The IA is fit for purpose. The issues raised in our previous opinion (15/06/2012) have been adequately addressed.

**Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options**

The issues raised in our previous opinion (15/06/2012) have been adequately addressed. In particular, the IA now includes a monetised estimate of the cost of introducing Early Morning Restriction Orders (EMROs), which falls on businesses operating licensed premises. However, the IA could have more clearly presented the One-in, One-out position.

**Have the necessary burden reductions required by One-in, One-out been identified and are they robust?**

The IA says that the proposal is a regulatory measure that will impose a net cost to business (an ‘IN’) with an Equivalent Annual Net Cost to Business (EANCB) of £28.2m. However the late night levy is a tax and therefore out of scope of One-in, One-out (paragraph 16, iv). For One-in, one-out purposes the EANCB is therefore £10.1m. This is consistent with the current One-in, One-out Methodology (paragraph 17) and provides a reasonable assessment of the likely impacts.

Signed

Michael Gibbons, Chairman