

<b>Title:</b> <b>ENVIRONMENTAL IMPACT ASSESSMENT (FORESTRY) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2017</b>	<b>Regulatory Impact Assessment (RIA)</b>
	<b>Date:</b> 16 May 2017
	<b>Type of measure:</b> Secondary legislation
<b>Lead department or agency:</b> <b>DAERA – Forest Service.</b>	<b>Stage :</b> Final
	<b>Source of intervention:</b> European
<b>Other departments or agencies:</b>  <b>None.</b>	<b>Contact details:</b> John Griffin
	john.griffin@daera-ni.gov.uk
	028 6634 3124

### Summary Intervention and Options

**What is the problem under consideration? Why is government intervention necessary? (7 lines maximum)**

Implementation of the Statutory Rule will transpose Directive 2011/92/EU, as amended by Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment through amendment to the Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006.

**What are the policy objectives and the intended effects? (7 lines maximum)**

- The proposed amendment will introduce the minimum changes required by the EU Directive.
- To minimise the additional regulatory burden to the forestry sector whilst maintaining environmental safeguards.
- More information will be required from the applicant earlier in the EIA process, this information was required previously but was requested towards the end of the current processes.
- Extra costs for the proposer will result from the proposed changes which require an environmental statement to be prepared by a competent person and accompanied by a statement describing the relevant experience or qualifications of such persons.

**What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base) (10 lines maximum)**

Option 1- 'Do nothing' option would expose the Department to infraction proceedings.

Option 2 - Implement required changes specified in Directive 2014/52/EU.

Option 3 – Implement required and all optional changes specified in Directive 2014/52/EU.

The preferred option is Option 2. This will implement the minimum changes needed to meet the requirements of the directive and will require least change by industry or regulators and will have the lowest impact on the industry as a whole. The new requirement for environmental statements to be prepared by a competent person is required and will be an additional cost to proposers where Consent is required. Option 2 was screened for equality of opportunity, disability duties and human rights and since no adverse impact was identified on any of the groups the draft Regulations have been screened out using the DAERA Equality and Human rights screening template.

**Will the policy be reviewed? Yes**

**If applicable, set review date:** Prior to May 2022.

<b>Cost of Preferred (or more likely) Option</b>				
<b>Total outlay cost for business over 5 years</b>	<b>Total net cost to business per year</b>		<b>Annual cost for implementation by Regulator</b>	
£7,500 (low) to £75,000 (high)	£1,500 (low) to £15,000 (high)		£50,000	
<b>Does Implementation go beyond minimum EU requirements?</b>			<b>NO</b> <input checked="" type="checkbox"/>	<b>YES</b> <input type="checkbox"/>
<b>Are any of these organisations in scope?</b>	<b>Micro</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Small</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Medium</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Large</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**The final RIA supporting legislation must be attached to the Explanatory Memorandum and published with it.**

Approved by: Ben Searle

Date: 16/05/2017

**ECONOMIC ASSESSMENT (Option 2)**

Costs (£m)	Total Transitional (Policy)		Average Annual (recurring) (excl. transitional) (constant price)	Total Cost (over 5 years at 5% discount rate) (Present Value)
	(constant price)	Years		
<b>Low</b>	£50,000	1	£51,500	£284,000
<b>High</b>	£50,000		£65,000	£345,000
<b>Best Estimate</b>				

**Description and scale of key monetised costs by ‘main affected groups’** Maximum 5 lines

Land owners (Proposers): The cost of engaging a professional to complete an environmental statement, when required is likely to be between £1,000 and £10,000 depending on the site and studies required. Based on the key assumptions below 1.5 environmental statements annually may be required at a low cost of £1,000 and a high cost of £10,000 each.

Regulators: The DAERA costs to implement the EIA Forestry regulations are about £50,000 per annum.

**Other key non-monetised costs by ‘main affected groups’** Maximum 5 lines

Land owners (Proposers): Perception of higher costs may be a barrier to afforestation.

Regulators: Additional information earlier in the EIA process will require more intense input from regulators initially and the impact of this has been considered by increasing the time to publish a screening opinion to take account of the most complex projects.

**Key Assumptions, Sensitivities, Risks** Maximum 5 lines

The Department provided 15 opinions that afforestation projects were ‘relevant’ during the previous 10 years [April 2007 to March 2017]. This low number is because most projects submitted to the Department meet the national standards [UK Forestry Standard]. The small number of ‘relevant’ projects were inappropriate for afforestation when compared with the UK Forestry Standard and these projects lapsed.

**BUSINESS ASSESSMENT (Option 2)**

Direct Impact on business (Equivalent Annual) £		
<b>Costs:</b> £1,500 (low) to £15,000 (high)	<b>Benefits:</b> No tangible benefits to the proposer.	<b>Net:</b> - £1,500 (low) to £15,000 (high)

**Cross Border Issues (Option 2)**

**How does this option compare to other UK regions and to other EU Member States (particularly Republic of Ireland)**

The Directive applies to all EU member states and regions are amending EIA (Forestry) regulations to meet the requirements.