

<b>Title:</b> The Quality of Bathing Water (Amendment) Regulations (Northern Ireland) 2018	<b>Regulatory Impact Assessment (RIA)</b>	
	<b>Date:</b> April 2018	
	<b>Type of measure:</b> Subordinate legislation	
<b>Lead department or agency:</b> Agriculture, Environment and Rural Affairs	<b>Stage:</b> Final draft	
	<b>Source of intervention:</b> EU Directive	
<b>Other departments or agencies:</b> N/A.	<b>Contact details:</b> Paul Black	
	<a href="mailto:paul.black@daera-ni.gov.uk">paul.black@daera-ni.gov.uk</a>	
	Tel. no. 028 9056 9683	

## Summary Intervention and Options

<b>What is the problem under consideration? Why is government intervention necessary?</b>	
<p>The Department transposed the EU Bathing Water Directive through The Quality of Bathing Water Regulations (NI) 2008 (as amended). This places a duty on the Department, as the competent authority in NI, to identify as bathing waters those sites where the Department expects a large number of people to bathe, and where there is no permanent bathing prohibition or no permanent advice against bathing has been issued.</p> <p>The Department is satisfied that 3 candidate sites at Cloughey, Kilclief and Ballyhornan have met the criteria for identification following usage surveys undertaken during the 2016 bathing season. The next step is to add those sites to the formal list of bathing waters in NI by amending Schedule 1 to The Quality of Bathing Water Regulations (NI) 2008 (as amended).</p>	
<b>What are the policy objectives and the intended effects?</b>	
<p>The policy objective is to preserve, protect and improve the quality of the environment and to protect human health by complementing the Bathing Water Directive.</p> <p>The intended effect is to monitor, classify and manage bathing water quality at those places where it has been determined that a large number of people bathe; and to provide the public with relevant information that allows them to choose when and where to bathe.</p>	
<b>What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)</b>	
<p>The issue under consideration is not a policy matter. It is a legal requirement under The Quality of Bathing Water Regulations (NI) 2008 (as amended) to identify as bathing waters those sites where the Department expects a large number of people to bathe, and where there is no permanent bathing prohibition or no permanent advice against bathing has been issued.</p> <p>There is no alternative to regulation.</p>	
<b>Will the policy be reviewed?</b>	<b>If applicable, set review date:</b>
<p>The issue under consideration is not a policy matter. The Department does undertake 6-yearly reviews of bathing waters in NI, which can include policy matters as necessary.</p>	<p>The next formal review of bathing waters in NI is scheduled for 2023, although nominations for bathing water status can be made at any time.</p>

## Cost of Identifying Cloughey, Kilclief and Ballyhornan as bathing waters

Total outlay cost for business £m	Total net cost to business per year £m	Annual cost for implementation by Regulator £m
<p>The costs would fall mainly to Northern Ireland Water (NIW), and arise from its potentially having to upgrade facilities in order to comply with the stricter water quality standards required of the Bathing Water Directive.</p> <p>The following information is taken from NIW's response to the Department's consultation on its "2017 Review of Bathing Waters in NI". This is the latest information available.</p> <p><u>Cloughey</u></p> <ul style="list-style-type: none"> <li>- implications for the outfall and treatment works less onerous if only the northern part of the beach identified. <b>The Department confirms that this is the case.</b></li> <li>- pumping stations in the catchment may require improvements depending on proximity to the identified area.</li> <li>- may be required to restrict spills to 3 per bathing season should any overflows discharge directly into the identified area or undertake modelling to demonstrate no impact.</li> <li>- currently looking to upgrade the WwTW. Identification as a bathing water could require tertiary treatment and/or an extension to the outfall. No costs at this stage for the works, but they would be significant.</li> </ul> <p><u>Kilclief</u></p> <ul style="list-style-type: none"> <li>- no plans for capital works in this area.</li> <li>- one solution would be to transfer flows to another site – for example, pump-away to Ballyhornan and provide a treatment upgrade to service both Ballyhornan and Kilclief.</li> <li>- this scenario would have associated implications for storage at Ballyhornan; and some work could be required at Kilclief.</li> </ul> <p><u>Ballyhornan</u></p> <ul style="list-style-type: none"> <li>- the new Ardglass WwTW was constructed to allow for future expansion to accommodate the flows from Ballyhornan.</li> <li>- however, would still be required to construct an additional primary tank, secondary treatment tank and final settlement tank at Ardglass WwTW; construct a pumping main from Ballyhornan to Ardglass works; and upgrade Ballyhornan pumping station, with the possibility of additional storage being required.</li> <li>- an extension to the existing outfall from the pumping station might be required. If so, this could involve significant works and costs. These cannot be quantified without modelling a solution.</li> <li>- the cost for a pump-away to Ardglass is estimated at £3m. Any additional storm storage would require additional funding and land purchase.</li> </ul> <p><b>In summary, NIW anticipates significant additional costs for the provision and operation of improved wastewater treatment facilities in the relevant catchments should the identifications proceed.</b></p>	N/K.	0.025

<b>Does implementation go beyond minimum EU requirements?</b>		<b>NO</b> <input checked="" type="checkbox"/>	<b>YES</b> <input type="checkbox"/>
Are any of these organisations in scope?	<b>Micro</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Small</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Medium</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
		<b>Large</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

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

Approved by:

Date:

Description:

**ECONOMIC ASSESSMENT (Option )**

Costs (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Cost (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate				

Description and scale of key monetised costs by 'main affected groups' Maximum 5 lines

Other key non-monetised costs by 'main affected groups' Maximum 5 lines

Benefits (£m)	Total Transitional (Policy) (constant price)	Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Benefit (Present Value)
Low	Optional		Optional	Optional
High	Optional		Optional	Optional
Best Estimate				

Description and scale of key monetised benefits by 'main affected groups' Maximum 5 lines

Other key non-monetised benefits by 'main affected groups' Maximum 5 lines

Key Assumptions, Sensitivities, Risks Maximum 5 lines

**BUSINESS ASSESSMENT (Option )**

<b>Direct Impact on business (Equivalent Annual) £m</b>				
Costs:	Benefits:	Net:		

**Cross Border Issues (Option )**

How does this option compare to other UK regions and to other EU Member States (particularly Republic of Ireland) Maximum 3 lines

## Evidence Base

There is discretion for departments and organisations as to how to set out the evidence base. It is however desirable that the following points are covered:

- Problem under consideration;
- Rationale for intervention;
- Policy objective;
- Description of options considered (including do nothing), with reference to the evidence base to support the option selection;
- Monetised and non-monetised costs and benefits of each option (including administrative burden);
- Rationale and evidence that justify the level of analysis used in the RIA (proportionality approach);
- Risks and assumptions;
- Direct costs and benefits to business;
- Wider impacts (in the context of other Impact Assessments in Policy Toolkit Workbook 4, economic assessment and NIGEAE)

**Inserting text for this section:**

**Text can be pasted from other documents as appropriate.**

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