

## Recovery Group- Regulatory Improvement Matrix

	Policy issue	Policy proposal	Mechanism	Anticipated outcomes	Fit to Gov't agenda	Background	Impact	Ease of delivery
Planning	Takeaway/delivery underlying planning permission	<p>To ensure that restaurants in use category E are not moved to 'sui generis' (old use class A5) on the basis of high takeaway sales.</p> <p>In particular, the worry that businesses have of the random tipping point of 20/25% determinant of sales, and then being faced with fines, is an added pressure. If the percentage was lifted would ease the pressure on businesses and avoid challenging application processes.</p>	Business and Planning Act 2020	Expanded trading ability, additional growth and jobs, contribution to local communities	Creating pride in place, boosting jobs, skills and economic growth.	The considerable change to the market over the past two years signals the need for a more flexible hybrid model. Planning legislation change in 2020	Med	High
	Pavement licensing	<p>To ensure that the pavement licence scheme is made permanent, and remains low cost, low admin. Also, that a permanent regulatory structure does not prevent local authorities from offering subsidised/free pavement licences.</p> <p>In a similar way to takeaway/delivery easements explained above, this is about needing to get confirmation as soon as possible, to allow business to make investment ahead of high summer and beyond. An announcement made too close to September will negate the benefit of the easement. Some councils are already assuming it is ending and moving to charging commercial rents for outdoor spaces and ending subsidised schemes which, they may continue if made clear that outdoor permission will be made permanent.</p>	Business and Planning Act 2020, this element due to fall away September 2022.	Expanded trading capacity, enhanced use of systems already in place and developed by businesses, positive trading environment linking into positive partnership working more generally.	Levelling up – pride in place, boosting jobs, skills, economic growth, positive licensing and growth. Delivering points 32 and 34 of the Hospitality Strategy	Pandemic measure	Med	High
	Agent of change principle	<p>Positive progress in that this is now recognised in planning guidance. Next step is to include in licensing (s182) guidance to cement principle into both parts of permission process.</p> <p>The Agent of Change principle should be written onto the face of the forthcoming Levelling Up Bill. In both the original and 2022 House of Lords committee evidence sessions, cementing agent of change as a statutory provision across multiple areas is a key recommendation. Due to the Planning Bill delay, agent of change needs writing into legislation to have legal weight. The resilience group to work on national planning policy guidance re implementation and licensing guidance.</p>	<p>Levelling Up Bill (tbc) – primary ask.</p> <p>S.182 Guidance Licensing Act 2003.</p>	Protection of existing cultural and hospitality venues.	Levelling up – pride in place, boosting jobs, skills, economic growth, positive licensing and growth.	Lords Licensing Act Review	Med	Med

	Reduce planning delays and introduce mediated solutions	<p>To impose a statutory time limit on the time taken for planning decisions, and improving the committee process, combined with a limit on information required and a mediated resolution process.</p> <p>There is a national framework recommendation of preliminary decision in 12 weeks but there is no sanction or requirement for a hearing so it is routinely exceeded, or a blanket objection imposed to give more time for scrutiny. Request for restrictions on planning authorities asking for new surveys (or other evidence) after that point, or after 20 weeks. Guidance on acceleration would be helpful, and deemed grant should be considered.</p> <p>Government needs to reintroduce a 'Good Practice for Tourism' planning guide under which approval is automatic and introduce a mediated solution that avoids unnecessary delays.</p>	National Planning Policy Framework guidance.	Reduction in cost burden and streamlining admin for new premises, and for improvements to existing premises.	Levelling up	N/A	High	Med
	Outdoor structures and temporary planning permissions, outdoor weddings	There is a final element to the takeaway/delivery and pavement licence recovery easements, which is outdoor temporary structures not needing planning permission, and the ability to host outdoor weddings. As above, the earliest confirmation to secure and underpin investment and ensure meaningful discussions and planning is crucial.	Business and Planning Act 2020	Reduction in cost burden and streamlining admin for additions/ improvements to new/existing premises.	Levelling up – pride in place, boosting jobs, skills, economic growth, positive licensing and growth.	Pandemic measure	Med	High
Immigration	Job classifications	<p>Abolish need for additional occupation code in PBS. Abolish need for additional occupation code in PBS.</p> <p>The job applied for needs to have an occupation code included in the central government list of skilled workers and roles. If the occupation code is not on the list, no application is permitted even if the job meets the new PBS requirements of NVQ level 3 &amp; salary – e.g. a chef is on the occupation list but not a pastry chef - yet both roles are NVQ3. The problem with this is that the occupation list being used dates from 2010 and therefore does not reflect changes in the nature of work and skill levels associated with different or new roles.</p>	Home Office administrative task	A reduction in sector vacancies unlocking restricted revenue. UKH member survey found that revenues had been suppressed by 17%. Limiting business has negative tax collection impact.	Jobs, reducing unemployment, pride in place unlocking restricted revenue	PBS for immigration.	Low	Med
	Student working hours	Remove or extend the cap on the number of hours those on student visas can work. The requirement of hours could be increased back to 30 hours.	Amend Home Office policy	Business growth, higher earnings	Jobs, growth, skills	2017 policy change	Med	Med

	Immigration skills charge	Abolish the immigration skills charge.  The policy severely undermines the usability of the PBS for the hospitality sector and is a revenue-raiser in addition to sponsor licence fees.	Amend Home Office guidance	Business growth that is currently inhibited	Jobs, growth, pride in place	PBS for immigration. This was introduced as a 'panic' measure in 2017 and is not needed.	Med	Med
	Add more hospitality roles to the Shortage Occupation List	Chefs was removed from the Shortage Occupation List (SOL) as a recommendation from the Migration Advisory Committee report in 2020, despite widespread evidence of a shortage. This must be reinstated, and other roles considered.	Migration Advisory Committee review	Business growth that is currently inhibited	Jobs, growth, pride in place	PBS for immigration	Med	Med
	Speed up the sponsor licence process	Businesses report the process for attaining a sponsor licence as extremely time-consuming and costly, including the need for immigration lawyers. Government should simplify the process and commit to tighter time limits on processing.	Increased Home Office resource and new targets	Business growth that is currently inhibited	Jobs, growth, pride in place	PBS for immigration	Med	Med
	Support mid-sized businesses in PBS	Apply the reduced licence fees to medium as well as small businesses.	Amend Home Office guidance	Business growth that is currently inhibited	Jobs, mid-sized growth, pride in place	PBS for immigration	Med	High
Licensing	House of Lords – Licensing Act 2003 recommendations  - Section 182 Guidance - Cumulative Impact Policies Licensing Policy reviews	There are immediate deregulation elements that can be picked up as part of the recovery strand. Some of these are referenced in the recent House of Lords report on licensing.  This includes a Licensing Act 2003 Section 182 Guidance review post-COVID, and putting on statutory footing the requirement for local authorities to review their licensing policies or at the very least review their Cumulative Impact Policies and core operating hour policies in light of new market conditions by end 2022 and remove where unnecessary or no longer saturated.	Licensing Act 2003, section 182 statutory guidance (review). Can be achieved by SI amending relevant regulation	Reduction in cost burden and streamlining admin for additions/improvements to new/existing premises.	Levelling up – pride in place, boosting jobs, skills, economic growth, positive licensing and growth.	Lords Licensing Act Review	High	Med
	Late Night Levies	Longstanding calls for industry to remove late night levies, detrimental to both business and local areas – dealing with created problem as opposed to partnership working which is demonstrably more effective.  There is unused levy legislation within in the Policing and Crime Act 2017 (s. 142 and schedule 18) that has not been enacted and is subject to a sunset clause later this year. This should be allowed to lapse. This relates to group reviews and small scale late night levies – given this has never been enacted it should be allowed to fall,	Policing and Crime Act 2011  Section 142 and Schedule 18 of the Policing & Crime Act 2017 (Unenacted levy elements, due to lapse via 'sunset clause').	Increased funding for voluntary partnership schemes, and allowing more time and focus for partnership working. Removing stigma from areas with LNL designation.	Levelling up – pride in place, boosting jobs, skills, economic growth, positive licensing and growth.	Lords Licensing Act Review	Med	Med

		and opportunity for a review of the main Levy legislation itself as relevance in post-Covid world.						
	Early Morning Restriction Orders	<p>Early Morning Restriction Orders (EMROs) have never been used and have been subject to legal challenge when attempted to be imposed. These measures run counter to town centre redevelopment and regeneration (and is an obsolete piece of legislation as a result of Covid changing the landscape).</p> <p>House of Lords recommended removal from statute book, and we support this decision.</p>	Policing and Crime Act 2011.	Increased focus on effective voluntary partnership schemes, and allowing more time and focus for partnership working.	Levelling up – pride in place, boosting jobs, skills, economic growth, positive licensing and growth.	Lords Licensing Act Review	Med	Med
	Advertising in local newspapers	<p>Remove the need to advertise premises licence applications in local newspapers.</p> <p>This is an outdated requirement written c.2003 when information dissemination very different to current online access.</p> <p>A significant cost (especially to SMEs) of £200-400 per application – as evidenced in House of Lords report - and in some areas exceeding £1000. Lords committee was unconvinced in 2017 of the merits of adding costs but Government at the time felt that people may be excluded; Covid and growing internet access and spread has accelerated shift to access online info since this point. The print advertising requirement should be removed, and moved to online only.</p>	Licensing Act 2003 (Premises Licence Fees Regulations) 2005	Reduction in cost burden and streamlining admin for new premises.	Levelling up, removing red tape	Lords Licensing Act Review	Med	Med
	Off sales of alcohol	To make the sale of off-sales permanent for businesses that were previously limited to on-sales only	Amend Licensing Act 2003	Greater flexibility for business to offer alcohol with takeaway food	Business growth, job creation	Alcohol licensing (Coronavirus regulatory easement)	Low	Med
Other	Landlord / tenant relations	<p>A ban on Upward Only Rent Review (UORR) clauses.</p> <p>An urgent review of the operation of fully-repairing leases.</p> <p>The Code of Practice on commercial leases to be put on a statutory footing and reviewed.</p>	As part of proposed review	Thriving high-streets, new businesses and jobs	Levelling up, job creation	Gov committed to review	Med	Med
	Temporarily underwrite trade credit insurance	Hospitality businesses are unable to get TCI for key supplies such as energy which means they have to provide exorbitant deposits – reducing the capacity to invest.	HMT decision	Business survival, increased investment	Investment, pride in place, jobs	Precedent in pandemic	High	Med

		Government should commit to a targeted underwriting of trade credit insurance of energy and other key supplies for affected sectors and businesses.						
Package Travel Regulations		Reform the PTR to ensure it must cover travel, and ensure guidance does not cover own business provision of packages	Amend BEIS guidance	Business growth that is currently inhibited	Business growth, reducing administration burden and costs	Brexit opportunities	Med	Med
Apprenticeship levy		A reform to the apprenticeship levy, to allow front-or backloading at either end of the season; or to allow apprentices to have shared employers.	Guidance	Businesses able to support upskilling their workforce, which will increase retention.	Business growth, increase workforce, higher apprenticeship delivery	Government review of apprenticeship levy	Med	Med
SME definition		Re-define SMEs so that they consider employee numbers based on FTEs.	Small Business, Enterprise and Employment Act 2015, Part 2	Incentivising businesses growing, minimising regulation	SME growth, deregulation	Brexit opportunities	Low	High

The above grid reflects immediate regulatory reforms and easements, under the recovery element.

For medium- and longer-term issues, these should be picked up in a resilience/deregulation workstream.

- Licensing and planning processes working better together. Guidance to create more integrated working within LAs where planning and licensing applications overlap.
- Licensing hearings being subject to guidance/protocol on handling (as per House of Lords recommendation).
- Local licensing policies and strategies - licensing policies should include a section on how LAs will aim to support the regrowth and rebuilding of hospitality businesses, and long-term commitment to using the licensing system positively and exploring partnership working. Use licensing policies as a change to reset how licensing operates in local areas and make the increased partnership working, use of space, flexible practices the norm. A return to the founding principles of the Licensing Act, and divest negative elements.
- Youth Mobility visas - strike deals with EU and other nations to enter into new agreements, particularly within the commonwealth, and recent trade deals

Areas to watch:

- Tips and service charge
- Deposit Return Scheme
- Biodiversity and planning
- National Food Strategy
- Treasury review into apprenticeships and skills
- Alcohol duty review – ensure wine changes are flexible