Enabling Works

Richard Farmer from Jacobs talks about how the EIA process influences the enabling works and the issues experienced with the programming of ecological mitigation during this period.

What are Enabling Works? They are the preparation of a site ready for the first stage of development (e.g. perimeter fencing, ground clearance, access routes, safety signage etc). It may also include some preliminary construction works (e.g. groundworks). The result is a site that is ready and equipped for the main body of works to begin.

The enabling works are in most cases the first activities on a site so this is a critical period for the installation of environmental mitigation, particularly ecological mitigation. Typical activities that might be undertaken during this period include the installation of tree protection fencing, fitting wildlife boxes and translocation of protected species. These have to be undertaken prior to commencement of the main works to ensure appropriate protection to the species or habitats concerned. Disturbing protected species or damaging their habitats is a criminal offence and can lead to fines of up to £5,000 per offence (e.g. per animal killed) and/or up to six months imprisonment.

The Environmental Impact Assessment (EIA) is the key tool for identifying all ecological constraints and ensuring that programming constraints (such as avoiding hibernation periods) are identified at an early stage. The EIA should also identify the timings of when ecological mitigation is to be implemented so that this can be included in the construction programme and contract documents.

This is particularly useful for large projects where multiple contractors are involved as a means of clearly defining who is responsible for the implementation of mitigation.

Construction programmes are often tightly scheduled with site costs increasing for every month a site is active. The enabling works must therefore be planned effectively to allow the main construction works to commence without restrictions. Ecological constraints can restrict construction activities as some mitigation measures can only be implemented at particular times in the year (to reduce the risk of ecological impacts). Many of the restriction periods are not in alignment, so careful consideration of the practicality of undertaking the work in combination with the restrictions is required.

EXAMPLE: A construction project starting in January requires tree removal to start the main works with the only access being via a field which has been identified for great crested newt. Trees cannot be removed before the bird breeding season (March to August), but translocation of great crested newts (GCN) from the access track is not possible until after the newt hibernation period (November to February). In this instance the main construction works cannot commence until September. This is because site access is required before felling can begin, so translocation exercises must be undertaken first (restricted until after March). Once access is permitted tree felling can only begin after the bird breeding season has ended in August. This is a basic example and actual sites can be characterised by many other ecological constraints (dormouse, bats, badgers etc).
Some of the key strategies to ensure the practicality of implementing the ecological mitigation prescribed in the EIA during the enabling works are through the continued interaction between ecologists and design teams throughout the development of the EIA. Also, early engagement of a contractor will ensure that they understand the constraints that will be imposed on them, and to discuss the practicality of the construction works and the detailed steps that are required to undertake a task. An Environmental Action Plan (EAP) is a useful tool to highlight all of the ecological constraints within an EIA and also the timings/responsibilities of when mitigation activities should be undertaken.

An added difficulty when trying to programme ecological mitigation arises from the fact that wildlife habits (hibernation periods, breeding seasons etc) are highly dependant on the local weather conditions. The EIA and contractor’s programme must also account for the potential risk to the project caused by delays to certain ecological mitigation works. This risk should also be carefully communicated to all parties, as significant follow on effects could arise.

Key things to remember when undertaking EIAs in relation to the enabling works:
- Continued liaison between the design team and ecologists reduces the risk of ecological constraints and programming restrictions impeding the works.
- Early engagement with contractors may improve the programming of ecological mitigation during the enabling works and outline any issues that were not already considered.
- Ensure that the client/contactor is aware of the ecological and programme constraints so that these can be taken into account in the construction programme from the start, along with any associated risks of delay (e.g. due to weather conditions).
- An Environmental Action Plan (EAP) is a useful tool to outline all the site specific ecological constraints and programming restrictions, to communicate these to the contractor, and for ongoing monitoring.
- The implementation of ecological mitigation is highly dependant on local weather conditions and so this risk must be included within EIAs and fully communicated to the wider team.

This article was written as a contribution to the EIA Quality Mark’s commitment to improving EIA practice.

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