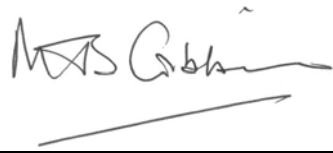
 <b>Regulatory Policy Committee</b>	<b>OPINION</b>	
<b>Impact Assessment (IA)</b>	Impact Assessment for the proposal to exempt regulated entertainment from the provisions of the Licensing Act 2003	
<b>Lead Department/Agency</b>	Department for Culture, Media and Sport	
<b>Stage</b>	Consultation	
<b>Origin</b>	Domestic	
<b>Date submitted to RPC</b>	30/06/2011	
<b>RPC Opinion date and reference</b>	15/07/2011	RPC11-DCMS-0999
<b>Overall Assessment</b>	<b>RED</b>	
<p>The IA is not fit for purpose. The IA has only presented costs and benefits for the preferred option, which will not allow consultees to assess the relative merits of the different options. Additionally, it is not clear how this proposal interfaces with previous amendments to the legislation.</p>		
<p><b>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</b></p> <p><i>Options.</i> Although this consultation IA lists three options, it only provides cost benefit analysis and presents an NPV for the preferred option. The value of the consultation exercise will be diminished if consultees are not able to judge the relative merits of the different policies.</p> <p><i>Costs and Benefits.</i> The department should seek additional evidence during consultation that other legislation, such as alcohol and noise nuisance legislation, will be sufficient to mitigate any increases in disturbance as a result of the proposals.</p> <p><i>Previous Legislative Changes.</i> The Department has consulted on previous changes to the Act, such as exempting live music from the provisions of the Licensing Act 2003. It is not clear how these previous changes interface with this proposed exemption, which appears to be much larger in scope.</p> <p><i>Exemptions.</i> Whereas the IA discusses those activities which will still be licensed, it does not make clear the activities that will no longer fall under the provisions of the Act. The IA should state these activities to inform stakeholders and stimulate discussion of any likely negative outcomes of their exemption</p>		
<p><b>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</b></p> <p>The IA correctly identifies the proposal as an OUT under One-in, One-out. The department should use the consultation period to strengthen their estimate of the EANCB.</p>		

**Signed**

Handwritten signature of Michael Gibbons in black ink, featuring a stylized 'M' and 'G'.

**Michael Gibbons, Chairman**