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Subject:	COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT Accompanying the document Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on streamlining measures for advancing the realisation of the trans-European transport network

Delegations will find attached document SWD(2018) 179 final.

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COMMISSION STAFF WORKING DOCUMENT

EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT

Accompanying the document

Proposal for a
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on streamlining measures for advancing the realisation of the trans-European transport network

{COM(2018) 277 final} - {SEC(2018) 228 final} - {SWD(2018) 178 final}

Executive Summary Sheet

Impact assessment on the initiative on streamlining TEN-T completion

A. Need for action

Why? What is the problem being addressed? Maximum 11 lines

The effective and timely completion of the TEN-T is essential for the efficient functioning of the single market and also supports the decarbonisation and digitalisation of transport and the transition to low carbon mobility. However, currently, TEN-T projects face delays due to procedures, and project promoters are confronted with uncertainty. In extreme cases, it takes up to 10 years to prepare an infrastructure project before it can go forward; on average it takes around 4-5 years. The problem stems from the suboptimal organisation of permit granting procedures (which involve multiple stages and lack time limits) and difficult application of the existing legal framework for cross-border procurement. This makes private investors reluctant to get involved in infrastructure projects. Most affected stakeholders are TEN-T project promoters, national authorities (notably in charge of permit granting), and civil society. Citizens often face difficulties with fully participating in project planning due to a lack of transparency in how procedures are organised. If the problem is not effectively addressed, it is expected that projects will be further delayed and the TEN-T will not be completed by 2030.

What is this initiative expected to achieve? Maximum 8 lines

The initiative's general objective is to address the delays in and high level of uncertainty regarding procedures which impact the completion the TEN-T core network projects, which contribute to the general objectives of the TEN-T — cohesion, efficiency, sustainability and increasing user benefits. The initiative is expected to accelerate TEN-T completion by increasing the proportion of infrastructure that is compliant with standards and to reduce the number of TEN-T core network projects experiencing delays. Finally, the number of projects that use innovative EU financial instruments or involve private capital is expected to increase.

What is the value added of action at the EU level? Maximum 7 lines

The TEN-T network is transnational and EU-wide by definition. Completing it requires significant coordination of the various projects in order to fully exploit the overall network benefits at EU level. In this respect, completion of the TEN-T network relies on the efficient synchronisation not only of investment but also of the implementation pace of individual projects, to avoid time gaps and reap the benefits of having an EU-wide network. The number of authorities and levels of governance that are involved in permit granting procedures, as well as their competences and powers, vary significantly across Member States. The delays stemming from these procedural differences have significant impact on the completion of the TEN-T network.

B. Solutions

What legislative and non-legislative policy options have been considered? Is there a preferred choice or not? Why? Maximum 14 lines

Three options have been considered, ranging from soft law and non-binding solutions to legislative measures. The option that aims to introduce minimal changes to existing instruments (PO1) consists in particular of developing a series of guidelines (soft law) for TEN-T project promoters and better orientation of existing instruments mainly in terms of technical assistance. The option that aims to implement limited binding action at national level (PO2) includes the legal requirement for Member States to introduce a one-stop-shop for TEN-T core network projects and to ensure that they get the most rapid treatment legally possible. Finally, an option which would define an EU framework for authorisation of TEN-T core network projects (PO3) has been considered in two variants — application of EU rules at national level (PO3a) and bringing the granting of permit to the EU level (PO3b).

PO2 is selected as the preferred option due to its positive performance in terms of effectiveness and efficiency in comparison with PO1 and its flexibility in comparison with PO3. Moreover, PO2 does not have the drawbacks of PO3 in terms of social impacts and the impacts on legal certainty. PO2 is a balanced and efficient solution to foster the implementation of TEN-T projects and, at the same time, to establish clearer and more inclusive procedures to increase public acceptance of infrastructure projects.

Who supports which option? Maximum 7 lines

PO1 is supported by national authorities as the burden of applying the other options would most likely fall on national administrations. PO3 is mainly supported by project promoters, who expect that this option has the biggest potential in terms of simplifying procedures and clarity. PO2 is supported by most stakeholders, because national administrations, project promoters and individuals who participated in the open public consultation see

the opportunity to improve the current system by better synchronising processes while respecting the subsidiarity principle and avoiding legal uncertainty.

C. Impacts of the preferred option

What are the benefits of the preferred option (if any, otherwise main ones)? Maximum 12 lines

PO2 would result in a € 5.1 billion reduction in user costs (0.2 % decrease relative to the baseline) and external cost savings of around € 724 million over 2018-2030. All policy options are expected to have a positive impact in terms of economic growth; the EU-level economic benefits of PO2 would be between €0.9 billion and € 1.6 billion per year (0.9-1.6 % increase relative to the baseline).

In PO2, the establishment of a one-stop-shop at national level is expected to lead to a significant reduction of costs for project promoters (€ 166 million) over the 2018-2030 period, relative to the baseline. PO2 is in fact the option which would reduce the total administrative burden by the highest amount (€ 153 million).

PO2 would also have significant impact in terms of additional job creation by 2030, relative to the baseline (5 600 additional jobs per year or 1.6 % increase relative to the baseline).

Finally, in terms of social impacts, the integration and coordination of overall authorisation procedures under PO2 would have a positive impact on public consultations at project level, due to better synchronisation of procedures and set time limits.

What are the costs of the preferred option (if any, otherwise main ones)? Maximum 12 lines

In PO2, the establishment of a one-stop-shop at national level is expected to generate administrative costs of € 13 million for permitting authorities over 2018-2030. No other costs are envisaged.

How will businesses, SMEs and micro-enterprises be affected? Maximum 8 lines

SMEs and micro-enterprises are not expected to be directly affected by this initiative. Greater clarity and simplification of the existing processes may benefit SMEs which do not always have the capacity to take part in complex and lengthy procedures. In addition, the overall impact on the civil engineering market is expected to have positive spill-over effects on SMEs in the construction market.

Will there be significant impacts on national budgets and administrations? Maximum 4 lines

The only impact on national budgets and administrations will result from the additional costs for permitting authorities (€ 13 million over 2018-2030). However, it can be assumed that these costs will mainly relate to compliance with the new framework and will decrease over time.

Will there be other significant impacts? Max 6 lines

All three policy options are expected to have legal implications. However, the preferred option (PO2) provides for the necessary legal guarantees that the single authorising authority established at national level will follow the existing national rules in terms of administrative law. Also, it is modelled on the existing framework for granting permits for infrastructure projects in the field of energy.

The three policy options also all have an impact on civil society, but the preferred option is the one that can best reinforce clarity and transparency to encourage more effective participation of local communities in consultations and ultimately greater public acceptance.

D. Follow up

When will the policy be reviewed? Maximum 4 lines

The legislative instrument will be regularly monitored and evaluated using the existing tools and mechanisms for reporting on the advancement of completing the TEN-T network.