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Consultation – summary of responses

Review of planning application fees

Date of issue: **July 2015**

Report of Consultation: Review of Planning Application Fees

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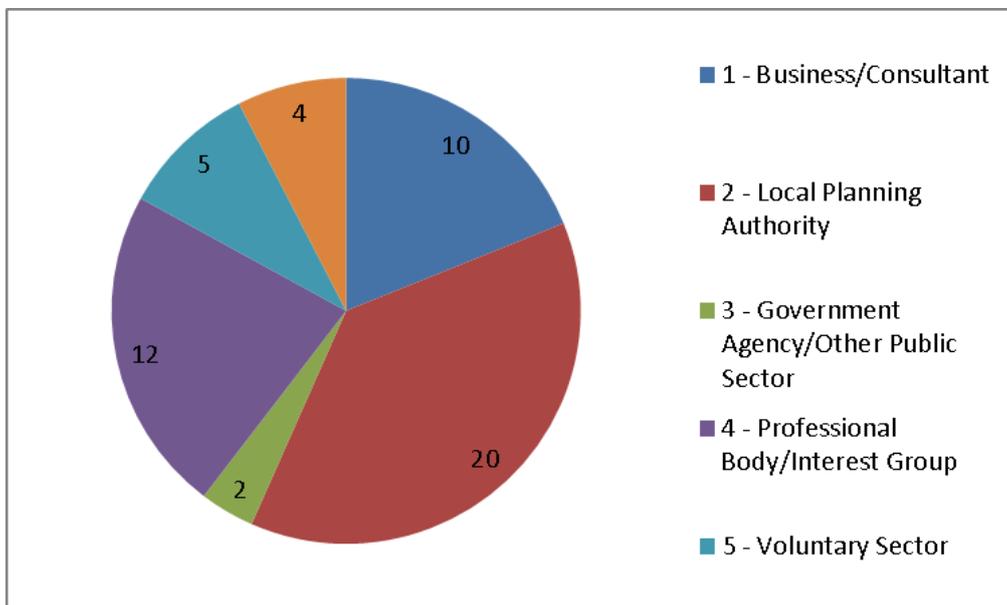
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1. Introduction

- 1.1 The “Review of Planning Application Fees” consultation document was issued on 06 October 2014 and was open for responses until 16 January 2015. A total of 14 questions were set out in the consultation document, with a standardised form provided for ease of response.
- 1.2 This document provides a summary of the responses. Copies of the responses to the consultation are available on the Welsh Government website.

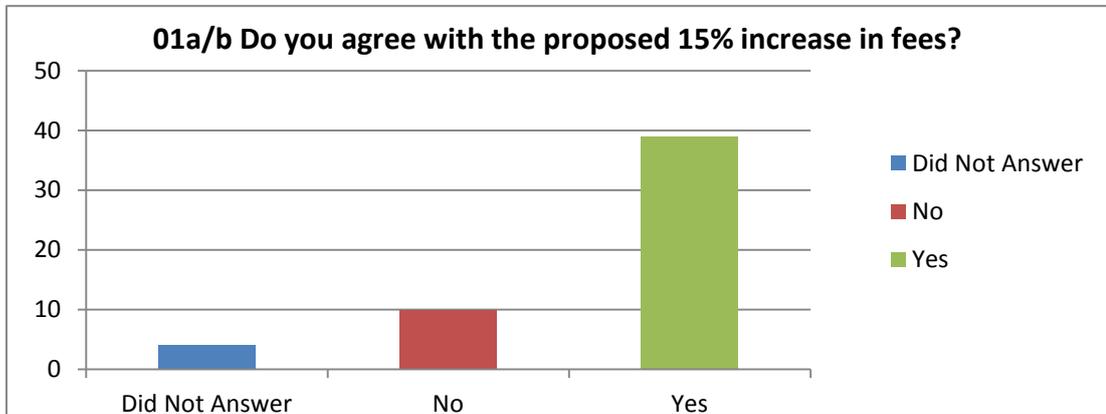
2. Responses

- 2.1 In total, 53 responses were received to this consultation paper. The breakdown of respondents is provided in the graph below:



3. Increase planning application fees

Q1a	Do you agree with the proposed 15% increase in fees?
Q1b	If not, what do you consider to be a more appropriate change, if any?



- 3.1 Of those who responded to the question, the majority (80% of those who answered) agreed that an increase in planning application fee levels is required.
- 3.2 Local planning authorities (LPAs) stated that although an increase in fee levels by 15% was a positive step forward and was considered to come at a much needed time for LPAs, they commented that the proposed level was not clearly justified and that the proposed increase should be higher if LPAs are to deliver efficient and effective services. Some commented that planning application fees should be reviewed on a regular basis to ensure that LPAs receive the money necessary to achieve cost recovery.
- 3.3 Businesses commented that they would not object to an increase in planning fees if it is supported by an improvement in LPA performance. It was considered that the extra funding gained from any fee increase must be used directly to support LPA departments. Some felt that the money must be used to fund the planning department only, and not pooled within a wider council budget. Those from professional bodies and groups provided mixed responses to the question.

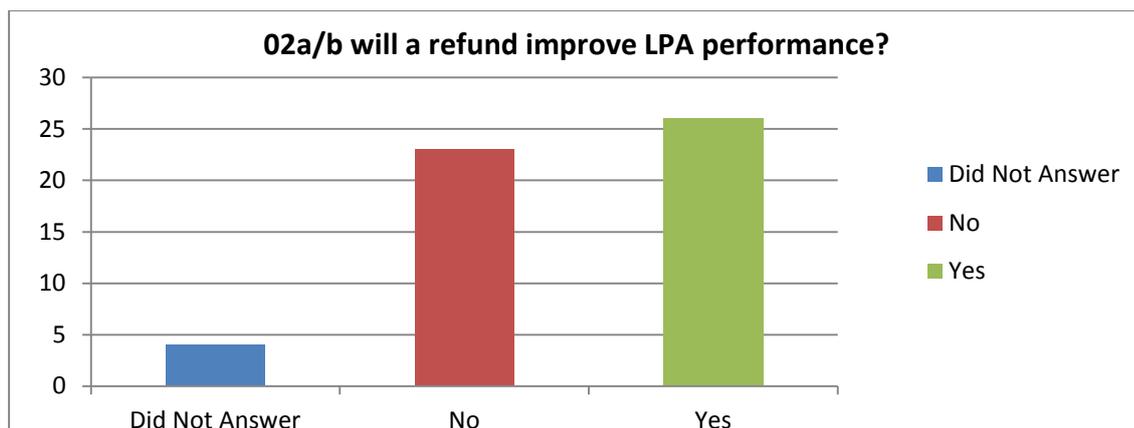
Response

- 3.4 The consultation paper acknowledged that the current levels of income received through the planning fee system do not currently allow LPAs to achieve full cost recovery. The paper identified that an increase in planning fees alone will not improve the customer service provided by the LPA as it is also affected by other factors.
- 3.5 The 15% increase reflects this situation; by providing LPAs an increase in fees it is considered that LPAs should also look at how services are delivered. The level of increase will ensure LPAs use the resources provided in the most efficient and effective manner.
- 3.6 Customer focus was emphasised as a Welsh Government priority in the consultation paper; the proposed increase given on the understanding that there is a commitment by LPAs to review their service delivery. We expect this to lead to an increase in performance of the LPA and service delivery. The fee increase is not designed to operate in isolation, with the outcome linked to our other planning fee proposals.

4. Refund of the planning application fee

Q2a	Do you agree that introducing a refund will improve LPA performance?
Q2b	If you do not agree, what other options are available?
Q3a	Do you agree with the proposed time period of 16 and 24 weeks?
Q3b	If you do not agree, what do you consider to be an appropriate time?

Question 2a



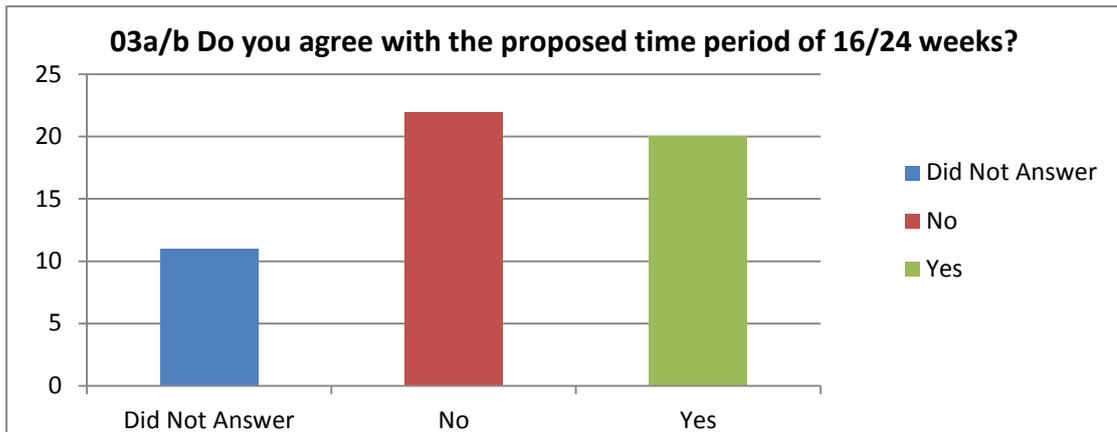
- 4.1 There is support (53% of those who answered) for the proposal to refund the planning application fee as a means to drive up performance.
- 4.2 LPAs strongly oppose the proposal to refund the application fee. They consider that the introduction of a refund would:

- have a negative impact on the planning system; and,
 - the proposals fail to identify other stakeholders as a reason for delay.
- 4.3 LPAs identify that the proposal may lead to the refusal of applications to avoid refunding the fee, or developers prolonging negotiations or withholding information to secure a refund. They raised concern that these situations would lead to a reduction in the speed of the planning service and would lead to poor design and customer service.
- 4.4 LPAs state that delayed determinations are a result of many factors, including: applicants not providing requested information that is necessary in order to determine the application; statutory consultees failure to respond to consultation; and third party objections with the consequential threat of legal action. In such instances the delay is outside of the LPA control and so a refund is not justified.
- 4.5 Businesses supported the principle of a refund as a means to drive LPAs forwards in providing a decision on an application. It was commented that this may lead to poor decisions, and that there is a need to clarify extension of time on applications where appropriate. Businesses sought clarity over a number of technical points, including: the need to avoid complications in managing and processing refunds; ensuring safeguards are put in place to guard against risk adverse behaviour; and the need to incentive the LPA to determine an application once a fee refund had been made.
- 4.6 Other respondents provided mixed responses to the proposals. These followed the main arguments identified above; where some agreed that an element of financial penalty may incentivise local authorities, while others identified that this may lead to a poorer planning process, and should only be introduced after the proposals set out in the Planning (Wales) Bill have become embedded in the planning system.

Question 2b

- 4.7 'Other' options to help drive up performance standards identified by respondents were:
- The introduction of harsher 'special measures' provisions that would trigger the proposed optional direct application proposed in the Planning (Wales) Bill;
 - The provision of support and best practice to poorly performing LPAs;
 - The removal of the time limit to make an appeal for non-determination;
 - The provision of penalties on applicants who submit (or repeatedly submit) invalid applications;
 - Greater frontloading of applications, including local validation lists;
 - Delay any refund mechanism until the effect of an increase in planning fees has been monitored;
 - Introduce the refund on a daily or weekly rate; and,
 - Ring-fencing planning funding.

Question 3a/b



- 4.8 There were a high number of non-responses to this question, with 21% not providing an answer to the set question. Of those who provided a response, 48% support the proposed time periods.
- 4.9 Those respondents who opposed the principle of refunding the planning application fee as a means to improve LPA performance (question two) also objected to the time period for the refund of the fee on the same basis. Other respondents considered the time period of 16 weeks was reasonable to ensure a decision on a householder application, but 24 weeks would not reflect the complexity and difference between all 'non-householder' applications. Others commented that the suggested time period was too long.
- 4.10 General comments were raised on the need for the proposed mechanism for agreeing an extension of time to be clearly set out, and that this would help prevent the unnecessary refusal of applications where required.

Response

Question 2a

- 4.11 There is support that the introduction of a refund where a planning application remains undetermined will help to improve LPA performance. We recognise the view that all stakeholders in the planning process have an impact on the timely issue of decisions. The mechanisms to extend the time period before a refund is provided will ensure that the LPA is not unduly impacted by other stakeholders.
- 4.12 We still consider that as well as encouraging swifter decisions, this measure will ensure that where the LPA have not provided an acceptable service the financial burden on the applicant is reduced.

Question 2b

- 4.13 The suggestions for alternative methods for improving LPA improvement do not identify a single preferred approach. Welsh Government supports a number of the mechanisms suggested; however having considered the primary issue of providing a planning decision to the 'customer' we consider that refund is still the most appropriate mechanism to offset the poor service.

Question 3a/b

- 4.14 The target that 80% of planning applications should determined within the statutory 8

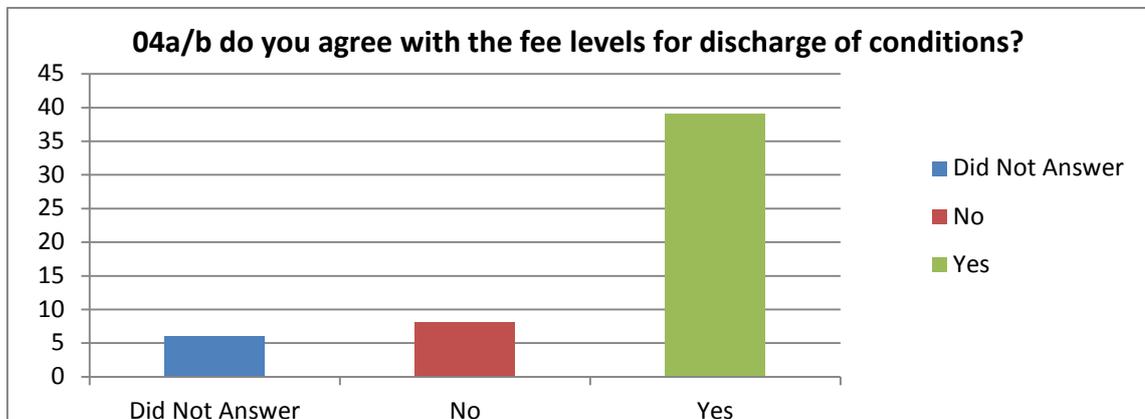
week period (or 16 weeks for applications subject to Environmental Impact Assessment), is a recognition that some applications will exceed this time. The statutory time period for determination of a householder application and a non-householder application is the same. In recognition that non-householder applications are more complex to determine, the proposed refund period has been set at three times the statutory period for non-householder applications instead of twice the statutory time period that is used for householder applications.

- 4.15 The refund mechanism also includes a simple process to extend the time period before a refund is given. This should prevent either the LPA or applicant being unduly punished.

5. Fee for the discharge of conditions

Q4a	Do you agree with the proposed fee levels to accompany the discharge of planning conditions?
Q4b	If you do not agree, what do you think constitutes an appropriate amount?
Q5	Do you agree with our proposed time period of 16 weeks after which the fee to accompany a discharge of condition would be refunded?

Question 4a



- 5.1 There was strong support (83% of those who answered) for the proposed fee to accompany the discharge of conditions.
- 5.2 LPAs considered that the introduction of the fee was important as the discharge of conditions can generate significant work and time on behalf of the LPA; this work currently being processed without any fee. Further to the additional income, some LPAs considered the introduction of the fee was seen as a means to encourage applicants to submit information upfront which would enable information to be considered at the same time.
- 5.3 Some of those respondents from the business community welcomed the proposals to improve the efficiency for the discharge of conditions. It was commented that as a fee

is payable, this should be accompanied by an efficient service, as delays in conditions can slow the development process. Others from this sector did not support the proposal, as it was considered the cost of processing and determining conditions should be covered by the planning application fee.

5.4 Other technical issues that were raised included:

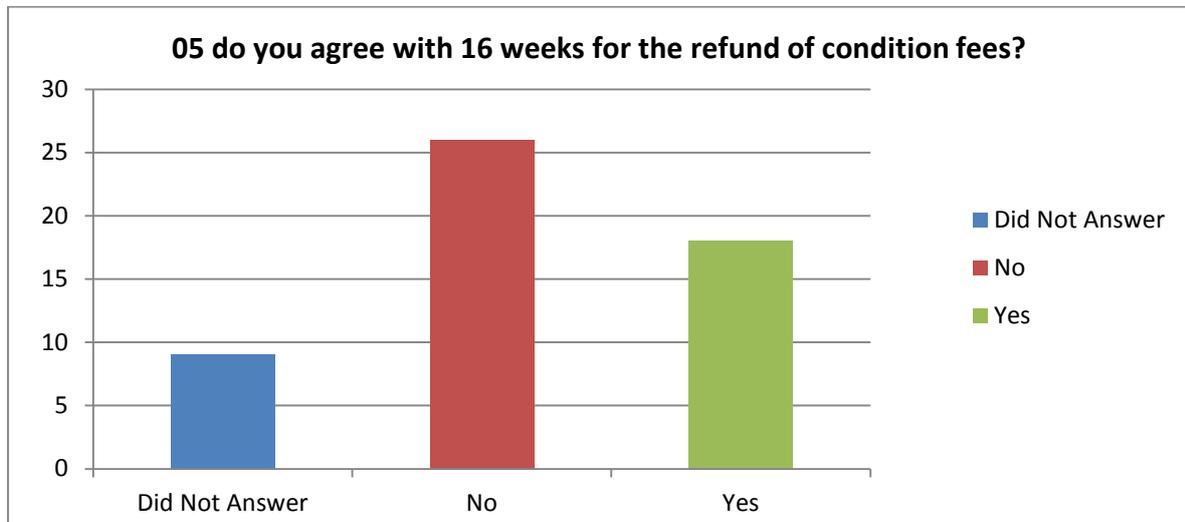
- Concerns over how the partial discharge of conditions would occur in practice;
- there should be a maximum number of conditions submitted on a single application;
- the proposed categories should be expanded to provide a higher fee for large scale applications;

Question 4b

5.5 The consultation paper sought alternative fee levels if those proposed in question 4a were not supported. The suggestions that were raised concerned the way the fee structure was charged, and proposals put forward included:

- The creation of additional fee categories e.g. major development;
- The introduction of a smaller fee, but that fee should be for the discharge of each condition rather than each request.
- The creation of a sliding scale that would be based on the complexity of the issues involved.

Question 5



5.6 The proposed 16 weeks for the refund of the fee was supported by some of the respondents. Of those who did not support the time period LPAs and their representatives did not support the principle of a refund and so object to any time frame associated with it. Conversely six respondents who disagreed with the time period considered that it was too long and should be reduced - these were primarily from the business sector. The support for the proposals was primarily from the business sector as this provides the onus on LPAs to act in a reasonable time frame in discharging conditions.

5.7 Many people commented that mutually agreed extension measures can benefit both parties if this proposal was introduced.

Response

Question 4a

- 5.8 There is overall support that the introduction of a planning fee for the discharge of conditions. We consider the level of fee should be proportionate to the level of work undertaken, and it is recognised this can vary with each application. The respondents agree that conditions attached to householder developments are significantly fewer in number and less resource intensive than those associated with local and major applications and support the separation of this category. The increase in fee for a major application would not necessarily relate to the complexity of the condition that should be discharged.

Question 4b

- 5.9 The suggestions for alternative methods do not identify a single preferred approach. Most comments proposed the introduction of a fee for the discharge of each condition. The submission of a fee for each request to discharge a condition, or group of conditions, follows the approach used for applications that fall within Section 73 of the Town and Country Planning Act 1990 (applications to vary or remove conditions) which allows a single or multiple conditions to be submitted under one application. We consider that this approach will incentivise applicants to group conditions and contribute to a more efficient approach in their processing and determination. This approach would also provide flexibility to the developer to submit information individually, if they choose.

Question 5

- 5.10 We still consider that as well as encouraging swifter decisions, the introduction of a refund where an application remains undetermined will ensure that where the LPA have not provided an acceptable service the financial burden on the applicant is reduced. The proposed refund period has been set at twice the statutory time period for determination. This is considered reasonable and will take account of complex conditions. The process also includes a simple process to extend the time period before a refund is given. This should prevent either the LPA or applicant being unduly punished.

6. Fees for confirmation of discharge.

Q6 Do you agree with the introduction of a standardised fee to accompany a confirmation that conditions have been discharged?



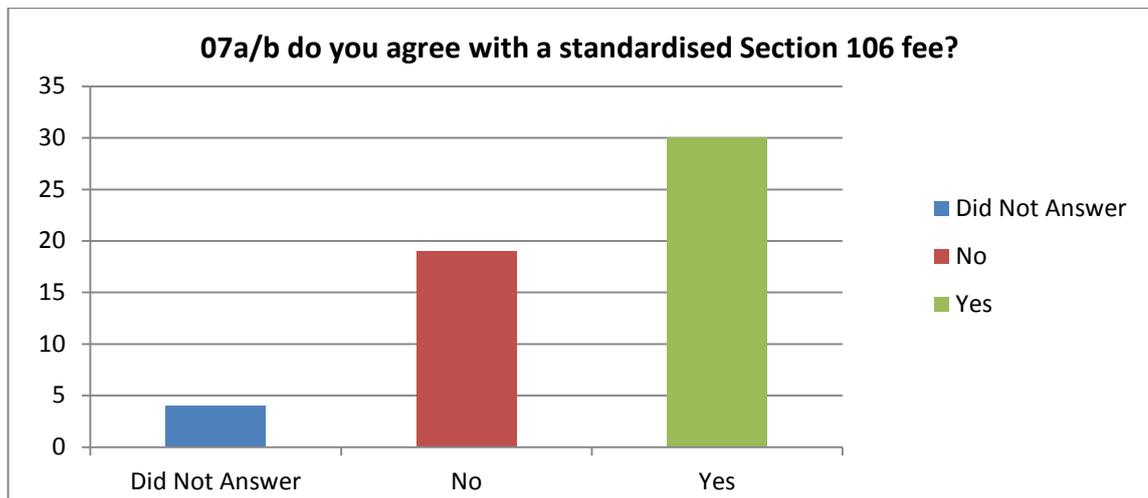
- 6.1 There is support (79% of those who answered) for the introduction of a standardised fee to confirm that a condition has been discharged.
- 6.2 Some LPA respondents considered that the introduction of a fee would help to cover the cost of the LPA in processing these requests, especially those on 'historic' permissions. They stated that as LPAs presently charge for providing such information any fee set should be based on the current charging arrangements that LPAs use. Other respondents also noted that as the work is discretionary, and some LPAs charge for these requests already, there is not a requirement to introduce new legislation.
- 6.3 All parties considered that in addition to the discretionary service provided by LPAs, an applicant can seek confirmation through a Lawful Development Certificate. Respondents also identified that these requests will reduce as the proposals set out in the Planning (Wales) Bill for the introduction of a live decision document will simplify the process.

Response

- 6.4 The support for the use of a fee to confirm a condition has been discharged is in recognition that the work can be time consuming on behalf of the LPA and can cause delay in the conveyancing process.
- 6.5 The consultation responses recognised that existing mechanisms can be used in these situations; including lawful development certificates and search services provided by the LPA, including those that may be subject to discretionary charging.
- 6.6 The responses to the consultation indicate the cost of identifying and confirming the discharge of conditions can vary significantly. It is not only the application size that affects the cost but also the age of the application; the more recent the application the less resources that are required to confirm details have been approved.
- 6.7 Given these variances we are uncertain a standardised fee would reflect these differences and that allowing LPAs to set their own fees provides the most effective method at present.

7. Planning obligations under section 106

Q7a	Do you agree with the proposals for the introduction of a set fee to accompany the drafting of a Section 106 planning obligation?
Q7b	If you have answered yes, how should this fee be calculated? If not, what are your reasons?



- 7.1 Overall, there was general support (61% of those who answered) for the payment of a fee to the LPA to cover the drafting costs of the S106 agreement. Of those who supported standardisation, most respondents commented that the fee should reflect the complexity of the individual application and not a flat-rate.
- 7.2 Both respondents who support and object to the standardisation of the fee identify that Section 106 agreements vary in complexity; agreements can take the form of a unilateral undertaking, bilateral agreement or multi-lateral agreement and vary from single houses to complex applications. In light of these potential variations respondents commented that the existing charging mechanism by LPAs operate on a cost-recovery basis. Some commented that it is not certain how the system would improve with the introduction of a standardised fee. In particular, respondents commented that there was concern that a flat rate charge may lead to development subsidising the drafting costs of other developments.
- 7.3 Many respondents considered that standardisation between and transparency on how LPAs charge would assist the Section 106 process. Alongside this, a few respondents asked the introduction of a standard formula for charging schemes and guidance on specific elements, such as monitoring fees.

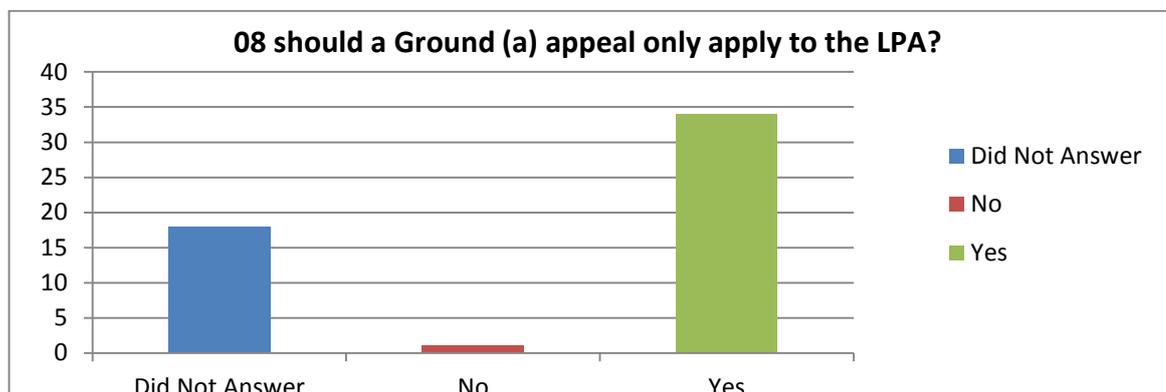
Response

- 7.4 The evidence from the consultation shows that while there is support for the standardisation within Section 106: this is not the introduction of a flat-rate fee for the process as this would not reflect the complexity of each application.
- 7.5 The support is for developing general standardisation and transparency in the charging

system. Welsh Government has commissioned research to identify and understand the extent of developments that are stalled due to problems with section 106 agreements and the reasons why these developments have stalled. Within this research there is an opportunity to explore whether the fee system is an issue and how to address the problems.

8. Enforcement fees

Q8 Do you agree that the fee to accompany a ground (a) appeal should only be payable to the LPA?



- 8.1 There was overwhelming support (97% of those who answered) for the fee accompanying an appeal against an enforcement notice should only be paid to the LPA.
- 8.2 Of those who commented, respondents considered that:
- Serving an Enforcement Notice is generally a last resort following discussion and negotiation. Retention of this fee would offset the cost incurred by the LPA to deal with this administration.
 - The deemed application fee should be the same as the standard fee, rather than double.
 - Paying a fee to the Planning Inspectorate is unfair to the appellant
 - Paying the double fee to the LPA recognises the fact that many enforcement cases involve not only the planning assessment but also the detailed and often lengthy research and investigation leading up to and including the appeal.

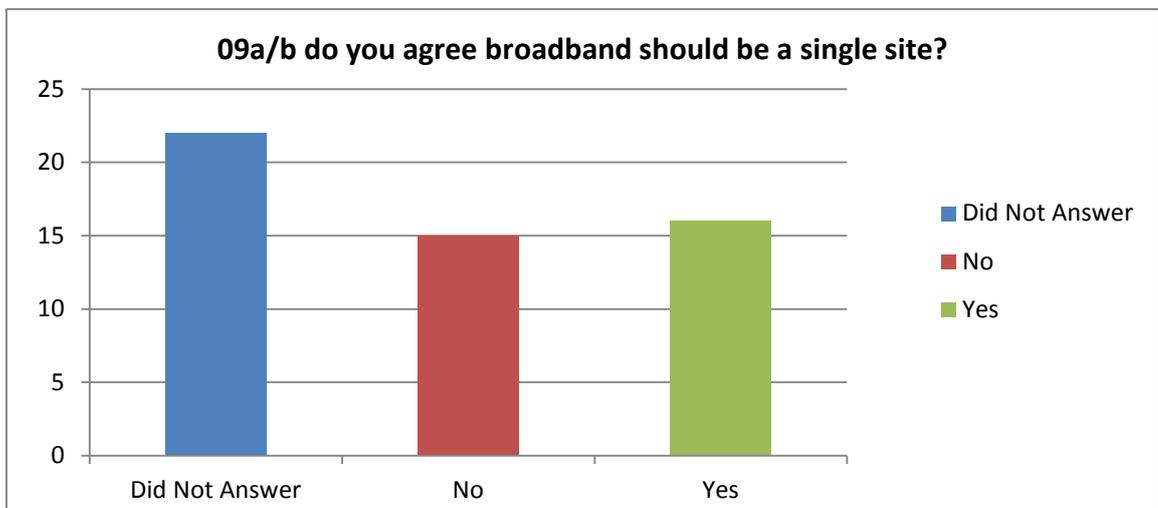
Response

- 8.3 The evidence from the consultation shows that there is support for the fee that accompanies an appeal against an enforcement notice only to be paid to the LPA.
- 8.4 The consultation paper did not propose to alter the wider system of charging for deemed planning applications, including: how the fee is charged (at twice the normal application fee) and when it is refunded. Therefore should the appeal be granted on the basis planning permission should be granted for the development, the applicant is refunded half of the fee. This means that the cost is equivalent to that of the planning

application and does not burden the applicant.

9. Advertisement on broadband

Q9a	Do you agree that advertisements on broadband cabinets in a specified area should be treated as a single site for the purposes of charging a fee?
Q9b	If you have answered no, please explain why.



- 9.1 There were a high number of non-responses to this question. Of those who did respond there was limited support (52%) for the proposals.
- 9.2 There were a number of issues raised by all of the sectors, these included:
- A lack of justification to single out advertisements for broadband providers;
 - the time limited nature of broadband stickers;
 - the need for a definition of specified area and how many separate sites could be included in a single application: and,
 - the granting of express consent for these advertisements.
- 9.3 LPAs objected to the proposals as they consider that the need to consider diverse locations, context and the impact of each site, would not be covered by a single fee.
- 9.4 One professional body commented that broadband cabinets would appear to be consistent in scale and appearance to other items of “street furniture”.

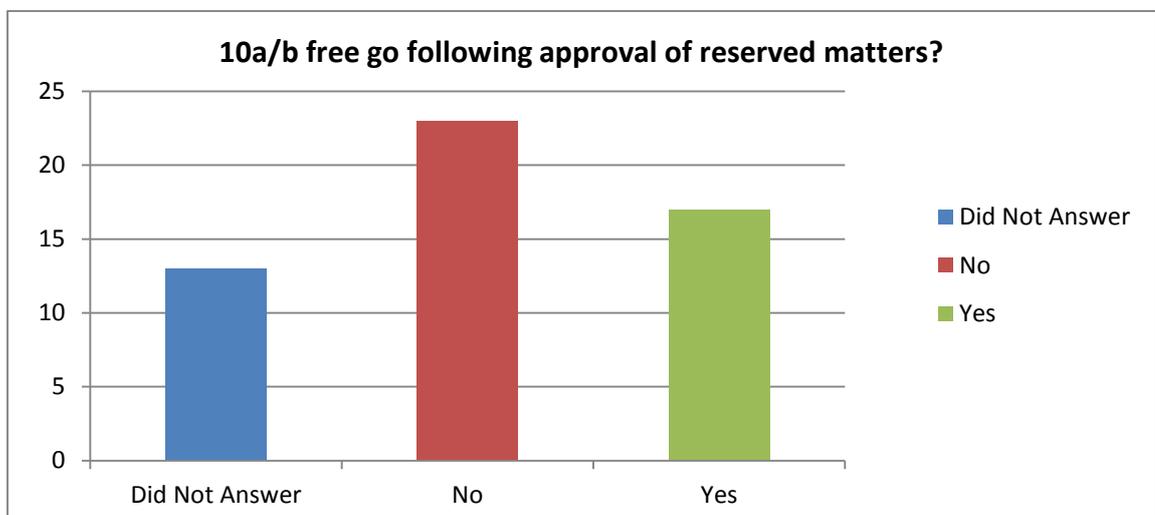
Response

- 9.5 The evidence from the consultation shows that there are a number of issues with including broadband cabinets within the definition of street furniture. Although there is support for including them within this section it is accepted that advertisements for broadband rollout can be achieved more efficiently through other means.

9.6 To address the issue of advertisements on broadband cabinets that are solely designed to let the public and businesses know where the network has been upgraded we are exploring the provision of deemed consent.

10. The free go following approval of a reserved matters application

Q10a	Should the applicant be entitled to a free go following approval of a reserved matters application?
Q10b	If you have answered no, please explain why



- 10.1 There was limited support (43% of those who responded) for the retention of the free go following approval of reserved matters.
- 10.2 Those from the business community who supported the free go considered that it provides flexibility to the planning system to accommodate changes as the process unfolds and that the exemption is time constrained.
- 10.3 Respondents who welcomed its removal commented that retaining a free go would mean that LPAs would process and determine applications without receiving the relative fee. This was considered as inappropriate as applications can be complex and time consuming on behalf of the LPA.

Response

- 10.4 The free go following withdraw, refusal, or where the LPA has failed to make a decision on of a reserved matters application will remain. The proposal only seeks to remove the free go where the original reserved matters application has been approved. In this situation, the LPA has determined that the details submitted were acceptable. This would bring the fee regime in line with other applications and ensure that the LPA receives an application are recompensed for undertaking the work.
- 10.5 Removal of the free go will not significantly disadvantage applicants as the fee regime provides a concession for reserved matters applications. Where a reserved matter is

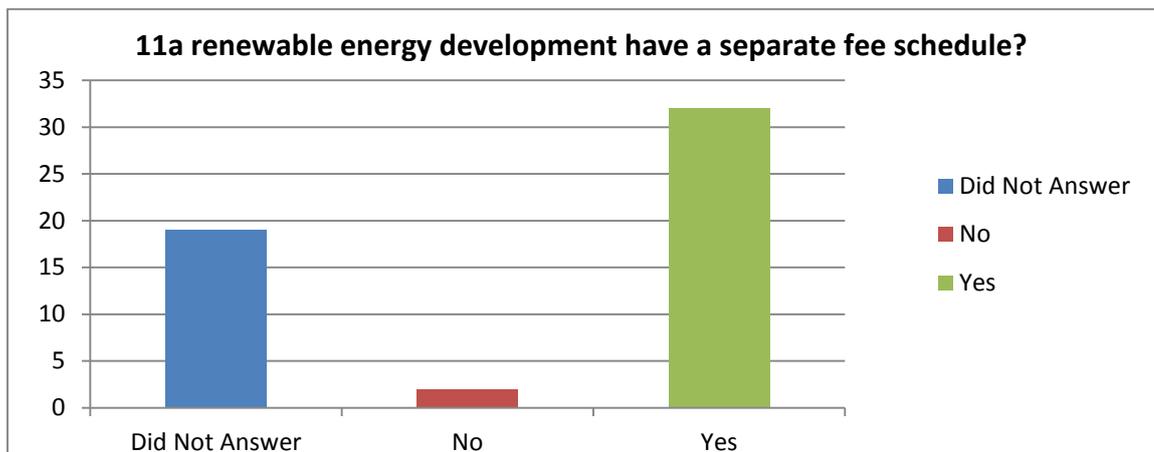
submitted each separate application for approval of reserved matters is charged at the same rate as a full planning application. (Whatever sum was paid for the outline application is irrelevant in this context.) A reserved matters application will incur this fee until the total amount paid by that applicant in respect of reserved matters alone equals the fee that one would be paid for full permission for the whole development. When that point is reached, any further reserved-matter application will attract a flat-rate fee.

10.6 Therefore following removal of the free go, should an applicant want to make an amendment they may benefit from the flat-rate fee arrangement.

11 Renewable and low carbon energy

Q11a	Do you agree that applications for renewable energy development should have a separate fee schedule to Section 5, Plant and Machinery?
Q11b	Do you agree that wind turbines should also have a separate system of fee calculation?
Q11c	What factors, or combination of factors, should be taken into account when calculating the fee for wind turbines?

Question 11a



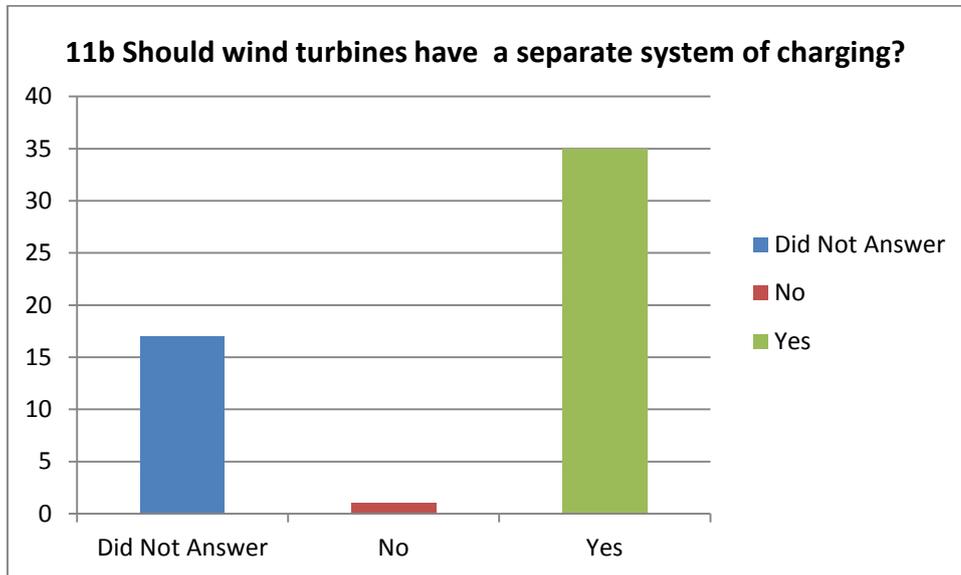
11.1 The majority of respondents (94%) agreed that renewable and low carbon energy generation should be separated into a dedicated fee category. It was identified that the support for separating renewable and low carbon energy into a separate fee category would ensure consistency between LPAs.

11.2 Many respondents who agreed in principle, identified a number of technical issues with the proposal, including:

- The systems, scales and impact of energy generation projects varies broadly and any changes to the planning application fee schedule should more adequately reflect this, potentially with the creation of more than one category.
- The concern that the proposals may lead to a reduction in fees, such as ground intensive application (solar farms)
- Energy generation development fees should be split between on-shore and off-shore.

- Welsh Government should pursue the introduction of fees payable to LPAs dealing with NSIP and Developments of National Significance.

Question 11b/c



- 11.3 Following on from the comments above, there is support (62%) to further separate wind turbines into a separate category. Respondents identified a number of additional comments to this and question 11c on what factors that should be taken into account when calculating the fee.
- 11.4 LPAs identified that often small scale energy generation applications, not just large applications can generate a significant amount of work for the LPA. They also identified that applications are increasing in complexity due to the size of the turbines and cumulative effects and this results in the need to procure external consultancy services to assist the determination of applications where the cost of consultants often exceeds the application fee especially for individual turbine applications. One LPA pointed out that if the development amounts to an EIA development the paper advert alone costs the LPA more than the current planning fee.
- 11.5 One industry respondent commented that they can accept the principle of fees for wind turbine applications being calculated other than on the basis of site area. However, they were very concerned that the effect of a separate fee schedule would raise application fees for wind turbine projects in Wales so much higher than the fees for similar developments elsewhere in the UK as to make Welsh projects uncompetitive.
- 11.6 The respondents identified a number of different factors, or combination of factors that should be taken into account when charging for wind turbines. In addition to those identified in the paper, respondents also considered basing fees on the rotor diameter and the area swept by the blade or the need for an EIA on a development. Overall there was no clear preference for a single methodology and a number of respondents supported the use of two factors to calculate the fee.

Response

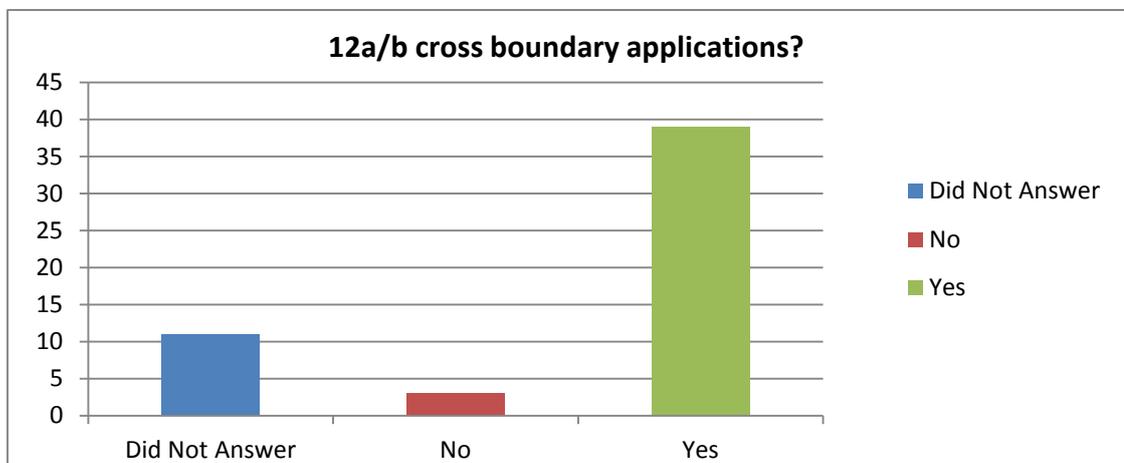
- 11.7 It is accepted that there is a desire to amend the fee associated with the charging for

renewable and low carbon energy generation. Respondents identify that further separation and reassessment of the calculation method need to be undertaken at the same time.

11.8 Given the technical issues that have been raised it is considered that further work into the charging regime is required before amendments are made.

12 Cross-boundary planning applications

Q12a	Do you agree that fees for cross-boundary planning applications should be addressed, with all constituent LPAs receiving fee income?
Q12b	If you have answered yes, how should this matter be addressed?



12.1 The majority of respondents (93% of those who answered) support the separation of fee for cross boundary applications.

12.2 Private sector respondents identified that the need to ensure that applicants should not be penalised simply because a site bridges the boundary between more than one LPA. LPAs also considered that a proportionate splitting of the fee would be fair and would not penalise the authority that is currently not in receipt of the fee. One LPA also raised a need to address sites that straddle the national border. When considering how the fee should be charged, respondents commented that it could be based on:

- The type of development in each LPA:
- Calculated as a single application and split pro-rate on the amount of development in each LPA.

12.3 Further comments were made on the method of calculation; that there should be a minimum amount payable to a single LPA and the fee should be no more than if an application is submitted to a single LPA.

Response

12.4 The responses support the division of the fee so that each LPA is recompensed for the work it undertakes.

- 12.5 The proposal is ensure that the application fee reflects the development type, area, and cost incurred in processing and determining the application within each LPA, and yet remains simple.
- 12.6 The proposal will ensure that a fee is payable to each local planning authority to which an application is made. It provides that the amount payable is the amount payable to the LPA for the development which is to be determined by that LPA.

13 General Questions

Q13	Do you have any comments to make about the draft partial Regulatory Impact Assessment at Annex 1?
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Q14	We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:
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Question 13

13.1 A summary of the key issues and comments raised on the draft partial RIA are provided below:

- The Draft Regulatory Impact Assessment does not make provision for all of the additional fees that are referred to in the main consultation document.
- The RIA on the refund of the application fee assumes an average cost of an application, but in reality the greatest risk of a refund lies with major applications which attract the greatest fee, so the refund would be far greater than suggested by the RIA.
- The increase in planning fees may not result in an overall increase in available revenue to the planning department as LPAs are experiencing cuts to their core budgets.
- There is little assessment of the varying impact on the diverse range of LPAs in Wales. We believe that there is no such thing as the average LPA and the RIA should look at what is going to happen to each LPA not a notional average one.
- RTPI Cymru challenges the costs of planning delay as referenced in 5.27 of the RIA. It is not clear whether either of these figures reflect the cost of processing applications for development or whether they reflect the true costs of any delays. What the figures do not reflect is the benefit that the planning system delivers.

Question 14

13.2 A summary of the other comments are provided below:

- It is recommended that there should be a separate fee for a s.73 application [an application determined under Section 73 of the Town and Country Planning Act 1990] to amend a condition relating to a scheme for major

development as the notification invariably the costs the LPA significantly more than it received in fee income.

- The new regulations should be supplemented by an updated fee circular for clarity.
- Under part 10, there is a subtle fee difference between change of use from non-residential uses to residential, and change of use from a dwelling to more residential units. Although a minor point, this is considered to make the fees regulations unnecessarily complicated.
- Consideration should be given to the requirement for a set fee for Developments of National Significance and Nationally Significant Infrastructure Projects.
- The Planning (Wales) Bill proposes a pre-application service. We believe that where an application has been subject to pre-application consultation, and where pre-application fees have been charged, then planning application fees should be linked, so that a reduced planning fee should apply.

Response

Question 13

13.3 The RIA that accompanied the consultation was a partial draft RIA. The RIA that will accompany the final regulations will contain an assessment of all of the proposals that are taken forward.

13.4 The data that was used to identify the number of refunds that may be granted and does not separate small and large applications. The potential cost of the refund will be dependent on each LPA, and it is considered an average is an accurate reflection.

13.5 The allocation of LPA core budgets for planning purposes is a matter for each LPA to determine.

13.6 An RIA makes an overall assessment of the impact of the proposed legislation. The assessment is based on an average LPA as it is not possible to assess the impact of the proposals on each LPA in Wales.

13.7 The assessment of delay in the planning system was based on the evidence available at the time of production. The assessment was not on the benefit that the planning system delivers but solely on the impact of delayed decisions.

Question 14

13.8 The notification requirements that accompany a s.73 application are discussed in the forthcoming consultation paper *secondary legislation for development management*.

13.9 Welsh Government will produce an updated fee circular.

13.10 The amendment to part 10 has been accepted.

13.11 Nationally Significant Infrastructure Projects and the associated charging schedule are not within competence of the Welsh Government. The details of Developments of National Significance are to be subject to a consultation that will also address the payment of a fee to the LPA.

13.12 The fees associated with the fee for the pre-application service proposed in the Planning (Wales) Bill are subject to a separate consultation.