

Company number: 04608905

Costs Lawyer Standards Board Ltd
Wednesday 3 October 2012 at 10.30 am
The Studio, 7 Cannon Street, Birmingham

Present: Graham Aitken (Chair)
Mike Lockwood
Richard Allen
Phil Bellamy
Marc Brooks

In attendance: Lynn Plumbley (Chief Executive)

1. Quorum, Apologies & Declarations of Interest

The Chair declared the meeting quorate, there were no declarations of interest.

2. Minutes

The minutes of the meetings held on 4 July 2012 were approved as being a true record for signing, there were no matters arising.

3. Finance

The board reviewed and noted the Q3 financial report and was also afforded the opportunity to review the 2012 book keeping record to date. The board noted the company had adequate funds in its main operating account for the final quarter of 2012.

4. Risk Management

The risk matrix was reviewed and revised.

5. British Standard on Vulnerable Consumers

Having regard to the nature of the Costs Lawyer profession and its informed consumer it was not considered appropriate to change current regulatory arrangements by adopting this standard nor revise the risk matrix as a result.

6. Mark of Regulation

The board approved the draft licence and noted that the outcome of the Trade Mark application was awaited on 17 October after which the initiative would be announced.

7. Self-assessment (independence)

The board noted ACL/CLSB had been deemed compliant for 2012.

8. LETR project

The board noted the concern of the Chief Executive that the original brief for this project had "strayed". This would be monitored going forward.

9. Comparison websites

The draft letter to the Chair of the LSB was discussed and agreed for sending.

10. LSB letter on complaints handling

A draft letter of response to the LSB letter dated 26 July 2012 would follow.

11. Disaster Recovery Plan

The draft was discussed and approved for adoption.

12. Key Man insurance policy

The board agreed, based on its new reserving policy, this was not required at present.

13. Oxera report

The board noted the chart and felt no further revisions were required to it at present. Once stats had been collated following receipt of 2013 Practising Certificate applications it would be populated with further information accordingly.

14. Referral fees: LSB letter dated 21 August 2012

The current guidance note was revised. It was agreed it would require further review in relation to personal injury referrals in April 2013 to ensure clarity in the profession.

15. Guidance Note: ATE insurance

The board noted that attempts were continuing to secure appropriate advice on this guidance note and FSA interpretation therein.

16. S.51 Application

The board noted responses received to the consultation. The board was advised the LSB had now approved the fee of £250.00 which including £50.00 towards the annual per head levy.

17. Disciplinary hearing outcome

The outcome was noted and the proposed wording of the Conduct Committee decision was agreed for publication in the Costs Lawyer Journal.

18. Business Plan 2013

The draft plan was discussed and agreed.

19. Ethical indicator report

The board would monitor this following expected discussion with LSB on requirements. The board was pleased to note the Costs Lawyer qualification already included a compulsory section on ethics.

20. Accredited Costs Lawyer Rules

These were discussed and agreed for immediate implementation. The Board also noted the proposed "cleanse" of the current register of 88 Accredited Costs Lawyers.

21. Regulation of Trainee Costs Lawyers

The board noted this proposal was still out for consultation and that responses received to date had been favourable. The board was also advised that following an ACL Council

meeting, CLSB had now been given the Trainee Costs Lawyer database. CLSB had now consulted with Trainees on the proposal.

22. Board composition

It was agreed Phil Bellamy (lay NED) would be offered a new one year LOE, Marc Brooks (non-lay NED) would be offered a new 2 year LOE and Richard Allen (non-lay NED) would be offered a new 3 year LOE. It was agreed a recruitment process would be initiated for a replacement for Mike Lockwood (lay NED) who indicated he did not seek a further term of appointment. It was also agreed Phil Bellamy would assume the role of Vice-Chair for the period of his new LOE (24 January 2013 to 23 January 2014.)

23. New on-line billing pilot for legal aid bills

The board noted the concerns of the Chief Executive and agreed a letter should be sent to the Legal Services Commission raising confidentiality concerns on behalf of Legal Aid practitioners.

24. AOB

- It was noted LeO had received no Costs Lawyer complaints since 31 October 2011.
- The board was advised that the annual meeting of Chairs & Chief Executives of both the LSB and CLSB had been re-scheduled to 2 November 2012.
- The current position as regards the new annual education audit was noted.
- The board were advised ACL continued to look at options for ACL Training including the possible outsourcing to Swansea University.
- It was noted that the Legal Ombudsman was now publishing decision data.
- It was noted Marc Brooks' article on the difference between a Costs Lawyer & Law Costs Draftsman had been published by ILEX in their journal.
- The new Chair appointment of the LSB Consumer Panel was noted.
- The LSB Benchmarking Report and outcome was noted.
- The LSB Small Business Framework Report and outcome was noted.
- The LSB Consumer Panel Consumer Impact Report 2012 was noted.
- The LSB Immigration Advice & Services Report was noted.
- It was noted that there were currently 314 Trainee Costs Lawyers.
- A report by the Chief Executive on recent consultation papers received was noted.
- The meeting was advised that following consultation the LSB had concluded will writing & estate administration would become reserved legal activities.
- Following a response from the LSB on extending the scope of reserved legal activities to capture Law Costs Draftsmen, CLSB would instruct Counsel for a view.

25. Date & Time of Next Meeting

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

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

.....
Chairman