

Company number: 04608905

Costs Lawyer Standards Board Ltd
Wednesday 10 July 2013 at 10.30 am
The Studio, 7 Cannon Street, Birmingham

Present: Graham Aitken (Chair)
Richard Allen
Gillian Milburn

In attendance: Lynn Plumbley (Chief Executive)

1. Quorum, Apologies & Declarations of Interest

The meeting was advised that Marc Brooks & Phil Bellamy had tendered their apologies. Written submissions on agenda items had been received from Marc via the Chair but due to late circumstances Phil had been unable to make any submissions. The meeting was declared quorate and there were no declarations of interest.

2. Minutes

The minutes of the meetings held on 10 April 2013 and 23 April 2013 were approved as being a true record for signing, there were no matters arising.

3. Finance

The board reviewed and noted the Q2 financial report and was also afforded the opportunity to review the 2013 book keeping record to 30 June 2013.

4. Risk Management

The risk matrix dated 10 April 2013 was reviewed and revised.

5. Update from ACL National Conference (10/11 May)

The board noted the outcome of the conference at which both the CLSB Chair & CEO were in attendance.

6. Update from joint meeting with ACL (12 June)

The board were advised that at the meeting (attended by both the Chair & CEO) a wide range of subject matters were discussed including education, statement of rights, entity regulation, ABS, court attendance slips, selling the new Costs Lawyer qualification and current levels of insurance. CLSB were invited to attend the next scheduled meeting of ACL in July to address concerns of the ACL Council on the CLSB proposal to set and maintain professional standards of trainees.

7. Damage Based Agreements (DBA)

The board approved the new guidance note and agreed that a question should be included on the 2014 PC application form to establish if, in reality, Costs Lawyers are entering into DBA, CFA or Success Fee arrangements.

8. Addendum to LSA review following last board meeting

The board noted the further submission made and was advised that there had now been a call for evidence on the future of legal regulation.

9. LSB project on general legal advice

The board noted this had been announced and had been highlighted in the speech of Chris Kenny at the ACL National Conference. Based on the recent handling/decision on will drafting/administration of estates, CLSB did not hold out much hope for a positive outcome.

10. Update on Costs Lawyer education review

The board approved the new Aims & Objectives document for consultation.

11. Update on entity regulation

Following the recent call for evidence on the future of legal regulation and review of all legal regulatory legislation, CLSB deemed it unwise to seek any such major change to its current regulatory arrangements. Work would however continue on the project until the outcome of the review.

12. 2013 dual certificate of compliance with IGR

The dual certificate filed with the LSB on its 2013 internal governance compliance and the comments included by ACL were noted.

13. Tax relief on practising certificate fees payable to CLSB

The board noted the successful outcome of its application to the HM Revenue & Customs and the statutory instrument received allowing tax relief.

14. Decision on will writing becoming a reserved legal activity (RLA)

The board noted the decision of the government and LCD not to accept the recommendation of the LSB that will writing activities should be made subject to regulation. CLSB was of the view this had been badly handled by the LSB who had failed to grasp the realities that estate administration should have been the main focus of the recommendation.

15. LSB Consumer Panel: Empowering consumers (Phase 1 report)

The board noted a highlight of the findings of the report.

16. Approval of revised EEA rules

The board approved the revised rules following a recent review to ensure they were fully comprehensive.

17. Approval of S51 (2014 PCF) consultation paper & 2014 budget

The board approved the same and endorsed the recommendation the PCF remained the same for the third consecutive year.

18. Review of legal services regulatory framework: Call for evidence

The board noted this call for evidence on the way the legal services regulatory framework could be simplified and that CLSB had until 2 September 2013 to file its submission.

19. Random audit of 2012 CPD

The board noted the outcome schedule and that no issues requiring action had been identified.

20. Legal Services Board Consumer Panel

The reply to the panel on its proposal for a one size fits all way forward on compensation funds was noted.

21. Legal Education Training Report (LETR)

The board noted a resume of the recommendations and key observations taken from this 371 page report and approved CLSB comments endorsed. The board was pleased to note that it had already identified and was well underway in addressing its findings and recommendations.

21. Proposed board dated for 2014

The board agreed the 2014 board dates as being Wednesday 15 January, Wednesday 16 April, Wednesday 16 July, Wednesday 15 October.

22. AOB

The board noted:

- The number of Costs Lawyers with a practising certificate now stood at 569 for 2013 following recent applications for reinstatement.
- That a request for a review of the Statement of Rights had been received from ACL and that this had been submitted to Counsel for their advice.
- ACL had been requested to reinstate the 10 CPD points for a two day attendance at the ACL National Conference.
- Crispin Passmore of the LSB will attend the October CLSB board meeting.
- The LSB report on small business needs had been issued.
- The LSB Consumer Panel programme for 2013-14 was noted.

23. Date & Time of Next Meeting

Wednesday 9 October 2013 @ 10.30am, The Studio, 7 Cannon Street, Birmingham.

There being no further business, the Chair declared the meeting closed.

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Chairman