

# Impact Assessment, The Home Office

**Title:** Regulation of miniature rifle ranges

**IA No:** HO0350

**RPC Reference No:** N/A

**Other departments or agencies:** N/A

**Date:** 15 August 2020

**Stage:** Consultation

**Intervention:** Domestic

**Measure:** Primary legislation

**Enquiries:** Serious Violence Unit  
public.enquiries@homeoffice.gsi.gov.uk

**RPC Opinion:** Not Applicable

**Business Impact Target:** Non qualifying provision

## Cost of Preferred (or more likely) Option (in 2019 prices)

<b>Net Present Social Value NPSV (£m)</b>	-0.06	<b>Business Net Present Value BNPV (£m)</b>	-0.06	<b>Net cost to business per year EANDCB (£m)</b>	0.01
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### What is the problem under consideration? Why is government intervention necessary?

Section 11(4) of the Firearms Act 1968 allows a person to run a rifle range or shooting gallery where only miniature rifles not exceeding .23 inch calibre or air weapons are used, without the need for a firearms certificate. There is a risk that the exemption could enable unsuitable people to acquire firearms. The definition of a 'miniature rifle' needs to be clarified.

### What are the policy objectives and the intended effects?

The policy objectives are to:

- 1) Require operators of miniature rifle ranges to possess a firearms certificate so that they are subject to police suitability checks.
- 2) Clarify the definition of a miniature rifle.

The intended effects are to increase public safety.

### What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

**Option 0:** Do nothing and continue without strengthening miniature rifle range regulations.

**Option 1:** Require operators of miniature rifle ranges to possess a firearms certificate, and clarify the definition of a miniature rifle.

Non-regulatory options were considered but as firearms are a regulated environment, none of these options met the objectives nor could provide the intended effects.

<b>Main assumptions/sensitivities and economic/analytical risks</b>	<b>Discount rate (%)</b>	3.5
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It is assumed that around half of miniature rifle range operators would need to apply for a new firearm certificate. However, this proportion may be higher or lower, which would affect the total costs incurred to operators. There is a risk that a rogue operator of a miniature rifle range could sell their firearms on the black market following the legislative change, because there is no legal means for them to sell the firearms, but as non-compliant activity this is not costed.

**Will the policy be reviewed?** It will be reviewed. **If applicable, set review date:** 10/2025

*I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.*

Signed by the responsible Minister:



Date:

15 August 2020  
30/09/20

# Summary: Analysis & Evidence

# Policy Option 1

Description: Regulation of miniature rifle ranges

## FULL ECONOMIC ASSESSMENT

Year(s):	Price Base	2019	PV Base	2019	Appraisal	10	Transition	1
Estimate of Net Present Social Value NPSV (£m)						Estimate of BNPV (£m)		
Low:	-0.06	High:	-0.05	<b>Best:</b>	<b>-0.06</b>	<b>Best BNPV</b>	<b>-0.06</b>	

COSTS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	0.03	0.05	<b>0.09</b>	0.01	0.05
High	0.04	0.06	<b>0.10</b>	0.01	0.06
<b>Best Estimate</b>	0.04	0.06	<b>0.09</b>	<b>0.01</b>	<b>0.06</b>

### Description and scale of key monetised costs by 'main affected groups'

The transition costs include the costs associated with variations, new certificates and fees charged by GPs for medical information, and are estimated to cost £0.04 million in year 1 only in the central estimate. Ongoing costs are those associated with renewing firearm certificates. The costs fall to the operators of rifle ranges, as well as the Home Office and the police from processing firearm applications. The total costs are estimated, in present value terms, to be in a range of £0.09 to £0.1 million, with a central estimate of £0.09 million, over a 10 year appraisal period.

### Other key non-monetised costs by 'main affected groups'

There are no other expected non-monetised costs.

BENEFITS, £m	Transition Constant Price	Ongoing Present Value	Total Present Value	Average/year Constant Price	To Business Present Value
Low	0.03	0.00	<b>0.03</b>	<b>0.00</b>	0.0
High	0.04	0.00	<b>0.04</b>	<b>0.00</b>	0.0
<b>Best Estimate</b>	0.04	0.00	<b>0.04</b>	<b>0.00</b>	<b>0.0</b>

### Description and scale of key monetised benefits by 'main affected groups'

Increased income to the Home Office and the police from fees charged for new firearm certificates or variations to existing certificates.

### Other key non-monetised benefits by 'main affected groups'

By reducing the risk that unsuitable people gain access to firearms, the policy is expected to increase public safety. Breakeven analysis indicates that there will be an overall positive NPV if the policy leads to a reduction in four violence with injury offences over the 10-year appraisal period.

## BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:									
Cost, £m	0.0	Benefit, £m	0.0	Net, £m	0.0				
Score for Business Impact Target (qualifying provisions only) £m:					0.0				
Is this measure likely to impact on trade and investment?					N				
Are any of these organisations in scope?		Micro	Y	Small	Y	Medium	Y	Large	Y
What is the CO <sub>2</sub> equivalent change in greenhouse gas emissions? (Million tonnes CO <sub>2</sub> equivalent)				Traded:	N/A	Non-Traded:	N/A		

## PEOPLE AND SPECIFIC IMPACTS ASSESSMENT (Option 1)

Are all relevant Specific Impacts included?	Y	Are there any impacts on particular groups?	N
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## Evidence Base (for summary sheets)

### A. Strategic Overview

#### A.1 Background

1. Under Section 1 and 2 of the Firearms Act 1968, an individual would need to apply to the police for a certificate authorising them to possess a firearm to which those sections apply. (Section 1 applies to civilian firearms, such as rifles used in target shooting, whilst Section 2 applies to shotguns as defined under the 1968 Act). The police make careful checks of the suitability of applicants for and holders of firearm and shotgun certificates. In addition, applicants and holders must have “*good reason*” to possess Section 1 firearms.
2. However, Section 11(4) of the Firearms Act 1968 specifies as follows:  
*“A person conducting or carrying on a miniature rifle range (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than air weapons or miniature rifles not exceeding .23 inch calibre may, without holding a certificate, have in his possession, or purchase or acquire, such miniature rifles and ammunition suitable therefor; and any person may, without holding a certificate, use any such rifle and ammunition at such a range or gallery.”*
3. Section 11(4) therefore allows a person to run a rifle range or shooting gallery where only miniature rifles not exceeding .23 inch calibre or air weapons are used, without the need for a firearms certificate. Additionally, members of the public do not need a firearms licence to shoot at such a range or gallery.

#### **Calls for reform**

4. During the passage of the Offensive Weapons Act 2019 amendments were tabled to abolish the Section 11(4) exemption because of concerns raised by law enforcement bodies (see part B below). The Government undertook to review the Section 11(4) exemption.

#### A.2 Groups Affected

5. The National Small-Bore Rifle Association (NSRA) estimates that there are around 200 small-bore rifle clubs that use Section 11(4) in Great Britain. Many of these are also Home Office Approved target shooting clubs, which possess an authorisation from the Secretary of State or, in Scotland, the Scottish Government. These clubs use the 11(4) exemption to invite non-members to experience competitive shooting. Also, the exemption is used to enable shooting by organisations such as the Scout Association and schools.
6. Other reported types of operators who use the 11(4) exemption are set out below. It is not known precisely how many of each type of operators there are, but it is likely that the numbers are relatively small nationally. The NSRA mentioned approximate numbers of operators that they are aware of, as follows:
  - Sports centres running biathlon training/competitions (perhaps two).
  - Commercial ranges or activity centres offering target shooting “experiences” (around 15).
  - School and university shooting clubs (numbers unknown but thought to be low).
  - Temporary ranges at shows, for example, game fairs (around four).
  - Gun shops and armourers with ranges (numbers unknown but thought to be very low).
  - Shooting training organisations (numbers unknown but thought to be very low).
  - Pubs with bell target or tunnel ranges (around nine).
  - Fairground shooting galleries (as few as one, nearly all now use air weapons).
7. In total, it is therefore estimated that there are approximately 220 to 250 operators who use the 11(4) exemption. This estimate will be considered further during the consultation process.

## A.3 Consultation

### Public Consultation

8. The Government has sought preliminary views from law enforcement bodies, including the National Police Chiefs Council (NPCC), the National Crime Agency (NCA) and the National Ballistics Intelligence Service (NBIS) and from leading shooting organisations that represent the sector, including the National Rifle Association and the National Small-bore Rifle Association.
9. The Government is consulting publicly on its proposals to amend the regulation of miniature rifle ranges as part of the wider consultation on firearm safety. The consultation seeks views on whether anyone operating a miniature rifle range should possess a certificate, and on the definition of “miniature rifle”, and is aimed at anyone with an interest in firearms licensing and the regulation of firearms more broadly. The Government will notify leading shooting organisations, including those with a particular interest in miniature rifle ranges, such as the National Rifle Association and the National Small-bore Rifle Association of the consultation and invite them to respond.

## B. Rationale for intervention.

10. The concerns raised by law enforcement officers are that there is a risk to public safety because the legislation allows a person to buy and possess firearms without having undergone any assessment of their suitability, including:
  - No police checks, including criminal records checks, checks of medical suitability or assessment of “good reason”, are required for the operator of the miniature rifle range or members of the public shooting on the range.
  - The operator of the miniature rifle range can purchase miniature rifles and ammunition from a registered firearms dealer without being legally required to produce evidence of their authority to possess them.
  - There is no legal requirement for the operator of the range to store the guns securely or to inform police of their possession of the firearms, their number or location.
11. Additionally, there is lack of clarity about firearms that qualify as “miniature rifles”. The legislation refers to “miniature rifles not exceeding .23 inch calibre”: although this is generally understood as applying to lower-powered, .22 rimfire guns<sup>1</sup>, it has sometimes been interpreted as to include more powerful calibres, such as .223.
12. There is a risk that criminals or terrorists could use the exemption to acquire firearms. There is a wider risk that these individuals could acquire firearms indirectly from unsuitable and irresponsible persons holding firearms under the exemption, especially given that there are no controls on storage, ownership and location (the location of firearms may not be known to the police). Ordinarily, anyone wishing to possess Section 1 firearms would be subject to stringent suitability checks, including criminal record, counter-terrorism and medical checks. There would also need to be “good reason” to hold the firearm. Firearms would be held subject to conditions. For example, firearms should be stored securely and in most cases this location should be inspected by the police.
13. Police have given examples where it is believed the exemption is being used by those who would be likely to be considered unsuitable to be granted a firearm certificate and who may in addition be allowing other unsuitable persons to use the firearms. The exemption in legislation makes it difficult for law enforcement to take action in such cases.

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<sup>1</sup> Rimfire refers to an ignition system where cartridges have the primer around the edge of the base and the firing pin strikes and crushes the base’s rim to ignite the primer.

## C. Policy objective

14. The Government is seeking to reduce the risks to public safety by:
  - a) Requiring that operators using the 11(4) exemption possess a firearm certificate that specifically authorises them to do so. This will mean that the operator is subject to appropriate suitability checks, security requirements and the good reason test.
  - b) Re-defining “*miniature rifle*”, and thereby clarifying which firearms are appropriate to be used by persons who have not been subject to any suitability checks.

## D. Description of options considered.

15. **Option 0** - The ‘do-nothing’ option is to maintain the current position under which certain types of firearms can be obtained, held and used with no scrutiny or oversight. This would not mitigate the risks previously identified.
16. **Option 1** - The Government is proposing to retain the provision for miniature rifle ranges but require that operators possess a certificate. The Government is also proposing to make clear in the legislation that a ‘miniature rifle’ means a .22 rimfire rifle, so that more powerful and dangerous firearms are explicitly excluded. Also, it will be considered whether the definition of “*miniature rifle*” should exclude self-loading rifles.
17. A different approach could be to abolish the exemption, so that all those in possession of ‘miniature rifles’ would be required to obtain a firearm certificate, in addition to the operator of the range. This could be regarded as a disproportionate response given that the exemption is extensively used and the risks can be mitigated by other means.

## E. Appraisal.

### General assumptions and data

18. The following assumptions and estimates have been used:
  - As described above, (section A2, Groups Affected), it is estimated that there are between 220 and 250 operators (with a central estimate of 235 operators) who use the 11(4) exemption<sup>2</sup>.
  - In the absence of any data, it is assumed that half of miniature rifle range operators do not already hold any firearm certificates.
  - It is assumed that miniature rifle range operators that do not already hold firearm certificates will acquire two certificates each, on average, as many operators are likely to take the view that more than one certificate holder is needed, so that they can operate more flexibly.
  - A discount rate of 3.5 per cent has been used in this impact assessment (IA), in accordance with HM Treasury Green Book guidance.

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<sup>2</sup> Source – National Small-Bore Rifle Association

## **COSTS**

### **Set-up costs**

#### **Operators of miniature rifle ranges**

##### *Variations of existing certificates*

19. Under the new regulations, operators of miniature rifle ranges will need a firearm certificate. In many cases, particularly for officers of Home Office Approved Clubs, the operator will already possess a firearm certificate. In the absence of any data, it is therefore assumed that 50 per cent of operators (110 to 125 operators, with a central estimate of 118 operators) already hold a firearm certificate.
20. In these cases, they will need a variation to the firearm certificate to add that the reason for holding the firearms is to operate a miniature rifle range, and to add firearms to their certificate with adequate security conditions. The fee for a variation of a firearm certificate is £20 so the total cost nationally is estimated at £2,200 to £2,500, with a central estimate of £2,350.

##### *New certificates, including medical checks*

21. It is assumed that the other 50 per cent of operators (110 to 125 operators, with a central estimate of 118 operators) will need to obtain a new certificate. Also, many operators are likely to take the view that more than one certificate holder is needed, so that they can operate more flexibly. It is therefore assumed that on average, each operator will have two certificate holders, resulting in a total of 220 to 250 new certificates, and a central estimate of 235 new certificates.
22. The fee for a new firearm certificate on grant is £88. New applicants for firearm certificates will in most cases be required to pay a fee by their GP surgery for the provision of medical information to the police. As set out in the recent IA on the guidance relating to these medical checks, data from police forces suggests that the average fee charged by GPs is £51<sup>3</sup>. This implies an average cost to acquire a firearm certificate of £139, which equates to a national cost of new certificates of between £30,580 and £34,750, with a central estimate of £32,665.
23. Adding together the costs associated with variations, new certificates and medical checks, the total estimated set-up cost to operators of miniature rifle ranges is between £32,780 and £37,250, with a central estimate of £35,015.
24. Familiarisation costs are not expected for operators of miniature rifle ranges, as those with valid firearm certificates will not need to take any action.

### **Ongoing costs**

#### **Operators of miniature rifle ranges**

##### *Renewal of firearm certificates*

25. A firearm certificate typically lasts for five years from the date it was issued, so operators of miniature rifle ranges will be required to renew their certificate every five years.
26. This impact assessment assesses costs and benefits over a 10-year time period, so operators of miniature rifle ranges who otherwise would not have had a certificate will need to renew their firearm certificate once during this period, during the sixth year.
27. Renewal of a firearm certificate costs £62, and new medical information will also need to be provided at a cost of £51. As before, it is assumed that miniature rifle range operators will hold two firearm certificates on average, resulting in a cost of £226 per miniature rifle range operator. The estimated total cost across all operators is between £24,860 and £28,250, with a central estimate of £26,555, which occurs in the sixth year only. In present value terms, this represents a cost of between £20,931 and £23,786, with a central cost of £22,359.

##### *Definition of "miniature rifle"*

28. The National Small-Bore Rifle Association (NSRA) and the National Rifle Association (NRA) have stated that legitimate operators all take the term "miniature rifle" to mean .22 rimfire, as suggested

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<sup>3</sup> "Firearms Act 1968: New guidance on medical checks for applicants"

by the Home Office Guide on Firearms Licensing Law<sup>4</sup>. Therefore, clarifying that this is the definition will not affect compliant operators, but only a small number who are seeking to use the exemption as a loophole. It is therefore expected that clarifying the definition of a miniature rifle will have a negligible cost to legitimate operators.

29. Should the Government, following consultation, exclude self-loading rimfire rifles from the definition of “miniature rifle”, this would affect current operators of miniature rifle ranges in that they will no longer be able to permit visitors to use those rifles when they operate as a miniature rifle range. However, in the great majority of cases legitimate operators will be able to retain their self-loading .22 rimfire rifles on certificate (whether held by an individual or by the club). The impact of this change has not been quantified as it is not included in the preferred option in this IA.

#### **Home Office and the police**

30. The police will have to spend time processing new firearm certificates and variations to existing certificates. The fees for new certificates and variations are intended to reimburse this time, so they have been used to approximate these costs using the approach outlined above. These costs are estimated over 10 years at a present value of between £33,045 and £37,551, with a central estimate of £35,928.
31. Total costs are estimated over the 10-year period to be in a range of £0.09 million to £0.10 million, with a central estimate of £0.09 million (PV).

### **BENEFITS**

#### **Ongoing benefits**

##### **Society**

32. This policy is expected to increase public safety, by reducing the risk that unsuitable people gain access to firearms. This benefit cannot be robustly estimated due to a lack of evidence on how many firearms-related injuries or fatalities are likely to be avoided following these changes. However, a breakeven analysis has been undertaken to illustrate the magnitude of benefits required in order for this policy to have a positive NPV.
33. The cost to society of a ‘violence with injury’ offence is estimated at £15,000, after uprating to 2018/19 prices<sup>5</sup>. The total PV costs of this policy are £57,400 in the central estimate, so there will be an overall positive NPV if the policy leads to a reduction in four violence with injury offences over the 10-year appraisal period.

#### **Home Office and the police**

34. There is a benefit to the police from the fee income generated by firearm certificates, which as stated above is estimated at a present value of between £33,045 and £37,551, with a central estimate of £35,928.

#### **Small and micro-business assessment (SaMBA)**

35. A small and micro-business assessment has been conducted. All operators of miniature rifle ranges are likely to be small or micro-businesses, however there is no published data at this disaggregated level in the Business Population Estimates (2019)<sup>6</sup> that specifically identifies these businesses. It is not feasible to exclude them from this policy as this would negate all of the public safety benefits of the policy. Both of these facts make it very challenging to conduct an in-depth SaMBA in the timeframe given. It would also be disproportionate to develop and conduct a survey for the very small numbers involved (who already operate in a regulated environment) for the small costs that have been estimated.

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<sup>4</sup> Home Office Guide on Firearms Licensing Law 2016, available at <https://www.gov.uk/government/publications/firearms-law-guidance-to-the-police-2012>

<sup>5</sup> The cost was taken from The Economic and Social Costs of Crime publication and uprated to 2018/19 prices using the GDP deflator. Source: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/732110/the-economic-and-social-costs-of-crime-horr99.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/732110/the-economic-and-social-costs-of-crime-horr99.pdf)

<sup>6</sup> See BEIS (2019) Business Population Estimates 2019, <https://www.gov.uk/government/statistics/business-population-estimates-2019>, Tables 4-7 and 1-3.

## F. Proportionality

36. This IA has identified the main costs and benefits that are likely to result from the policy options. These have been quantified where data is available and a qualitative assessment, breakeven analysis, has been applied where there is a lack of quantitative data.

## G. Risks

37. There is a risk that more than half of miniature rifle range operators would need to apply for a new firearm certificate rather than just a variation, which would increase the total costs to operators. There is a risk that a non-compliant operator of a miniature rifle range could sell their firearms on the black market, following the legislative change, because there is no legal means for them to sell the firearms. However, this would be non-compliant behaviour and any figures would not be included in the NPV.

## H. Direct costs and benefits to business calculations

38. This policy is exempt from the Business Impact Target (BIT), as the costs to business are below the threshold. The costs and benefits to business and other groups are presented in the table below. Businesses will experience costs as operators of miniature rifle ranges will need to pay for new firearm certificates or variations to existing firearm certificates as a result of this policy.

**Table 1, Summary of monetised costs and benefits, £ million (PV) over 10 years.**

<b>Costs</b>	<b>£m (PV)</b>	<b>Benefits</b>	<b>£m (PV)</b>
Businesses	0.06	Home Office and the police	0.04
Individuals	0.00		
Home Office and the police	0.04		
<b>Total cost</b>	<b>0.09</b>	<b>Total benefit</b>	<b>0.04</b>
<b>Net Present Social Value (NPSV)</b>	<b>-0.06</b>		
<b>Business NPV</b>	<b>-0.06</b>		
<b>EANDCB</b>	<b>0.01</b>		

## I. Wider impacts

39. There are no significant wider impacts arising from this policy to be considered.

## J. Trade Impact.

40. This measure is unlikely to have any significant impacts on trade or investment.

## K. Implementation date, monitoring and evaluation (PIR if necessary), enforcement principles.

41. The proposals are subject to public consultation. If the Government chooses to proceed with the proposals, implementation would require primary legislation. Therefore, there is no implementation date at present. If introduced, these proposals would be enforced by the police.

## Impact Assessment Checklist

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p><b>Statutory Equalities Duties</b></p> <p>The public sector equality duty requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations in the course of developing policies and delivering services. <a href="#">[Equality Duty Toolkit]</a></p> <p>The Public Sector Equality Duty (PSED) has been tested against this policy and agreed by the Senior Responsible Officer (SRO). The main finding was that there are not any significant PSED implications arising from the policy proposals. However, the consultation will ask for views on the impact of the Government's proposals on protected characteristics so that a full assessment can be made.</p>	<p><b>Yes</b></p>

## Economic Impact Tests

Does your policy option/proposal consider...?	Yes/No (page)
<p><b>Business Impact Target</b></p> <p>The Small Business, Enterprise and Employment Act 2015 (<a href="#">s. 21-23</a>) creates a requirement to assess the economic impacts of qualifying regulatory provisions on the activities of business and civil society organisations. <a href="#">[Better Regulation Framework Manual]</a> or</p> <p>This policy is exempt from the Business Impact Target, as the costs to business are below the threshold. A small cost to business from this policy has been estimated, with a net cost to business per year (EANDCB) of £0.01 million and a Business Net Present Value (BNPV) of -£0.06 million.</p>	<p><b>Yes</b></p>

<p><b>Small and Micro-business Assessment (SaMBA)</b></p> <p>The SaMBA is a Better Regulation requirement intended to ensure that all new regulatory proposals are designed and implemented so as to mitigate disproportionate burdens. The SaMBA must be applied to all domestic measures that regulate business and civil society organisations, unless they qualify for the fast track. <a href="#">[Better Regulation Framework Manual]</a></p> <p>A small and micro-business assessment has been conducted. All operators of miniature rifle ranges are likely to be small or micro-businesses, however there is no published data at this disaggregated level in the Business Population Estimates (2019)<sup>7</sup> that specifically identifies these businesses. It is not feasible to exclude them from this policy as this would negate all of the public safety benefits of the policy. Both of these facts make it very challenging to conduct an in-depth SaMBA. It would also be disproportionate to develop and conduct a survey for the very small numbers involved (who already operate in a regulated environment) for the small costs that have been estimated. However, during the consultation small and micro-businesses will be given further consideration, especially any evidence gathered from these firms.</p>	<p><b>Section H</b></p>
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<sup>7</sup> See BEIS (2019) Business Population Estimates 2019, <https://www.gov.uk/government/statistics/business-population-estimates-2019>, Tables 4-7 and 1-3.