

**Minutes of Meeting of the  
City of London Law Society Regulatory Law Committee (the "Committee")**

Held on Tuesday 10 August 2021 at 12.30pm  
via conference call

**ATTENDEES**

<b>Present</b>	<b>Firm Represented</b>
Karen Anderson	Herbert Smith Freehills LLP
Peter Bevan	Linklaters LLP
Richard Everett	Travers Smith LLP
Hannah Meakin	Norton Rose Fulbright LLP
Simon Morris	CMS Cameron McKenna Nabarro Olswang LLP
Rob Moulton	Latham & Watkins LLP

**1. FCA CONSULTATION PAPER ON ISSUING STATUTORY NOTICES – A NEW APPROACH TO DECISION MAKERS**

A member briefly summarised the key proposals in the consultation paper.

The members welcomed the paper. However, while it was agreed that there were some justifiable categories of cases where decisions needed to be made urgently, for example to stop harm from occurring or commencing civil or criminal cases, the members were concerned that not all categories of decisions set out in the paper warranted the proposed use of Executive Procedures.

In particular, the members did not consider it appropriate for Executive Procedures to be used in non-urgent decisions on the refusal of authorisation or individual approval. Such decisions could have significant consequences on applicants, and should be subject to proper scrutiny.

The members were also concerned with the proposals to limit the circumstances where oral representations would be accepted to exceptional circumstances. While it was acknowledged that convening a meeting of the RDC to receive oral representations could take more time, there were already processes in place in DEPP to deal with urgent cases. The members considered that the ability for applicants to make oral representations to the RDC was an important part of the process in contested cases and the proposals could act as a diminution of due process.

It was agreed that a member would prepare a draft response setting out the points discussed and circulate to the members for review.



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**Karen Anderson**  
Chair, CLLS Regulatory Law Committee