

ANTI-SOCIAL BEHAVIOUR BILL

OVERALL REGULATORY IMPACT ASSESSMENT

PURPOSE AND INTENDED EFFECT OF THE MEASURE

Background

- 1 This overall Regulatory Impact Assessment (RIA) sets out to identify the costs and benefits to business, charities and the voluntary sector arising out of the proposals in the Anti-social Behaviour Bill.
- 2 The RIA takes information from five RIAs and provides the overall costings and benefits of those RIAs. The RIAs are identified below.
 - 2.1 Proposed measure to restrict the sale of aerosol spray paints to persons under the age of 18.
 - 2.2 Amendments to existing Firearms legislation so as to ban the sale, distribution, manufacture and import of weapons using the self-contained air cartridge system, and to impose a licensing system on those people who already possess them.
 - 2.3 Proposed changes and amendments to Firearms legislation aimed at reducing offences involving the misuse of air weapons and imitation weapons.
 - 2.4 Closure of properties causing nuisance through the supply or use of Class A drugs.
 - 2.5 Proposed Environmental Health Officer power to close licensed premises causing a noise nuisance.
- 3 These RIAs can be viewed on the Home Office website at www.homeoffice.gov.uk/rias/rias.htm.

Objective

- 4 The objective of the proposed changes to legislation is to reduce the occurrence of anti-social behaviour.

Risk Assessment

- 5 The main risk is that the cost to the private sector, the public sector and individuals will outweigh the benefits to those sectors. To mitigate this risk the preferred options, identified in the five RIAs, are proportionate, and targeted to meet the objective noted in paragraph 2.
- 6 The risk to business, charities and the voluntary sector is that there could be more costs to them if the preferred options are implemented by the Anti-social Behaviour legislation.
- 7 The measures in the RIA are part of a package of measures designed to tackle anti-social behaviour. Tackling this behaviour is central to improving people's quality of life

and reducing the fear of crime (see British Crime Survey Section 9 Concern about Crime). It is expected that the benefits of such action might also:

- Free up time and resources of those who deal with its consequences.
- Benefit business, charities and the voluntary sector by reducing the behaviour that can be detrimental to them or be an extra cost to them through the need to take preventative measures.
- Improve employee performance levels by improving the quality of life.

8 The British Crime Survey identifies the rates of crime and the concerns of people about crime. It notes that anti-social behaviour is more likely to be considered a problem by people living in inner cities, council estate areas. The survey shows that perceptions are, to some degree, associated with actual levels of risk of crime.

OPTIONS

9 The Options have been identified in the RIAs mentioned in paragraph 2.

COSTS AND BENEFITS

Business sectors affected

10 The business, charities and voluntary sectors affected are:

- Spray paint retailers, wholesalers, distributors and manufacturers.
- Airgun retailers, wholesalers, distributors and manufacturers.
- Licensed Premises (premises licensed to sell alcohol for consumption on site).
- Any property rented from business, charities, and voluntary sector where their property is notorious for the supply or use of Class A drugs and any business affected by the closure.

Assumptions

11 The assumptions are included in the individual RIAs.

Benefits

12 The benefits of the proposed Options aimed at improving people's quality of life and reducing the fear of crime are included under the risk assessment section of this RIA. The five individual RIAs include information on the suggested benefits of the measures proposed. These include:

- 12.1 Banning the sale, transfer, manufacture and importing of the converted air cartridge system airguns. It is expected that there would be a gradual phasing out among the criminal community of such weapons.

- 12.2 Greater assurance of swift closure of licensed premises to reduce disturbance.
- 12.3 Reduction in the anti-social misuse of spray paints by persons under the age of 18.
- 12.4 Benefits to the public and local residents by tackling the properties used and notorious for the supply and use of Class A drugs.

Costs

- 13 The table on the next page identifies the costs of the recommended options in the RIAs. Some of the costs listed are reductions in sales, which result from the restrictions, bans and closures. Other competing businesses may benefit from the displaced custom; e.g. if one licensed premises is closed, the customers may go to another local public house instead.

COSTS OF RECOMMENDED OPTIONS, IN THE RIAs, TO BUSINESS, CHARITIES AND THE VOLUNTARY SECTOR

RIA	Recommended Option in RIA	Policy cost £m		Cost to implement £m Year 1	Total Cost £m		Comment
		Year 1	Year 2 and after		Year 1	Year 2 and after	
Spray paints	Legislate to restrict sales of aerosol spray paints to persons under 18	13-20	13-20	2.8-6	15.8-26	13-20	These costs include lost sales, training of staff and provision of information
Air cartridge system	A licensing system coupled with a ban on future sale etc of weapons, which use the self-contained air cartridge system	2.2	1.2	0	2.2	1.2	These costs include lost sales and the disposal of existing stock (in year 1)
Air-weapons/ imitation guns	Banning sale of airweapons to under 17's (already banned to under 14's)	<u>0.6</u>	0.6	0	0.6	0.6	These costs are the lost sales
Class A drugs – closure of properties	Temporary closure of premises causing nuisance through use or supply of Class A drugs	0.1-0.4	0.1-0.4	0	0.1-0.4	0.1-0.4	These costs are for closure of premises. Firms might incur other costs for additional security measures they might take
Noise – closure of licensed premises	Extending power to Environmental Health Officers	0.1-6	0.1-6	0	0.1-6	<u>0.1-6</u>	These costs are lost sales. Firms might incur other costs for additional security measures they might take (e.g. employing “bouncers” or training staff)
Totals Rounded to £m		16-29	15-28	3-6	19-35	15-28	

EQUITY AND FAIRNESS

14 See risk assessment section.

SMALL FIRMS IMPACT TEST

- 15 The impact on Small Firms is identified in each RIA.
- 16 The main impact for small business is in the spray paint sector.
- 17 The impact of a ban on future sales of the self-contained air cartridge system might cause one business to go into liquidation.
- 18 The Small Business Service have commented:
- 18.1 “The SBS has specific concerns with the RIAs associated with the measures to ban spray paint sales to all under 18 year olds and to address the problems associated with the illegal conversion of air-cartridge system airguns. Our detailed comments are stated in those particular RIAs. In general, our concerns are that the impacts of the preferred measures on small firms in these business sectors are significant and may yet have been under-estimated.
- 18.2 In our view other approaches could and should be explored which would reduce the impact on small firms and still achieve the policy objectives of dealing with the specified societal problems.”

COMPETITION ASSESSMENT

- 19 A Competition filter has been completed for the individual RIAs, where necessary. They show that the options proposed would be unlikely to affect the competitive process.

ENFORCEMENT AND SANCTIONS

- 20 Enforcement and sanctions are dealt with under the individual RIAs. It is expected that local authority trading standards and environmental health officers, police and courts will be involved in the enforcement and sanction process.

CONSULTATION

- 21 See individual RIAs.

MONITORING AND REVIEW

- 22 See individual RIAs.

SUMMARY AND RECOMMENDATION

- 23 This overall RIA identifies the cost to particular business, the voluntary sector and charities as being between £15m and £35m. Other costs may also be incurred by business. The measures proposed will help reduce anti-social behaviour, crime and the fear of crime.

MINISTERIAL DECLARATION

24 I have read the Regulatory Impact Assessment and am satisfied that the benefits justify the costs.

Signed by the responsible Minister

Bob Ainsworth

Date 26 March 2003

CONTACT POINT

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