act extends to England, Wales and Northern Ireland and the CQC's remit is England-only. The powers in the P B Bill could enable the geographical remit of the CQC to be extended to the whole of the UK in respect of the HFEA or HTA's functions that might be transferred to it. This is being considered as part of further policy development .

The Government intends that the statutory functions of the HFEA and the HTA should be transferred and both bodies dissolved by the end of the current Parliament (2015).

As far as the capacity of the CQC to take on HFEA and HTA functions is concerned, as stated above, CQC already regulates a high proportion of the centres and establishments that the HFEA and HTA licence. The CQC will be appropriately resourced in respect of its functions and has a number of years to prepare for the changes.

BODY	Disability Living Allowance Advisory Board
SPONSORING DEPARTMENT	Department for Work and Pensions
TYPE OF BODY	Advisory Non Departmental Public Body
NUMBER OF STAFF	None employed by the body
HEADLINE PROPOSAL	Closure of the Board
<p><u>Aim of the Reform</u></p> <p>One of the aims of the review of Arms Length Bodies was to reduce the numbers and costs of Non Departmental Public Bodies. The closure of the Disability Living Allowance Advisory Board which provides independent advice to the Secretary of State will help achieve that aim.</p> <p>The Board is in practice defunct. It cannot provide advice unless specifically asked to do so and cannot be asked to provide advice on issues other than those relating to Disability Living Allowance and Attendance Allowance. The Secretary of State last commissioned advice from the Board in November 2008.</p> <p>Although the department recognises the need to involve experts in the development of new policies it believes it will be more cost efficient to seek any further advice on the disability benefits through tailored consultation rather than maintaining a non-departmental public body.</p> <p>On 14 December 2010 Minister for Disabled People met the Chair and Board members to explain the Department’s view on the future of the Board, to consult on individual Board Members’ views and answer Members’ questions. This followed meetings earlier in 2010 between officials and the Chair of the Board.</p> <p>There was minimal administrative expenditure in 2010/11 and no further expenditure is expected during the Spending Review period.</p> <p>Board members were not employees and the post provided by the department as a secretariat function has already been redeployed elsewhere in the department on front-line work.</p> <p><u>Successor Arrangements</u></p> <p>These are already in place. The board’s functions can be met either in-house, as medical practitioners in the Department have taken on some of the functions or as necessary with external specialist advice if required. The members of Equality 2025 give their views on the impact of policies as they affect disabled people and the Department is in regular contact with organisations representing Carers.</p>	

Disability Living Allowance will be replaced for working age claimants from April 2013. The department is already designing the assessment for the new benefit, Personal Independence Payment, in collaboration with a group of independent specialists in health, social care and disability. The group includes individuals from a range of professions, such as occupational therapy, psychiatry, physiotherapy, social work, general practice and community psychiatric nursing, as well as representatives from RADAR and Equality 2025. The group therefore encompasses a wide variety of relevant expertise.

BODY	Child Maintenance and Enforcement Commission (C-MEC)
SPONSORING DEPARTMENT	Department for Work and Pensions (DWP)
TYPE OF BODY	Crown non-departmental public body
NUMBER OF STAFF	8,924 (FTE, average for year) in 2009-10 C-MEC Annual Report and Accounts 8,002 (FTE) reported at end of May 2011
HEADLINE PROPOSAL	C-MEC is included in Schedule 1 of the Public Bodies Bill. It is proposed to abolish C-MEC as a non-departmental public body and transfer its functions to the Secretary of State of DWP.
<p><u>Aim of the Reform</u></p> <p>The aim of the reform is to simply enable Ministers to have more direct control, responsibility, and accountability over the delivery of child support strategic and operational policy, and the ongoing and future reform of child maintenance.</p> <p>We expect that the Department will have the same functions that C-MEC currently has, and the transfer of functions to the Department will not affect any child maintenance payments or administration.</p> <p>We are planning to undertake a consultation on the proposed changes in summer 2011.</p> <p>No savings will be realised as a result of this change.</p> <p>It is not expected that there will be a significant reduction in the number of staff and it is anticipated that all employees delivering frontline services will be transferred to the Department as a result of this change.</p>	
<p><u>Successor Arrangements</u></p> <p>C-MEC will no longer exist as a non-departmental public body. C-MEC's functions will formally transfer to the Secretary of State of DWP, who will have responsibility for administering and reforming the child maintenance system.</p>	

BODY	Pensions Ombudsman
SPONSORING DEPARTMENT	DWP
TYPE OF BODY	Tribunal NDPB
NUMBER OF STAFF	35.2
HEADLINE PROPOSAL	MERGE WITH THE PENSION PROTECTION FUND OMBUDSMAN
<p><u>Aim of the Reform</u></p> <p>The Pensions Ombudsman is to be merged with the Pension Protection Fund Ombudsman. The merged body will undertake all the existing functions of both the Pensions Ombudsman and the Pension Protection Fund Ombudsman. This will deliver a more coherent and streamlined approach, simplifying the pensions landscape.</p> <p>No jobs will be lost as a result of the merger. The two roles are currently undertaken by one person with support provided from a single office.</p> <p>A consultation exercise on a draft Affirmative Order giving effect to the merger will take place, subject to the Bill receiving Royal Assent. The merger is not considered to be controversial because it will have no detrimental effect on either pensions schemes or the general public.</p> <p>Savings from the merger will be minimal.</p> <p>Planned savings in the PO's spend over the SR period, and independent of the merger, total £1.098m. This saving represents a reduction in the Pensions Ombudsman's budget and the Grant-in-aid paid by DWP rather than net savings to DWP. Grant-in-aid paid to the Pensions Ombudsman is recovered by DWP through the General Levy on pensions schemes. The savings deliver a reduction in DEL (A) costs of £609,000 and DEL (P) costs of £489,000. Administration savings will be achieved from efficiency gains flowing mainly from improvements in the Ombudsman's IT and casework handling systems.</p> <p>The merged body will be subject to review during the SR period in line with the new Triennial Review process for public bodies.</p>	
<p><u>Successor Arrangements</u></p> <p>The functions of the Pension Protection Fund Ombudsman will be transferred to the Pensions Ombudsman during 2012/13. The same single office and staff that currently support the two separate functions will support the merged functions.</p> <p>There will be no adverse impact on the customers of the Pensions Ombudsman or the Pension Protection Fund Ombudsman as a result of the merger.</p>	

BODY	Pension Protection Fund Ombudsman
SPONSORING DEPARTMENT	DWP
TYPE OF BODY	Tribunal NDPB
NUMBER OF STAFF	0.7
HEADLINE PROPOSAL	MERGE WITH THE PENSIONS OMBUDSMAN
<p><u>Aim of the Reform</u></p> <p>The Pension Protection Fund Ombudsman is to be merged with the Pensions Ombudsman. The merged body will undertake all the existing functions of the Pension Protection Fund Ombudsman. This will deliver a more coherent and streamlined approach, simplifying the pensions landscape.</p> <p>No jobs will be lost as a result of this merger. The two roles are currently undertaken by one person with support provided from a single office.</p> <p>A consultation exercise on a draft Affirmative Order giving effect to the merger will take place, subject to the Bill receiving Royal Assent. The merger is not considered to be controversial because it will have no detrimental effect on either pensions schemes or the general public.</p> <p>Savings from the merger itself will be minimal.</p>	
<p><u>Successor Arrangements</u></p> <p>The functions of the Pension Protection Fund Ombudsman will be transferred to the Pensions Ombudsman during 2012/13. The same single office and staff that currently support the two separate functions will continue to support the merged functions.</p> <p>There will be no adverse impact on the customers of the Pension Protection Fund Ombudsman from the merger.</p>	

BODY	Commission for Equality and Human Rights aka Equalities and Human Rights Commission (ECHR)
SPONSORING DEPARTMENT	Government Equalities Office, Home Office
TYPE OF BODY	Executive NDPB
NUMBER OF STAFF	c. 430 (FTE)
HEADLINE PROPOSAL	Retain but substantially reform
<p><u>Aim of the Reform</u></p> <p>Ministers want EHRC to become a valued and respected national institution. To do so, it must focus on its core role as a strong, modern equality regulator and UN-accredited National Human Rights Institution; and it must be able to show that it is using taxpayers' money wisely.</p> <p>Legislative changes through Public Bodies Bill will amend the Equality Act 2006 to</p> <ul style="list-style-type: none"> • clarify the Commission's remit • Stop non-core activities • Improve transparency and value for money <p>There will be <u>no</u> change to the Commission's Human Rights remit or its independence to hold Government to account for its compliance with equality and human rights law.</p> <p>The key non-legislative changes already being implemented are measures to achieve the Budget reductions set out in the Spending Review 2010, including a move to shared 'back office' services and work to revise the Framework Document setting out EHRC's responsibilities in managing public money.</p> <p>GEO consulted on the reform of the Commission from 22 March to 15 June 2011. Almost 1000 responses received. Ministers currently considering next steps – Government will respond formally to consultation in the Autumn.</p> <p>Reform will achieve a 56% financial saving from 2011-2012 over SR period (Savings from baseline 53%). EHRC intends to reduce FTE from c. 460 (March 2011) to c. 250 by end of SR period.</p>	
<p><u>Successor Arrangements</u></p> <p>The EHRC will be retained.</p>	

BODY	ADMINISTRATIVE JUSTICE AND TRIBUNALS COUNCIL
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Advisory Non Departmental Public Body
NUMBER OF STAFF	12 staff; eight are permanent MoJ staff; two are on fixed term contracts; and two are seconded from the Scottish Government. Apart from the two Scottish Government staff- who are based in Edinburgh-AJTC staff are based in London
HEADLINE PROPOSAL	Abolish body (listed in Schedule 1 of the Public Bodies Bill). Some functions to be performed by government.
<p><u>Aim of the Reform</u></p> <p>Make cumulative efficiency savings of up to £4.3m over the four year Spending Review period and reduction of duplication of functions between an Arm's Length Body and the Ministry of Justice.</p>	
<p><u>Further Detail</u></p> <p>The Council is an advisory body – it is not a judicial body or a tribunal. It does not have a regulatory or executive function and its abolition would not have a direct impact on judicial independence or judicial decision making. In particular, the abolition would have no impact on the functions or powers of the Senior President of Tribunals. It had a budget allocation of £1.318m for 2010-11. The Council was set up under the Tribunals, Courts and Enforcement Act 2007 with a role to keep under review the administrative justice system, to consider how it might be made more accessible, fair and efficient and to advise the Lord Chancellor, Ministers of the devolved administrations in Scotland and Wales and the Senior President of Tribunals accordingly.</p> <p>Its key statutory functions can be summarised as:</p> <ul style="list-style-type: none"> • to keep the overall administrative justice system under review; • to keep under review the constitution and working of the tribunals designated as being under its oversight; • to keep under review the constitution and working of statutory inquiries; • to advise ministers on the development of the administrative justice system; • put forward proposals for changes; and • to make proposals for research. <p>The role of policy development in administrative justice, putting forward proposals for</p>	

change and making proposals for research, is properly the function of the government. An advisory body working in the same area means duplication of effort which in turn means increased running expenses for the Ministry of Justice. As an illustration of this duplication, the Ministry of Justice is already working closely with decision-making departments and agencies (for instance, the Department for Work and Pensions) to review dispute resolution procedures and feedback arrangements and is better placed to influence and guide this work. It is committed to working closely with decision-makers to improve the standard of original decision making, spread best practice among relevant bodies and raise standards. Her Majesty's Courts and Tribunals Service also has a range of user groups and will continue to seek the views of users on the services it provides, whilst Ministry of Justice officials will be working with their counterparts in the Council to take their views on any gaps in the government's approach to engagement and how these can best be addressed.

The context in which the Administrative Justice and Tribunals Council operates has changed significantly since it – and its predecessor body, the Council on Tribunals – were tasked with keeping the constitution and working of tribunals under review. There is now, within Her Majesty's Courts and Tribunals Service, a unified Tribunals structure, which supports the majority of central government tribunals. This means that there exists an appeal process that is independent of the public authority making the original decision. In addition, governance arrangements have been put in place between the Ministry of Justice and Her Majesty's Courts and Tribunals Service to ensure proper levels and forms of accountability. In these circumstances, the government believes a separate advisory body to keep tribunals under review is no longer necessary.

The Council's review function relating to statutory inquiries (principally inquiries relating to land use) is also no longer required as robust quality assurance arrangements have now been established in the Planning Inspectorate, which also has non-Executive Directors on its Board to ensure external scrutiny. The Ministry of Justice will by means of a dedicated policy team now be taking a decisive lead in government on the development of administrative justice policy. The team is committed to working closely, effectively and proactively with other government departments that have an interest in this area, such as Cabinet Office which leads on Ombudsman policy, to ensure a coherent and consistent approach is taken in the development of policy. The team is well placed to influence the development of policy from the outset to ensure that administrative justice is a key part of the wider justice reform agenda and to have oversight of the wider system.

The Ministry of Justice is putting in place an action plan to provide support to Council staff in seeking redeployment. A key component of this plan will be early engagement with staff to discuss options and staff preferences. The Ministry of Justice will be consulting on all its reform proposals in the Bill over the summer.

BODY	ADVISORY COUNCIL ON PUBLIC RECORDS
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	The Advisory Council on Public Records (ACPR), established by statute, is located within the The National Archives (a government department and an Executive Agency).
NUMBER OF STAFF	None
HEADLINE PROPOSAL	The Advisory Council on Public Records will be consolidated with the Advisory Council on National Records and Archives and the Advisory Council on Historical Manuscripts to form a single body named the Advisory Council on National Records and Archives. It is listed in Schedule 5 of the Public Bodies Bill.
<p><u>Aim of the Reform</u></p> <p>To enable the statutory position to reflect current practice by reducing three bodies into one.</p>	
<p><u>Further Detail</u></p> <p>The Advisory Council on Public Records is listed in Schedule 5 of the Bill in order to modify its functions under section 5(1)(a) to incorporate those of the Advisory Council on National Records and Archives and the Advisory Council on Historical Manuscripts. Under s.7(3) it will then be re-named the Advisory Council on National Records and Archives (ACNRA). The current ACNRA and the Advisory Council on Historical Manuscripts will be abolished administratively and their functions will be added to the ACNRA listed in statute.</p>	
<p><u>Successor Arrangements</u></p> <p>The role of the Advisory Council on Public Records is to advise the Lord Chancellor on matters concerning public records and archives. Following the merger of the Public Record Office and the Historical Manuscripts Commission in 2003, their respective advisory councils (on Public Records and Historical Manuscripts) also came together to form the Advisory Council on National Records and Archives. The</p>	

separate legal functions of the Advisory Councils on Public Records and Historical Manuscripts have for the last seven years been administered by the Advisory Council on National Records and Archives.

The Chairman of the Advisory Council on Public Records is the Master of the Rolls, who also assumed the chairmanship of the new body on its creation and remains in this role. The proposed change will formalise in legislation the current situation to form a single body named in legislation as the Advisory Council on National Records and Archives. This consolidation will allow the function of the Advisory Council on Public Records to continue, but will provide for greater clarity and allow for greater efficiency with one body officially doing the work of three. **These reforms have been agreed with The National Archives**, but the Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer.

BODY	CHIEF CORONER
SPONSORING DEPARTMENT	Ministry of Justice
HEADLINE DECISION	To transfer functions of the office of Chief Coroner. It will be listed in Schedule 5 of the Public Bodies Bill.
<p><u>Aim of the Reform</u></p> <p>Part 1 of the Coroners and Justice Act 2009 (“the 2009 act”) made provision for the establishment of an Office of Chief Coroner. However, with projected costs of £10.9m in set up costs (including a shadow running year), and £6.6m per annum running costs, it is clear to the Government that the establishment of the Office is unaffordable in the current economic climate.</p> <p>The Government agrees entirely that the coronial system is due for significant reform, and we remain strongly committed to providing much better support for bereaved families during inquests. The financial situation means that this will not be possible without the transfer of functions that we propose. We firmly believe that our plans will ensure that the objectives which the establishment of a Chief Coroner sought to achieve can be met robustly and speedily, without incurring the costs of establishing the Office itself.</p> <p><u>Further Detail</u></p> <p>The Government’s plans take particular account of key concerns raised during the passage of the Public Bodies Bill through the House of Lords and in discussions with interested parties. We are proposing to keep the Office of Chief Coroner on the statute book, while most of the functions which the Office was to hold are transferred to either the Lord Chancellor, or to the Lord Chief Justice to enable the reform process to get going. We are also establishing a Ministerial Board to drive the changes which are needed to the system.</p> <p>Our plans include:</p> <ul style="list-style-type: none"> - <u>Training</u>: the Lord Chief Justice will for the first time have the power to issue training regulations for coroners. These could include specific requirements for cases involving the deaths of service personnel; 	

- Distance for families to travel: in order to minimise the inconvenience to families suffering traumatic loss, the government's proposals include provision to enable greater flexibility as to where inquests take place within England and Wales and to allow for the transfer of service personnel cases to Scotland;
- Standards of service: the government launched a consultation on a proposed National Charter for the Coroner Service on 19 May. This Charter sets out the basic standards that those coming into contact with the coroners system should expect and explains how redress can be sought;
- Leadership: a Ministerial Board will be established to provide strong leadership on matters of policy, standards of service and other administrative aspects of the delivery of service by coroners. It will have a key role in overseeing delivery of reform. An independently chaired Bereaved Organisations Committee will support the Board and have a specific remit in monitoring the National Charter.

The Government recognises that without the transfer of functions to the Lord Chief Justice and Lord Chancellor significant and much-needed improvements to the coroner system will not be possible.

Successor Arrangements

A detailed list of the statutory functions of the Chief Coroner to be transferred (and to whom they will transfer) was set out in the Secretary of State for Justice's statement of 14 June. This proposed reallocation of functions has been agreed with the Lord Chief Justice.

For the bereaved families of military personnel

The Government is completely committed to reforming the coronial system, not least to improve the experience for bereaved families of military personnel.

Our planned reforms will remove the current boundary restrictions which will allow for greater flexibility as to where inquests take place, including transferring cases to Scotland and Northern Ireland, in most circumstances, when the bereaved family is

based there.

The new National Charter we are creating will ensure that everyone involved understands the standards of service that should be expected, and will set out how the bereaved can challenge a coroner's decision or make a complaint about the coroner or the service provided. The Ministerial Board, supported by a Bereaved Organisations Committee, will monitor progress and drive change where it is required.

In addition, the Government continues to provide funding to the Wiltshire and Swindon coroner (and will do the same for the Oxford Coroner when repatriations transfer back to RAF Brize Norton in September) for the inquests of service personnel killed on operations overseas and keeps the progress of service personnel inquests under close review to ensure backlogs do not develop. The MOD Defence Inquests Unit is specifically charged with liaison with coroners and ensuring that there are no unnecessary delays in responding to coroners' requests for information, and MoD and MoJ Ministers will continue to monitor and publish quarterly statistics for inquests into the death of service personnel overseas, which has been key in eliminating delays.

The MoD is also working with organisations including the Royal British Legion (RBL), the War Widows' Association and the MOD's Bereaved Families Working Group to develop other ways to improve the support given to bereaved families at inquests. They are jointly funding the RBL's Independent Inquest Advice pilot, launched in July 2010, which provides bereaved service families with free, independent and expert legal advice and assistance.

Training

The power to make regulations about the training that coroners receive, contained in section 37 of the 2009 Act, will be transferred to the Lord Chief Justice. This will enable regulations to be made about the types of training that coroners must have received to hear certain types of cases, which could include those involving the deaths of service personnel overseas. In addition, the MOD provides annual awareness training on military matters for Coroners.

Appeals

Our new National Charter will set out clearly and for the first time the avenues of redress which can be sought, including how the bereaved can challenge a coroner's decision or make a complaint about the coroner or the service provided. This will ensure that the public can engage much more readily with the inquest process and are fully aware of the avenues of redress available to them. Complaints about the personal conduct of a coroner will be made to the Office for Judicial Complaints, as would have been the case were the Office of Chief Coroner established.

A new appeals system will not be taken forward because of the significant costs that this would entail. However, we are retaining the existing appeal mechanisms, whereby the outcome of an inquest can be challenged by Judicial Review and an application to the High Court made for a second inquest to be held (by, or with the authority of, the Attorney General).

Leadership

The new Ministerial Board will provide strong leadership on matters of policy, standards of service and other administrative aspects of the delivery of service by coroners. This will help to ensure consistency of service across England and Wales.

Coroners are independent judicial office holders and the Lord Chancellor and the Lord Chief Justice are jointly responsible for the system of considering and determining complaints about the personal conduct of coroners. The Office for Judicial Complaints supports the Lord Chancellor and the Lord Chief Justice in this role.

BODY	COURTS BOARDS (19 separate boards)
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Advisory Non Departmental Public Body
NUMBER OF STAFF	None (public appointees only)
HEADLINE PROPOSAL	Abolish body and function. They are listed in Schedule 1 of the Public Bodies Bill.

Aim of the Reform

To abolish the 19 Courts Boards because their functions are no longer needed.

Further Detail

Courts Boards cost the department approximately £450k per year. The cumulative savings from their abolition would be approximately £1.4m over the four year Spending Review period. They were established to give magistrates a voice in the unified Her Majesty's Courts Service. Other structures - such as the Justices' Issues Groups and Area Judicial Forums - are now in place to ensure that these views are heard, and Section 21 of the Courts Act 2003 requires the Lord Chancellor to consult magistrates on matters of relevance to them. There are also strong local relationships between Her Majesty's Courts Service Magistrates' Bench Chairs.

Courts Boards only ever performed an advisory function and the cost of retaining them cannot be justified in the current financial climate (particularly at the expense of frontline services). As a result of their reduced role and ongoing costs, the view of the courts service and members of the judiciary is that Courts Boards are no longer necessary to assist in the administration of the courts.

As a result of Her Majesty's Courts Service amalgamations, the number of Courts Boards has reduced from 42 to 19 enlarged Courts Board areas - thus diminishing their ability to adequately represent the whole community. The merger of Her Majesty's Courts Service with the Tribunal Service on 1 April 2011 made their role even less relevant, as they have no remit in relation to tribunals. Her Majesty's Courts and Tribunals Service will protect frontline services and delivery by stripping out unnecessary management layers, bureaucracy and cost. The decision to abolish Courts Boards is consistent with this and has been taken in this context.

Courts Board members are public appointees, not employees. They are supported locally by the Area Directors' Offices, and since the HMCTS reorganisation, Delivery Directors. This work forms a very small part of the overall role of the staff in local offices so there is no local or regional impact on jobs.

Successor Arrangements

The role of Courts Boards is purely advisory, ensuring that the courts administration is run in a way that recognises the diverse needs of the community. Alternative means of advising Her Majesty's Courts Service about the needs of users already exist, including customer satisfaction surveys, open days and court user meetings. There will therefore be no formal transfer of functions.

Her Majesty's Courts and Tribunals Service remains committed to building and maintaining links with local communities, and local areas will be encouraged to explore other options to ensure that the link between the courts and local communities is not lost - specifically within the wider context of the proposals to modernise and improve the use of the courts. The Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer and the Magistrates' Association will be consulted as part of this process before the Courts Boards are abolished.

BODY	CROWN COURT RULE COMMITTEE
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Advisory Non Departmental Public Body
NUMBER OF STAFF	None (one public appointee, four judicial members and one ex-officio member).
HEADLINE PROPOSAL	Abolish body and transfer functions to Lord Chief Justice, in consultation with other rule committees. It is listed in Schedule 1 of the Public Bodies Bill.
<p><u>Aim of the Reform</u></p> <p>To replace a rarely employed Committee with an arrangement better suited to the occasional updating function in the limited area in which it now performs. The Crown Court Rule Committee no longer has the function of making rules in relation to criminal proceedings. Since 2005, those rules have been made as Criminal Procedure Rules by the Criminal Procedure Rule Committee, established under section 69 of the Courts Act 2003.</p> <p>The role of the Crown Court Rule Committee in making civil rules for the Crown Court remains, but there are few such proceedings, and the rules in relation to them are limited and require amendment infrequently. The Crown Court Rule Committee has amended the rules only once in the last six years (in 2009). This does not justify the maintenance of a dedicated Committee. The Lord Chief Justice agrees in principle to the abolition of the Committee.</p>	
<p><u>Further Detail</u></p> <p>Following the creation of the Criminal Procedure Rule Committee (which now makes all criminal rules) under the Courts Act 2003, the Crown Court Rule Committee has lost the majority of its functions, making it a near defunct body. The remaining rules which the Committee makes govern procedure for civil proceedings in the Crown Court. This is a limited group of rules, infrequently amended. There is therefore no justification for the retention of a full Committee when alternative models - such as that adopted under the Constitutional Reform Act 2005 for rules being made by the Lord Chief Justice - are available.</p> <p>The work carried out by the committee can be undertaken by other rule committees (Civil Procedure Rule Committee, Criminal Procedure Rule Committee and the Family Procedure Rule Committee) in conjunction with the Lord Chief Justice, while still ensuring that the development of proposals for making new rules continues to be properly informed by the judiciary.</p>	

Successor Arrangements

Consultation has been undertaken with the Lord Chancellor, the Lord Chief Justice and his office. Members of the Committee have already been informed of the abolition. The current membership is 6 (5 judiciary and 1 barrister). The Ministry of Justice will be consulting on all its reform proposals in the Bill over the summer.

BODY	HER MAJESTY'S INSPECTORATE OF COURT ADMINISTRATION
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Independent Statutory Inspectorate
NUMBER OF STAFF	The full complement of staff was 36 civil servants. Staff have either voluntarily chosen to leave the Department or have been redeployed into alternative roles.
HEADLINE PROPOSAL	Abolish Body (it is listed in Schedule 1 of the Public Bodies Bill). Certain functions to be transferred to other inspectorates as appropriate.
<p><u>Aim of the Reform</u> To abolish Her Majesty's Inspectorate of Court Administration. The Inspectorate was administratively closed on 31 December 2010.</p>	
<p><u>Further Detail</u></p> <p>The Inspectorate had a budget allocation of £1.556m for 2010-11. The estimated cumulative savings resulting from the abolition of the Inspectorate is £6.6m over the four year Spending Review period. Its predecessor - Her Majesty's Magistrates' Courts Service Inspectorate - was set up to inspect court administration, before magistrates' courts were part of a national courts service. This was before Her Majesty's Courts Service took on responsibility for the administration of all courts, using its own management information systems and audit processes.</p> <p>The government wishes to focus its finite resources on delivering frontline services. It has therefore been concluded that, although it is important to provide assurance, the systems within Her Majesty's Courts and Tribunals Service are robust and properly regulated and that it is not necessary for purely administrative systems to be subject to inspection by an independent body. The Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer.</p>	
<p><u>Successor Arrangements</u></p> <p>There are robust management and audit processes in place within Her Majesty's Courts and Tribunals Service, designed to provide appropriate checks and safeguards to deliver effective court administration processes. Ministers are accountable to Parliament for the performance of the agency. In addition, Her Majesty's Courts and Tribunals Service will continue to be subject to internal Ministry of Justice audit processes and external scrutiny by the National Audit Office. The government remains committed to joint inspection of the criminal justice system. It is intended that functions will be transferred from the Inspectorate to the other criminal justice inspectorates to enable future joint criminal justice inspections to include</p>	

inspection of Her Majesty's Courts and Tribunals Service.

The decision to close HMICA was announced in December 2009 by the former administration. Following its review of Arm's Length Bodies, the Coalition Government reaffirmed this proposal. A decision was taken by the Secretary of State, with the full agreement of the Inspectorate's senior management team, that it would be preferable to close the Inspectorate administratively prior to legislative closure. Given decreasing staff numbers and previous uncertainty on a closure date, it was increasingly difficult for the Inspectorate to provide any new and meaningful work for staff. It was considered that having a firm date for closure provided the best solution for staff, by enabling them to be formally placed on the MoJ redeployment list, providing them with priority consideration for vacancies, and enabling the Inspectorate to implement a formal closure plan. The statutory requirement to consult on this proposal was introduced as a provision in the Bill only after the Inspectorate's administrative closure.

BODY	THE KEEPER OF PUBLIC RECORDS (PART OF THE NATIONAL ARCHIVES)
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	The Keeper of Public Records is a statutory appointment and the office-holder is the Chief Executive of The National Archives (TNA), a government department and an Executive Agency.
NUMBER OF STAFF	None
HEADLINE PROPOSAL	The office of Keeper of Public Records will be renamed the Keeper of The National Archives, and will perform additional functions currently performed by other office-holders. <u>The current functions of the Keeper will remain unchanged.</u> It is listed in Schedule 5 of the Bill.
<u>Aim of the Reform</u>	
The reform will enable the statutory position to reflect current practice by renaming the office of the Keeper of Public Records the Keeper of the National Archives.	
<u>Further Detail</u>	
The Keeper of Public Records is listed in Schedule 5 of the Bill in order to modify its functions under s.5(1)(a). Under s.7(3) The Keeper of the Public Records would be re-named the Keeper of The National Archives.	
<u>Successor Arrangements</u>	
The Lord Chancellor appoints the Keeper of Public Records to take charge, care for and preserve public records under his direction. The Keeper of Public Records is currently the Chief Executive of The National Archives. The National Archives was created in 2003 following the merger of the Public Record Office with the Historical Manuscripts Commission. The result of this merger was that the Chief Executive of The National Archives also now holds the offices of Keeper of Public Record and Historical Manuscripts Commissioner. The proposed reform aims to consolidate these roles into one clear statutory role, the Keeper of The National Archives. The proposed reforms would clarify lines of accountability for TNA's various functions by putting in statute the responsibilities of a new Keeper of The National Archives. This would finalise the merger process begun in 2003. The changes would not affect the way functions are carried out and there are no financial implications. These reforms have been agreed with The National Archives , but the Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer.	

BODY	MAGISTRATES' COURTS RULE COMMITTEE
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Statutory advisory and consultative body
NUMBER OF STAFF	None (three public appointees plus one ex-officio member)
HEADLINE PROPOSAL	Abolish body. It is listed in Schedule 1 of the Bill. Functions to be performed by other rule committees.

Aim of the Reform

The Committee has a much diminished role and its functions are either now largely performed by other bodies or could be more effectively and efficiently exercised by existing rule committees. The Lord Chief Justice, who is a member ex officio of the Magistrates' Courts Rule Committee, has indicated his agreement in principle to the abolition of the Committee.

Further Detail

The remit of the Magistrates' Courts Rule Committee has been greatly reduced as a result of the provisions of the Courts Act 2003 which established (i) the Criminal Procedure Rule Committee to make rules governing the practice and procedure in the criminal courts and (ii) the Family Procedure Rule Committee to make rules governing the practice and procedure in family proceedings in the High Court, county courts and magistrates' courts.

The Committee does not itself make rules but is consulted by the Lord Chief Justice before he makes rules. Now the relevant provisions of the Courts Act and the new Rules are in force, the primary function of the Committee is to be consulted on rules relating to civil non-family proceedings in the magistrates' courts. There are relatively few such proceedings, and the need for amendments to the rules is very infrequent. The Committee was called upon only twice in 2009 to consider draft rules in relation to such proceedings, not at all in 2010 and so far in 2011 two sets of rules have been made requiring consultation of the Committee. The Lord Chief Justice has consulted the Committee on just one further set of rules which have yet to be made and no further consultations are expected over the coming months. To retain a Committee with such limited functions would not be proportionate. Moreover, attracting suitable candidates to serve on a body with such a reduced remit would be difficult.

The Lord Chief Justice would continue to make the rules upon which the Magistrates' Courts Rule Committee is presently consulted. Providing for the Lord Chief Justice to make rules without prescribing a specific body which he must consult is a

constitutionally proper model, having been agreed in the Concordat and for a variety of rules, as embodied in Schedule 1 to the Constitutional Reform Act 2005. Before making rules he would be able to consult the Criminal Procedure Rule Committee, the Family Procedure Rule Committee and the Civil Procedure Rule Committee as appropriate.

Successor Arrangements

The Criminal Procedure Rule Committee and Family Procedure Rule Committee contain members with magistrates' courts expertise and these existing statutory rule-making bodies would be very well placed to advise and be consulted by the Lord Chief Justice. The Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer and the Magistrates' Association will be consulted as part of this process before this body is abolished.

BODY	PUBLIC GUARDIAN BOARD
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Statutory Body
NUMBER OF STAFF	Seven Public Appointees, including one judicial member. (Three members, including the Chair, have been re-appointed until 1 April 2012). All Members are part-time and are fee paid, with the exception of the judicial member who is remunerated as part of their judicial role. One Ministry of Justice staff member has been re-deployed.
HEADLINE PROPOSAL	Abolish body and function. It is listed in Schedule 1 of the Bill.

Aim of the Reform

To abolish a body whose oversight functions can be more efficiently performed by other means. The cumulative savings from its abolition would be approximately £0.3m over the four year Spending Review period. This reform refers only to the Public Guardian Board - the government is committed to supporting those who lack capacity, and this reform is ultimately designed to strengthen the oversight of the work of the Public Guardian.

Further Detail

The Public Guardian Board was set up under the Mental Capacity Act 2005 to scrutinise and review the way in which the Public Guardian discharges his functions and to make recommendations to the Lord Chancellor. Its creation was the result of a Lords amendment which sought to provide some formal oversight of the Public Guardian in the exercise of his statutory functions. (The Office of the Public Guardian is an Executive Agency of the Ministry of Justice with all the usual governance arrangements of an agency, including internal audit and oversight by the National Audit Office.)

The government's view is that the Board's function to scrutinise and review the Public Guardian's statutory duties can be more effectively and efficiently delivered by standard agency governance arrangements, which will be more robust and proportionate. The Board itself has recognised that given the current financial constraints and the government's obligation to concentrate public expenditure on essential functions, the advisory board should not continue in the future and accepts the proposed abolition.

Successor Arrangements

The Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer. Details of alternative governance arrangements for the Public Guardian and his office are being developed, with the help of the current Chair of the Board. This will provide assurance that the Public Guardian's functions are being carried out appropriately and that the needs of users are being met.

The Ministry of Justice will take a clear lead in the successor arrangements to the Board and ensure that appropriate provisions are in place before abolition in 2012. These are likely to include independent non-executive input from individuals with the relevant expertise who can provide the appropriate level of challenge and scrutiny to both the Public Guardian and the Office of the Public Guardian.

BODY	PUBLIC RECORD OFFICE (PART OF THE NATIONAL ARCHIVES)
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Statutory body
NUMBER OF STAFF	None
HEADLINE PROPOSAL	The Public Record Office (PRO) is a constituent part of The National Archives (TNA). Its name will be changed to The National Archives, which will continue to carry out the functions of the PRO. It is listed in Schedule 5 of the Public Bodies Bill.
<p><u>Aim of the Reform</u></p> <p>The reform will enable the statutory position to reflect current practice by changing the name of the Public Record Office to The National Archives.</p>	
<p><u>Further Detail</u></p> <p>The Public Record Office is listed in Schedule 5 of the Bill in order to modify its functions under s.5(1)(a), enabling it to absorb the functions carried out by the non-statutory component parts of The National Archives. Section 7(3) would then permit any necessary changes to the PRO's constitutional arrangement, in particular its renaming as The National Archives.</p>	
<p><u>Successor Arrangements</u></p> <p>The Public Record Office was originally established as the national archive of the United Kingdom by the Public Record Office Act 1838. In 2003, the Public Record Office merged with the Historical Manuscripts Commission to form The National Archives. In 2006, the Office of Public Sector Information and Her Majesty's Stationery Office were also merged with The National Archives. All four bodies continue to exercise their statutory and non-statutory functions within a single administrative body - The National Archives - led by a single Chief Executive. The proposed changes would give clearer legal effect to the administrative changes already made. The legal functions of the Public Record Office will continue to be carried out by The National Archives. These reforms have been agreed with The National Archives, but the Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer.</p>	

BODY	<p>1. DIRECTOR OF PUBLIC PROSECUTIONS (DPP) AND THE CROWN PROSECUTION SERVICE (CPS)</p> <p>2. DIRECTOR OF REVENUE AND CUSTOMS PROSECUTIONS (DRCP) AND THE REVENUE AND CUSTOMS PROSECUTIONS OFFICE (RCPO)</p>
SPONSORING DEPARTMENT	Ministry of Justice (which is responsible for legislation in respect of the CPS) in conjunction with the Attorney General's Office as the superintending Department
TYPE OF BODY	Non-Ministerial Department
NUMBER OF STAFF	<p>Prior to the administrative merger of these departments in January 2010 there were 356 members of staff employed in RCPO at sites in London and Manchester. The Full Time Equivalent (FTE) figure is 338.</p> <p>Before the merger there were 8,770 members of staff employed in the CPS. The FTE equivalent figure is 8,141.</p>
HEADLINE PROPOSAL	To merge the CPS and RCPO (both are listed in Schedule 2 of the Public Bodies Bill). The powers under the Public Bodies Bill will be used to legislatively complete the reform that was effected administratively in January 2010. All RCPO staff transferred on merger to the CPS.
<p><u>Aim of the Reform</u></p> <p>The merger of the CPS and RCPO took place in response to the increase in criminals operating across both functional and national boundaries and the need for prosecutors to be able to operate collaboratively and internationally. It safeguards and improves the already high quality work done in both services on serious and complex cases and provides an enhanced international capability. It also delivers increased value for money through improved efficiency.</p>	
<p><u>Further Detail</u></p> <p>The merger took place administratively on 1 January 2010 with the Director of Public Prosecutions being additionally appointed to the post of Director of Revenue and Customs Prosecutions. The powers in the Public Bodies Bill will be used to merge these two offices. All 356 staff employed by RCPO have been transferred to the CPS. Cases investigated by Her Majesty's Revenue and Customs are now prosecuted by a specialist casework division within CPS. The Attorney General has a superintending role.</p>	

BODY	VICTIMS' ADVISORY PANEL
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Statutory Advisory NDPB
NUMBER OF STAFF	None (and currently no public appointees)
HEADLINE PROPOSAL	Abolish body (it is listed in Schedule 1 of the Public Bodies Bill).
<u>Aim of the Reform</u>	
<p>The Panel was set up to offer advice, when consulted, to the Secretary of State for Justice on matters relating to victims or witnesses. It had no remit to provide any form of financial support. The Commissioner for Victims and Witnesses, Louise Casey, is now in post to engage with, and represent, the views of victims, so there is an overlap between her work and the work originally conducted by the Panel. Such duplication cannot be justified in the current financial climate. The government believes, moreover, that the requirement to consult a panel of victims of crime is overly prescriptive.</p>	
<u>Further Detail</u>	
<p>The decision to abolish the Victims' Advisory Panel is in no way a reflection on the efforts of previous members or on their important recommendations in relation to improving victim and witness services. The government remains committed to supporting victims of crime, ensuring that they receive support appropriate to their needs and that their experiences are reflected in policy making. It supports a more flexible and targeted approach to engagement with victims, enabling the Commissioner to engage with the victims whose experience is most appropriate to particular areas of work. No jobs will be lost as a result of these changes, but the abolition will mean that government will not need to recruit and run a new panel (which has in the past cost £50,000 a year).</p>	
<u>Successor Arrangements</u>	
<p>The Commissioner has been meeting victims and their representative groups across the country in order to learn from their experiences. She is providing a powerful voice at national level - independently from government - to promote the interests of victims and witnesses. Additionally, the Ministry of Justice is carrying out a full review of its services and support to victims and is committed to involving victims of crime and those that work with them in the development of future policy. As part of its review, the Ministry of Justice has commenced a series of workshops with victims' organisations, attended by the minister responsible for victims (Crispin Blunt MP). The Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer.</p>	

BODY	YOUTH JUSTICE BOARD
SPONSORING DEPARTMENT	Ministry of Justice
TYPE OF BODY	Executive Non Departmental Public Body
NUMBER OF STAFF	240. This includes 10 board members and Chair
HEADLINE DECISION	Abolish body and transfer functions to the Ministry of Justice. It will be listed in Schedule 1 of the Public Bodies Bill.
<p><u>Aim of the Reform</u></p> <p>The Youth Justice Board (YJB) will be abolished as an Executive NDPB and its functions brought into a discrete Youth Justice Division within the Ministry of Justice. When the YJB was established in 2000 the government needed an organisation that was able to establish and lead reforms to the delivery of youth justice. A decade on, the delivery of youth justice is now firmly embedded in local areas and within a distinct secure estate for young people. As a consequence, the national oversight provided by the YJB is no longer needed. The government also believes that youth justice, which involves the incarceration of children, is an issue for which ministers - not unelected persons - should be held accountable.</p> <p>Increasing the ministerial accountability for youth justice will create a strong impetus for improvement. Ministry of Justice ministers are well placed to influence policy across government and they will ensure that other departments play their part in stopping young people from becoming involved in crime and reoffending.</p>	
<p><u>Further Detail</u></p> <p>The YJB works to prevent offending and re-offending by children and young people under the age of 18, and to ensure that custody for them is safe, secure and addresses the causes of their offending behaviour. Specifically, it:</p> <ul style="list-style-type: none"> ▪ Advises the Secretary of State for Justice on the operation of, and standards for, the youth justice system; ▪ Monitors the performance of the youth justice system; ▪ Purchases places for, and places, children and young people remanded or sentenced to custody; 	

- Identifies and promotes effective practice;
- Makes grants to local authorities and other bodies to support the development of effective practice; and
- Commissions research and publishes information.

It is estimated that the Youth Justice Board will save £6m operating costs over the four year Spending Review period. There will be some small direct savings attributable to the abolition although the transition process itself will incur some costs which will reduce any planned savings in the initial year of transition. These savings are in respect of the costs of board members who will no longer be required post abolition. The government estimates these costs to be approximately £250k per annum.

Successor Arrangements

The government is committed to maintaining a distinct focus on the needs of children and young people in the youth justice system. The Ministry of Justice will establish a Youth Justice Division to deliver the main functions of the YJB - overseeing the delivery of youth justice services, identifying and disseminating effective practice, commissioning a distinct secure estate and placing young people in custody.

The Youth Justice Division will be a dedicated part of the Ministry of Justice and will sit outside of the National Offender Management Service. The structure will maintain a dedicated focus on the needs of young people in the justice system. John Drew, the current Chief Executive of the YJB, has agreed to lead the new Youth Justice Division to ensure continuity during the transition. The Ministry of Justice will look to retain the expertise of YJB staff in the new Youth Justice Division. It will also strengthen its focus on youth justice by establishing an Advisory Board of stakeholders and experts to advise on youth justice issues and to provide expert challenge and scrutiny.

In addition, Dame Sue Street, a Non Executive Director of the Ministry of Justice who brings experience and knowledge of youth justice, will be taking a more active interest in Youth Justice within MoJ, and will have a direct route into the Department through the Permanent Secretary and Secretary of State. The Ministry of Justice will be consulting on all its reform proposals in the Public Bodies Bill over the summer.

In the meantime, the Youth Justice Board will continue to take a close interest in the MoJ's reforms to youth justice, including contributing to the development, planning for and subsequent implementation of youth justice provisions in the Legal Aid, Sentencing and Punishment of Offenders Bill. These include a new remand process for under-18s with local authorities taking on full financial responsibility for secure remands. Considerable input will be required from the YJB in working with government and local authorities for the gradual transfer of financial responsibility and developing options for achieving this. Other measures include a new out of court framework and changes to the existing Youth Rehabilitation Order and Detention and Training Order that will require training and guidance to be provided to YOTs in how these should apply.