## Effective EIA Scoping

Building on the IEMA Webinar on 28<sup>th</sup> September 2012, Chris Garratt from NJL Consulting discusses EIA Scoping, focusing on its aims, barriers to effectiveness and what can be done to help improve Scoping practice.

### Aims of EIA Scoping

Although EIA Scoping is not mandatory under the Town and Country Planning EIA Regulations, it is considered best practice in the UK. There are several aims of Scoping and these are:

1. A focused and cost-effective EIA;
2. An EIA informed by specialist local knowledge;
3. Agreement of assessment methodologies; and
4. Reduced risk and delay.

### Barriers to Effective Scoping

Through research and experience, we have identified a number of barriers to effective Scoping:

#### 1. Scoping Requests

Sometimes the information submitted by the applicant is not adequately detailed to enable Officers and Consultees to make an informed decision on the scope of the EIA.

There are also situations whereby a large amount of technical work is undertaken and the results are then submitted to the LPA. This approach is effectively consulting on initial EIA findings, rather than determining the scope of the ES. This results in time and cost implications for the applicant and pressure on resources at the LPA / Consultees to review and respond within the 5 week deadline.

#### 2. LPA Officers

The amount of experience in dealing with EIA developments varies between Local Authorities. Where Officers are inexperienced in responding to EIA Scoping Requests this can influence the quality of the Scoping process.

Officers are also under political pressure and this has the potential to influence the content of Scoping Opinions. This is particularly the case with comments made by the public, which may be ill-informed.

#### 3. Consultees’ Responses

The quality of consultees’ responses still varies greatly and often responses are significantly delayed or not received at all. Sometimes, where a response is received, this can be non-site-specific and includes generic text relating to issues that might not be relevant to the project.

Another issue is that consultees’ responses sometimes complicate the process by including comments on topics that are outside of their remit or refer to topics that are not relevant to EIA, such as built sustainability.

#### 4. One off approach to Scoping

Scoping is a continuous process and the EIA Scope can change at any point prior to determination. Topics that were deemed likely to be significant at first may prove not to be once further work is carried out.

Alternatively, following formal Scoping and the progression of surveys and technical work, it may be the case that a topic that was scoped out is deemed likely to be significant and should be scoped in, or assessment methodologies need to be revised.
Effective EIA Scoping

There are a number of ways in which EIA Scoping can be carried out more effectively in order to overcome the barriers listed in the previous section. Although not a comprehensive list, several of these are summarised here:

1. Scoping Requests

Early Scoping avoids the potential for unnecessary work, or work being undertaken using a different methodology to that preferred or required by Officers and Consultees. Early Scoping also helps to avoid unnecessary cost and time implications for the applicant, LPAs and Consultees.

Although the Scoping Report should include overviews or summaries of technical information and likely significant effects, it should be focused on agreeing the topics to be included in the EIA and the methods of assessment and not be overly long or an ES baseline report.

2. Discussions with the LPA and Consultees

It can be useful to discuss the project and the proposed EIA methodology with the LPA Officers and consultees (if necessary) before the Scoping Request is submitted. This helps to ensure that they understand the project and the likely significant environmental impacts, before the formal Scoping Request is submitted.

3. Review of Draft Scoping Opinion

One way of speeding up the Scoping Process is to ask Officers to send copies of consultees responses as they arrive so that queries can be dealt with promptly. If possible, it is also helpful to review a draft copy of the Scoping Opinion so that its content can be discussed before it is formally issued.

4. Continuous EIA Scoping

EIA Scoping is a continuous process and should be updated as findings or circumstances change, especially as EIAs can be undertaken over a long period of time.

One example of this is in relation to cumulative impacts with other developments. There may not have been a requirement to include a cumulative impact assessment at the initial Scoping Stage, however, if over time there is another development which could result in cumulative impacts, then this would need to be included in the EIA.

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