

National Legislation made by the Department for Transport in 2011	Impact Assessments
AVIATION	
<u>Aerodromes (Designation) (Detention and Sale of Aircraft) (England and Wales) (Amendment) Order 2011</u> 2011 No. 832	
Designates Cotswold Airport as an aerodrome to which Section 88 of the Civil Aviation Act 1982 applies. Section 88 confers upon the person owning or managing an aerodrome a power to detain and sell aircraft in certain circumstances where airport charges have not been paid.	N/A
<u>Air Navigation (Amendment) Order 2011</u> 2011 No. 2432	
Amended the Air Navigation Order 2009 so that an aircraft registered in the European Economic Area does not require the permission of the Secretary of State to fly for the purpose of aerial photography, aerial survey or aerial work in the United Kingdom. Aerial work includes aerial photography, aerial survey, parachute dropping, crop spraying and other similar services that do not involve the transportation of passengers or cargo.	IA RPC
<u>Air Navigation (Dangerous Goods) (Amendment) Regulations 2011</u> 2011 No. 650	
Amended the Air Navigation (Dangerous Goods) Regulations 2002 and revoked the Air Navigation (Dangerous Goods) (Amendment) Regulations 2009. The definition of “Technical Instructions” was replaced by a definition referring to the 2010-2011 English language version of the Technical Instructions for the Safe Transport of Dangerous Goods by Air, approved and published by decision of the Council of the International Civil Aviation Organisation.	N/A
<u>Air Navigation (Dangerous Goods) (Amendment) (No. 2) Regulations 2011</u>	

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<u>2011 No. 1454</u>	
Amended the Air Navigation (Dangerous Goods) Regulations 2002 by substituting the definition of “Technical Instructions” in those Regulations and referring to the 2011-12 English language edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air. The Air Navigation (Dangerous Goods) (Amendment) Regulations 2011 incorrectly made reference to a 2010-2011 English language edition of the Technical Instructions.	N/A
<u>Air Traffic Controller Licensing (National Supervisory Authority) Regulations 2011</u> <u>2011 No. 2261</u>	
Designates the Civil Aviation Authority (CAA), which is the independent regulator for the United Kingdom aviation industry, as the national supervisory authority and the competent authority with respect to laying down detailed rules for air traffic controllers’ licences and certain certificates.	N/A
<u>Air Traffic Services (Exemption) Order 2011</u> <u>2011 No. 425</u>	
Renews an exemption authorising the provision of air traffic services, other than area control and information services provided from an area control centre.	IA RPC
<u>Airport Byelaws (Designation) Order 2011</u> <u>2011 No. 828</u>	
Enables the operators of Shoreham Airport in Sussex to make byelaws for regulating the use and operation of the airport and the conduct of people while in the airport.	N/A
<u>Airport Charges Regulations 2011</u> <u>2011 No. 2491</u>	
Implemented EU Directive 2009/12/EC on airport charges, which introduces common principles to ensure transparency and consultation in the levying of charges by the operators of major airports on their airline customers. It has effect at all airports with a throughput of over five million passengers per annum and requires Member States to put in place a compulsory procedure whereby the operators of such airports undertake regular consultation with airport users (i.e. airlines) on the system and level of airport charges and the quality of service provided.	IA RPC
<u>Airports Slot Allocation (Amendment) Regulations 2011</u>	

<u>2011 No. 1610</u>	
During the London 2012 Olympics there is expected to be a significant increase in flights to the South East of England, as spectators, official guests and the 'Games Family' travel to the Games. In order to cope with the increased demand there will be a temporary extension of airport slot coordination for the period of the Games. This instrument gives the Secretary of State powers to ensure that the temporary extension of airport coordination for the period of the Olympics will operate effectively to reduce the potential for disruption to air services that would result in substantial delays to passengers and costs to airline and airport businesses.	IA
<u>Transport Act 2000 (Amendment of section 5(4)) Regulations 2011</u> <u>2011 No. 205</u>	
Amended section 5(4) of the Transport Act 2000 to ensure that the UK complies with the EU requirement that a Member State ensures that there are no provisions in its domestic legislation which require a provider of air traffic services to have its registered office in that State.	N/A
MARITIME	
<u>Equality Act 2010 (Work on Ships and Hovercraft) Regulations 2011</u> <u>2011 No. 1771</u>	
Applies Part 5 (Work) of the Equality Act 2010 to work on ships (including hovercraft), and seafarers. They specify which seafarers, working on which ships, working in which waters, Part 5 of the Act applies to. The Regulations also make provision for different rates of pay for seafarers because of nationality if the seafarer applied for work or was recruited outside Great Britain and is not a British Citizen or national of another EEA state or a designated state .	IA RPC
<u>Merchant Shipping (Flag State Directive) Regulations 2011</u> <u>2011 No. 2667</u>	
Partially transposed Directive 2009/21/EC which seeks to ensure that Member States effectively and consistently discharge their obligations under international law regarding ships flying their flag and also seeks to enhance safety and prevent pollution from those ships. The Directive only places obligations on Member	N/A

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States and their competent authorities for maritime purposes. The UK's competent authority is the Maritime and Coastguard Agency (MCA), an executive agency of the Department for Transport.	
<u>Merchant Shipping (Port State Control) Regulations 2011</u> <u>2011 No. 2601</u>	
The purpose of the Regulations, which implement EU Directive 2009/16/EC is to strengthen control of foreign flagged ships calling at UK ports in order to reduce the risk they pose to health, safety or the environment. The new Directive introduces a risk based scheme of inspection, strengthens powers to exclude ships which are persistently sub standard and requires port authorities to provide information on actual times of ship arrivals and departures to support the European Commission in setting and monitoring inspection activity.	IA RPC
<u>Merchant Shipping (Safety of Navigation) (Amendment) Regulations 2011</u> <u>2011 No. 2978</u>	
Amended the Merchant Shipping (Safety of Navigation) Regulations 2002 to take account of regulations 19-1 and 34-1 of Chapter V of the International Convention for the Safety of Life at Sea (SOLAS). They implemented two amendments: One requires ships to carry LRIT (Long Range Identification and Tracking) Systems, the purpose of which is to provide a secure system for flag states to track their vessels globally, in response to pirate and terrorist attacks on vessels. The other moved the existing requirement that owners must not restrict the master's decisions relating to safety or the environment.	IA RPC
<u>Merchant Shipping (Ship Inspection and Survey Organisations) (Revocation) Regulations 2011</u> <u>2011 No. 3056</u>	
Revoked the Merchant Shipping (Ship Inspection and Survey Organisations) Regulations 1996 and made consequential amendments in order to complete the transposition of Directive 2009/15/EC and to remove provisions and powers which are no longer required in legislation. Other elements of the Directive have been transposed through existing legislation and administrative means.	N/A
<u>Merchant Shipping (Ship-to-Ship Transfers) (Amendment) Regulations 2011</u> <u>2011 No. 974</u>	
<u>Merchant Shipping (Ship-to-Ship Transfers) (Amendment) (No. 2) Regulations 2011</u> <u>2011 No. 2183</u>	
These two regulations amended the commencement provisions of the Merchant Shipping (Ship-to-Ship Transfers) Regulations 2010 to delay their commencement by a further six months.	N/A

<p><u>Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements)(Amendment) Regulations 2011</u> <u>2011 No. 2616</u></p>	
<p>Amended existing subordinate legislation applicable to most UK ships and non-UK ships that operate in UK waters. They implement two European Directives which aim to enhance maritime safety standards by introducing a number of new measures in the area of vessel traffic monitoring (VTM) as well as clarifying some elements of the original VTM Directive.</p>	N/A
<p><u>Port Security (Port of Dover) Designation Order 2011</u> <u>2011 No. 3045</u></p>	
<p>Identifies the port boundary for the port of Dover for the purposes of the Port Security Regulations 2009 and designates the "Dover Port Security Authority" as the Port Security Authority for that port for the purposes of those regulations.</p>	<p>IA RPC</p>
<p><u>Tonnage Tax (Training Requirement) (Amendment) Regulations 2011</u> <u>2011 No. 2185</u></p>	
<p>Amended the Tonnage Tax (Training Requirement) Regulations 2000 by increasing the amount of the payments which fall to be made in lieu of training.</p>	<p>IA</p>
<p>RAILWAYS</p>	
<p><u>Rail Vehicle Accessibility (Middleton Railway Drewry Car) and (Cairngorm Funicular Railway) Exemption (Amendment) Order 2011</u></p>	
<p>The Middleton Railway in Leeds was granted an exemption from RVAR 1998 in 2002 which allowed it to use its Drewry Car vehicle (which was built in the 1950s for maintenance purposes and only adapted for passenger use in 2002) despite it not fully complying with the regulations, although the vehicle now includes several accessibility features, including a wheelchair space. The Middleton Order was granted subject to a number of conditions, including that the exempted vehicle only be used on the Middleton Railway in Leeds but the MR applied to have that condition lifted, so that the Drewry Car could occasionally be used on other</p>	<p>IA RPC</p>

<p>tourist and heritage networks listed within the Rail Vehicle Accessibility Network Exemption Order. The remaining conditions stipulated in the Middleton Order remain in place, regardless of where the Drewry Car is operated. The Cairngorm Funicular Railway was granted an exemption from RVAR 1998 when it opened in 2002 which allowed it to operate its two funicular rail vehicles despite their not complying with two requirements of RVAR 1998 relating to the colour of the exterior of the vehicles and visual destination announcements. The operator applied to have the exemptions extended indefinitely.</p>	
<p><u>Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2011</u> <u>2011 No. 70</u></p>	
<p>Exempts certain specified rail vehicles, which were built for use by London Underground Limited on the Metropolitan Line, from the requirement to provide boarding devices in accordance with the requirements of the Rail Vehicle Accessibility (Non Interoperable Rail System) Regulations 2010. The exemption applies when the vehicles stop at six station platforms (at four different stations) on the Metropolitan Line. This includes platforms at Neasden and Willesden Green stations (platforms 1 and 4 at those stations) which are dedicated to the Metropolitan Line but are not currently in use for Metropolitan Line services. The Order sets an expiry date in the case of one of these exemptions and four of them will expire when step-free access is provided from the station entrance to the station platforms specified. One exemption is granted without limitation of time; however the Secretary of State may revoke the exemption by order.</p>	N/A
<p><u>Railway Byelaws Amendment Order 2011</u> <u>2011 No. 2213</u></p>	
<p>Amended the national Railway Byelaws made by the Strategic Rail Authority in 2005. It excludes the railway assets of Transport for London or its subsidiaries and any trains, other vehicles and associated equipment used by a person under an agreement with Transport for London or any of its subsidiaries from the scope of the national Railway Byelaws. It inserts a definition of “subsidiary” into the Byelaws and it removes London Underground Limited and Tube Lines Limited, which are subsidiaries of Transport for London, from the list of operators excluded from the definition of “operator”.</p>	N/A
<p><u>Railways and Other Guided Transport Systems (Safety) (Amendment) Regulations 2011</u> <u>2011 No. 1860</u></p>	
<p>Transposed certain provisions of the Revised Safety Directive and the whole of the Common Safety</p>	IA

Indicators Directive which amend the Railway Safety Directive. The amendments were mainly concerned with assigning an entity in charge of maintenance (ECM) to a railway vehicle and ensuring that the ECM is registered on the National Vehicle Register and establishing a formal maintenance system by which an ECM must ensure that the rail vehicles for which it is responsible are safely maintained.	RPC
<u>Railways (Interoperability) Regulations 2011</u> <u>2011 No. 3066</u>	
Implemented in one instrument EC Directive 2008/57/EC on the interoperability of the rail system in the Community and two further Directives which amend its annexes. The Directives provide for a common assessment and authorisation process for rail projects.	IA RPC
ROADS	
ROAD SAFETY	
<u>Road Safety Act 2006 (Commencement No. 6) Order 2011</u> <u>2011 No. 19</u>	
Relates to the new offence of keeping a vehicle which does not meet the insurance requirements. It provides for the offence and exceptions to it, the giving of fixed penalty notices and its enforcement by the immobilisation, removal and disposal of vehicles.	N/A
<u>Road Safety Act 2006 (Commencement No. 7) Order 2011</u> <u>2011 No. 1119 (C. 45)</u>	
Introduced aspects of section 22 of the Road Safety Act 2006 relating to the offence of keeping a vehicle which does not meet the insurance requirements. The order provides the level of penalty for offences for the mode of prosecution and specifies penalties in respect of those provisions of regulations under Schedule 2A to the RTA, contravention of or failure to comply with which is an offence, namely: removing or interfering with an immobilisation notice; removing or attempting to remove an immobilisation device and wrongfully displaying a disabled person's badge.	N/A

<u>Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011</u> <u>2011 No. 935</u>	
Provides Special Forces with exemptions from speed limits and certain other road traffic requirements for the purpose of responding, or making reparations for their ability to respond, to a national security emergency.	N/A
<u>Road Vehicles (Powers to Stop) Regulations 2011</u> <u>2011 No. 996</u>	
Gave the Secretary of State a power to appoint “stopping officers” in Great Britain. They also provided those officers with powers to stop certain commercial vehicles on roads for the purposes of specific checks by vehicle examiners and other authorised persons.	IA RPC
<u>Traffic Signs (Amendment) Regulations and General Directions 2011</u> <u>2011 No. 1040</u>	
Amended the Traffic Signs Regulations and General Directions 2002 to allow the provision of pedestrian crossing facilities (red and green men and push buttons) with portable traffic lights of the type used at road works. Minor related amendments are also made to update references to technical standards.	IA RPC
<u>Traffic Signs (Amendment) (No. 2) Regulations and General Directions 2011</u> <u>2011 No. 3041</u>	
Prescribes a number of commonly used traffic signs currently requiring authorisation by the Secretary of State, on application from highway authorities. Minor related amendments are also made to update references to technical standards. Additionally, the instrument makes amendments to align the TSRGD 2002 with powers provided for in the Traffic Management Act 2004 (TMA), to enable the Highways Agency Traffic Officers to carry out all their functions as the TMA intended.	IA RPC
LICENSING, REGISTRATION & INSURANCE	
<u>Driver and Vehicle Licensing Agency Trading Fund (Revocation) Order 2011</u> <u>2011 No. 630</u>	
Revoked the Driver and Vehicle Licensing Agency Trading Fund Order 2004 which established a trading fund for the operations of the Driver and Vehicle Licensing Agency and also the Driver and Vehicle Licensing	N/A

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Agency Trading Fund (Variation) Order 2005 which amended amounts in the 2004 Order.	
<u>Goods Vehicles (Community Licences) Regulations 2011</u> <u>2011 No. 2633</u>	
<u>Public Service Vehicles (Community Licences) Regulations 2011</u> <u>2011 No. 2634</u>	
These two instruments implement certain aspects of EU Regulations 1072/2009 and 1073/2009, on common rules for access to the international markets for goods vehicles and passenger vehicles respectively. They replace existing domestic Regulations in both fields, and include additional provisions – in particular to enforce the rules on driver attestations (in relation to goods vehicles) and authorisations (in relation to passenger vehicles).	IA RPC
<u>Motor Vehicles (Driving Licences) (Amendment) Regulations 2011</u> <u>2011 No. 2516</u>	
Implemented the minimum standards of medical fitness required for diabetes mellitus (diabetes), as specified in EU Directive 2009/112/EC	IA RPC
<u>Motor Vehicles (Insurance Requirements) (Immobilisation, Removal and Disposal) Regulations 2011</u> <u>2011 No. 1120</u>	
Established an enforcement regime for a new offence, committed by a registered keeper, of failing to maintain continuous insurance for a vehicle. The regulations enable an authorised person to immobilise, remove and in some cases, destroy the uninsured vehicle when that vehicle is on a road or any other public place. These regulations make it an offence to interfere with or remove an immobilisation device, unless under the direction of an authorised person.	IA RPC
<u>Motor Vehicles (Insurance Requirements) Regulations 2011</u> <u>2011 No. 20</u>	
Made provision in relation to the offence of being the registered keeper of a vehicle which does not have insurance cover under the Road Traffic Act 1988. It prescribes the particulars and declarations to be furnished for the purposes of exceptions to the offence, created a new exception to the offence, provides for a reduced fixed penalty upon prompt payment and requires Motor Insurers' Bureau (MIB) data to be provided for enforcement purposes.	IA RPC

<p><u>Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2011</u> <u>2011 No. 2324</u></p>	
<p>Amended the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007 which introduced a requirement for a Certificate to be held by professional drivers of vehicles in categories C and D when driving on roads within the European Community. To obtain a CPC, a driver requires an initial qualification and, in order to maintain this, they must complete 35 hours of Periodic Training over a five year period and every subsequent five years thereafter. Those holding a driving licence in categories C and D on the implementation dates were exempted from the requirement to hold a CPC for five years. These drivers are required to complete 35 hours of Periodic Training during this period to obtain the CPC. Within the United Kingdom, drivers holding a CPC are issued with a Driver Qualification Card as specified by the Directive as evidence of their CPC status.</p>	<p>IA RPC</p>
<p>VEHICLE SAFETY & STANDARDS</p>	
<p><u>Cleaner Road Transport Vehicles Regulations 2011</u> <u>2011 No. 1631</u></p>	
<p>Impose requirements on public authorities, utilities and some private sector providers of passenger transport services to take into account energy and environmental impacts, including energy consumption and emissions of carbon dioxide and certain other pollutants, when purchasing or leasing road transport vehicles.</p>	<p>IA RPC</p>
<p><u>Motor Cycles Etc. (Replacement of Catalytic Converters) and Motor Vehicles (Replacement of Catalytic Converters and Pollution Control Devices) (Amendment) Regulations 2011</u> <u>2011 No. 1854</u></p>	
<p>Amended the Motor Cycle Regulations and the Motor Vehicle Regulations to make it clear that proceedings for an offence under those Regulations can be brought in Scotland.</p>	<p>N/A</p>
<p><u>Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) (Amendment) Regulations 2011</u> <u>2011 No. 2134</u></p>	
<p>Implemented EU law obligations relating to the emission of gaseous and particulate pollutants from internal</p>	<p>IA</p>

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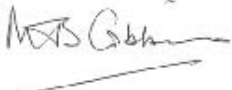
combustion engines to be installed in non-road mobile machinery (NRMM). The legislation is a response to progress in the design of engines, difficulties encountered by manufacturers in complying with the EU requirements and drafting anomalies in an earlier and technically complex EU Directive.	RPC
<u>Road Vehicles (Approval) (Amendment) Regulations 2011</u> <u>2011 No. 1946</u>	
Amended the definition of “Framework Directive” and updated the categories of vehicle to which spray-suppression and mudguard requirements apply.	N/A
<u>Road Vehicles (Construction and Use) (Amendment) Regulations 2011</u> <u>2011 No. 427</u>	
Define the conditions under which goods vehicles in categories N1 Class 1, N2 and N3 may be regarded as end of series vehicles and consequently be entitled to an exemption from compliance with new emissions standards for 12 months after those standards are introduced. For category N1 class 1 vehicles the relevant date from which new emissions standards took effect was 1 January 2011, and for classes N2 and N3 vehicles the relevant date is 31 December 2013.	IA RPC
<u>Road Vehicles (Construction and Use) (Amendment No. 2) Regulations 2011</u> <u>2011 No. 3065</u>	
Contains two separate elements and amends the Road Vehicles (Construction and Use) Regulations 1986 providing exemptions from new EU emissions standards, for defined periods of time, for “end-of-series” light goods vehicles so that they may be sold for additional periods even though they do not meet the new standards. As a result, these end-of-series vehicles may continue to be registered after the EU emissions standards initially take effect (as a matter of EU law). The period for which the end-of-series vehicles may continue to be registered is a further 12 months in respect of “complete” vehicles manufactured in a single stage and 18 months in respect of “completed” vehicles manufactured in multiple stages.	IA RPC
<u>Tractor etc (EC Type-Approval) (Amendment) Regulations 2011</u> <u>2011 No. 1279</u>	
Amended the Tractors etc (EC Type-Approval) Regulations 2005 in order to transpose three EU Directives into UK law. They contain a number of minor clarifications and amendments, to remove ambiguity in various existing Directives. They remove tractors from the scope of the European Machinery Directive which would have created a double burden when added to the existing Tractor type approval regime. They also create a	N/A


harmonised EU-wide type approval scheme for category T4.3 (low clearance) tractors. These tractors have a low centre of gravity, for improved stability, and are typically used in Alpine conditions.	
BUSES & TAXIS	
<u>Bus Service Operators Grant (England) (Amendment) Regulations 2011</u> <u>2011 No. 2448</u>	
Ended the eligibility of long distance coach operators to claim Bus Service Operators Grant (BSOG) in return for offering half-price travel to persons of over 60 years or older and those to whom a statutory travel concession permit has been issued.	IA RPC
<u>Mandatory Travel Concession (England) Regulations 2011</u> <u>2011 No. 1121</u>	
Made regulations for reimbursement arrangements between travel concession authorities and operators of public passenger transport services participating in the mandatory English national bus concession.	IA RPC
HIGHWAYS	
<u>M1 Motorway (Junctions 25 to 28) (Variable Speed Limits) Regulations 2011</u>	
The Regulations will restrict drivers from driving at a speed above the maximum indicated by each speed limit sign passed, until their vehicle passes a sign indicating that the national speed limit applies, or until they leave the roads covered by the Regulations.	IA RPC
<u>M1 Motorway (Junctions 6A to 10) (Variable Speed Limits) Regulations 2011</u>	
The Regulations will restrict drivers from driving at a speed above the maximum indicated by each speed limit sign passed, until their vehicle passes a sign indicating that the national speed limit applies, or until they leave the roads covered by the Regulations.	IA RPC
<u>Olympic Route Network Designation (Amendment) Order 2011</u>	


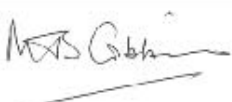
<u>2011 No. 1656</u>	
Made by the Olympic Delivery Authority with the consent of the Secretary of State for Transport, the order amended the Olympic Route Network Designation Order 2009 by making additions and changes to the list of roads which constitute the Olympic Route Network.	IA RPC
PARKING	
<u>Civil Enforcement of Parking Contraventions Designation Order 2011</u> <u>2011 No. 2431</u>	
Enabled the County Council of Durham, the East Riding of Yorkshire Council, the Nuneaton and Bedworth Borough Council, Breckland District Council, Broadland District Council, North Norfolk District Council, South Norfolk District Council, Great Yarmouth Borough Council and the Borough Council of King's Lynn and West Norfolk to enforce parking contraventions within their administrative areas through a civil law regime, as opposed to enforcement by police or traffic wardens in a criminal law context. It also excludes certain roads around Ebbsfleet Station within the administrative area of the Dartford Borough Council from an existing civil parking enforcement scheme.	N/A
<u>Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2011</u> <u>2011 No. 1307</u>	
Amended the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 to extend eligibility for a disabled person's badge (Blue Badge) to disabled children between the ages of 2 and 3 years with certain medical conditions and certain service personnel and war veterans assessed by the Secretary of State as having a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.	IA RPC
<u>Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011</u> <u>2011 No. 2675</u>	
Amended the grounds on which a local authority may refuse to issue, or may withdraw, a disabled person's badge (known as a Blue Badge). It raises the fee which a local authority may charge for the issue of a badge, prescribes the form of a badge; and provides that a local authority should carry out an independent mobility assessment when an applicant's eligibility is in doubt.	IA RPC


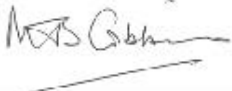
FREIGHT	
<u>Road Transport Operator Regulations 2011</u> <u>2011 No. 2632</u>	
Implemented provisions of EC Regulation No 1071/2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator. It relates only to 'hire or reward' operators – i.e. haulage companies that carry goods belonging to their clients and bus and coach companies that receive payment for providing the transport service to passengers. The regulations amend the two Acts which currently regulate domestic goods and passenger licensing and they also make other, self-standing provisions.	<u>IA</u> <u>RPC</u>
OTHER	
<u>Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011</u> <u>2011 No. 1885</u>	
Updated the technical provisions, conformity requirements and responsibilities of economic operators, in order to enhance safety and ensure the free movement of transportable pressure equipment within, to and from Great Britain. It also revokes an instrument that is no longer needed, changes some Ministerial function responsibilities in connection with class 7 goods, amends the provisions relating to enforcing authorities and makes other, minor, amendments.	<u>IA</u> <u>RPC</u>
<u>Office of the Renewable Fuels Agency (Dissolution and Transfer of Functions) Order 2011</u> <u>2011 No. 493</u>	
Abolished the Renewable Fuels Agency (RFA) and transferred its role as administrator of the Renewable Transport Fuel Obligation (RTFO) to the Department for Transport. To facilitate this transfer the Order made amendments to the Renewable Transport Fuel Obligations Order 2007 to remove those provisions which	N/A


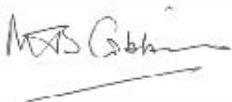
<p>would not work with the Department for Transport as administrator. The Order also transferred the assets and liabilities of the RFA to the Department for Transport and ensured that staff of the RFA transfers to the Department for Transport in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 2006.</p>	
<p><u>Renewable Transport Fuel Obligations (Amendment) Order 2011</u> <u>2011 No. 2937</u></p>	
<p>Transposed the transport-related requirements of Directive 2009/28/EC on the promotion of the use of energy from renewable sources, commonly known as the Renewable Energy Directive. The Directive requires Member States to ensure that 10 per cent of the energy used in transport is from renewable sources in 2020, as well as requiring the introduction of mandatory sustainability criteria for biofuels. The UK already has a scheme in place that requires fossil fuel suppliers to supply specific volumes of biofuel, the Renewable Transport Fuel Obligation, and the most expedient way of transposing the transport-related requirements of the Renewable Energy Directive was by amending that.</p>	<p><u>IA</u> <u>RPC</u></p>


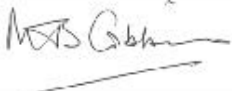
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Air Navigation (Amendment) Order 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	27/07/2011	
RPC Opinion date and reference	04/08/2011	RPC11-DfT-0810(2)
Overall Assessment	GREEN	
<p>The IA is fit for purpose. The likely costs and benefits of this proposal have been considered and the evidence provided indicates that the effects will be minimal on the UK. Concerns raised in the previous consultation stage RPC Opinion of 02/03/2011 regarding wage costs, refusals and competition have been adequately addressed.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Assessment of impacts.</i> The IA explains that the proposal is likely to have minimal impact on the UK and is justified on the basis of ensuring that the UK is compliant with EU law. The regulatory change means that operators of EEA-registered aircraft wishing to undertake aerial work in the UK are no longer required to ask for permission from the Secretary of State to do so. The IA could provide more information on the number of applications that have been previously refused on the grounds of safety, to better illustrate that these have been very rare instances and therefore there are unlikely to be any additional risks to the UK from this proposal.</p> <p><i>Competition.</i> The IA explains that, although there will be an effect on competition, this is likely to be minimal given that it is expected that the "current rate of 140 applications by operators of EEA-registered aircraft per year would be maintained". Therefore the assessment that there will be a negligible effect on UK-registered aircraft appears reasonable.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As this proposal is of European origin, with no evidence of going beyond minimum requirements, it is out of scope of 'One-in, One-out'.</p>		
Signed	Michael Gibbons, Chairman	
		


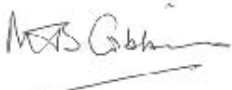
 Regulatory Policy Committee	OPINION
Impact Assessment	Air Traffic Services (Exemption) Order
Lead Department	Department for Transport / Civil Aviation Authority
Stage	Final
RPC Opinion date	09 November 2010
Background and Context	
<p>The proposed Order is to provide a further period of license exemption to airport Air Navigation Service Providers (ANSPs), hence maintaining the status quo. This opinion is based on the impact assessment (IA) submitted on 01 November 2010.</p>	
Overall Assessment	
<p>The costs and benefits of exemptions versus licensing, in terms of their impact on market behaviour, are not compared to enable a view to be taken on what is the most appropriate policy in this area. Additionally, the current exemptions are due to expire in 2011. This has been known since 2001. It is not explained why this knowledge has not been used to inform the timing of policy proposals in this area.</p>	
Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options	
<p><i>Rationale.</i> The IA does not explain clearly the rationale behind the current system of exemptions. The costs and benefits of exemptions versus licensing, in terms of their impact on market behaviour, are not compared to enable a view to be taken on what is the most appropriate policy in this area.</p> <p><i>Risk.</i> The IA says that there is a risk that implementing a licensing regime could take longer than expected and so result in airport ANSPs potentially operating illegally. Additionally, the current exemptions are due to expire in 2011. This has been known since 2001. It is not explained why this knowledge has not been used to inform the timing of policy proposals in this area.</p> <p><i>Costs and benefits.</i> The estimates of the costs of the "do nothing" option, and hence the benefits of options 1 and 2, which would require the establishment of a new licensing regime, are not supported by evidence.</p>	
Have the necessary burden reductions required by One-in, One-out been identified and are they robust?	
<p>The RPC is satisfied with the Department's assessment that there is no cost to business from the preferred option.</p>	
Other issues with the IA	
None.	


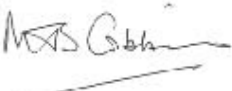
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Equality Act 2010 (Application of Part 5 to Seafarers) Regulations 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	Domestic & European	
Date submitted to RPC	15/03/2011	
RPC Opinion date and reference	28/03/2011	RPC11-DfT-0823
Overall Assessment	AMBER	
<p>The IA is fit for purpose. The costs and benefits appear reasonable, though are based on assumptions from the 'Equality Act Impact Assessment.' This has not been reviewed by the RPC.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Assumptions.</i> Many of the cost and benefit estimates for the implementation of Part 5 of the Equality Act, such as familiarisation costs and simplification benefits, are based on assumptions made in the 'Equality Act Impact Assessment.' The Equality Act IA has not been reviewed by the RPC.</p> <p><i>Differential Pay Legislation.</i> The IA should discuss in further detail any other wider effects of the introduction of this legislation. There is the possibility, for example, that there will now be an increased incentive to hire non-UK/EEA. In addition, the IA should discuss in more detail any potential wider impacts of ships switching flag and the consequences this may have on, for example, business activity and/or worker safety.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The Department claims an IN of £59.19m, though the majority of this is European derived and therefore out of scope of One-in, One-out. Domestic aspects of the policy result in an IN of minimum £16,000 as previously assessed by the RPC. Despite this being an IN, no OUT has been identified.</p>		
Signed		Michael Gibbons, Chair



 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Merchant Shipping (Port State Control) Regulations	
Lead Department/Agency	Maritime and Coastguard Agency (MCA) / Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	23/09/2011	
RPC Opinion date and reference	07/10/2011	RPC11-DfT-0836(2)
Overall Assessment	AMBER	
<p>The IA is fit for purpose. The IA should however include information on the risks to safety, health or the environment that currently results from substandard foreign flagged ships in the UK, as this is where the most significant benefits are expected to arise.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Benefits.</i> The IA says that the benefits will arise from reducing risks to safety, health or the environment that currently results from substandard foreign flagged ships in the UK as well as limiting the ability of such ships to gain a competitive advantage. However, only limited information is provided on this and no monetised benefits are provided. The IA should include information, where possible, on the risks that currently arise from substandard foreign flagged ships in the UK to give an indication of the possible benefits that may arise.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As this proposal is of European origin, with no evidence of going beyond minimum requirements, it is out of scope of One-in, One-out.</p>		
Signed		Michael Gibbons, Chairman


 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Merchant Shipping (Safety of Navigation) Regulations 2011 ("the UK Regulations")	
Lead Department/Agency	Maritime and Coastguard Agency – Department for Transport	
Stage	Final	
Origin	International	
Date submitted to RPC	28/10/2011	
RPC Opinion date and reference	08/11/2011	RPC11-DFT-0989(2)
Overall Assessment	GREEN	
<p>The IA is fit for purpose. The costs and benefits of the policy have been adequately assessed.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Costs and Benefits.</i> The proposal will enable the UK to comply with its obligations in relation to the International Convention for the Safety of Life at Sea (SOLAS); and the Long Range Identification and Tracking (LRIT) requirements of Directive 2009/17/EC. The IA indicates that the vast majority of UK registered ships are already complying with these requirements. The costs and benefits for the proposal have been adequately assessed.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The proposed measure goes beyond the minimum requirements of Directive 2009/17/EC but only in so far as to fulfil the UK's obligations under the International Convention for the Safety of Life at Sea. The proposal is therefore out of scope of One-in, One-out.</p>		
Signed		Michael Gibbons, Chairman



 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Port Security (Port of Dover) Designation Order 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	19/08/2011	
RPC Opinion date and reference	15/09/2011	RPC11-DFT-0915(2)
Overall Assessment	GREEN	
<p>The IA is fit for purpose. In response to the RPC Opinion of 12/05/2011, the revised IA now demonstrates that the estimated costs are based on evidence provided by the UK ports industry. We are now more satisfied that the figures presented are robust.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p>This revised IA addresses the concerns raised previously by the RPC regarding the impacts of the proposal. The IA now explicitly shows that the estimated costs are based on discussions with a range of stakeholders from the UK ports industry. This IA explains all the measures that will be adopted as a result of the proposal and now better justifies the assumptions that have been made in relation to the estimated additional resources that will be required.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As the measure is of European origin, with no evidence of going beyond the minimum requirements, it is out of scope of One-in, One-out.</p>		
Signed		Michael Gibbons, Chairman



 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Rail Vehicle Accessibility (Middleton Railway Drewry Car) and (Cairngorm Funicular Railway) Exemptions (Amendment) Order 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	Domestic	
Date submitted to RPC	26/08/2011	
RPC Opinion date and reference	23/09/2011	RPC11-DFT-1076
Overall Assessment	GREEN	
<p>The IA is fit for purpose. The costs and benefits have been adequately assessed for a de-regulatory measure of this magnitude. In addition, the preferred option continues existing exemptions that have been in place for 10 years.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Costs and benefits:</i> The proposal is to extend existing exemptions, which allow the Middleton and Cairngorm railways to operate without meeting fully the Rail Vehicle Accessibility Regulations. The Middleton Railway will also be permitted to use its Drewry Car on other lines. If this resulted in the displacement of more accessible carriages it could result in a cost to disabled passengers. However, the Drewry car has disabled space and a condition of the exemption is that assistance is provided to users where it is necessary. The amendment with regard to Cairngorm allows business as usual but without the added burden of seeking periodic extension to its exemption order. Therefore, it is a reasonable assessment that there will be no costs of continuing the exemptions.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The IA indicates the measure is de-regulatory in nature and will remove burden on business; and that the benefits have not been monetised because it would be disproportionate to carry out a monetisation exercise for such a small measure. The measure has been correctly identified as an OUT under One-in, One-out, with an EANCB of £0.</p>		
Signed		Michael Gibbons, Chairman


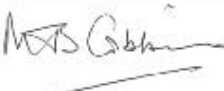
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	How best to implement European Directives on the maintenance of railway vehicles and the improvement of data quality of accidents which amend the Railway Safety Directive	
Lead Department/Agency	Department for Transport / Office of Rail Regulation	
Stage	Final	
Origin	European	
Date submitted to RPC	15/06/2011	
RPC Opinion date and reference	23/06/2011	RPC11-DfT-0981
Overall Assessment	GREEN	
<p>The IA is fit for purpose. The Department has adequately assessed the familiarisation costs of the proposed regulations.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Costs and Benefits:</i> The IA adequately assesses the costs and benefits of transposing the Directive. Any costs arising from the proposed certification regime will be covered in a later impact assessment.</p> <p>The IA proposes making an additional and unrelated change to the <i>Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS)</i>, to clarify that work also includes voluntary work. The IA states that this measure will have no material cost, as the provisions already apply to voluntary workers. This assessment appears reasonable.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As this proposal is of European origin, with no evidence of going beyond minimum requirements, it is out of scope of One-in, One-out.</p>		
Signed	Michael Gibbons, Chair	
		


 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	How to best implement the European Directive on the Interoperability of the Rail System	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	12/12/2011	
RPC Opinion date and reference	22/12/2011	RPC11-DFT-1095(2)
Overall Assessment	AMBER	
<p>The IA is fit for purpose. However, given the uncertain nature of the costs and benefits of this measure the IA would have benefited from a more detailed sensitivity analysis in order to determine how robust the case is for the preferred option.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Treatment of Uncertainty.</i> Due to the limited information available there is a degree of uncertainty in the cost and benefit figures in the IA. The department have attempted to reflect this uncertainty by undertaking a "Sensitivity Test" in which they reduced all costs and benefits by 20%. This adds little value to the analysis as a reduction of costs and benefits by 20% can have no effect other than to reduce the NPV by 20%. The department should have undertaken a proper sensitivity analysis, varying the value of one or more assumptions or external factors and calculating and explaining the impact on the overall results. This would provide a more appropriate test of the robustness of the case for the preferred option.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The IA acknowledges that some provisions go beyond minimum EU requirements and the implementation of these would bring this measure into scope of One-in, One-out. The department claims that where they have gone beyond minimum requirements, these provisions would have a zero net cost to business.</p> <p>In addition, other provisions represent a recast of a previous Directive where the burden on business appears to have been reduced. These would represent an OUT, with an Equivalent Annual Net Cost to Business estimated at -£2.08m. This assessment appears reasonable based on the evidence presented.</p>		
Signed		Michael Gibbons, Chairman


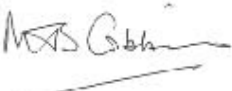
 Regulatory Policy Committee	OPINION
Impact Assessment	Vehicle and Operator Services Agency (VOSA) powers to stop commercial vehicles for inspection
Lead Department	Department for Transport / Vehicle and Operator Services Agency (VOSA) / Driver Vehicle Agency (DVA) Northern Ireland (NI)
Stage	Final
RPC Opinion date	26 October 2010
<p>Background and Context</p> <p>The proposal will enable VOSA to carry out roadside enforcement checks in Scotland, make changes in the accreditation process for VOSA stopping officers in England and Wales, and provide more powers to DVA (Northern Ireland) to stop vehicles for all the checks as required by an existing EU Directive.</p> <p>This opinion is based on the impact assessment (IA) submitted on 11 October 2010.</p>	
<p>Overall Assessment</p> <p>The costs and benefits of the proposal to extend powers of VOSA to carry out checks in Scotland have been adequately assessed. However, the IA provides limited information and analysis regarding the likely costs and benefits of changes in the accreditation process for stopping officers and changes in existing stopping powers for DVA examiners in Northern Ireland.</p>	
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>VOSA powers to stop commercial vehicles in Scotland.</i> The IA estimates the annual monetised benefits to be £335,000 (cost-savings to the police as a result of not being required to participate in VOSA roadside checks). However, as the IA also acknowledges, the police may continue putting some resources into VOSA inspections regardless, which may undermine the reliability of this estimate.</p> <p><i>Changes in the accreditation process.</i> The IA claims that the transfer of accreditation process from police to VOSA will deliver "resource savings for police in GB". However, it is not clear what the net effect of such transfer will be, as there are likely to be additional costs associated with the creation and operation of a new accreditation system within VOSA, which is not discussed in the IA.</p> <p><i>Powers to DVA in Northern Ireland.</i> It is not clear what additional powers will be provided to DVA in Northern Ireland and whether there will be any significant costs and benefits associated with these changes.</p>	
<p>Have the necessary burden reductions required by One In One Out been identified and are they robust?</p>	



 Regulatory Policy Committee	OPINION
Impact Assessment (IA)	Impact Assessment for the Traffic Signs (Amendment) Regulations and General Directions 2010
Lead Department	Department for Transport
Stage	Enactment
RPC Opinion date	3 December 2010
Background and Context The proposal will amend the Traffic Signs Regulations and General Directions 2002 to permit the use in the UK of portable pedestrian crossing equipment used in other countries and remove any barrier-to-trade infraction case initiated by the European Commission. This opinion is based on the version of the impact assessment (IA) submitted on 17 November 2010.	
Overall Assessment The IA does not provide any estimates of likely impacts of permitting the use of portable pedestrian crossings in the UK compared to the current arrangements. It is therefore not possible to determine the scale of the likely impacts from the proposal.	
Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options <i>Costs and benefits.</i> The IA says that the objective is to remove a "barrier-to-trade infraction case". However, it seems that little analysis has been undertaken to assess the likely impacts of such a change in the UK. For example, it is not clear whether the introduction of this equipment in the UK market will affect road safety given the earlier safety concerns that led to the prohibition in the UK.	
Have the necessary burden reductions required by One-in, One-out been identified and are they robust? The proposal does not identify a net cost to business.	
Other issues with the IA None.	
Signed 	Michael Gibbons, Chair


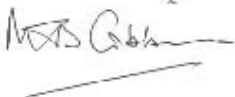
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Traffic Signs (Amendment) Regulations and General Directions 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	Domestic	
Date submitted to RPC	16/02/2011	
RPC Opinion date and reference	21/03/2011	RPC11-DfT-0813
Overall Assessment	AMBER	
<p>The IA is fit for purpose. However, the Department should explain further the benefit claimed from traffic officers being lawfully allowed to carry out their functions and explain why the expansion in traffic officer activity is considered costless.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Benefits.</i> The IA should explain in greater detail how benefits will accrue with respect to the additional functions that will be undertaken by traffic officers (TO's), and explain the basis for the estimated 0.5% of TO's time used to calculate the benefit figure.</p> <p><i>Costs.</i> As there are no costs, implying no increase in TO activity, it is not clear how any benefits can therefore occur. If new functions are to be undertaken, as one would assume from the benefits, the Department should explain why this will be costless. The fact that Traffic Officers are already trained does not mean there are no further costs in carrying out the additional functions.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As the amendments relate to the public sector, with no direct impact on business or civil society organisations, the measure appears to be outside of the scope of One-in, One-out.</p>		
Signed		Michael Gibbons, Chair


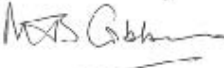
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Impact Assessment of the EC's Three regulations on International Road Transport	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	15/08/2011	
RPC Opinion date and reference	19/09/2011	RPC11-DFT-1060
Overall Assessment	GREEN	
<p>The IA is fit for purpose. The costs and benefits to the UK of this EU regulation have been adequately assessed.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Benefits:</i> The IA indicates that the proposal will result in a reduction in the number of accidents in the UK, due in part to a roll out of the OCRS system to other EU member states. Given that the OCRS system is currently in place in the UK, the benefits will arise as a result of implementation by other EU member states whose vehicles operating within the UK's border. The IA would have benefited from making it clear that the benefits are not a direct result of UK implementation.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The measure is European in origin and appears to be out of scope of One in, One out. The IA indicates the measures will take advantage of voluntary provisions within the Regulation but only those that reduce burdens on businesses.</p>		
Signed		Michael Gibbons, Chairman


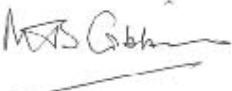
 Regulatory Policy Committee	OPINION
Impact Assessment	Continuous Insurance Enforcement (CIE)
Lead Department	Department for Transport
Stage	Final
RPC Opinion date	5 October 2010
Background and Context	
<p>The proposed measure will introduce 'Continuous Insurance Enforcement (CIE)' into the UK. This opinion is based on the impact assessment (IA) submitted on 20 September 2010.</p>	
Overall Assessment	
<p>The costs and benefits with respect to the potential financial impacts of the proposal have been assessed. It is not clear, however, that the IA provides accurate estimates of the potential welfare impacts from the proposal.</p>	
Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options	
<p><i>Benefits from CIE.</i> The IA estimates that the benefits from the introduction of CIE derive from the establishment of a fairer system for vehicle insurance in the UK, proxied by the expected reduction in insurance costs for currently insured drivers, and the benefits of revenue from various penalties and fines.</p> <p>The impact on welfare of a fairer system for vehicle insurance in the UK, as presented in the IA, is based on the estimated £30 premium paid by currently insured drivers as a consequence of uninsured drivers. However, this premium presumably reflects the costs incurred by the insured as a consequence of the actions of uninsured drivers. It is not obvious that it reflects insured drivers' willingness to pay for a fairer system, or indeed society's valuation of a fairer system. It is therefore not obvious that the estimate of the total benefit to the UK from introducing CIE is reliable, particularly given that this estimate represents over 80 per cent of the total estimated benefit.</p> <p>While the IA says that in accordance with Guidance it is not counting income from fines as a benefit or cost, the total benefit figure presented includes income from fees and penalties. Such revenue makes up around 15 per cent of the total benefit estimate. Again, it is not clear that these estimates reliably represent the welfare gains from introducing CIE in the UK.</p> <p><i>Costs from CIE.</i> The estimated costs of court cases under CIE, presented as an average of £19 per case, appear to be based on each case taking 5 minutes. It is not clear that this estimate is reliable.</p>	
Other issues with the quality of analysis	
<p>The discounted cash flows presented in Annex A of the IA are undertaken for the period 2008/9-2016/17, with 2008/9 taken as 'Year 0'. It is not clear why the current</p>	


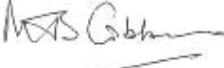
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Introduce a requirement for 'acquired rights' drivers to exchange their old style (paper) licence for a photocard licence before completing their periodic training	
Lead Department/Agency	Department for Transport/ Driver Vehicle and Licensing Agency	
Stage	Final	
Origin	European	
Date submitted to RPC	16/12/2010	
RPC Opinion date and reference	25/01/2011	RPC 10-DFT-0735
Overall Assessment	AMBER	
<p>The IA is fit for purpose. As the proposal is going beyond minimum EU requirements, it falls under the scope of 'One-in, One-out'.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Costs and Benefits.</i> The IA claims, as a benefit, the savings to drivers from them no longer having the option to apply for a paper licence. It would seem more appropriate to treat this as a cost of the proposal. The issue is whether the benefits from removing the paper licence option are greater than the costs. The IA would have benefited from more detailed economic analysis surrounding this issue.</p> <p><i>Impact on business.</i> It is possible a number of individuals affected could be self employed. The IA does not discuss this and so fails to determine the effect of which the proposal could have on business.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The IA says that the proposal goes beyond minimum EU requirements. This brings the proposal into the scope of 'One-in, One-out' but the IA does not appear to represent a net cost to business.</p>		
Signed	Michael Gibbons, Chair	
		


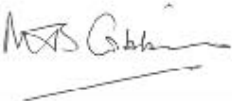
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants)(Amendment) Regulations 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	10/06/2011	
RPC Opinion date and reference	28/06/2011	RPC11-DfT-0975
Overall Assessment	AMBER	
<p>The IA is fit for purpose. The IA clearly presents the costs and benefits of the proposal in the main body of the text. However, the cover sheet contains numerous errors which should be addressed before the IA is finalised.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Costs and Benefits:</i> Although the IA clearly presents the costs of the proposal in the text, the values have been incorrectly transposed onto the cover sheet, so the best estimate of costs is lower than the low estimate. Furthermore, neither the annual profile of costs and benefits, nor the direct costs to business have been completed.</p> <p><i>Enforcement:</i> The IA cover sheet also states that no enforcement body will enforce this measure. While enforcement at a user level would be difficult, enforcement at the stage of putting these products on the UK market must be a requirement of the Directive. The body enforcing this part of the Directive should be made clear in the IA.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As this proposal is of European origin, with no evidence of going beyond minimum requirements, it is out of scope of One-in, One-out.</p>		
Signed		Michael Gibbons, Chair


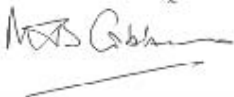
 Regulatory Policy Committee	OPINION
Impact Assessment	The Road Vehicles (Construction and Use) (Amendment) (No.x) Regulations 2011
Lead Department	Department for Transport
Stage	Final
RPC Opinion date	23 December 2010
Background and Context	
<p>The proposals are for the introduction of a derogation to allow the sale of certain vehicles whose certificates of conformity have expired following the introduction of new emissions standards. This opinion is based on the version of the impact assessment (IA) submitted on 14 December 2010.</p>	
Overall Assessment	
<p>The IA is fit for purpose subject to minor changes in accordance with IA guidance. Costs and benefits have been adequately assessed.</p>	
Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options	
<p>Costs and benefits have been adequately assessed. However, the IA template has not been completed in accordance with IA guidance. Much of the default text remains, and not all the boxes in the 'Summary: Analysis and Evidence' sheet have been filled in correctly.</p>	
Have the necessary burden reductions required by One-in, One-out been identified and are they robust?	
<p>The Department has not identified a net cost to business that would require a burden reduction to be found under the current requirements of One-in, One-out.</p>	
Other issues with the IA	
None.	
Signed	Michael Gibbons, Chair
	


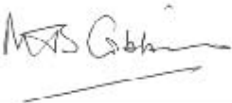
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Road Vehicles (Construction and Use)(Amendment No.x) Regulation 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	03/10/2011	
RPC Opinion date and reference	12/10/2011	RPC11-DFT-1099
Overall Assessment	GREEN	
<p>The IA is fit for purpose. The costs and benefits to the UK of introducing the derogation have been adequately assessed.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Costs and Benefits.</i> The proposal is to introduce a derogation which prevents manufacturers of vehicles which do not meet the requirements of new emissions standards from having to either register early or approve vehicles individually. The benefits of the proposal have been adequately assessed; the proposal does not appear to have any adverse economic, environmental or social impact.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The measure is of European origin, with no evidence of going beyond minimum requirements. As such it is out of scope of One-in, One-out.</p>		
Signed		Michael Gibbons, Chairman


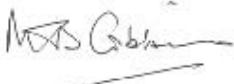
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Bus Service Operators Grant (England) Regulations 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	Domestic	
Date submitted to RPC	04/08/2011	
RPC Opinion date and reference	23/08/2011	RPC11-DfT-0982(2)
Overall Assessment	AMBER	
<p>The IA is fit for purpose. It has adequately addressed the Committee's previous concerns, although the IA should be clearer that the "no better, no worse off" principle applies to the profitability of coach operators to show why there will be no net cost to business.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Costs.</i> The IA correctly identifies the costs of removing this concession in terms of accessibility and social inclusion and provides further information to explain clearly the likely demand response from the change in fares arising from the removal of the concession that is currently offered. The IA has also provided further clarification regarding the nature of the "no better, no worse off" principle. However the IA should be clearer that this principle applies to the <i>profitability</i> of coach operators. This will clarify that coach operators will find themselves in the same net position relative to the 'do nothing' and that there will be no net cost to business.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As the proposal refers to a spending decision, it is out of scope of One-in, One-out.</p>		
Signed	Michael Gibbons, Chairman	
		


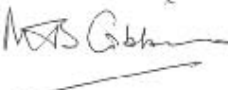
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Cleaner Road Transport Vehicles Regulations 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	Domestic	
Date submitted to RPC	16/02/2011	
RPC Opinion date and reference	28/03/2011	RPC11-DfT-0814
Overall Assessment	RED	
<p>The IA is not fit for purpose. The range of estimated net benefit is so wide as to be difficult to consider robust. The Department does not provide sufficient basis or analysis for the expected, best estimate and so it is not clear what the actual level of benefit of the proposal will be.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Best Estimate.</i> It is not obvious how the best estimate has been determined. Given that switching to cleaner vehicles would provide a net financial benefit to local authorities, it is not obvious why it should be assumed that only 50% of authorities switch, as it would make economic sense to do so. The IA should explain in further detail how the best estimate figure has been derived. If there are such large benefits to be obtained it is not clear what is preventing all authorities obtaining a benefit from the proposal</p> <p><i>Vehicle Replacement.</i> The IA does not appear to take into account the 'natural' replacement rate of vehicles that will occur in any case. Though the IA mentions a certain element of inertia with respect to vehicle replacement (i.e. procurers often choose 'like for like' vehicles), the advancement in vehicle technology could mean that subsequent purchases of the same vehicle type may be cleaner in any case. If so, the stated benefits may be optimistic.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As this proposal is of European origin, with no evidence of going beyond minimum requirements, it is out of scope of One-in, One-out.</p>		
Signed		Michael Gibbons, Chair


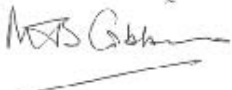
 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Concessionary Travel Reimbursement Regulations	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	Domestic	
Date submitted to RPC	25/01/2011	
RPC Opinion date and reference	08/02/2011	RPC11-DfT-0779
Overall Assessment	AMBER	
<p>The IA is fit for purpose. However, there are potential costs to business falling within the scope of One-in, One-out. Though we are satisfied these costs will be minimal, they have not been monetised and no OUT has been identified.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Cost-benefit analysis.</i> Costs to business are acknowledged though the Department assumes these will not be significant. This is on account of operators already collecting the necessary data and consultation responses suggesting no significant increase in burden. Though we are satisfied these costs will be minimal, these costs have not been monetised and no OUT has been identified.</p> <p>The IA provides an adequate description of the uncertainties surrounding the benefits, which are largely to Government. A breakdown of the assumed cost per appeal (£4,000) would help strengthen the analysis.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>Costs to business are acknowledged. However, these costs have not been monetised and no OUT has been identified.</p>		
Signed	Michael Gibbons, Chair	
		


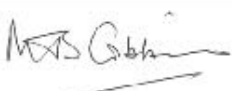
 Regulatory Policy Committee	OPINION
Impact Assessment (s)	M1 Junction 6A-10 Controlled Motorway M1 Junctions 25 to 28
Lead Department	Department for Transport
Stage	Final
RPC Opinion date	28 September 2010
Background and Context	
The Impact Assessments support the introduction of variable mandatory speed limits on two different sections of the M1 motorway. Both argue the introduction will considerably reduce the frequency of accidents and levels of carbon dioxide emissions.	
Overall Assessment	
The estimates provided to support the proposals for Variable Mandatory Speed Limits (VMSL's) appear reasonable and produced in accordance with the established Department methodology. However the IAs would benefit from greater clarity in certain areas as outlined below.	
Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options	
<p>Estimates of benefits from reduction in accidents: IA for Junctions 6a-10 uses an estimate of reduced accidents from VMSL's based on evidence from the M25. The IA for Junctions 25-28 use a similar figure but does not provide a source. Greater detail on how the 15% reduction was achieved on the M25 and how it is expected to be matched on the M1 would enhance the robustness of the estimates for this element of expected benefits.</p> <p>Level of costs and benefits: One IA uses as its price base 2008 whilst the other uses 2002. It is not clear why the IAs are not undertaken in today's prices, and this raises some concerns regarding their relevance.</p> <p>Range of costs and benefits: The IA for Junctions 25-28 includes lost tax revenues as a cost but the IA for Junction 6a-10 does not. It is not clear why, as the IAs relate to similar projects and are produced by the same Department, there should be a difference in their coverage of potential costs and benefits.</p>	
Other issues with the quality of analysis	
None	
Signed	Michael Gibbons, Chair
	


 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Olympic Route Network Designation Amendment Order 2011	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	Domestic	
Date submitted to RPC	09/05/2011	
RPC Opinion date and reference	20/05/2011	RPC11-DfT-0936
Overall Assessment	GREEN	
The IA is fit for purpose. Costs and benefits have been adequately assessed.		
Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options		
The RPC accepts that there will be no direct impacts from these specific amendments given that assigning sections of road as part of the Olympic Route Network does not in itself create any costs or benefits. Costs and benefits may occur if any traffic regulation orders are applied to these roads, with these being subject to separate statutory processes.		
Have the necessary burden reductions required by One-in, One-out been identified and are they robust?		
According to the current One-in, One-out methodology, these measures are out of scope of One-in, One-out, given the temporary nature of the regulations.		
Signed	Michael Gibbons, Chair	
		

 Regulatory Policy Committee	OPINION
Impact Assessment	Extending the Blue Badge Scheme to children between the ages of 2-3 with specific medical conditions
Lead Department	Department for Transport
Stage	Final
RPC Opinion date	23 December 2010
Background and Context	
The proposals are to close a gap in provisions whereby a child between the ages of 2-3 with certain medical issues is not currently eligible to apply for a Blue Badge. This opinion is based on the version of the impact assessment (IA) submitted 9 December 2010.	
Overall Assessment	
The IA is fit for purpose. Costs and Benefits have been adequately assessed.	
Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options	
Costs and Benefits have been adequately assessed. The Department has correctly identified a range for the estimates of costs and benefits due to the uncertainty of the number of Blue Badge applications that will be received.	
Have the necessary burden reductions required by One-in, One-out been identified and are they robust?	
The IA does not identify a net cost to business that would require a burden reduction under the current requirements of One-in, One-out.	
Other issues with the IA	
None.	
Signed 	Michael Gibbons, Chair

 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Impact Assessment for Blue Badge Regulations	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	Domestic	
Date submitted to RPC	08/07/2011	
RPC Opinion date and reference	25/07/2011	RPC11-DfT-1008
Overall Assessment	GREEN	
<p>The IA is fit for purpose. The costs and benefits of the proposal have been adequately discussed and assessed, including the potential costs to individuals and the likely savings to Local Authorities. The assumptions used appear reasonable</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options.</p> <p><i>Costs and Benefits.</i> The IA has adequately discussed and assessed the costs and benefits of the proposals, including the potential costs to individuals and the likely savings to Local Authorities. Sufficient evidence is provided to support the figures and assumptions used. The Department could have explained why they did not choose to set the fee cap at full cost recovery.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The proposal imposes no costs to business or civil society organisations and is therefore out of scope of 'One-in, One-out'.</p>		
Signed		Michael Gibbons, Chairman

 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	The Carriage of Dangerous Goods and use of Transportable Pressure Equipment Regulations 2009: Proposed amendment	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European/Domestic	
Date submitted to RPC	08/06/2011	
RPC Opinion date and reference	21/06/2011	RPC11-DfT-0765(2)
Overall Assessment	GREEN	
<p>The IA is fit for purpose. The IA has clearly identified the costs and benefits of the proposal, and has distinguished between the impacts on business from the separate elements (European and domestic) of the proposal, for the purposes of One-in, One-out. The Department has now removed the requirements that would have led to new tanks needing to be purchased. Previous RPC concerns regarding this have now therefore been addressed.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Impacts.</i> The Department has now removed the requirement that would lead to new tanks having to be purchased after considering this requirement to be beyond minimum EU requirements. Therefore previous RPC concerns about the costs of new tanks, the potential increase in CO₂ levels and the potential increase in fuel costs are no longer valid.</p> <p><i>Costs and Benefits.</i> The IA clearly identifies the costs and benefits of the domestic proposal, including the benefits to operators from reduced fees (associated with reduced regulatory activity) and the reduction in associated administrative costs. The benefits of the proposal derived from the EU directive are also clearly discussed.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>The IA now identifies an 'OUT' with an Equivalent Annual Net Cost to Business of (-) £0.035 million, derived from administrative and fee savings from a change in regulatory activity associated with the removal of domestic Explosives Regulations. This estimate appears robust.</p>		
Signed		Michael Gibbons, Chair

 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	European Proposals to amend Driving Licence Standards for Diabetes. Annex 3 of Directive 91/439/EEC	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	01/08/2011	
RPC Opinion date and reference	10/08/2011	RPC11-DFT-1032
Overall Assessment	AMBER	
<p>The IA is fit for purpose. Costs to the DVLA have been adequately assessed, though the IA should provide further qualitative discussion of the potential impact on those affected by the proposal.</p>		
<p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Costs and Benefits.</i> Costs to the DVLA have been adequately assessed, though the IA should provide further qualitative discussion of the potential impact on those affected by the proposal, in particular on those likely to lose their licence. The Department has informed the RPC that they expect the numbers affected (both positively and negatively) to be very small. This, and the reasons for this assumption, should be included in the IA as well as any supporting evidence from the consultation. The IA should also clarify why there will be no increased risk to road safety as a result of the proposed relaxation in the current UK requirements (proposal 4) in which <i>"drivers or applicants treated for diabetes, with medication, which carries a risk of hypoglycaemia may apply for entitlement to drive all group 2 category vehicles provided specific criteria is met"</i>. Evidence from the Medical Advisory Panel should be provided to support this assessment.</p>		
<p>Have the necessary burden reductions required by One-in, One-out been identified and are they robust?</p> <p>As this proposal is of European origin, with no evidence of going beyond minimum requirements, it is out of scope of One-in, One-out.</p>		
Signed		Michael Gibbons, Chairman

 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Amendments to the Renewable Transport Fuel Obligation for Compliance with the Renewable Energy Directive – Minimum Sustainability Criteria	
Lead Department/Agency	Department for Transport	
Stage	Final	
Origin	European	
Date submitted to RPC	08/08/2011	
RPC Opinion date and reference	29/09/2011	RPC11-DfT-0672(2)
Overall Assessment	AMBER	
<p>The IA is fit for purpose. The IA appears to have identified and assessed the relevant costs and benefits of this proposal and has, where possible, also provided monetised estimates as to their impacts. However, the IA should have provided more evidence in support of the assumptions that underpin the calculation of the costs and benefits, in particular the assumptions regarding the length of time it will take biofuel prices to return to trend.</p> <p>We accept that the estimates in the IA, although they appear reasonable, are inherently uncertain due to the difficulty in estimating the future renewable fuel market. The Department should endeavour to evaluate their estimates as soon as practicable in the form of a PIR.</p> <p>Identification of costs and benefits, and the impacts on small firms, public and third sector organisations, individuals and community groups and reflection of these in the choice of options</p> <p><i>Assumptions Underpinning the Cost Benefit Analysis.</i> The IA assumes that the spike in the price of biofuel that results from the implementation of this proposal will return to trend within 3 years. Only limited evidence is provided to support this assumption (although the IA does model 1.5 and 6 years). The IA should provide more evidence and analysis that this is an appropriate best estimate, especially as this factor plays a significant role in determining the actual costs to business.</p> <p><i>Familiarisation Costs to Business.</i> The IA says there will be additional familiarisation costs to business as a result of the revised regulatory regime and implementing internal processes to ensure compliance, but does not attempt to monetise these costs. It is unclear why these costs cannot be monetised, particularly at this stage of the policy making process. The IA should at least provide a more in depth qualitative discussion on the likely scale of these costs and how they will affect the relevant businesses.</p> <p><i>Uncertainty in the renewable fuel market.</i> Although the estimates in the IA appear reasonable in their calculation, the IA accepts that, given the complexity of the proposal and the inherent uncertainty involved in predicting the future price and performance of fuel markets, the estimates should be read with a certain degree of caution. The proposal would therefore benefit from relatively early evaluation to determine if the cost and benefit estimates need to be revised.</p>		