

Proposed replacement for the licensing regime for adventure activities established under the Activity Centres (Young Persons' Safety) Act 1995 in England

This consultative document is issued by the Health and Safety Executive.

Comments should be sent to:

Dr Richard Broughton
Health and Safety Executive
5S.G Redgrave Court
Merton Road
Bootle
Merseyside L20 7HS

Tel: 0151 951 4844 Fax: 0151 951 3098

E-mail: richard.broughton@hse.gsi.gov.uk

to reach there no later than 21 September 2011

The Executive tries to make its consultation procedure as thorough and open as possible. Responses to this consultation document will be lodged in the Health and Safety Executive's Knowledge Centre after the close of the consultation period where they can be inspected by members of the public.

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004 (EIR)). Statutory Codes of Practice under the FOIA and EIR also deal with confidentiality obligations, among other things.

If you would like us to treat any of the information you provide, including personal information, as confidential, please explain your reasons for this in your response. If we receive a request under FOIA or EIR for the information you have provided, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will be disregarded for these purposes. Requests for confidentiality should be made explicit within the body of the response.

HSE will process all personal data in accordance with the DPA. This means that personal data will not normally be disclosed to third parties and any such disclosures will only be made in accordance with the Act.

Consultation Document

A Consultation Document on a Proposed Replacement for the Licensing Regime for Adventure Activities Established Under the Activity Centres (Young Persons' Safety) Act 1995 in England

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Impact Assessment

What happens next

We will acknowledge all responses and give full consideration to the substance of views expressed in the proposals; we may contact you again if, for example, we have a query in respect of your response.

We will tell you when HSE will publish information concerning the consultation responses. We will provide a summary of those who responded to this consultation and we will produce a summary of the views expressed to each question; this information will be placed on HSE's website. At the same time, we will also place information on the website which will explain how the Government will proceed with the arrangements and necessary legislative change, proposed in this consultation.

Code of Practice on Consultation

We are committed to best practice in consultation and to the Government's Code of Practice on consultation. The Code of Practice sets out seven criteria for consultation. These are:

- **When to consult** – Formal consultation should take place at a stage when there is scope to influence the policy outcome.
- **Duration** – Consultations should normally last for 12 weeks with consideration given to longer timescales where feasible and sensible.
- **Clarity and scope on impact** – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
- **Accessibility** – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
- **The burden of consultation** – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is obtained.
- **Responsiveness of consultation exercises** – Consultation responses should be analysed carefully and clear feedback should be provided to participants following consultation.
- **Capacity to consult** – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

How your responses will be handled

We will acknowledge all responses and give full consideration to the substance of views expressed in the development of proposals. The Health and Safety Executive will then decide on how best to take the proposals for the new regime forward based on an interpretation and analysis of the consultation responses.

Queries and complaints

If you do not believe that this document or the consultation on these proposals meet the criteria on consultation set out above, or if you are not satisfied with the way this consultation exercise has been conducted please either write to:

Teresa Farnan at:
Health and Safety Executive
6th Floor, Sanctuary Buildings
20 Great Smith Street
London SW1P 3BT

Or send an e-mail to: teresa.farnan@hse.gsi.gov.uk

We aim to reply to all complaints within 10 working days. If you are not satisfied with the outcome you can raise the matter with HSE's Chief Executive Geoffrey Podger at Health and Safety Executive, Redgrave Court, Merton Road, Bootle, Merseyside L20 7HS. You can also write and ask your MP to take up your case with us or with Ministers. Your MP may ask the independent Parliamentary Commissioner for Administration (the Ombudsman) to review your complaint.

Summary

The Health and Safety Executive is developing replacement arrangements for adventure activities to implement the recommendation in Lord Young's report *Common Sense Common Safety* to abolish the licensing of four specified adventure activities by the Adventure Activities Licensing Authority.

The questions in this document address the general characteristics of future arrangements for safety management. The consultation is limited to post –AALA arrangements in England only and is without prejudice to any decisions by the Scottish and Welsh administrations on how they implement the recommendation, which will be made in due course.

This consultation document seeks views on specific questions set out on pages 7 to 8 about the scope and operation of the replacement arrangements.

Background

The Activity Centres (Young Persons' Safety) Act 1995 ("the 1995 Act") was introduced following the death in March 1993 of four teenagers whilst canoeing at an activity centre in Lyme Bay, Dorset. The Act imposes requirements relating to safety, presently set out in the Adventure Activities Licensing Regulations 2004 (AALR), which requires that paid provision of four defined adventure activities (trekking, water sports, caving and climbing) for young persons less than 18 years old be licensed. The licensing regime is the responsibility of the Adventure Activities Licensing Authority (AALA), which is currently the Health and Safety Executive (HSE) with Tourism Quality Services (TQS) acting as the Licensing Service on behalf of HSE. This licensing regime does not cover any activities outside of these four defined areas, nor does it cover these defined activities when provided by schools for their own pupils, provided by voluntary groups for their own members, or carried out by young people accompanied by their parents or legal guardians. Adventure activities undertaken by anyone over the age of 18 are also outside the scope of the licensing regime.

The following extract from the report *Common Sense, Common Safety* explains the reasons for recommending the abolition of licensing:

“the licensing regime is seen as a cost and burden on business that adds little to the health and safety of young people undertaking adventure activities. The HSE believes that effective enforcement of the 1974 Act and the Management of Health and Safety at Work Regulations is sufficient. The licensing regime is narrowly focussed on a limited number of outdoor activities and does not reflect the wide range of adventure activities now available.

The running costs of the scheme are around £750,000 and the cost of a licence is £715. This seems to me to be a disincentive to new entrants to the adventure activity market, especially to small companies.

I would recommend that we abolish the licensing of adventurous activities through the Adventure Activities Licensing Authority and instead introduce a code of practice that the HSE will oversee and monitor. The HSE should also ensure that those planning trips can feel confident that a provider is compliant with the code. Since this is a devolved issue, I will work with the devolved administrations on taking forward this initiative in Scotland and Wales.

There are no additional costs associated with the repeal of relevant legislation. Removal of licensing would allow businesses to make financial savings and focus on management of the whole range of available activities. In addition, there would be savings associated with the dismantling of the licensing regime.”

The Government accepted the Recommendation on 15 October 2010

David Cameron, in the foreward to the report says

“Good health and safety is vitally important. But all too often good, straightforward legislation designed to protect people from major hazards has been extended inappropriately to cover every walk of life, no matter how low risk.

Instead, we’re going to focus regulations where they are most needed; with a new system that is proportionate, not bureaucratic; that treats adults like adults and reinstates some common sense and trust.”

Context

The proposed change

Common Sense Common Safety proposed three elements to replace licensing:

- i. development of a code of practice;
- ii. providing reassurance to users of adventure activities that a provider is compliant with this code;
- iii. overseeing and monitoring of the code.

Abolishing the licensing regime will require a change to the legislation that provides for its establishment, the 1995 Act and the AALR. The Licensing Service which operates the present system will also cease.

What will providers need to do differently?

There will be no need for commercial providers to obtain and periodically renew a licence to provide four defined activities to young people under 18 years of age.

What will stay the same?

The changes to legislation in relation to AALA will only remove the statutory licensing scheme for the four defined activities. Importantly, there will be no change to the Health and Safety at Work Act (HSWA) and Management of Health and Safety at Work Regulations 1999 (Management Regulations) whose general duties every provider already has to meet for all health and safety risks in their organisations. The main purpose of the code will be to help providers understand what they need to do to comply with these legal requirements and so reassure users that risks to their safety are being managed well.

Timetable

This consultation will end 21 September 2011. The intention is for legislative change to begin progress through Parliament during the second session beginning May 2012. New arrangements will come into place some months after that date. Appropriate transitional arrangements will be made.

What is the likely impact of the legislative change?

An initial impact assessment has been done and whilst there may be an initial cost to industry associated with removing the regime, there would be an estimated net cost saving within the sector of £1.7 million pounds over a 10-year period in England (compared to £2.5 million pounds across Great Britain).

Code of Practice

The recommendation is to *'abolish the Adventure Activities Licensing Authority and replace licensing with a code of practice'*.

The proposed code could either be a statement of general principles and so be applicable to all existing, and emerging, activities, or be more specifically aimed at a narrower range of activities, such as those currently licensable. It will sit alongside existing non-statutory schemes such as those run by some National Governing Bodies (NGBs) or other organisations, which involve an element of auditing and inspection. Providers are free to join these existing schemes should they wish. An issue upon which we will welcome views is the degree to which participation in an NGB scheme should be taken as sufficient reassurance of standards.

Scope of Code of Practice

Q1 Should the code be:

- a) a statement of high level principles of good risk management applicable to all activities available now or in the future and if so, why, or*
- b) more specific guidance on particular activities and, if so, which ones, and why?*

Role of voluntary schemes

Q2 Without TQS there will be no formal inspectorate. However, there are a number of voluntary schemes which involve an element of inspection and auditing. Given this:

- a) How should the code support these voluntary schemes?*

Assurance for other activities

Q3 For activities where alternative assurance schemes do not exist, or which are not currently licensed, how should providers demonstrate good safety standards, and how should the code of practice support this?

Providing reassurance about safety standards, monitoring and ensuring compliance

Currently, TQS acts as the Licensing Service for HSE and carries out formal inspection of providers before a license is issued/renewed. Monitoring of compliance with the 1995 Act and AALR is currently achieved by means of this proactive inspection. Currently, enforcement of relevant health and safety legislation is split between HSE and Local Authorities (LAs), a situation that will remain the same following the abolition of licensing see link for further details <http://www.hse.gov.uk/lau/lacs/47-22.htm> .

Safety performance in the sector is good – there has been one fatality during a licensable activity and no prosecution has been brought under the Adventure Activities Licensing Regulations 2004. On this basis HSE considers the provision and use of adventure activities to be low risk. Future arrangements will therefore not involve the current level of pro-active regulatory inspection, bringing currently licensable adventure activity provision in line with other low risk areas and other adventure activities that do not fall within the scope of the current regime.

If Scotland and Wales do not implement in the same way as England, there is the possibility that different arrangements will operate across Great Britain

In light of this we would welcome views from all those with an interest in adventure activities on the following issues:

Q4 What should be in the code of practice to reassure users that they may expect good standards from a provider who operates in accordance with the code?

Q5 How should the industry sector and other bodies monitor compliance with the code? What are your reasons for your opinion?

Q6 What could the industry sector do to develop and share good practice as an integral part of reassurance and compliance?

Q7 In a post-AALA environment how can providers, users and the wider public be reassured that standards remain high?

Q8 Do you have any comments on the initial impact assessment of the costs and benefits of the change? Are there other factors that need to be taken into account?

Q9 How important is it that there are the same arrangements across Great Britain? In particular, would different arrangements affect competition in the sector? If so, how?

Q10 Are there any further comments you would like to make on the issues raised in this consultation document?

Title:

Removal of the Adventure Activity Licensing Regime (corrected - see footnote 1, page 17)

Lead department or agency:

Health and Safety Executive

Other departments or agencies:

Education; Communities and Local Government; Culture, Media and Sport; Work and Pensions; Children, Education, Lifelong Learning and Skills; Employability, Skills and Lifelong Learning Directorate ,

Impact Assessment (IA)

IA No:

Date: 15/04/2011

Stage: Consultation

Source of intervention: Domestic

Type of measure: Primary legislation

Contact for enquiries:

Clare McNicholas

Clare.McNicholas@hse.gsi.gov.uk

Summary: Intervention and Options

What is the problem under consideration? Why is government intervention necessary?

The requirements for health and safety of the Activity Centres (Young Persons' Safety) Act 1995 (the Act) are sufficiently addressed by those imposed by both the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. The Act is therefore seen as unnecessarily burdensome on business, particularly SMEs.

The Government in its review of health and safety laws, Common Sense Common Safety, recommended the removal of the Adventure Activities Licensing Regime and to replace it with a Code of Practice.

What are the policy objectives and the intended effects?

To remove the burden on businesses imposed by the Adventure Activities Licensing Authority licensing regime whilst maintaining health and safety standards under existing regulations; Health and Safety at Work Act (HSWA) 1974 and the Management of Health and Safety at Work Regulations (MHSWR) 1999.

To meet the government's commitment, within its recommendations, to remove the Adventure Activities Licensing Authority (AALA) and replace it with a Code of Practice (CoP) that HSE would oversee and monitor.

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

Option 1- Do nothing: No change to be made to the Adventure Activities Licensing Authority or the way it is run.

Option 2- Remove the Adventure Activities Licensing Authority and provide no further guidance or code of practice.

Preferred option:

Option 3- Remove the Adventure Activities Licensing Authority and replace with a Code of Practice.

The recommendations within Common Sense Common Safety have been agreed by the Government and therefore any options to retain the regulations (England only) or to increase the scope of the regulations to other activities have not been included in this document for consideration. Consideration has also been given to the regulations remaining in either or both Scotland and Wales where consultation is ongoing.

Will the policy be reviewed? It will not be reviewed. **If applicable, set review date:** Month/Year

What is the basis for this review? Please select. **If applicable, set sunset clause date:** Month/Year

Are there arrangements in place that will allow a systematic collection of monitoring information for future policy review? Not applicable

Ministerial Sign-off For consultation stage Impact Assessments:

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:

Summary: Analysis and Evidence

Policy Option 1

Description:

Do Nothing

Price Base Year <i>N/a</i>	PV Base Year <i>N/a</i>	Time Period Years <i>N/a</i>	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: <i>Nil</i>

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	Nil	Nil	Nil

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

This policy option continues with the status quo, and as such there are no additional costs incurred

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

N/a

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	Nil	Nil	Nil

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

This policy option continues with the status quo, and as such, there are no additional benefits.

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

N/a

Key assumptions/sensitivities/risks

Discount rate (%)

HSE may incur reputational damage from failing to implement a direct recommendation of Lord Young's report on the health and safety system

Direct impact on business (Equivalent Annual) £m):			In scope of OIOO?	Measure qualifies as
Costs: N/a	Benefits: N/a	Net: N/a	No	NA

Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?			Great Britain		
From what date will the policy be implemented?			N/a		
Which organisation(s) will enforce the policy?			N/a		
What is the annual change in enforcement cost (£m)?			N/a		
Does enforcement comply with Hampton principles?			Yes/No		
Does implementation go beyond minimum EU requirements?			No		
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded: N/a	Non-traded: N/a	
Does the proposal have an impact on competition?			No		
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?			Costs: N/a	Benefits: N/a	
Distribution of annual cost (%) by organisation size (excl. Transition) (Constant Price)	Micro N/a	< 20 N/a	Small N/a	Medium N/a	Large N/a
Are any of these organisations exempt?	No	No	No	No	No

Specific Impact Tests: Checklist

Set out in the table below where information on any SITs undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

Please note this checklist is not intended to list each and every statutory consideration that departments should take into account when deciding which policy option to follow. It is the responsibility of departments to make sure that their duties are complied with.

Does your policy option/proposal have an impact on...?	Impact	Page ref within IA
Statutory equality duties¹ Statutory Equality Duties Impact Test guidance	No	N/a
Economic impacts		
Competition Competition Assessment Impact Test guidance	No	N/a
Small firms Small Firms Impact Test guidance	No	N/a
Environmental impacts		
Greenhouse gas assessment Greenhouse Gas Assessment Impact Test guidance	No	N/a
Wider environmental issues Wider Environmental Issues Impact Test guidance	No	N/a
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	No	N/a
Human rights Human Rights Impact Test guidance	No	N/a
Justice system Justice Impact Test guidance	No	N/a
Rural proofing Rural Proofing Impact Test guidance	No	N/a
Sustainable development Sustainable Development Impact Test guidance	No	N/a

¹ Public bodies including Whitehall departments are required to consider the impact of their policies and measures on race, disability and gender. It is intended to extend this consideration requirement under the Equality Act 2010 to cover age, sexual orientation, religion or belief and gender reassignment from April 2011 (to Great Britain only). The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Summary: Analysis and Evidence

Policy Option 2

Description:

Remove the Adventure Activities Licensing Authority and provide no further guidance or Code of Practice

Price Base Year	PV Base Year 2014	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: £4	High: £6.5	Best Estimate: £5.5

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	£0.5	£0.06	£1
High	£0.5	£0.4	£3.5
Best Estimate	£0.5	£0.18	£1.9

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

The majority of transition costs fall to HSE from removing the legislation (£340 thousand) and terminating the current contract with TQS (£150 thousand). The recurring costs largely impact on providers from gaining additional expert advice (£90 thousand per annum) and from migration to alternative schemes (£90 thousand per annum).

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

There may be a loss of consumer confidence in the sector from the removal of a trusted licensing scheme. This could result in increased uncertainty over safety and a decrease in the participation rates in adventurous activities.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/a	N/a	N/a
High	N/a	N/a	N/a
Best Estimate	Nil	£0.87	£7.4

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

There is a cost saving to HSE from reduced resource associated with the running of AALA (£560 thousand per annum from the third year of the appraisal period). There is a cost saving to providers from reduced licence fees (£540 thousand per annum from the third year of the appraisal period).

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

A potential benefit is the removal of inconsistency between AALA and non-AALA adventure activities.

Key assumptions/sensitivities/risks

Discount rate (%) 3.5

Recurring costs and benefits are not incurred until the start of year 2 in the appraisal period. Transitional costs to HSE from removing AALA are incurred in year 0 and year 1.

The most sensitive costs are those around the cost of additional expert advice and migration to alternative schemes for providers. Both of these costs and the assumptions associated with them are to be subject to consultation in an effort to confirm or challenge their accuracy.

Direct impact on business (Equivalent Annual) £m):			In scope of OIOO?	Measure qualifies as
Costs: £0.14	Benefits: £0.43	Net: £0.29	Yes	OUT

Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?	Great Britain				
From what date will the policy be implemented?	06/04/2013				
Which organisation(s) will enforce the policy?	N/a				
What is the annual change in enforcement cost (£m)?	-£0.56m				
Does enforcement comply with Hampton principles?	Yes				
Does implementation go beyond minimum EU requirements?	N/A				
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded: N/a		Non-traded: N/a		
Does the proposal have an impact on competition?	No				
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?	Costs: 100		Benefits: 100		
Distribution of annual cost (%) by organisation size (excl. Transition) (Constant Price)	Micro 43	< 20 39	Small 15	Medium 3	Large 0
Are any of these organisations exempt?	No	No	No	No	No

Specific Impact Tests: Checklist

Set out in the table below where information on any SITs undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

Please note this checklist is not intended to list each and every statutory consideration that departments should take into account when deciding which policy option to follow. It is the responsibility of departments to make sure that their duties are complied with.

Does your policy option/proposal have an impact on...?	Impact	Page ref within IA
Statutory equality duties¹ Statutory Equality Duties Impact Test guidance	No	36
Economic impacts		
Competition Competition Assessment Impact Test guidance	No	36
Small firms Small Firms Impact Test guidance	Yes	36
Environmental impacts		
Greenhouse gas assessment Greenhouse Gas Assessment Impact Test guidance	No	37
Wider environmental issues Wider Environmental Issues Impact Test guidance	No	37
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	No	37
Human rights Human Rights Impact Test guidance	No	37
Justice system Justice Impact Test guidance	No	37
Rural proofing Rural Proofing Impact Test guidance	Yes	37
Sustainable development Sustainable Development Impact Test guidance	No	37

¹ Public bodies including Whitehall departments are required to consider the impact of their policies and measures on race, disability and gender. It is intended to extend this consideration requirement under the Equality Act 2010 to cover age, sexual orientation, religion or belief and gender reassignment from April 2011 (to Great Britain only). The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Summary: Analysis and Evidence

Policy Option 3

Description:

Remove the Adventure Activities Licensing Authority and replace with a Code of Practice

Price Base Year	PV Base Year 2014	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: £3.7	High: £6.2	Best Estimate: £5.2

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	£1.1	£0.06	£1.3
High	£1.2	£0.4	£3.8
Best Estimate	£1.1	£0.18	£2.2

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

The majority of transitional costs fall to HSE from removing the legislation (£340 thousand) and terminating the current contract with TQS (£150 thousand) and producing the CoP (£500 thousand). The recurring costs largely impact on providers from gaining additional expert advice (£90 thousand per annum) and from migration to alternative schemes (£90 thousand per annum).

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

There may be a loss of consumer confidence in the sector from the removal of a trusted licensing scheme. This could result in increased uncertainty over safety and a decrease in the participation rates in adventurous activities.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/a	N/a	N/a
High	N/a	N/a	N/a
Best Estimate	Nil	£0.87	£7.4

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

There is a cost saving to HSE from reduced resource associated with the running of AALA (£560 thousand per annum from the third year of the appraisal period). There is a cost saving to providers from reduced licence fees (£540 thousand per annum from the third year of the appraisal period).

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

A potential benefit is the removal of inconsistency between AALA and non-AALA adventure activities.

Key assumptions/sensitivities/risks

Discount rate (%) 3.5

Recurring costs and benefits are not incurred until the start of year 2 in the appraisal period. Transitional costs to HSE from removing AALA are incurred in year 0 and year 1.

The most sensitive costs are those around the cost of additional expert advice and migration to alternative schemes for providers. Both of these costs and the assumptions associated with them are to be subject to consultation in an effort to confirm or challenge their accuracy.

Direct impact on business (Equivalent Annual) £m):			In scope of OIOO?	Measure qualifies as
Costs: £0.14	Benefits: £0.43	Net: £0.29	Yes	OUT

Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?	Great Britain				
From what date will the policy be implemented?	06/04/2013				
Which organisation(s) will enforce the policy?	N/a				
What is the annual change in enforcement cost (£m)?	-£0.56m				
Does enforcement comply with Hampton principles?	Yes				
Does implementation go beyond minimum EU requirements?	N/A				
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded: N/a		Non-traded: N/a		
Does the proposal have an impact on competition?	No				
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?	Costs: 100		Benefits: 100		
Distribution of annual cost (%) by organisation size (excl. Transition) (Constant Price)	Micro 43	< 20 39	Small 15	Medium 3	Large 0
Are any of these organisations exempt?	No	No	No	No	No

Specific Impact Tests: Checklist

Set out in the table below where information on any SITs undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

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Wider environmental issues Wider Environmental Issues Impact Test guidance	No	37
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	No	37
Human rights Human Rights Impact Test guidance	No	37
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Evidence Base (for summary sheets) – Notes

Use this space to set out the relevant references, evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Please fill in **References** section.

References

Include the links to relevant legislation and publications, such as public impact assessments of earlier stages (e.g. Consultation, Final, Enactment) and those of the matching IN or OUTs measures.

No. Legislation or publication

- 1
- 2
- 3
- 4

+ Add another row

Evidence Base

Ensure that the information in this section provides clear evidence of the information provided in the summary pages of this form (recommended maximum of 30 pages). Complete the **Annual profile of monetised costs and benefits** (transition and recurring) below over the life of the preferred policy (use the spreadsheet attached if the period is longer than 10 years).

The spreadsheet also contains an emission changes table that you will need to fill in if your measure has an impact on greenhouse gas emissions.

Annual profile of monetised costs and benefits* - (£m) constant prices

	Y ₀	Y ₁	Y ₂	Y ₃	Y ₄	Y ₅	Y ₆	Y ₇	Y ₈	Y ₉
Transition costs	£0.23	£0.38	£0.007	£0	£0	£0	£0	£0	£0	£0
Annual recurring cost	£0	£0	£0.18	£0.18	£0.18	£0.18	£0.18	£0.18	£0.18	£0.18
Total annual costs	£0.23	£0.38	£0.19	£0.18	£0.18	£0.18	£0.18	£0.18	£0.18	£0.18
Transition benefits	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Annual recurring benefits	£0	£0	£0.87	£0.87	£0.87	£0.87	£0.87	£0.87	£0.87	£0.87
Total annual benefits	£0	£0	£0.87	£0.87	£0.87	£0.87	£0.87	£0.87	£0.87	£0.87

* For non-monetised benefits please see summary pages and main evidence base section



Microsoft Office
Excel Worksheet

Evidence Base (for summary sheets)

Impact Assessment: Consideration of options in response to Lord Young's recommendation within his review of health and safety regulations, Common Sense Common Safety, to abolish the Adventure Activities Licensing Authority Regulations¹

Background

1. Following the death of four teenagers in a canoeing accident in Lyme Bay in 1993 the Activity Centres (Young Persons' Safety) Act 1995 ("the Act") was introduced.
2. The Act covers four broad activity groups; climbing, caving, water-sports and trekking. It applies only to paid for activities undertaken by young people, under the age of 18 years old except where accompanied by a parent or guardian. It does not apply to provision by members' clubs and similar bodies.
3. Tourism Quality Services Ltd (TQS), a private not-for-profit company, was designated as the Adventure Activities Licensing Authority (AALA). TQS administered and delivered the inspection and licensing regime established by the Adventure Activities Licensing Regulations 1996 (the Regulations). The regime was initially sponsored by the Department for Education.
4. As a result of the Hampton Review of Regulatory Activities, HSE was designated as the AALA on 1 April 2007 and sponsorship of the regime was passed to the Department for Work and Pensions. TQS continued to operate as the Adventure Activities Licensing Service (AALS) under contract to HSE. There are currently 1240 licensed centres in Great Britain (GB).
5. Lord Young, in his report Common Sense, Common Safety, recommended that the AALA be abolished and the licensing regime be replaced with a Code of Practice (CoP).
6. Since the regulations have been in place, there has been one fatality during an activity covered by the regulations. To date, there have been no prosecutions taken under the regulations, although there has been other enforcement action.
7. Although health and safety is generally reserved to the UK Parliament, the current situation regarding AALA is much more complex. The powers under the Act and the Regulations differ in relation to Scotland and Wales. In Scotland, under the Scotland Act 1998, the AALA is a designated cross-border public authority and UK ministers are required to consult Scottish Ministers should any change be made to this authority. In Wales, a Transfer of Functions Order devolved power to Welsh Ministers under the Act. Any amendments to the legislation will therefore have to be agreed by the National Assembly for Wales.

Policy objectives

8. To remove the burden on business imposed by the AALA licensing regime whilst maintaining health and safety standards under existing regulations: The Health and Safety at Work Act etc (HSWA) 1974 and the Management of Health and Safety at Work Regulations (MHSWR) 1999.

¹ Please note: the impact assessment documentation was changed on 11th July 2011 to address some corrections concerning the calculations. Some tables changed slightly but this does not affect the summary tables for Great Britain.

9. To meet the Government's commitment, in the report *Common Sense, Common Safety*, to remove the AALA and replace with a CoP that HSE will oversee and monitor.

Options.

10. *Option 1-* Do nothing; no change to be made to AALA or the way it is run.
11. *Option 2-* Remove the AALA and provide no further guidance or CoP.
12. *Option 3-* Remove the AALA and replace with a CoP.

Other Policy Options

13. The recommendations within *Common Sense, Common Safety* have been agreed by the Government and therefore any options to retain the regulations (England only) or to increase the scope of the regulations to other activities have not been included in this document for consideration. However, consultation is still ongoing with both Scotland and Wales and therefore a variance has been included if either or both administrations wished to retain the legislation.

The Preferred Option

14. The preferred option is option 3. On the basis of the analysis below, it is concluded that this options both satisfies the main burden reduction objective, and delivers a new CoP.
15. Removing the licensing regime will only have an impact on the limited range of activities currently covered by the Regulations i.e. caving, climbing, trekking and water sports when they are provided for those under 18 years of age. The replacement arrangements, which are underpinned by the HSWA and the MHSWR will support a more consistent application of standards across all adventure activities provision. It could be argued that the loss of the transparency provided by licensing could diminish public confidence in safety standards in the industry. Equally, it could be argued that the replacement arrangements provided by the new CoP will extend confidence in the safety standards across the whole sector. In the absence of evidence either way, it is assumed that there will be no change in standards of safety in this sector because the requirements of the current licensing regime are based on those in the HSWA and MHSWR.

Assumptions

16. The consultation will be used to check the assumptions presented below, as well as that the costs and benefits presented are accurate. HSE welcomes any challenges or confirmations of the presented analysis.
17. The calculations presented in this document are assumed to occur immediately and cover future costs and benefits over a ten-year period (the appraisal period). This allows for those costs and benefits that are incurred beyond year zero to be analysed in the same monetary terms as current costs and benefits. Future costs are discounted in line with standard practice² at a rate of 3.5%³ and both costs and benefits are presented as a net present value.

² HMT. The Green Book: Appraisal and Evaluation in Central Government. http://www.hm-treasury.gov.uk/d/green_book_complete.pdf

³ Following HM Treasury's Green book guidance; http://www.hm-treasury.gov.uk/d/green_book_complete.pdf page 26

18. Where a calculation of the cost of time is presented, it is the opportunity cost of that time we are accounting for. We assume that were the activity that takes time to complete not being done, the person completing it would be able to spend the time engaged in a productive business activity. We assume that the value of that employee's work to the company is the employee's wage, up-rated by 30% to reflect non-wage costs, and thus use that as a proxy for the opportunity cost of their time.

19. All costs and benefits are calculated for GB. Implementation of this recommendation, as suggested earlier, may be different for both or either Scotland and Wales. Where the options involve variations of dis-application of the regulations in Wales and/or Scotland, there may be a proportionate variation of costs and benefits.

20. The costs and benefits are based on the numbers of affected stakeholders including providers e.g. SMEs, sole traders, LAs and users including charitable organisations and clubs. Due to the diverse nature of this industry and how it is funded, it is not possible to give exact numbers of providers, for non-licensed activities, or a breakdown of the profile of the sector. The consultation will seek to validate the costs included within this Impact Assessment.

21. The table presented below shows the number of providers (licence holders) since 2000

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
916	941	949	959	1008	1039	1052	1080	1134	1182	1205	1240

22. Geographical split of licensed centres within GB

Country	Percentage of Providers
England	71%
Scotland	15%
Wales	14%

23. These percentages are used to analyse how the different geographical options will affect the impacts. The analysis below focuses predominantly on GB as a whole. Where an analysis of the constituent nations is required, the appropriate percentage is applied to the total figure. For example, where an analysis of the costs to England is required, a figure representing 71% of the cost/benefit to GB is presented.

24. The cost of a licence is **£715** as set out in the Adventure Activities Licensing (Fees) Regulations 2007. Licences are issued for a period of up to 3 years. AALA Inspectors use factors⁴ such as risk, size of operation, frequency of activities and turnover of staff to make the final decision on the appropriate length of a licence. The length of time that current licences have been issued for is as follows:

⁴ Guidance from the Licensing Authority on the Adventure Activities Licensing Regulations 2004. <http://www.hse.gov.uk/pubns/priced/l77.pdf>

Length of Licence	Number of Licences
1 year	17%
2 years	63%
3 years	20%

25. The average cost per annum of a licence is **£390**. To calculate the average, we look the number of firms in any given category of renewal period, multiplied by the licence fee then divided by the number of years. We summed the total for each category then divided by the number of licence holders to get the final average. 206 of the 1240 firms renewed every year. Total licence fees per year from these firms is $(715 \times 206) = \text{£}147,290$. 782 of the 1240 firms renewed every 2 years. Total licence fees per year from these firms is $((715 \times 782) / 2) = \text{£}279,565$. 252 of the 1240 firms renewed every 3 years. Total licence fees per year from these firms is $((715 \times 252) / 3) = \text{£}60,060$. The total revenue per year from all licence renewals is $(147290 + 279565 + 60060) = \text{£}489,915$. The average licence fee per firm per year is $(489915 / 1240) = \text{£}392.67$, rounded to **£390**.

Number of fatalities and incidents

26. Licensing is restricted to four activities; climbing, caving, trekking and water-sports undertaken by young persons under the age of 18 years old where a fee has been paid. There has been one fatality (2005) since the regulations came into force during an activity under the scope of AALA. It has not been possible to identify all non-fatal injuries that have occurred under AALA, due to the broad range of sectors that incidents within adventurous activities could be recorded under, although HSE do not believe there to be a significant number.

Enforcement

27. There is a split enforcement role in relation to licensable activities. LAs have enforcement responsibilities for the independent providers and HSE enforces Local Education Authority (LEA) centres and any educational provision. Where prosecutions of providers have taken place within the sector, these have been under general health and safety legislation or have been for manslaughter and not under the Regulations.

Description of Baseline Costs and Benefits

Costs to Government

Costs to HSE

28. HSE provide grant in aid each year to cover the shortfall from the licence recovery fee and TQS administrative costs. This amounts to **£420 thousand** for 2010/2011.

29. HSE is also currently allocating **£140 thousand** per annum in resource to the delivery of the licensing regime. This cost includes the AALA Management Board, contract management, travel and subsistence, Legal advice from Treasury Solicitors, Finance, Web team, and Procurement costs.

30. HSE maintain a web page at an approximate cost of **£1 thousand**.

31. Total ongoing cost to HSE is therefore £560 thousand annually⁵ and £4.8 million present value over the 10-year appraisal period.

Cost to LAs

32. Education Advisers and other users visit providers' premises to assess the many different aspects of the educational experience (for example, standard of food, hygiene, overnight accommodation, types and quality of activities available). It is assumed that a very small element of these visits will consider the licensable activities but this is not possible to quantify with proportional effort to the likely significance of the cost.

Costs to Providers

33. The fee for a licence is **£715** (set in the Adventure Activities Licensing (Fees) Regulations 2007), although the average licence fee is £390⁶ per annum. The total cost of licences to the sector is around **£490 thousand** year (1240 firms paying an average of £390 per annum).

34. Providers are required to be inspected by TQS before a licence is issued. According to the TQS Annual Report the average time for a typical inspection is approximately 4 hours, and this generally includes observation of an activity (on occasion it may be necessary to return to see an activity). We have assumed that the average hourly cost of an employee in the sector is £18⁷, meaning that the economic cost of a typical inspection is £72. There is no cost from running an activity as it is inspected, as the provider would be conducting a normal business activity. Given that there is an average of 680 licences issued each year, the aggregate annual cost of time spent dealing with an inspection is **£50 thousand**.

35. Total ongoing cost to providers is therefore £540 annually and £4.6 million present value over the 10-year appraisal period.

Benefits

Benefits to Government

Benefits to HSE

Provision of 'no extra cost' Specialist advice and Expert witness work

36. Both technical expertise and expert witness work is an integral part of the contract TQS has with HSE for incidents both within the scope of AALA and for other adventure activities not covered by the regulations.

Benefits to providers

Gaining advice from inspectors

37. From informal consultation by HSE with the sector it was suggested that, on the whole, licensing inspections are no longer seen as threatening. Whilst being clear about the standards to be expected, Licensing Service inspectors are seen as supportive and

⁵ This figure is approximately £200 thousand less than the figure presented by Lord Young in his report on health and safety. This is due to the fact that HSE is no longer incurring transitional costs from taking over the contract of TQS, and as such the level of involvement in AALA from the executive is lower

⁶ The average licensee fee calculation is presented in paragraph 25

⁷ Source; Annual Survey of Hours and Earnings (ASHE), mean hourly wage for a leisure and sports manager (code 1225) updated 30% to reflect non-wage costs.

encouraging. Many providers see their inspection as an opportunity, for example, to be brought up to speed with recent developments on best practice within the sector. They benefit from the expertise of the TQS inspectors who promulgate best practice and provide advice and guidance. The economic value of this benefit would be difficult to quantify, but they could commission a consultant/technical adviser at a cost of between £300 and £1,000 (plus VAT) per day as an alternative to this as this is work over and above that of the role of technical adviser as required by the Regulations.

Marketing advantage and customer reassurance of a licence

38. The AALA licence does hold some value to providers in assisting their marketing to users who are seeking reassurance on health and safety standards employed. Informal feedback from the Scottish Adventure Activities Forum has shown that the existence of a licence can provide genuine reassurance to customers, which in the majority of cases will lead to less administrative burden for providers to satisfy customers on safety management issues.

Benefits to users

Reassurance (resulting in reduced screening of providers)

39. Users are currently able to quickly identify AALA licensed providers via verification of the provider's licensed status using the public register of licensed providers. This could represent a reduced time burden associated with removal of AALA, which is explored in later options.
40. National teaching unions have expressed a view that the licensing regime provides a degree of public confidence that young people who take part in adventure activities will do so in an environment that has been checked for its safety, so far as is reasonably practicable

Costs and Benefits for Option 1 – Do Nothing

41. Under the do nothing scenario, the status quo continues and as such there are no additional costs or benefits to society.

Costs and Benefits for Option 2- Remove the Adventure AALA and provide no further guidance or CoP

Timing of costs and benefits

42. It is assumed that the work involved with removing AALA shall take place in year 0 and year 1 of the appraisal period. Over this time, HSE shall incur the subsequent costs involved. It is only at the start of year 2 that AALA is removed. At this point, any transitional costs to providers are incurred, and any cost savings begin to be realised.

Costs

Removal of AALA - Costs to Government

Costs to HSE

Sources of cost

43. Most costs associated with this relate primarily to staff costs associated with:

- Following the legislative route for repealing the Act;
- Winding-up of the contractual arrangement with TQS with financial liabilities imposed under the contract and bringing into HSE all records/files, IT systems etc held by TQS.

44. These are discussed in more detail below

Following the legislative route for repealing the Act

45. The suggested route for this is to use an MOJ Repeals Bill to be laid before Parliament in 2012 session. The costs are expected to be incurred for a period of 2 years.

46. The team for the purpose of conducting the work outlined in the bullets above will consist of (full time equivalent per annum)

SCS B1	0.1
Grade 7	0.5
SEO	1.4
HEO	1.5

47. Based on costs provided in HSE's global ready reckoner (using the full economic cost for an administrator at the relevant level) we calculate that changing the legislation necessary to repeal AALA shall cost HSE £170 thousand per annum and **£340 thousand** over 2 years.

48. There will also be the need to engage with Treasury Office lawyers (TSoL) and internally with colleagues for communications, procurement and Finance. Based on estimates previously provided by TSoL for the impact assessment on proposed changes to the Reporting of injuries, Diseases and Dangerous Occurrences Regulations, we estimate the one off cost of their input to be approximately **£7 thousand**. We are not able to quantify the cost of internal consultation with HSE colleagues.

49. HSE will continue to incur an annual cost of £1 thousand to maintain the AALA web pages. This cost will continue even if the regime ends throughout GB as this sector is still subject to general health and safety at work provisions.

Costs associated with ending the contractual arrangement with TQS

50. One-off contractual liabilities are likely to amount to approximately **£150 thousand**, covering a number of factors such as:

- Redundancy costs
- Legal fees associated with the winding up of the company
- Corporate close down costs

Cost of additional expert advice

51. A loss of technical expertise from TQS Inspectors who are active in this sector could have an adverse impact on resources, in the event of an accident requiring investigation, as HSE does not have technical expertise in this sector.

52. Technical expertise, where required, will need to be commissioned at an approximate cost of between £300 and £1,000 (plus VAT) per day. It is estimated that there will be

between 8 and 12 investigations where HSE requires technical input with between 2 and 4 days input required per case, for both AALA and non-AALA licensed activities. Based on these estimates, the cost of HSE requiring technical expertise range between £7 thousand and £58 thousand. The best estimate is that the costs shall be in the region of **£22 thousand** per annum (based on 10 incidents a year in this sector requiring technical expertise, with each incident requiring 3 days input at a cost of £600 plus VAT per day).

53. An increase in enquiries to HSE is possible, from both users and providers seeking advice regarding activities in this sector. Given the uncertainty of how HSE shall process these enquiries (especially given HSE's Infoline service is due to be closed in 2011) it is not possible to quantify this cost.

Total costs to Government

54. In summary, quantified costs to HSE in year 0 and year 1 are £170 thousand per annum, plus a cost of £7 thousand for advice from TSoL. There is a one off cost in year 2 of £150 thousand plus recurring costs of £22 thousand for that year and every year thereafter. The ten year present value of these costs is £640 thousand

Costs to Government – in the event of removing the licensing regime from a subset of England, Scotland and Wales

55. The costs to HSE of removing AALA (excluding costs included in the removal of TQS) are not reduced if licensing is removed from a subset of England, Scotland and Wales rather than the whole of GB. In addition, further costs shall be incurred if Scotland and/or Wales retain licensing in the short term but remove it in the long run, as additional legislative changes shall be required.
56. On the assumption that either Scotland and/or Wales retain the AALA whilst England remove it, HSE would need to facilitate/oversee any arrangements made by the Administrations to maintain the regime and continue to act as the AALA for either/both. HSE would also need to continue to enforce the regulations. We decided not to quantify this cost due to uncertainty.

Costs to providers

Cost of familiarisation and uncertainty

57. There shall be a one-off cost to providers familiarising with the new regulatory situation following AALA removal. We anticipate that all AALA licence holders shall spend at most 5 minutes familiarising with the fact that they no longer have to apply for a licence. This will result in a one off cost of at most **£1,900**
58. There may be a further one off cost to providers who are uncertain of what they are required to do following the removal of AALA and will spend some time trying to find out. HSE estimate that between 10% and 20% of providers will be uncertain of their duties following the removal of AALA and shall spend 30 minutes clarifying what is required of them, at a total one off cost of between **£1,100 and £2,200**. The best estimate is that 15% of providers will be uncertain and this shall result in a one off cost of **£1,700**.

Familiarisation with background regulations

59. There may also be a further one off cost for familiarisation with other regulations i.e. the HSWA and the MHSWR. Although we could assume that providers should already be aware of these regulations, anecdotal evidence has shown that some providers are unaware of their responsibility under these regulations and merely rely on AALA to maintain safety. We have assumed that between 10% and 50% of AALA providers would spend between 30 minutes and an hour familiarising themselves with HSWA and MHSWR at a cost of between £1 thousand and £11 thousand. Our best estimates suggest that this one off cost would be close to **£4 thousand** (based on 25% of AALA firms spending 45 minutes familiarising themselves).

Cost of additional expert advice

60. As discussed in paragraph 37, there is also the potential loss of expert advice and sharing of good practice currently given as part of the licensing service, which, if required, could be delivered by a technical adviser at a cost of between £300 and £1,000 (plus VAT). Some providers however, may have in-house technical experts or already employ such expertise if they provide other activities outside the scope of AALA. HSE estimates that between 5% and 15% of AALA firms would employ a technical expert with costs between £22 thousand and £220 thousand per annum. A best estimate, based on 10% of firms hiring a consultant at a cost of £600 (plus VAT) shows the costs are expected to be in the region of **£90 thousand** per annum.

Enforcement costs

61. The enforcement requirements of the HSWA and the MHSWR already apply to licensed and non-licensed providers, and therefore would not generate any additional burden under Option 2.

Loss of consumer confidence

62. From informal talks HSE has had with providers there is some evidence to suggest potential for loss of customer confidence on the basis that a licence provides reassurance. Teaching unions have already expressed concerns regarding the increase in checks that would take up LA, teaching and secretariat time. There is uncertainty as to how many users there are in this sector or the hours of time this would take in aggregate, to complete it and are therefore it would be difficult to quantify this cost.

Unintended consequences – migration to alternative schemes

63. There is considerable uncertainty around whether providers would seek alternative schemes or badges if AALA were removed. Reasons for doing this might include maintaining customer confidence and providing reassurance that providers may currently be able to achieve through licensing. There could therefore be a rational argument that providers may make a commercial decision to seek alternative, non-statutory “badges”, all of which come at a cost. In other cases, the provider may already hold such a badge and as such may not decide to seek an additional replacement for AALA, hence no further costs may apply.

64. For all non-statutory badges, there will be administrative costs in applying for them including gathering all evidence required for the badging scheme, time associated with familiarisation with the badge’s requirements and inspections before obtaining the badge and the annual cost of the badge itself. For example costs (including all administrative costs), according to expert sources within HSE and TQS, can range from

£200 to £500 per annum and it is expected that between 200 and 300 AALA firms shall join an alternative badge. Costs are expected to be between £40 thousand and £150 thousand per annum, although a best estimate (based on 250 firms joining a badge at a cost of £350 per annum) suggests that a total cost of **£90 thousand** per annum is most plausible.

Unintended consequences

65. There could be other significant unintended consequences of removing AALA. Firstly, providers may also have to resource the provision of additional evidence to reassure individual customers regarding their safety management systems. This could involve accommodating additional inspections and provision of information (risk assessments etc) but consumers' actual response to the removal of AALA (as opposed to ex-ante view of removal) is very uncertain and therefore this potential cost is treated as unquantifiable.
66. There may also be an unintended consequence resulting in some distributional (geographical) impacts. In the event that AALA is removed in England only, but remains in Wales and/or Scotland users familiar with the AALA regime may seek to use centres still covered by AALA in Wales or Scotland. This may result in loss of income for providers in England but may be more frequent at centres close to borders with Scotland and/or Wales. The effect could therefore be a temporary adjustment whilst ex-AALA providers find new ways of reassuring users.

Total quantifiable costs

67. There is an estimated transitional cost in year 2 of the appraisal period of £6 thousand, and a recurring cost in that year and each year thereafter of £175 thousand. The ten year present value of these costs is £1.2 million

Cost to users

68. Whilst HSE has been able to identify a number of potential costs to users of AALA providers, quantification has not been possible. This is due to the fact that there is so much uncertainty surrounding these costs, particularly as it is not clear how many users would be affected.

Loss of reassurance

69. Relating to the potential unintended consequences discussed in paragraph 65 above, there is a possible loss of reassurance that the licence provided (See paragraph 62).

Uncertainty over standards

70. Uncertainty and confusion could in turn lead to a reduction in take-up of these adventure activities. Any increase in checking verification and loss of third party approval of standards, may also result in fewer children being taken on activities that would fall within the scope of AALA.

Impact of geographical variations

71. If there is a variance of requirements for a licence across borders, for example if Scotland and/or Wales retain the AALA, this may cause further confusion to users trying to differentiate or compare accreditation for reassurance.

Benefits

Cost savings to Government

Cost savings to HSE

Cost saving from reduced AALA costs

72. Remove all costs associated with the running of the AALA regime (Baseline costs paragraph 28-31) **£560 thousand** per annum, starting in year 2. Total cost savings over the ten year appraisal period are **£3.8 million**

Impact of geographical variations

73. The above cost saving is based on licensing being removed from GB completely. The costs may only reduce proportionately depending on which variation of England, Scotland and Wales choose to remove the regulations. The cost implications for each of the three regions is presented below.

Geographic Region	Annual cost saving	Net Present Value
England	£390,000	£2,700,000
Scotland	£80,000	£500,000
Wales	£90,000	£600,000

Cost savings to providers

Cost saving from licence fee

74. The removal of the statutory licence fee (referred to in paragraph 33) represents an individual saving of £390 per annum plus the additional opportunity costs associated with licence applications and inspections. The total cost saving from removing licensing is £490 thousand per annum, and from removing licensing inspections is £50 thousand per annum. Overall cost savings per annum from the removal of licensing is **£540 thousand** per annum, starting in year 2 of the appraisal period. Total cost savings over the ten-year appraisal period are £3.7 million.

Reduction of inconsistency across AALA and non-AALA sectors

75. There may be a perceived 'level playing field' benefit from removing AALA and thereby not placing a narrow focused burden on AALA activities, compared with the wider range of adventure activities. However given the discussion around unintended consequences in paragraph 63, the net effect of this is uncertain, due to the arguments discussed in paragraph 62 around the perceived value of the AALA badge for user reassurance, and the potential for migration to alternative badges. Benefits from reduction in inconsistency between AALA and non-AALA adventure activities are considered unquantifiable.

Removal of a barrier to entry

76. It is not clear that removal of AALA will always result in an overall reduction in barriers to entry due to the possibility of unintended consequences. This is discussed further in the competition impact test.

Impact of geographical variations

77. The above cost saving is based on licensing being removed from GB completely. The costs may only reduce proportionately depending on which variation of England, Scotland and Wales choose to remove the regulations. The cost implications for each of the three regions is presented below.

Geographic Region	Annual cost saving	Net Present Value
England	£380,000	£2,600,000
Scotland	£80,000	£500,000
Wales	£80,000	£500,000

Cost savings to users

78. There are no discernable cost savings to users.

Summary of Option 2

79. The summary tables below shows the quantifiable costs and cost savings both to providers and HSE. It should be noted that there are also costs that cannot be monetised and as such are not included in the table below. All costs presented represent the ten year Net Present Value, with future costs discounted in line with Treasury guidance. In all cases, the best estimates are presented rather than the range of potential costs.

80. Tables of the variable costs for each of England, Scotland and Wales are presented, followed by a table showing the costs for GB as a whole. Some costs, notably the cost of changing legislation and producing the CoP, apply as a lump sum and are not split amongst the regions. These costs have only been included in the GB table only, so they are not double counted.

81. The table below shows a significant net benefit of Option 2. This has to be caveated by the following important points:

- It is assumed that there is no loss of profit to TQS through the removal of AALA as AALA is run on a not for profit basis. Lost profit (producer surplus) would be a societal cost and would need to be included in the analysis.
- However, any cost saving to providers represents a loss of revenue for the company contracted to run AALA (TQS). Loss of revenue (with subsequent employment effects) is not represented in the table but represents a transfer from providers and HSE (subsidy) to TQS. If included, lost revenue would negate any reduction in costs to providers. However, if full employment is assumed, then TQS resources are employed on AALA at an opportunity cost, that is, if TQS employees are not allocated to AALA provision, then they will either be reallocated to the next best use, or if there are redundancies, then they will be able to find other work with no net loss of employment to the economy. Under this assumption it is possible to present the reduction in AALA fees as a pure cost saving.
- A further caveat to this table relates to potential brand value to providers from association with AALA. For providers that value the AALA licence due to marketing benefits, they may seek an alternative scheme, sometimes at additional cost. Therefore, any cost saving from not paying for AALA licence, would be adjusted by any additional expense of an alternative. This is in effect what is represented in the 'unintended consequences' line of the summary table. If our assumption on the number of firms migrating to alternative schemes (of around 250 firms) is too low (i.e. AALA has a greater 'brand value' than we think), then net cost savings would be lower.

Summary Table of Monetised Costs for England (£ thousands)

<i>Cost/Benefit (NPV)</i>	<i>Cost to Providers</i>	<i>Cost to HSE</i>	<i>Total Cost/Benefit</i>
COSTS			
Familiarisation with AALA ending	£1	£0	£1
Uncertainty Costs	£1	£0	£1
Costs from Alternative Scheme	£425	£0	£425
Costs from Consultants / Technical Experts	£433	£105	£538
Familiarisation Costs (HSWA etc)	£3	£0	£3
Cost of ending TQS		£106	£106
TOTAL COST	£863	£211	£1,074
BENEFITS			
Reduced Licence Fee	£2,599		£2,599
Reduced HSE Resource		£2,629	£2,629
TOTAL BENEFIT	£2,599	£2,629	£5,228
NET COST/BENEFIT	£1,735	£2,419	£4,154

Summary Table of Monetised Costs for Scotland (£ thousands)

<i>Cost/Benefit (NPV)</i>	<i>Cost to Providers</i>	<i>Cost to HSE</i>	<i>Total Cost/Benefit</i>
COSTS			
Familiarisation with AALA ending	£0		£0
Uncertainty Costs	£0		£0
Costs from Alternative Scheme	£90		£90
Costs from Consultants / Technical Experts	£92	£22	£114
Familiarisation Costs (HSWA etc)	£1		£1
Cost of ending TQS		£22	£22
TOTAL COST	£183	£45	£228
BENEFITS			
Reduced Licence Fee	£552		£552
Reduced HSE Resource		£558	£558
TOTAL BENEFIT	£552	£558	£1,110
NET COST/BENEFIT	£368	£514	£882

Summary Table of Monetised Costs for Wales (£ thousands)

<i>Cost/Benefit (NPV)</i>	<i>Cost to Providers</i>	<i>Cost to HSE</i>	<i>Total Cost/Benefit</i>
COSTS			
Familiarisation with AALA ending	£0		£0
Uncertainty Costs	£0		£0
Costs from Alternative Scheme	£87		£87
Costs from Consultants / Technical Experts	£89	£21	£110
Familiarisation Costs (HSWA etc)	£1	£0	£1

Cost of ending TQS		£22	£22
TOTAL COST	£176	£43	£219
BENEFITS			
Reduced Licence Fee	£531		£531
Reduced HSE Resource		£537	£537
TOTAL BENEFIT	£531	£537	£1,068
NET COST/BENEFIT	£355	£494	£849

Summary Table of Monetised Costs for Great Britain (£ thousands)

<i>Cost/Benefit (NPV)</i>	<i>Cost to Providers</i>	<i>Cost to HSE</i>	<i>Total Cost/Benefit</i>
COSTS			
Familiarisation with AALA ending	£2		£2
Uncertainty Costs	£2		£2
Costs from Alternative Scheme	£601		£601
Costs from Consultants / Technical Experts	£614	£148	£762
Familiarisation Costs (HSWA etc)	£4		£4
Costs from Changing Legislation		£341	£341
Cost of ending TQS		£150	£150
TOTAL COST	£1,223	£639	£1,862
BENEFITS			
Reduced Licence Fee	£3,681		£3,681
Reduced TQS Subsidy	£0	£2,789	£2,789
Reduced Management Resource		£935	£935
TOTAL BENEFIT	£3,681	£3,725	£7,406
NET COST/BENEFIT	-£2,458	-£3,085	-£5,544

82. As shown, the expected total cost from Option 2 is **£1.9 million** over 10 years, with a total cost saving of **£7.4 million** over the period. The expected net cost is **-£5.5 million** (i.e. a cost saving). The expected net cost to firms is **-£2.5 million**.

Costs and Benefits for Option 3 Remove the AALA and replace with a CoP

83. The government recommendation was to 'Abolish the Adventure Activities Licensing Authority and replace licensing with a code of practice'. An Approved Code of Practice (ACoP) generally relates to regulations, which would not be appropriate following the removal of AALA. As such, the Code of Practice shall be more akin to guidance, and not hold the same legal status as an ACoP.

Timing of costs and benefits

84. As with Option 2, it is assumed that the work involved with removing AALA and producing the CoP shall take place in year 0 and year 1 of the appraisal period. Over this time, HSE shall incur the subsequent costs involved. It is only at the start of year 2 that AALA is removed. At this point, any transitional costs to providers are incurred, and any cost savings begin to be realised.

Costs to Government

Costs to HSE

85. There are several work streams involved in this option. The costs for both removal of the legislation and contractual agreements with TQS have been set out above (Option 2 paragraphs 43-56) and are the same for Option 3.

In addition, the following costs will be incurred:

Develop the Code of Practice

86. Based on experience of developing other guidance and following consultation within HSE, it is estimated that the policy team responsibly for development of the CoP will include (full time equivalent per annum):

SCS B1	0.01
Grade 7	0.5
SEO	1.4
HEO	1.5

87. Based on costs provided in HSE's global ready reckoner (using the full economic cost for an administrator at the relevant level) we calculate that developing the CoP shall cost HSE £160 thousand per year, or £320 thousand over 2 years. The cost includes the requirement to consult with other government departments, Both the Scottish and Welsh Governments, providers and a full open consultation.

88. HSE will also require additional resource from TSol to help draft the CoP, although we are not able to quantify this cost due to lack of clarity over the likely form this work shall take, and thus the level of involvement that shall be required from TSol.

89. HSE will incur costs for both the consultation on the impact of the CoP, as well as costs of publishing the CoP and updating HSE's WebPages. We are not able to quantify these costs but do not expect them to be significant.

Cost of communications

90. There may also be a need for additional communications to provide reassurance to both users and providers due to possible uncertainties when the Act is removed (including those discussed in paragraphs 57-59, for providers and paragraph 70 for users). This cost may cross boundaries into other organisations including other government departments for example: Department for Education England; In Wales, Department for Children, Education, Lifelong Learning and Skills and Scotland, Employability, Skills and Lifelong Learning Directorate and Department for Communities and Local Government and Department for Culture Media and Sport. It would therefore be difficult to place a monetary figure on this activity but it would likely to be insignificant relative to overall costs.

Costs to LAs

CoP Familiarisation

91. LAs will require familiarisation time for the CoP to provide advice and guidance to schools. We assume that in each of the 407 LAs in England, Scotland and Wales, an

environmental health officer shall spend half an hour familiarising with the CoP at a cost of £21 per hour⁸, giving a total one-off cost of **£4,400**. They may also need to cost in time for awareness training for LA inspectors although this is not expected to be a significant additional training requirement given that HSWA and MHSWR shall remain the relevant regulations. The consultation will seek to determine what, if any, potential costs there may be.

92. Familiarisation costs will again vary depending upon the geographical region that AALA is removed from. Of the 407 LAs in GB, 353 are in England, 32 in Scotland and 22 in Wales. The costs may only reduce proportionately depending on which variation of England, Scotland and Wales choose to remove the regulations. The cost implications for each of the three regions is presented below.

Geographic Region	Total Cost
England	£3,800
Scotland	£400
Wales	£200

Total costs to Government

93. Costs to HSE in year 0 and year 1 are £330 thousand per annum. There is a one off cost in year 2 of £150 thousand plus recurring costs of £22 thousand for that year and every year thereafter. The ten year present value of these costs is £960 thousand. There is a one off cost for LAs in year 2 of £4,400.

Cost to providers

The costs discussed in Option 2 (paragraphs 57-67) also apply to Option 3.

Familiarisation cost

94. In addition, there will be a one-off familiarisation cost to providers associated with reading the CoP. HSE has assumed that there are between 1,740 and 2,740 adventure activity providers in the UK (within which there are between 500 and 1500 non-AALA providers). It is assumed that all AALA licence holders would spend ten minutes reading the CoP and half of all non-AALA providers would spend 30 minutes doing so. This reflects the fact that AALA licence holders would be expected to already be very familiar with the content of the CoP (as a result of previously having held a licence) and should therefore not spend a lot of time reading it. Familiarisation costs are expected to be between £6 thousand and £10 thousand, with the best guess (based on 1000 non-AALA firms) having a total one-off cost of **£8 thousand**.

95. If the regime was removed from England only and or a variation including England and Wales, England and Scotland etc is decided, there would be reduced familiarisation costs for providers in countries where the AALA remains in place and reading of the CoP would be far less likely. However, providers may choose to use this as an additional resource.

Unintended cost: reassurance

96. There may also be an unintended consequence resulting in some distributional (geographical) impacts. In the event that AALA is removed in England only, but remains

⁸ Source: Annual Survey of Hours and Earnings (ASHE) mean wage for an environmental health officer (code 3568) uprated by 30% to reflect non-wage costs.

in Wales and/or Scotland users familiar with the AALA regime may seek to use centres still covered by AALA in Wales or Scotland. This may result in loss of income for providers in England but may be more frequent at centres close to borders with Scotland and/or Wales. This is in reality, very uncertain, however it is possible that some users who are familiar with the AALA and see it as a source of re-assurance may choose AALA licensed providers over non-AALA licensed in England, where they have this choice.

97. Whilst alternative 'badges' may be employed by non AALA providers, unfamiliarity with them may contribute to this effect. The effect could therefore be a temporary adjustment whilst ex-AALA providers find new ways of reassuring users.

Total costs to providers

98. Including those costs discussed in option 2, there is an estimated transitional cost in year 2 of £16 thousand, and a recurring cost in that year and each year thereafter of £175 thousand. The ten year present value of these costs is £1.2 million

Cost to users

99. The costs discussed in Option 2 (paragraphs 68-71) also apply

Benefits

Cost savings to Government

Cost savings to HSE

100. Those cost savings discussed in Option 2 (paragraphs 72-73) also apply

101. Producing the CoP may also reduce enquiries from providers and users that would otherwise arise from the removal of the AALA regime (Option2 paragraph 53) and therefore HSE resource taken up by such enquiries would reduce.

Cost saving to providers

102. The cost savings discussed in Option 2 (paragraph 74-77) apply

103. Additionally, the CoP would provide a reference/ reassurance to providers and would act as a quick reference guide to support them in complying with both HSWA and MHSWR

Cost saving to users

104. There were no discernable cost savings to users in Option 2

105. Although this would not be a legally binding code, centres stating compliance with the CoP may help in reducing the time spent by users in identifying providers that they would be sufficiently reassured to take part in activities.

Summary of Option 3

106. The summary table below shows the quantifiable costs and cost savings both to providers and HSE. It should be noted that there are also costs that cannot be monetised and as such are not included in the table below. All costs presented represent the ten year Net Present Value, with future costs discounted in line with

Treasury guidance. In all cases, the best estimates are presented rather than the range of potential costs.

107. Tables of the variable costs for each of England, Scotland and Wales are presented, followed by a table showing the costs for GB as a whole. Some costs, notably the cost of changing legislation, apply as a lump sum and are not split amongst the regions. These costs have only been included in the final table, so they are not double counted.

The table below shows a significant net benefit of Option 3. This has to be caveated by the points made in paragraph 81.

Summary Table of Monetised Costs for England (£ thousands)

<i>Cost/Benefit (NPV)</i>	<i>Cost to Providers</i>	<i>Cost to HSE</i>	<i>Total Cost/Benefit</i>
COSTS			
Familiarisation with AALA ending	£1		£1
Uncertainty Costs	£1		£1
Costs from Alternative Scheme	£425		£425
Costs from Consultants / Technical Experts	£433	£105	£538
Familiarisation Costs (HSWA etc)	£3		£3
Cost of ending TQS		£106	£106
CoP Familiarisation	£5		£5
TOTAL COST	£868	£211	£1,079
BENEFITS			
Reduced Licence Fee	£2,599		£2,599
Reduced HSE Resource		£2,629	£2,629
TOTAL BENEFIT	£2,599	£2,629	£5,228
NET COST/BENEFIT	£1,730	£2,419	£4,149

Summary Table of Monetised Costs for Scotland (£ thousands)

<i>Cost/Benefit (NPV)</i>	<i>Cost to Providers</i>	<i>Cost to HSE</i>	<i>Total Cost/Benefit</i>
COSTS			
Familiarisation with AALA ending	£0		£0
Uncertainty Costs	£0		£0
Costs from Alternative Scheme	£90		£90
Costs from Consultants / Technical Experts	£92	£22	£114
Familiarisation Costs (HSWA etc)	£1		£1
Cost of ending TQS		£22	£22
CoP Familiarisation	£1		£1
TOTAL COST	£184	£45	£229
BENEFITS			
Reduced Licence Fee	£552		£552
Reduced HSE Resource		£558	£558
TOTAL BENEFIT	£552	£558	£1,110
NET COST/BENEFIT	£367	£514	£881

Summary Table of Monetised Costs for Wales (£ thousands)

<i>Cost/Benefit (NPV)</i>	<i>Cost to Providers</i>	<i>Cost to HSE</i>	<i>Total Cost/Benefit</i>
COSTS			
Familiarisation with AALA ending	£0		£0
Uncertainty Costs	£0		£0
Costs from Alternative Scheme	£87		£87
Costs from Consultants / Technical Experts	£89	£21	£110
Familiarisation Costs (HSWA etc)	£1		£1
Cost of ending TQS		£22	£22
CoP Familiarisation	£1		£1
TOTAL COST	£177	£43	£220
BENEFITS			
Reduced Licence Fee	£531		£531
Reduced HSE Resource		£537	£537
TOTAL BENEFIT	£531	£537	£1,068
NET COST/BENEFIT	£354	£494	£848

Summary Table of Monetised Costs for Great Britain (£ thousands)

<i>Cost/Benefit (NPV)</i>	<i>Cost to Providers</i>	<i>Cost to HSE</i>	<i>Total Cost/Benefit</i>
COSTS			
Familiarisation with AALA ending	£2		£2
Uncertainty Costs	£2		£2
Costs from Alternative Scheme	£601		£601
Costs from Consultants / Technical Experts	£614	£148	£762
Familiarisation Costs (HSWA etc)	£4		£4
Costs from Changing Legislation		£341	£341
Cost of ending TQS		£150	£150
CoP Production		£316	£316
CoP Familiarisation	£7		£7
TOTAL COST	£1,230	£956	£2,186
BENEFITS			
Reduced Licence Fee	£3,681		£3,681
Reduced TQS Subsidy		£2,789	£2,789
Reduced Management Resource		£935	£935
TOTAL BENEFIT	£3,681	£3,725	£7,406
NET COST/BENEFIT	-£2,451	-£2,769	-£5,220

108. As shown, the expected total cost from Option 3 is **£2.2 million** over 10 years, with a total cost saving of **£7.4 million** over the period. The expected net cost is **-£5.2 million** (i.e. a cost saving). The expected net cost to firms is **-£2.5 million**.

109. The difference costs between options 2 and 3 simply relate to the production of the CoP (cost to government £320 thousand) and familiarisation with it (cost of £7 thousand for providers and £4 thousand for LAs). All other costs and cost savings remain the same.

Risks

110. HSE is also exposed to reputational risk in the event of a serious/fatal accident/incident because the removal of the licensing regime *appears* to reduce protections for young people.
111. If either or both Scotland or Wales decide to retain the regime this could lead to perverse consequences – English pupils engaging in activities in Scotland/Wales and vice-versa – in the absence of clear boundaries and provisions.
112. In addition, the production of a CoP may mitigate the reputational risk (discussed in paragraph 110) from the removal of the AALA regime, as HSE will still be seen to have a specific interest in safety in the sector – both for providers and users.

Sensitivity Analysis

113. A sensitivity analysis was conducted as part of the appraisal process. The results of this analysis indicated that the most sensitive assumptions are those for the cost to providers of hiring technical experts or consultants and to providers from gaining additional badges. The results of this analysis shall be used to help inform the consultation and guide consultees to comment on these sensitive costs.

Specific Impact Tests

114. Below is a list of Specific Impact Tests we have completed:

Statutory Equality Duties Impact Test

115. There is no impact on equality resulting from this policy change. Full details are provided in the Equalities Impact Assessment.

Competition Impact Test

116. Assuming that the unintended consequences described in the risks section of the evidence base do not occur, the removal of AALA licences will not have an adverse effect on competition for licensees. The proposal removes not only a cost from all providers but may also remove a barrier to entry for new firms wishing to establish themselves.
117. If the lower estimate of 1 million participants of licensable activities per annum is the reality, then assuming costs are wholly passed on to customers the cost of a licence per average customer is less than 50p a year.
118. Expenditures on capital, e.g. specialist equipment in the adventure activity market can be relatively high (for example, a canoe typically costs in the region of £900, a rope upwards of around £50). Given the comparatively low cost of a licence, any beneficial effects on competition are not expected to be significant.

Small Firms Impact Test

119. Assuming that the unintended costs of removing AALA (as highlighted in the risks section) are not greater than the cost savings of not having to pay for a licence (approximately £390 per year), then there would be a net cost saving for all firms in the sector. Anecdotal sector intelligence suggests that whilst there are a few larger providers, the majority of AALA licence holders are small, and that there are a

significant number of sole traders, all of which would potentially benefit. Additionally, as small firms typically operate with lower revenues and profits than larger ones, we would expect the removal of the licence requirement to have a proportionally larger benefit for them (although still relatively small compared to typical business expenditures a typical AALA firm might experience).

120. Consideration has been given to the micro-business exemption introduced in April 2011. Removing the Adventure Activities Licensing Regime would not add a further regulatory burden to industry in general and to micro-businesses in particular.

Wider Environmental Impact

121. There would be no wider environmental impacts as a result of this policy change

Sustainable Development Impact Test

122. There would be no impact on sustainable development as a result of this policy change

Human Rights

123. There would be no impact on human rights as a result of this policy change

Rural Proofing

124. Most adventure activities take place in rural areas and the majority of providers are based in rural areas. If there are adverse effects from this policy change, then this will be predominantly felt in rural areas.

Health and Wellbeing

125. There is a potential for some negative impact but HSE does not believe that this will be significant.

Justice Impact Test

126. There would be no impact on the justice system as a result of this policy change.

Annexes

Annex 1 should be used to set out the Post Implementation Review Plan as detailed below. Further annexes may be added where the Specific Impact Tests yield information relevant to an overall understanding of policy options.

Annex 1: Post Implementation Review (PIR) Plan

A PIR should be undertaken, usually three to five years after implementation of the policy, but exceptionally a longer period may be more appropriate. If the policy is subject to a sunset clause, the review should be carried out sufficiently early that any renewal or amendment to legislation can be enacted before the expiry date. A PIR should examine the extent to which the implemented regulations have achieved their objectives, assess their costs and benefits and identify whether they are having any unintended consequences. Please set out the PIR Plan as detailed below. If there is no plan to do a PIR please provide reasons below.

Basis of the review: [The basis of the review could be statutory (forming part of the legislation), i.e. a sunset clause or a duty to review, or there could be a political commitment to review (PIR)];

It was specified within the review of health and safety that the removal of the licensing regime would allow businesses to make a financial saving and enable them to focus on a whole range of activities and encourage new businesses within the sector and a greater take up of adventure activities by young people. There would also be cost savings to Government with the dismantling of the licensing regime.

Review objective: [Is it intended as a proportionate check that regulation is operating as expected to tackle the problem of concern?; or as a wider exploration of the policy approach taken?; or as a link from policy objective to outcome?]

The recommendation stated that HSE would oversee and monitor the replacement code of practice. HSE would also wish to ascertain if the removal of the licensing regime had encouraged greater uptake by young persons of adventure activities and that more businesses had entered the sector.

Review approach and rationale: [e.g. describe here the review approach (in-depth evaluation, scope review of monitoring data, scan of stakeholder views, etc.) and the rationale that made choosing such an approach]

HSE would undertake an evaluation which would include seeking stakeholder views on activity within the sector - both providers and users. Analysis of statistics on numbers of users and new or established business within the sector may inform part of the evaluation.

Baseline: [The current (baseline) position against which the change introduced by the legislation can be measured]

There are currently 1240 licensed adventure activity provider within GB. There is also an unknown and disparate non-licensed sector who may or may not be badged under another scheme. It is uncertain how we would capture all providers but the evaluation may seek to establish movement within the sector

Success criteria: [Criteria showing achievement of the policy objectives as set out in the final impact assessment; criteria for modifying or replacing the policy if it does not achieve its objectives]

The increase in young people taking part in all adventure activities

Activity increasing within the sector with new businesses entering allowing greater scope for uptake of users

Industry compliant with the code of practice providing reassurance to users..

Monitoring information arrangements: [Provide further details of the planned/existing arrangements in place that will allow a systematic collection of monitoring information for future policy review]

HSE will continue to monitor and oversee the sector within its existing enforcement strategy. The continuation and monitoring of activity within HSE's webpages will present information for analysis and invite feedback from users.

Reasons for not planning a review: [If there is no plan to do a PIR please provide reasons here]

Add annexes here.

Proposed replacement for the licensing regime for adventure activities established under the Activity Centres (Young Persons' Safety) Act 1995 in England

The full text of this and other
Consultative Documents can be viewed
and downloaded from the
Health and Safety Executive web site on the
internet: www.hse.gov.uk/consult/index.htm

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