

WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

Title of proposal:	Infrastructure (Wales) Bill
Official(s) completing the Integrated Impact Assessment (name(s) and name of team):	Lewis Thomas – Former Head of Planning Decisions Kym Scott – Planning Bill Manager
Department:	CCRA - Planning
Head of Division/SRO (name):	Neil Hemington – Chief Planner
Cabinet Secretary/Minister responsible:	Julie James MS – Minister for Climate Change
Start Date:	February 2023

SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

Summary of Issue

The Wales Act 2017 ("the 2017 Act") provides legislative and executive competence to the Senedd and the Welsh Ministers respectively for the consenting of electricity generating developments of up to and including 350MW in installed generating capacity, and for electricity lines of up to and including 132kv in nominal voltage associated with 'devolved generating stations' (which are those up to and including 350MW as well as all onshore wind generating stations of unlimited capacity), as well as works to harbours and ports, with the exception of reserved trust ports.

Prior to devolution of these powers, the majority of these developments were considered by the Secretary of State as part of the Nationally Significant Infrastructure Project regime, which results in the granting of a "Development Consent Order" under the Planning Act 2008. The 2017 Act, instead of transferring the Planning Act 2008 functions to the Welsh Ministers, places the consenting of these projects in a number of different regimes, which are either former or untested regimes for this scale or type of development, including the Electricity Act 1989 ("the 1989 Act"), the Town and Country Planning Act 1990 ("the 1990 Act"), the Transport and Works Act 1992 ("the TWA") and the Harbours Act 1964 ("the 1964 Act").

The Welsh Government has considered two main options to implement the devolution of these further powers; either the use of existing consenting regimes, with modifications; or to introduce unified and bespoke consenting arrangements both onshore and in Welsh waters.

The majority of the multiple and existing consenting regimes, which are not subject to a statutory timescale, can lead to an unpredictable amount of time to deliver a decision. This can generate uncertainty for all parties and impose significant costs on them as well as potential planning blight.

In addition, differing processes being used for different types of infrastructure can be confusing for those interacting with them, which often means those with the most time, resources and best knowledge are best placed to engage in the consenting process.

Summary of Proposal

It is proposed to unify these separate consenting regimes into a unified and bespoke consenting process, with an attached statutory timeframe. Our evidence, which has been acquired through stakeholder discussions and [public consultation](#), indicates there is a case to unify existing regimes on the following basis:

The primary determining body for onshore consents under the 1990 Act is Local Planning Authorities ("LPAs"). In addition, the Planning (Wales) Act 2015 introduced a new consenting process, known as "Developments of National Significance" ("DNS"). DNS applications are processed and

considered by Planning Inspectors on behalf of the Welsh Ministers. The Planning Inspector provides a report to the Welsh Ministers, which the Welsh Ministers will use to inform their own decision. Prior to the 2017 Act, the DNS regime was designed and developed to consent energy developments for up to 50MW. It was never designed to deal with applications which are of the scale now devolved.

Whilst existing legislation, and in particular the DNS regime onshore and the 1989 Act offshore, has been modified to absorb responsibility for determining these new application types, this retrofitting has resulted in an unwieldy and fractured consenting process with little consistency for applicants or for communities affected by development. The determining body for application types, which may span several consenting regimes, can vary depending on the relevant consent being sought, particularly for secondary consents, and may result in determinations falling to bodies which are ill-resourced to consider them.

Fractured consenting processes can lead to circumstances where there is inconsistency in the policy at determination, or even no clear extant policy on which the determination of an application is based. This can result in significant uncertainty for developers dealing with major investment proposals. In addition, there are no statutory timescales attached to certain processes such as the 1964 and 1989 Acts, as well as the TWA, unlike under the Planning Act 2008 regime or the DNS regime. This creates considerable financial risk for developers.

The disjointed consideration of parallel or adjacent consent regimes may also require repeat submission or rehearsal of arguments for or against development. Feedback from service users and communities indicates an adverse experience when seeking consent or contributing views on proposed developments via the current regime, or regimes.

The Infrastructure (Wales) Bill (“the Bill”) proposes to introduce a new, single consenting regime for these application types, which will consider all appropriate consents, including secondary consents, as part of the same application and determination process.

This process will ensure decisions are made by a body with the appropriate skills, resources and policy framework, as well as providing a mandated determination period, and will give considerably greater certainty to developers proposing such major schemes.

The process is intended to be dynamic, adjusting the information required and the procedure for determining the application depending on the scale and complexity of the proposal and the issues raised. The process will have a standardised statutory timescale attached to it, which may be varied on a case-by-case basis in advance of acceptance of an application, for proportionality.

The process will also ensure public and community participation, by mandating the requirement for pre-application consultation and engagement, as well as formalising the opportunity for citizens and community groups to participate in hearings or public inquiries (as appropriate) in the decision-making process.

Application of the Well-being of Future Generations (Wales) Act 2015 Five Ways of Working to the Proposed Actions

The Five Ways of Working have been considered throughout the development of this proposal, and are discussed below.

Ways of Working - Long term

- ◆ The Bill will provide Wales with a strategic and co-ordinated approach to major infrastructure projects, and enable long-term investment decisions and infrastructure plans to be made in the context of a unified strategy. It will provide greater certainty for these projects, both in the light of consistent policy, and in the unification of consents.

Ways of Working - Prevention

- ◆ The Bill will unify consents, requiring all or most aspects of proposed development to be considered as part of a single decision. This will ensure that consent is only granted for developments which do not have an unacceptable impact on any aspect of the environment or community – including biodiversity, landscape, environmental quality, community amenity and many other areas. This will create movement towards our broader zero carbon goals.

Ways of Working - Integration

- ◆ The Bill will unify consenting regimes, ensuring they fall within the Welsh Government's statutory duties as expressed in Well-Being of Future Generations (Wales) Act 2015 to ensure the planning system delivers sustainable development, and each decision takes into account the ways of working.
- ◆ An integrated consenting regime for major infrastructure projects will result in decisions being made which reflect the Programme for Government's commitments, and of statutory and policy requirements.
- ◆ In practical application, the decision-making on each specific case will ensure decisions are made which adhere to the Welsh Government's well-being objectives.

Ways of Working - Collaboration

- ◆ The major partners are LPAs, Natural Resources Wales ("NRW"), Planning and Environment Decisions Wales ("PEDW") and developers, among others, who were engaged as part of the consultation exercise and whose views were informed to develop proposals for the Bill.
- ◆ The Bill will also bring together functions and scrutiny from across Welsh Government including planning, energy, transport and nature conservation, into a single decision-making entity.

Ways of Working - Involvement

- ◆ These proposals were subject to [public consultation](#) in 2018 and responses were used to inform [development of these proposals](#). As well as being available for the public to participate in via the Welsh Government website, specific stakeholder groups were targeted for engagement, including:
 - LPAs;
 - Public sector bodies with a role in decision making, including PEDW and NRW;
 - Community and town Councils;
 - Third sector organisations, including Planning Aid Wales and environmental organisations; and
 - Statutory consultees on development proposals.
- ◆ The Bill will also formalise community engagement in decision making, which is currently informal in certain elements of various permitting regimes captured under the proposed legislation, and does not exist in others. This will make sure people feel involved in and heard on decisions which affect them.

Impact of the Proposal

- ◆ The main arguments for the proposal are rehearsed above, but can be summarised as:
 - Consistency of decision-making in the context of national policy and strategic objectives across multiple existing consenting areas.
 - Certainty for applicants in terms of integrated decision-making and timeliness of decisions.
 - Reduction in cost to applicants and the public purse from the avoidance of rehearsing the same arguments for or against development proposals across multiple separate regimes.
 - Formalising community engagement in major infrastructure projects which affect them, and in the case of some development types, introducing those rights where none exist.
 - Providing clarity and consistency for such development in devolved legislation, fixing an issue arising from the method used to devolve the powers.

- ◆ The main arguments against the proposal are rehearsed above, but can be summarised as:
 - Since these powers were devolved in 2017, interim measures and systems have been put into place to determine relevant applications. These have been taken up and adjusted to by developers. The legislation would introduce another change to procedure in a fairly short time frame.
 - There are cost implications to Welsh Government in terms of staffing a Bill team, drafting and developing appropriate subordinate legislation following assent of a subsequent Act and then implementing procedures to enable the new regime to take effect.

Proposal Costs and Savings

- ◆ An Explanatory Memorandum which includes a Regulatory Impact Assessment (“RIA”) is being developed to support the Bill which will address potential costs and savings arising from the proposed changes. This will be available alongside this IIA.
- ◆ Evidence has been produced to inform the RIA, to determine current and prospective costs to stakeholders. This evidence is available [here](#).

Proposal Mechanism

- ◆ It is intended that this proposal will be implemented by the Bill.

SECTION 2. WHAT WILL BE THE EFFECT ON SOCIAL WELL-BEING?

2.1 People and Communities

The development and consenting of major infrastructure projects already occurs and affects communities – the existing separate consenting systems each have their own checks and balances, such as the requirement to consider impacts on the environment, which includes communities and human health, to ensure harm is minimal if any. The effect of such development depends on the geography of proposed development locations on a case-by-case basis.

The integration of various regimes into a single process will enhance opportunity for community participation in decision-making, and to seek benefit from the development in a more cohesive way. This will ensure resulting decisions are better informed, and people and communities are better involved in those decisions.

A unified consenting regime will also provide a consistent and administratively efficient process which will benefit all users of the system, applicants, LPAs, the public and the Welsh Ministers, as the decision makers. Overall, it is considered that the impact on people and communities will be minimal.

Any potential impact of future developments consented under the regime set out in the Bill will be assessed on a case-by-case basis, and it is therefore not possible to assess site specific matters at this high level. Such issues will be considered as part of the overall decision on individual developments, with the impact on people and communities informing the decision.

2.2 Children's Rights

The proposal would have no adverse effect on the rights of children or young people. The net effect of the Bill is to unify and streamline processes and create greater opportunities for communities to participate in decisions which affect them.

In some cases, these rights already exist, for example in the planning system, albeit there is very limited engagement from children and young people in planning decisions. Whilst there is an improvement in children's rights by virtue of the opportunity to contribute views on decisions where this might previously have not been possible, this is considered to be limited. The introduction of the Bill provides no specific opportunity to promote knowledge or understanding of the United Nations Convention of the Rights of the Child (UNCRC).

Having had regard to the CRIA flowchart and the UNCRC, the policy proposal is unlikely to have any adverse impact on the children’s rights in Wales. As a result, a full Children’s Rights Impact Assessment is not required.

2.3 Equality

A full Equality Impact Assessment has been completed for the policy proposal, as is required, and is available at Annex A.

2.4 Rural Proofing

The introduction of the Bill will require all development proposals caught within its scope to undertake formal community engagement and consultation, both prior to and during the consideration of applications. This will include the requirement for such community consultation and engagement to be evidenced as part of the application process.

The nature of these engagement requirements will be designed to ensure communities have the opportunity to fully participate and contribute. This will include requiring developers to consider the use of Welsh language, and non-digital methods of engagement, such as site notices and direct notification, in areas where access to the internet is limited.

We recognise the use of Welsh as a first or only language is higher in more rural communities. All information provided by the Welsh Government, both in terms of policy and guidance, as well as forms and documentation, will be bilingual in accordance with the duties placed on the Welsh Ministers by the Welsh Language Standards.

A full Rural Proofing Impact Assessment is available at Annex B.

2.5 Health

Due to the nature of the proposal, it is not considered that the regime introduced by the Bill will have any impact on health. Health Impact Assessments may be sought for individual applications under this regime and would be required to underpin the policy on which decisions are made through the process ascribed in the Bill, however, it is not necessary to consider this at this stage.

2.5a How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact health determinants?

It is considered that the Bill creates no effect, positively or negatively, on any health determinants.

2.5b. Could there be a differential health impact on particular groups?

The Bill creates no health impact, positively or negatively, on any particular group.

A more detailed health impact assessment is not required as this proposal seeks to unify existing consent regimes. There is deemed to be no health impact arising from ascribing a new process, which includes the same or similar stakeholders. Consequently, a full health impact assessment is not considered to be appropriate.

2.6 Privacy

Will the proposal involve processing information that could be used to identify individuals?

Yes – albeit this information is already being captured and processed by the existing consent regimes, in accordance with legislation for privacy and data protection.

A full Data Protection Impact Assessment is available at Annex C below.

2.7 Socio-economic disadvantage

Due to the nature of the proposal, it is not considered that the Bill will have any impact on socio-economic disadvantage. The unifying of existing consenting regimes which already have built-in mechanisms for engagement and consultation will help to mitigate any potential impact. Furthermore, the consenting regime introduced by the Bill will ensure that consultation takes place where it is not currently legislated for.

Whilst individual applications for development under the regime may have an impact, this will be considered at the time and appropriately assessed.

Further information is set out in Section 6 below.

SECTION 3. WHAT WILL BE THE EFFECT ON CULTURAL WELL-BEING AND THE WELSH LANGUAGE?

3.1 Cultural Well-being

As detailed further below under 3.1a, any potential impact of development on the built historic environment will be considered and factored in the overall decision on individual development. The proposal as it stands will have no direct impact on cultural well-being.

3.1a How can the proposal actively contribute to the goal to promote and protect culture and heritage and encourage people to participate in the arts sports and recreation? (for Welsh Language see section 3.2)

The Bill creates an opportunity for all aspects of a major infrastructure proposal to be considered in unison. This means that cultural and heritage aspects of development proposals, for example which might be identified by a heritage impact assessment, are considered in the round, and factor into the overall decision. Under the current system, there is no obligation for some of the separate consents to do so. This is an overall improvement in the consideration of cultural and heritage issues in major infrastructure proposals.

3.1b Is it possible that the proposal might have a negative effect on the promotion and protection of culture and heritage, or the ability of people to participate in arts, sport and recreation? If so, what action can you take to avoid or reduce that effect (for example by providing alternative opportunities)?

The Bill would create no adverse effect on these areas.

3.2 Welsh Language

The Welsh Language Impact Assessment is available below at Annex D.

SECTION 4. WHAT WILL BE THE EFFECT ON ECONOMIC WELL-BEING?

4.1 Business, the general public and individuals

How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact business and the public?

The Bill creates greater clarity and certainty both for business and the public by introducing a single, integrated consenting regime for major infrastructure projects.

For businesses, there will be a single application process – and this is likely to require the same number or type of supporting reports and preparation of documents as is already in place. However, the submission of one application for consideration by one body will remove duplication of work, and rehearsal of the same arguments in various separate decision-making processes.

In particular, the unification of consents is anticipated to make significant cost savings for developers in terms of the number of separate consents being sought and the time taken to consider them separately. The Bill will introduce statutory time periods for such decisions, creating considerable certainty for major infrastructure proposals which need to attract substantial financial investment.

The unification of consents provides members of the public with the opportunity to participate in discussion on the merits of development proposals in one single decision-making process. This simplifies what can be a confusing and unnecessarily bureaucratic experience for members of the public who wish to become involved in decisions which affect them.

The Bill will also introduce a statutory duty to enter into pre-application consultation, ensuring communities have the opportunity to contribute their views before an application is submitted, and ensuring awareness of development proposals is raised before the formal consenting process begins.

Decisions made under the process ascribed in the Bill will also be made in the context of established national policy, which will provide certainty of outcomes for business and communities alike.

4.2 Public Sector including local government and other public bodies

How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact the public sector?

The Bill will include powers to prescribe a fee schedule, which is intended to offset the cost of necessary work to inform decisions undertaken at both local and Welsh Government level. The cost to the public sector is therefore deemed neutral.

In terms of non-financial impacts, the Bill will place decision-making on some minor projects from the national level back to local Government, enabling LPAs to recover the costs associated with determining such applications, and for decisions to be made at a more appropriate level in most cases.

4.3 Third Sector

How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal impact third sector organisations and what they do?

Some third sector organisations, such as Planning Aid Wales and Community and Town Councils, will need to adapt to the new consenting regime when introduced. We will work with third sector partners to provide training and guidance on effective engagement in the new regime arising from the Bill.

4.4 Justice Impact

Please answer the following in relation to your proposal:

- ◆ **Are you bringing forward new primary legislation?** Yes
- ◆ **Are you creating, removing or amending an offence?** Yes
- ◆ **Could your proposal result in any other impact on the justice system e.g. through increased litigation, need for legal aid, appeal against a decision of a public body?**
Yes

As this proposal is for primary legislation, a full Justice Impact Assessment has been undertaken and is available alongside this IIA.

An RIA is also available in connection with this proposal.

SECTION 5. WHAT WILL BE THE EFFECT ON ENVIRONMENTAL WELL-BEING?

Required for all proposals:	<ul style="list-style-type: none"> • Natural Resources Policy national priorities, challenges and opportunities 	5.1a 5.1b
Required for all proposals	<ul style="list-style-type: none"> • Biodiversity 	5.2 and Annex E
Required for all proposals	<ul style="list-style-type: none"> • Climate Change 	5.3
Certain plans and programmes requiring SEA under the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004	<ul style="list-style-type: none"> • Strategic Environmental Assessment 	5.4
Proposals which may affect a Special Area for Conservation or a Special Protected Area (SAC/SPA):	<ul style="list-style-type: none"> • Habitats Regulations Assessment 	5.5
Certain projects relating to town and country planning; transport; agriculture; forestry; marine, land drainage; and electricity which require EIA under the various EIA Regulations	<ul style="list-style-type: none"> • Environmental Impact Assessment 	5.6

5.1 Natural Resources

5.1a How will the proposal deliver one or more of the National Priorities in the Natural Resources Policy (NRP)?

The Bill will unify the consenting process for several categories of development, including for energy developments, and ensuring they are considered in the context of national policy, including Natural Resources Policy, the Wales National Marine Plan and Future Wales – the National Development Framework for Wales.

This includes proposals for on and offshore wind, solar and other renewable and non-renewable energy generating developments. Those proposals which are contrary to national policies are unlikely to be approved as a consequence of the Bill as decisions must be made in accordance with national policy, unless material considerations dictate otherwise.

5.1b Does the proposal help tackle the following national challenges and opportunities for the sustainable management of natural resources?

- ◆ *Reverse the decline in biodiversity – by developing resilient ecological networks;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Safeguard and increase carbon stores in soils and biomass;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Maintain productive capacity, in particular by improving soil quality and biosecurity;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Reducing the risk of flooding;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Supporting climate change mitigation and adaptation through ecosystem approaches;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Reducing noise pollution and pollution levels in our air, and enhance air quality;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Improve the quality and ensure the quantity of our water;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Taking action to reduce the pressures on natural resources, such as through resource efficiency and renewable energy;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Supporting preventative approaches to health outcomes, with a particular focus on key public health issues of transport related air and noise pollution, tackling physical inactivity and mental health;*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Supporting action to tackle health and economic inequalities;*

The Bill creates no direct effect.

- ◆ *Supporting community cohesion; and,*

The Bill creates no direct effect, although decisions arising from it will consider these issues in the context of national policy.

- ◆ *Supporting secure and stable employment.*

The Bill creates no direct effect.

5.2 Biodiversity

A full Biodiversity Impact Assessment is available at Annex E below.

5.3 Climate Change

5.3a Decarbonisation

How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal affect emissions in Wales?

The Bill unifies and consolidates a variety of existing consenting regimes which are already subject to a duty to consider the impact of climate change arising from development proposals. Whilst process arising from the Bill will ensure these are considered in the context of national policy on climate change, there is deemed to be no material impact, positive or negative, for consideration of climate change in relation to the introduction of the Bill.

5.3 b Adaptation

How (either positively or negatively), and to what extent (significant/moderate/minimal impact), will the proposal affect ability to adapt to the effects of climate change?

Whilst the Bill will ensure decisions are considered in the context of national policy on climate change, there is deemed to be no material impact, positive or negative, for adaptation to climate change in relation to the introduction of the Bill.

5.4 Strategic Environmental Assessment (SEA)

Please explain your decision about whether or not an SEA is required by law.

An SEA is not required for the introduction of the Bill, which seeks to integrate existing legislative regimes. The policy which underpins decision-making through the Bill, however, is likely to require SEA.

5.5 Habitats Regulations Assessment (HRA)

Please explain your decision about whether or not an HRA is required by law.

An HRA is not required for the introduction of the Bill, which seeks to integrate existing legislative regimes. However, those projects which are subject to the need for consent under the Bill will be subject to the requirements of the Conservation of Offshore Marine Habitats and Species Regulations 2017 and the Conservation of Habitats and Species Regulations 2017, and individual projects may require their own Appropriate Assessment under those Regulations.

5.6 Environmental Impact Assessment (EIA)

Please explain your decision about whether or not an EIA is required by law.

An EIA is not required for the introduction of the Bill, which seeks to integrate existing legislative regimes. Those projects which are subject to the need for consent under the Bill will be subject to the requirements of Environmental Impact Assessment (or any replacement to that regime which may be enacted under the Levelling up and Regeneration Bill), and may require an EIA (or such replacement to EIA) on a case-by-case basis.

SECTION 6. SOCIO-ECONOMIC DUTY WHAT WILL BE IMPACT ON SOCIO-ECONOMIC DISADVANTAGE?

6.1 The Socio-economic Duty.

The Bill seeks to unify existing consents, for the purpose of streamlining and simplifying the process for applicants and communities alike. Having had regard to the Socio-economic Duty, the Bill itself serves to have no socio-economic impact. The subsequent decisions arising from the Bill may in due course lead to the creation of employment opportunities, which may serve to create an opportunity to reduce inequality of outcome, although those decisions are already being made under the existing separate consenting regimes. Consideration of this duty will form part of the decision-making process prescribed under the Bill.

SECTION 7. RECORD OF FULL IMPACT ASSESSMENTS REQUIRED

You have now decided which areas need a more detailed impact assessment. Please list them below.

Impact Assessment	Yes/No	If yes, you should
Children's rights	No	Complete the Children's Rights Impact Assessment below
Equality	Yes*	Complete the Equality Impact Assessment below
Socio-economic Duty	No	Complete the Socio-economic Duty Assessment below
Rural Proofing	Yes	Complete the Rural Proofing Impact Assessment below
Health	No	Refer to the Integrated Impact Assessment Guidance
Privacy	Yes	Complete the Data Protection Impact Assessment below
Welsh Language	Yes	Complete the Welsh Language Impact Assessment below
Economic / RIA	Yes	Refer to the Integrated Impact Assessment Guidance
Justice	Yes	Complete the Justice System Impact Identification form on the intranet
Biodiversity	Yes*	Complete the Biodiversity Impact Assessment below
Climate Change	No	Refer to the Integrated Impact Assessment Guidance
Strategic Environmental Assessment	No	Refer to the Integrated Impact Assessment Guidance
Habitat Regulations Assessment	No	Refer to the Integrated Impact Assessment Guidance

Environmental Impact Assessment	No	Refer to the Integrated Impact Assessment Guidance
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* Mandatory for all proposals in order to meet statutory obligations.

SECTION 8. CONCLUSION

8.1 How have people most likely to be affected by the proposal been involved in developing it?

Proposals to develop a unified consenting regime were subject to [public consultation](#) in 2018. As well as being available for the public to participate in via the Welsh Government website, specific stakeholder groups were targeted for engagement, including:

- LPAs;
- Public sector bodies with a role in decision making, including PEDW and NRW;
- Community and town Councils;
- Third sector organisations, including Planning Aid Wales and environmental organisations; and
- Statutory consultees on development proposals.

The Welsh Government considered consultation responses which were used to inform [development of these proposals](#).

8.2 What are the most significant impacts, positive and negative?

The most significant impact of the Bill is to create a single process which unifies and simplifies the consenting process for major infrastructure projects in Wales. This will make the process more predictable and consistent for developers, and create a single, more understandable process for communities to participate in decisions which affect them. This will also ensure resulting decisions on related consents are made “in the round” and due regard is given to all aspects of development proposals at the same time. This is considered to be a positive impact.

8.3 In light of the impacts identified, how will the proposal:

- **maximise contribution to our well-being objectives and the seven well-being goals; and/or,**
- **avoid, reduce or mitigate any negative impacts?**

Well-being Goals

A Prosperous Wales – The Bill will introduce a consenting regime that will make it quicker and easier for carbon-reducing development, particularly renewable energy development, to secure consent. It will also ensure decisions on energy generating development are being made in the context of national policy on climate change and low carbon.

A Resilient Wales – unified decisions made under the Bill will be considered in accordance with the statutory duty of the Welsh Ministers to deliver sustainable development, as well as being made in the context of national policy on biodiversity and climate change.

A Globally Responsible Wales – as stated above, unified decisions made under the Bill will be considered in accordance with the statutory duty of the Welsh Ministers to deliver sustainable development.

Well-being Objectives

The Welsh Government has 10 well-being objectives used to maximise contribution to the well-being goals.

The 10 well-being objectives are as follows:

- 1) Provide effective, high quality and sustainable healthcare.

The Bill will not directly impact this objective.

- 2) Continue our long-term programme of education reform, and ensure educational inequalities narrow and standards rise.

The Bill will not directly impact this objective.

- 3) Protect, re-build and develop our services for vulnerable people.

The Bill will not directly impact this objective.

- 4) Celebrate diversity and move to eliminate inequality in all of its forms.

Whilst the Bill will not directly impact diversity, the Bill will help engage and consult with communities to ensure future development does not negatively impact on equality.

- 5) Build an economy based on the principles of fair work, sustainability and the industries and services of the future.

The Bill will ensure decisions will be considered in accordance with the statutory duty of the Welsh Ministers to deliver sustainable development, therefore contributing to an economy based on these principles.

- 6) Push towards a million Welsh speakers, and enable our tourism, sports and arts industries to thrive.

Whilst the Bill will not directly encourage an increase in Welsh speakers, the Bill will ensure infrastructure development will not negatively impact the Welsh Language.

- 7) Build a stronger, greener economy as we make maximum progress towards decarbonisation.

The Bill will make it quicker and easier for carbon-reducing development, particularly renewable energy development, to secure consent. It will also ensure decisions on energy generating development are being made in the context of national policy on climate change and low carbon.

- 8) Make our cities, towns and villages even better places in which to live and work.

The Bill will ensure decisions on infrastructure development are made in line with national planning policy, namely Planning Policy Wales and Future Wales. The development of these policies has included the well-being goals and objectives of the Welsh Government, which should therefore result in development that will make cities, towns and villages better places to live and work.

- 9) Embed our response to the climate and nature emergency in everything we do.

As stated above, the Bill will make it quicker and easier for carbon-reducing development, particularly renewable energy development, to secure consent. It will also ensure decisions on energy generating development are being made in the context of national policy on climate change and low carbon.

- 10) Lead Wales in a national civic conversation about our constitutional future, and give our country the strongest possible presence on the world stage.

The Bill will not directly impact this objective.

8.4 How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

The Bill will include a statutory timeframe for decisions on major infrastructure projects. Performance against these targets will be subject to ongoing review and monitoring, and there will be a statutory requirement to publish this performance. We will also maintain continuous engagement with stakeholders to monitor the effectiveness of the consenting process and its impact on decision outcomes.

The success of the process will be monitored through the soundness of decisions which are made through it. Where decisions do not attract legal challenge or are subject to an unsuccessful judicial review, the process will be considered successful. Where a successful review in relation to a decision is sought, lessons learnt will be documented in relation to the case to ensure futureproofing of the process.

SECTION 9. DECLARATION

Declaration

I am satisfied that the impact of the proposed action has been adequately assessed and recorded.

Name of Senior Responsible Officer / Deputy Director:

Neil Hemington

Department:

Planning Directorate

Date:

February 2023

FULL IMPACT ASSESSMENTS

A. EQUALITY IMPACT ASSESSMENT

The proposal is likely to have an overall neutral impact in terms of equality. The Bill will unify different but adjacent consenting regimes within one process. Beyond the need to consult and undertake pre-application engagement on some development types where there are currently no requirements to do so, there will be no material change to the duties placed on, or rights of, individuals.

Record of Impacts by protected characteristic:

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate impacts?
Age (think about different age groups)	Older age groups are occasionally challenged by technology and may struggle to engage with the regime introduced by the Bill as a result. This is a potential negative impact of the proposal on this age group. However, the Bill will maintain existing “traditional” community engagement methods, including direct notification, to address the engagement of different age groups. No overall effect.	This is a combination of existing consents which have been unified into one regime. Engagement methods will therefore largely remain unchanged.	As detailed, any potential impacts will be mitigated by the continuation of existing engagement methods. Further consideration of this matter will also take place during the development of subordinate legislation.
Disability (consider the	Welsh Government is already subject to W3C	This is a combination of existing consents which	As detailed, any potential impacts have

social model of disability ¹ and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the barriers that disable people with different types of impairments)	compliance requirements for digital services. No overall effect.	have been unified into one regime. It is therefore unlikely that the proposal could inadvertently cause barriers to disabled people.	been mitigated by the overall compliance for digital services. Further consideration of this matter will also take place during the development of subordinate legislation.
Gender Reassignment (the act of transitioning and Transgender people)	No effect	N/A	N/A
Pregnancy and maternity	No effect.	N/A	N/A
Race (include different ethnic	No effect.	N/A	N/A

¹ Welsh Government uses the social model of disability. We understand that disabled people are not disabled by their impairments but by barriers that they encounter in society. Ensuring that your proposal removes barriers, rather than creating them, is the best way to improve equality for disabled people. For more information, go to the intranet and search 'social model'.

minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)			
Religion, belief and non-belief	No effect.	N/A	N/A
Sex / Gender	No effect.	N/A	N/A
Sexual orientation (Lesbian, Gay and Bisexual)	No effect.	N/A	N/A
Marriage and civil partnership	No effect.	N/A	N/A
Children and young people up to the age of 18	No effect.	N/A	N/A
Low-income households	No effect.	N/A	N/A

Human Rights and UN Conventions

The most relevant Article is considered below.

Human Rights	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate negative Impacts?
Protocol 1 Article 1: The right to peaceful enjoyment of possessions	Not all of the current separate consenting regimes include a requirement for pre-application consultation or community engagement. The Bill will introduce this as a requirement in all cases. This is a net positive enabling members of the public to contribute their views on decisions which might affect their property or possessions.	N/A	N/A

EU/EEA and Swiss Citizens' Rights

Residency – the right to reside and other rights related to residence: rights of exit and entry, applications for residency, restrictions of rights of entry and residence;

The proposal will have no effect.

Mutual recognition of professional qualifications –the continued recognition of professional qualifications obtained by EU/EEA/Swiss citizens in their countries (and already recognised in the UK);

The proposal will have no effect.

Access to social security systems – these include benefits, access to education, housing and access to healthcare.

The proposal will have no effect.

Equal treatment – this covers non-discrimination, equal treatment and rights of workers;

The proposal will have no effect.

Workers rights - Workers and self-employed persons who are covered under the Citizens Rights Agreements are guaranteed broadly the same rights as they enjoyed when the UK was a Member State. They have a right to not be discriminated against due to nationality, and the right to equal treatment with UK nationals.

The proposal will have no effect.

(Frontier workers (those citizens who reside in one state and regularly work in another) can continue working in the UK if they did so by the 31 December 2020).

B. RURAL PROOFING IMPACT ASSESSMENT

The Bill will require applicants to undertake pre-application consultation on proposals. Although this is already a requirement for planning and DNS applications, this is not required in some other consent types.

The rurality of some locations in Wales creates challenges for timely and effective pre-application engagement by applicants, and the lack of access to high-speed broadband precludes the use of digital-only methods. The detail of procedures for this pre-application consultation activity will be set out in subordinate legislation and will consider the challenges of effective engagement with geographically dispersed and rural communities. It is the intention that a direct, bilingual notification using traditional mail methods, along with press and site notices will be required in certain circumstances.

Individual applications for infrastructure consent under the Bill regime will present a more direct impact on the lives of rural people, businesses and communities. It is considered that the mechanisms contained within the Bill, the requirement of pre-application consultation, to consult on the application and meaningfully examine the application and the representations received as a consequence, will sufficiently mitigate any potential negative impacts. The impact of any future infrastructure development on the rural population will be considered as part of the overall decision on individual applications.

Welsh Language

As set out above, in the development of individual infrastructure applications the impact on the Welsh Language will have to be considered carefully due to its importance in rural areas. The detail of pre-application consultation will be set out in secondary legislation and the Welsh Language will form part of that consideration. It is likely that a direct, bilingual notification using traditional mail methods will be required in certain circumstances.

We recognise the use of Welsh as a first or only language is higher in more rural communities. All information provided by the Welsh Government, both in terms of policy and guidance, as well as forms and documentation, will be bilingual in accordance with the duties placed on the Welsh Ministers by the Welsh Language Standards.

Ageing Population

In secondary legislation, the Bill regime will likely require the use of traditional mail methods to notify local people of any forthcoming infrastructure developments, and the provision of site notices on or near the site, as well as the requirement to place adverts in the local press. This secondary

legislation will consider the challenges of effective engagement with geographically dispersed and rural communities.

Economy

The impact on the local rural economy will be considered as part of any proposed application for infrastructure consent. Any potential impact of future developments will be assessed on a case-by-case basis.

Infrastructure

As mentioned above, the rurality of some locations in Wales creates challenges for timely and effective pre-application engagement by applicants, and the lack of access to high-speed broadband precludes the use of digital-only methods. Therefore, the subordinate legislation will carefully consider pre-application engagement methods, and it is likely that traditional mail methods will be used, as well as site notices and notices in the local press.

Terrain

This proposal will not have a direct impact on or be impacted by the terrain of rural areas. However, the impact of any proposed development considered under the WIC regime will be considered on a site-specific basis.

Natural Scenery

This proposal will not have a direct impact on or be impacted by the natural scenery of rural areas. However, the impact of any proposed development considered under the WIC regime will be considered on a site-specific basis.

Energy

This proposal will not have a direct impact on or be impacted by energy in rural areas. However, the impact of any proposed development considered under the WIC regime will be considered on a site-specific basis.

C. DATA PROTECTION IMPACT ASSESSMENT SCREENING

Please send your assessment to the Information Rights Unit (DataProtectionQueries@gov.wales) copied to your Information Asset Owner.

Title of proposal: Infrastructure (Wales) Bill
Name of Information Asset Owner: Neil Hemington
PIA reference number (A unique number to identify this PIA such as DivDate or this document's ishare id) A45423863
<p>Please describe your proposal:</p> <p>The Bill will introduce a new form of consenting regime, known as Welsh Infrastructure Consent ("WIC"), unifying those already delivered by:</p> <ul style="list-style-type: none"> • The Town and Country Planning Act 1990; • The Planning Act 2008; • The Electricity Act 1989; • The Transport and Works Act 1992; • The Harbours Act 1964; and • The Highways Act 1980. <p>Each of these consenting regimes already require applicants to submit information to either the Welsh Ministers or LPAs, in order to inform determination of those applications. Third parties may also be asked to submit certain information to participate in the decision-making process. This is only contact information – name, address and email address. The existing regimes are already GDPR compliant, and Bill will not introduce any new information requirements, merely combine the separate processes into one.</p>
<p>Has data protection impact screening or assessment already been carried out?</p> <ul style="list-style-type: none"> • No

<p>Does the proposal involve the processing of personal data by Welsh Government or any other parties?</p> <ul style="list-style-type: none"> • No, although the full detail will be set out in subordinate legislation (which will be subject to its own DPIA) and at the moment there are no plans to require any new information beyond that already being collected. <p>Please tick the personal data items that will be processed (this list is not exhaustive):</p> <p>Personal</p>	
<p>Name ✓</p> <p>Name address ✓</p> <p>Business address ✓</p> <p>Postcode ✓</p> <p>Email address ✓</p>	<p>Telephone numbers</p> <p>Date of birth</p> <p>Driving licence number</p> <p>Passport / ID card number</p> <p>Photographs / images (which could be used to identify an individual)</p> <p>Other (please specify)</p>
<p>Special Category</p>	
<p>Racial / ethnic origin</p> <p>Political opinions</p> <p>Religious / philosophical beliefs</p> <p>Trade union membership</p> <p>Physical / mental health conditions</p> <p>Sexual life</p> <p>Sexual orientation</p>	<p>Biometric data e.g. DNA, finger-prints</p>

Criminal & court records (inc. alleged offences)	
<p>If special category personal data is being processed, is this data being collected mandatorily (i.e. without the data subjects having an option to not provide it)?</p> <ul style="list-style-type: none"> • N/A 	
<p>Do any of the data subjects whose personal data will be processed fall into the following categories?</p> <p>Children (under the age of 12)</p> <p>Patients</p> <p>Asylum Seekers</p> <p>Welsh Government employees</p> <ul style="list-style-type: none"> • Possibly (if they choose to participate in the decision-making process). Though this will not form part of this proposal, and will likely be considered in the development of subordinate legislation which will be subject to DPIA. 	
<p>Please give an indication of the scale of the processing (e.g. pan-Wales; targeted group)</p> <p>Applicant data will be collected via an application form submitted directly to the Welsh Ministers. This information will only be processed internally whilst the application is under consideration. An application report will be published and those who choose to participate in the public scrutiny of the individual application will be named in it (unless they choose to withhold their names). Records will be disposed of within the standard 10 year time frame, except for the decision report which will be held in perpetuity on the public planning register.</p>	
For the personal data being processed, please indicate	
Who the data controller is?	WG
Any data processors?	WG

Will the data be shared?	The decision report will be published on the WG website and placed on the public planning register.
<p>What is the statutory basis for processing the data? NB – GDPR itself does <u>not</u> provide a statutory legal basis to process personal data.</p> <p>The statutory basis to collect and process this information is set out in the relevant Acts listed earlier in this form – however GOWA 2006 S58A also provides powers to the Welsh Ministers to carry out actions which are conducive or incidental to their other functions in relation to those other Acts. The effect of the new Bill is to replace the statutory basis for connecting this information listed in the above Acts, with a new Act.</p>	
<p>Have legal Services confirmed that the basis outlined above provides the necessary statutory gateway for processing (including any proposed sharing)?</p> <ul style="list-style-type: none"> • No 	
<p>Will the proposal involve new or significantly changed processing of personal data about each individual?</p> <ul style="list-style-type: none"> • No 	
<p>Will the personal data be consolidated, linked or matched with data from other sources?</p> <ul style="list-style-type: none"> • No 	
<p>Will the personal data be used for automated decision making?</p> <ul style="list-style-type: none"> • No 	
<p>Will the personal data result in systematic monitoring of data subjects?</p> <ul style="list-style-type: none"> • No 	
<p>Does the proposal involve new or changed data collection, retention or sharing policies/practices for personal data?</p> <ul style="list-style-type: none"> • No 	

Do you have a clear retention policy and what practical things are in place for you to ensure that your Retention Policy is applied?

- Yes – case files are subject to the standard Planning Division retention and disposal schedule. Decision reports are kept in perpetuity on the public planning register.

Will the proposal involve the introduction of privacy-intrusive technologies such as:

- Smart cards
- RFID tags
- Biometrics
- Visual surveillance (e.g. CCTV)
- Digital image and video recording
- Profiling, data mining or logging electronic traffic
- Locator technologies (e.g. GPS, mobile phone tracking)
- Other (please provide details)

No.

Will the proposal involve new or changed identity management or authentication processes?

- No

Will the proposal have the effect of enabling identification of individuals who were previously anonymous?

- No

For completion by Information Rights Unit

Is a Data Protection Impact Assessment (DPIA) required for this proposal?

- No

This proposal does not meet the criteria for undertaking a DPIA specified by Article 35(1), 35(3) and 35(4) of the UK GDPR.

Has advice on UK General Data Protection Regulation (UK GDPR) compliance been provided?

- Yes (as below):
- Does the proposal require a Privacy Notice to be drafted? No. A privacy notice will need to be in place at the point of data collection once this Bill is law.
- Does the proposal require consultation with the ICO under GDPR Art 36(4)? Yes. Although this Bill will not introduce any new information requirements, it is legislation relating to the processing of personal data which we are required to consult with the ICO on under Article 36(4). Details of how to do this, including the consultation form can be found on the '[consulting on policy](#)' intranet page.
- Does the proposal require a contract between Welsh Government as data controller and a third party processor? No.
- Does the proposal require a data sharing agreement to be drafted? No.

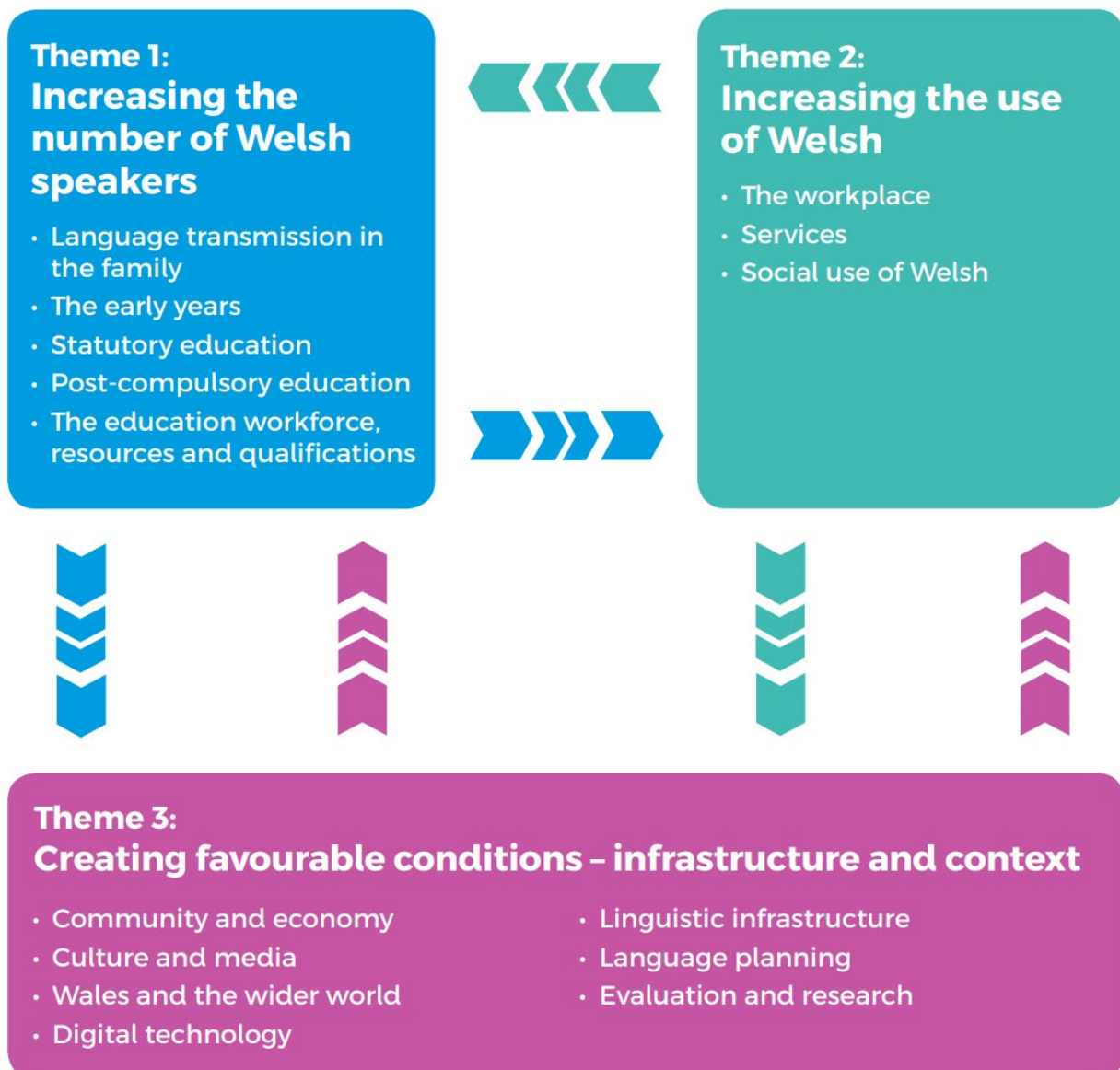
D. WELSH LANGUAGE IMPACT ASSESSMENT

Cymraeg 2050 is our national strategy for increasing the number of Welsh speakers to a million by 2050.

The Welsh Government is fully committed to the new strategy, with the target of a million speakers included in its Programme for Government. A thriving Welsh language is also included in one of the 7 well-being goals in the Well-being of Future Generations (Wales) Act 2015.

We also have a statutory obligation to fully consider the effects of our work on the Welsh Language. This means that any Welsh Government policy should consider how our policies affect the language and those who speak it.

The [Cymraeg 2050 strategy](#) has three interrelated themes:



The headings under each theme outline the scope of activities that can affect the language.

As a general rule, if your policy has the potential to impact on people, it will impact in some way on Welsh speakers and therefore on the Welsh language.

1. Welsh Language Impact Assessment reference number (completed by the Welsh Language Standards Team, email: Safonau.Standards@gov.wales):

03/02/2023

2. Does the proposal demonstrate a clear link with the Welsh Government’s strategy for the Welsh language? – *Cymraeg 2050 A million Welsh speakers* and the related Work Programme for 2017-2021?

No. The proposal is to introduce a new consenting regime to replace a number of existing consenting regimes. Those separate processes are already WG WL Standards compliant, and the new WIC process will be designed to also meet WG WL Standards.

3. Describe and explain the impact of the proposal on the Welsh language, and explain how you will address these impacts in order to improve outcomes for the Welsh language. How will the proposal affect Welsh speakers of all ages (both positive and/or adverse effects)? You should note your responses to the following in your answer to this question, along with any other relevant information:

The Bill proposes a replacement for application processes which are already fully bilingual (including the ability for the public to make representations at hearings via the medium of Welsh). There is no intention to alter how an individual may state their preference in language when interacting with the Welsh Government through this process. There is no positive or negative impact.

For the detail of how these services are already delivered in accordance with WG’s WL obligations, see Planning and Environment Decisions Wales (“PEDW”)’s procedures for case management and public engagement. PEDW will deliver case management services for WIC as it currently does with Developments of National Significance.

E. BIODIVERSITY IMPACT ASSESSMENT

Consider Questions 1 - 9 for ALL policies:

Embedding biodiversity

1. How will your proposal integrate biodiversity into decision making?

The Bill will unify consenting processes for applications where biodiversity issues might previously have been considered separately, and at a separate time, from other aspects of the decision on these proposals. Consequently, the Bill intends to ensure biodiversity issues are considered as part of a wider decision on all major infrastructure projects, which is a requirement of national policy, and other legislation requirements such as the s.6 duty Environment (Wales) Act.

2. Has your proposal ensured biodiversity is accounted for in business decisions?

Yes – see above.

3. How does your proposal improve understanding and raise awareness of the importance of biodiversity, encouraging others to act?

The Bill does not necessarily present an opportunity to improve understanding or raise awareness, but it does place biodiversity issues at the centre of major infrastructure decisions.

Improving our evidence, understanding and monitoring

4. Have you used the best available evidence of biodiversity to inform your proposal and this assessment?

No – but decisions which are made under the regime introduced through the Bill will do so in accordance with the best available information and surveys undertaken to support any statement which assesses the impacts on the environment as part of the application process.

5. Have you used up to date knowledge of the key impacts on biodiversity to make evidence-based decisions?

No – but decisions which are made under the Bill will do so, in accordance with the relevant statutory requirements at the time.

6. Can your proposal contribute to our body of knowledge for biodiversity?

No.

Governance and support for delivery of biodiversity action

7. Can your proposal support biodiversity action in any way?

The introduction of the Bill does not necessarily present an opportunity to support biodiversity action, however, it places the consideration of biodiversity and environmental issues at the centre of major infrastructure decisions.

8. Can your proposal help to build capacity for biodiversity action?

N/A

9. Have you recorded decisions and actions to maintain and enhance biodiversity?

N/A

If your proposal concerns construction or management of land and/or sea, please also consider Questions 10 – 16:

Safeguarding species and habitats of principal importance

10. Is all legislation complied with to ensure protection of marine and terrestrial species and habitats?

The Bill does not repeal any legislation which ensures the protection of marine and terrestrial species and habitats, and will ensure the relevant policy and duties remain relevant when making individual decisions in relation to developments.

11. Does the proposal seek first to maintain and enhance biodiversity?

The Bill will have the effect of making sure all relevant infrastructure decisions are made in the context of WG policy, particularly that relating to biodiversity and the stepwise approach.

Increasing the resilience of our natural environment

12. Does your proposal contribute to building the resilience of our ecosystems?

Indirectly by ensuring decisions made as part of the regime introduced by the Bill are made in the context of national policy on these issues (see above).

13. Does your proposal contribute to the creation of new habitat?

Indirectly by ensuring decisions made as part of the regime introduced by the Bill are made in the context of national policy on these issues (see above).

Tackling key pressures on species and habitats

14. Will the proposal have any negative impacts on habitats or species?

By their nature, infrastructure developments cause the above changes. Decisions made as part of the regime introduced by the Bill will ensure proposed developments are made in the context of national policy on these issues.

15. Has all legislation regarding the pressures on species and habitats been complied with?

See above ref consolidation of existing legislative regimes.

16. How will any negative impacts be mitigated?

The Bill will ensure infrastructure decisions which present biodiversity issues that require mitigation, are appropriately mitigated.

Question number	Opportunities for positive action	Negative impacts of the proposal	Actions needed to maximise positive opportunities and prevent negative impacts
1	The Bill intends to ensure biodiversity issues are considered as part of a wider decision on all major infrastructure projects, which is a requirement of national policy, and other legislation requirements such as the s.6 duty Environment (Wales) Act.	No direct impacts identified.	The Bill will implement national policy and legislative requirements on biodiversity. This will ensure biodiversity issues are considered as part of a wider decision on all major infrastructure projects.
2	N/A	N/A	N/A
3	The Bill does not necessarily present an opportunity to improve understanding or raise awareness, but it does place biodiversity issues at the centre of major infrastructure decisions.	No direct impacts identified.	The Bill will place biodiversity issues at the centre of major infrastructure decisions, therefore preventing potential negative impacts.
4	Decisions which are made under the	If any decisions are made without the	Ensuring decisions made under the

	regime introduced through the Bill will do so in accordance with the best available information and surveys undertaken to support any statement which assesses the impacts on the environment as part of the application process.	most up to date environmental data available.	regime introduced by the Bill are in accordance with the best available information.
5	No – but decisions which are made under the Bill will do so, in accordance with the relevant statutory requirements at the time.		
6	N/A	N/A	N/A
7	The introduction of the Bill does not necessarily present an opportunity to support biodiversity action, however, it places the consideration of biodiversity and environmental issues at the centre of		

	major infrastructure decisions.		
8	N/A	N/A	N/A
9	N/A	N/A	N/A
10	The Bill does not repeal any legislation which ensures the protection of marine and terrestrial species and habitats, and will ensure the relevant policy and duties remain relevant when making individual decisions in relation to developments.	No direct impacts identified.	Legislation ensuring the protection of marine and terrestrial species and habitats will not be repealed by the Bill.
11	The Bill will have the effect of making sure all relevant infrastructure decisions are made in the context of WG policy, particularly that relating to biodiversity and the stepwise approach.	No direct impacts identified.	All relevant infrastructure decisions will be made in the context of WG policy.
12	Indirectly by ensuring decisions made as part of the regime	No direct impacts identified.	Ensuring decisions made as part of the regime introduced by

	introduced by the Bill are made in the context of national policy on these issues.		the Bill are made in the context of national policy.
13	Indirectly by ensuring decisions made as part of the regime introduced by the Bill are made in the context of national policy on these issues (see above).	No direct impacts identified.	Ensuring decisions made as part of the regime introduced by the Bill are made in the context of national policy.
14	Decisions made as part of the regime introduced by the Bill will ensure proposed developments are made in the context of national policy on these issues.	No direct impacts identified.	Ensuring decisions made as part of the regime introduced by the Bill are made in the context of national policy.
15	See above ref consolidation of existing legislative regimes.	N/A	N/A
16	The Bill will ensure infrastructure decisions which present biodiversity issues that require mitigation, are	No direct impacts identified.	Ensuring infrastructure decisions that present biodiversity issues are

	appropriately mitigated.		appropriately mitigated for.
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F. SOCIO-ECONOMIC DUTY ASSESSMENT

What evidence has been considered to understand how the proposal contributes to inequalities of outcome experience as a result of socio-economic disadvantage?

Insofar as community engagement and participation in decision making on infrastructure decisions is concerned, the Bill will either contain a “like for like” replication of existing community consultation methods where robust methods already exist (such as through the DNS process), or introduce community consultation for some decision types where it does not currently exist. Overall this is deemed as neutral in most cases, or in some case types a minor net improvement, as it will enable people, including those who suffer from socio-economic disadvantage, to participate in decisions which affect them, where they were not able to do so before.

What information has been gained through engagement with those effected by the proposal/decision and specifically those who suffer socio-economic disadvantage?

N/A – see above

Have protected characteristics been considered?

N/A – see above

Have communities of interest and places interest been considered. (Refer to page 8 in the statutory guidance).

N/A – see above

What information has been considered regarding future trends?

N/A – see above

What data has been considered (National and local)

N/A – see above

Provide a summary of evidence and links

N/A – see above

How could the proposal potentially further exacerbate inequality of outcome experienced as a result of socio-economic disadvantage?

It would not. The proposal seeks to unify existing consenting regimes for major infrastructure projects.

Please provide detail regarding inequalities of outcome likely to be impacted and those people and communities likely to be impacted

The introduction of this legislation itself would have no impact. Resulting decisions arising from the new regime would be made in the context of national policy, including policy on socio-economic duty.

Provide a summary of evidence and links

N/A

How could the decision potentially improve outcomes for those who experience socio-economic disadvantage?

N/A – see above

Provide a summary of evidence and link

N/A – see above

How will you monitor the impact of this decision? (Please consider wider outcomes)

N/A – see above

Provide a summary of evidence and links

N/A – see above