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STATUTORY INSTRUMENTS

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**2022 No. 1163**

**The Water Fluoridation (Consultation)  
(England) Regulations 2022**

**Decision-making in relation to a proposal**

5.—(1) When deciding whether to take any step concerning fluoridation arrangements that falls within section 89(2) of the Act following a consultation under regulation 3, the Secretary of State must, in particular—

- (a) have regard to any representations made in response to the consultation with a view to assessing—
  - (i) the extent of support for the proposal,
  - (ii) the cogency of any arguments advanced, and
  - (iii) the strength of any scientific evidence or ethical arguments advanced in relation to the proposal;
- (b) consider whether additional weight should be given to representations made by individuals who would be affected by the proposal or by bodies with an interest, or both;
- (c) consider the capital and operating costs which are likely to be incurred in giving effect to such arrangements as are specified in the proposal; and
- (d) consider any other available scientific evidence or data in relation to the proposal, including any evidence or data relating to—
  - (i) the health needs; and
  - (ii) the impact on the health and wellbeing,  
of individuals who would be affected by the proposal.

(2) The reference in this regulation to individuals affected by the proposal is to individuals who reside or work in the area affected by the proposal.