



Advancing Effective EIA Practice Session

‘Scope to Improve’

Presentation by Kate McGill
10th May 2021

Presentation Structure

- Who we are and our approach to EIA
- How effective and proportionate are EIAs?
- The role and success of scoping requests and opinions
- How can we improve the scoping process and deliver effective and proportionate EIAs?

We have a Cunning Plan



Lichfields and Our Research

- **Independent Planning Consultancy**
- **EIA Team**
 - IEMA Quality Mark
 - IEMA Practitioners (PIEMA) and MRTPI
- **Specialists**
- **Our Approach**
- **Our Research**
 - Blogs
 - Insights



Planning matters

Our award winning blog gives a fresh perspective on the latest planning and development.



Paper cut: keeping fully digital major planning applications and EIA

Nicki Mableson
19 Apr 2021

On 12 May, we will mark a year since the Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment ('EIA')) (England) (Coronavirus) (Amendment) Regulations 2020 came into force. Whilst the snappy title and content probably passed

[CONTINUE READING](#)

EIA Quality Mark

This Environmental Statement, and the Environmental Impact Assessment (EIA) carried out to identify the significant environmental effects of the proposed development, was undertaken in line with the EIA Quality Mark Commitments.

The EIA Quality Mark is a voluntary scheme, operated by IEMA, through which EIA activity is independently reviewed, on an annual basis, to ensure it delivers excellence in the following areas:

- EIA Management
- EIA Team Capabilities
- EIA Regulatory Compliance
- EIA Content & Influence
- EIA Content
- EIA Presentation
- Improving EIA practice



To find out more about the EIA Quality Mark please visit: <http://www.iema.net/eia-quality-mark/>

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Is there a problem?

How effective and proportionate are EIAs?

EIA's: Effective and Proportionate?

Previous Research (2015):

>60% 9 or more topics
Average 12 topics

Lichfields Research (2021):

40% 9 or more topics
Average 8 topics



Proportionality:

19% topics identified
significant effects

Good news – downward trend?

Delivering Effective and Proportionate EIAs

The role and success of scoping requests and opinions

What is Scoping?

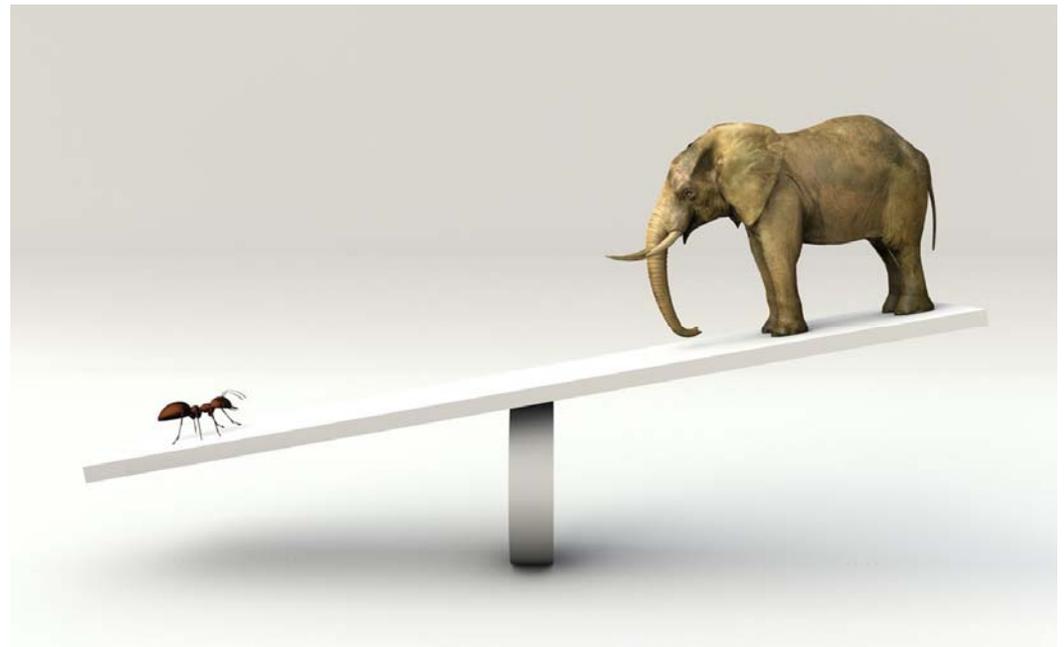
- **Process to agree the following:**
 - Topics to be included within EIA
 - Methodology
 - Form of EIA
- **Not mandatory, but when undertaken:**
 - Decision maker must consult with statutory consultees and respond within 5 weeks; and
 - Applicant must then ensure that the subsequent EIA is 'based upon' the Scoping Opinion.



Poll: The success of Scoping?

Do you think that the formal scoping process leads to more proportionate EIA?

- A) Yes**
- B) No**
- C) Not sure**



Delivering Proportionate EIAs: The Success of Scoping?

- **Lichfields experience:**
 - 2 chapters v topics being added in
- **Research**
 - No difference in average number of topics
 - In 30% cases - additional topics added
 - Out of 13 chapters, 2 chapters identified significant effects.
- **Scoping leading to less proportionate EIAs?**



Barriers to More Effective Scoping

1. Lack of Information
2. Confidence in the use of mitigation
3. Timing
4. Lack of Expertise
5. Risk Aversity
6. Desire for one stop shop



Poll: Barriers to Effective Scoping?

What do you think is the key barrier to more effective scoping?

- a. Lack of Information
- b. Confidence in the use of mitigation
- c. Timing
- d. Lack of Expertise/Risk Aversity
- e. Desire for one stop shop



Overcoming Barriers

Strategy for Improving the Scoping Process

1. Early consultation with the right people
2. Better use of primary and tertiary mitigation
3. Getting the timing right
4. Clearer focus on output
5. Building knowledge, expertise and consensus



Early Consultation with the Right People

- Identify interested parties and scope engagement at the inception stage
- Keep your list of stakeholders under review
- Use a variety of means of consultation



Lack of Information

Confidence in the use of mitigation

Timing

Lack of Experience

Risk Aversity

Desire for one stop shop

Early Identification and Better Use of Mitigation

- **Research:**
 - 73% of topics could have been scoped out
- **Primary Mitigation**
 - Detailed scheme
 - Parameters
 - E.g. Drainage Schemes/ SUDs/Surface Water Management Plan
 - Remediation Strategy
- **Tertiary Mitigation**
 - CEMP
 - Avoiding activities during the breeding bird season



Lack of Information

Confidence in the use of mitigation

Timing

Lack of Experience

Risk Aversity

Desire for one stop shop

Timescales and Review Points

How to get the balance right:

- Scope later than you might think?
- EIA coordinator and EIA project team to be involved in setting programme; and
- Build in review points.



Lack of Information

Confidence in the use of mitigation

Timing

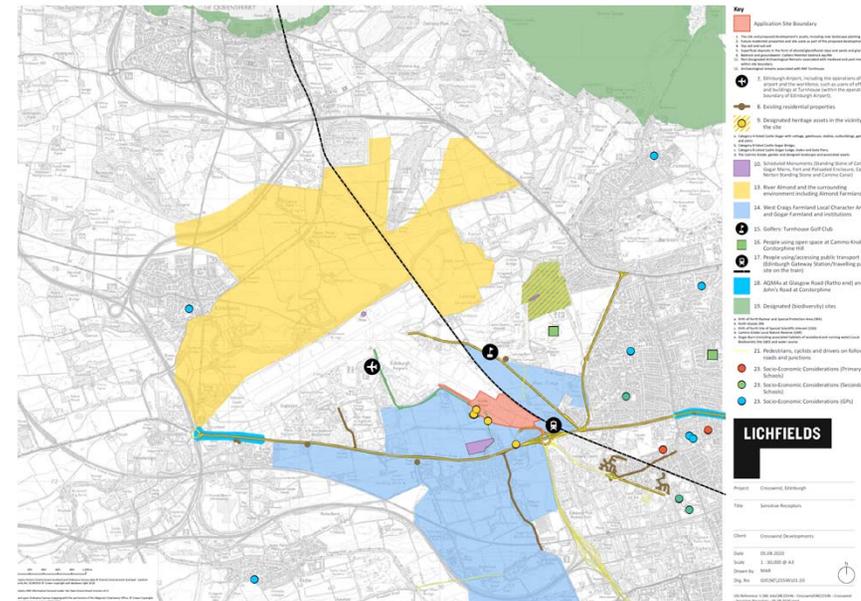
Lack of Experience

Risk Aversity

Desire for one stop shop

Focus on Output

- What do we want end product to do?
- Remember EIA is decision making tool
- Document should be easily to navigate for all interested parties
- Move towards digitalisation?
- Be clear what sits within the EIAR and what can be addressed elsewhere within the planning application submission



Lack of Information

Confidence in the use of mitigation

Timing

Lack of Experience

Risk Aversity

Desire for one stop shop

Building Knowledge, Expertise and Consensus

Lowering risk through building consensus and enhancing knowledge

- Conferences
- Training – across all of industry
- Bringing in experts where necessary
- Agreeing tertiary mitigation



Lack of Information

Confidence in the use of mitigation

Timing

Lack of Experience

Risk Aversity

Desire for one stop shop

Conclusion

Delivering proportionate EIA

- Evidence suggests some improvement
- BUT there is definitely scope to deliver better more efficient EIAs by improving the 'scoping process'
- Lichfields 'cunning 5 point plan' could help to deliver these improvements
- For further information please see Lichfields Scoping Insight to be published later this month.

