### Key Issues

The ODWJ project is one which is located within both the terrestrial and the marine environment. It is also located within an existing harbour / port authority area. As such the project required consent from three main determining bodies, namely the local planning authority, the Marine Management Organisation (the MMO) and the statutory port / harbour authority. In reaching a decision on the ODWJ project, all three bodies were required to take into account the environmental information, including the information contained within the Environmental Statement submitted with the applications for the scheme.

Against this background, the key issue for this project was to ensure that all three bodies worked in a collective and collaborative way. Without careful management of the process by all involved, there was a real danger of stakeholders, statutory bodies and the public being consulted more than once on the same issues, and for decisions made to be contradictory to each other.

### Purpose of the project

The ODWJ project was applied for by Oikos Storage Ltd (OSL) – the operator of an existing nationally significant fuel import and distribution facility on the River Thames.

The purpose of the ODWJ project was to provide the existing OSL storage terminal with the necessary critical infrastructure to enable it to continue to contribute to a reliable, cost effective and resilient UK fuel distribution system.

### Description of the project

The ODWJ project is located at an existing fuel import and distribution facility located on the north bank of the River Thames in Essex. The OSL facility was initially established in the 1930s and has developed and grown over the intervening years.

The project has two main elements. The first element consists of the extension and refurbishment of an existing jetty at the site to enable the facility to accommodate the larger vessels that are increasingly moving fuel and associated products around the globe. The second element consisted of the renewal of existing landside tank storage infrastructure.

Although the project is located at an existing industrialised site, the marine environment of relevance contained a number of important designated sites and features – such as a SSSI and an SPA – that needed to be given due attention and consideration.
Lessons learnt

One of the main lessons learnt working on the ODWIJ project was the importance of carefully managing the EIA process and the importance of active engagement with key stakeholders and decision makers at the earliest opportunity. This is especially the case where different decision makers are involved, and there is a real risk of confusion and contradiction.

With the ODWIJ project, early pre-submission engagement with both the planning authority and the MMO enabled a clear process to be put in place that enabled the consideration of the applications to take place in an efficient and robust way. By having regard to the principles of the ‘Coastal Concordat’ it was agreed that the planning authority would take the lead on certain issues and the MMO would take a lead on others. The implementation of such a process enabled clear decisions to be made that did not contradict each other – particularly in respect of the application of consent conditions and the detailed requirements set out in those conditions – and ensured that key stakeholders and statutory bodies were clear on what they were commenting upon and to whom in terms of the adequacy of the environmental information.

That being said, however, the process did highlight the benefits – in terms of decision making and the consideration of environmental information – of the type of authorisation process now in place in respect of Nationally Significant Infrastructure Projects (NSIP) under the planning Act 2008. If it could have been applied to the ODWIJ project, such a ‘one stop shop’ authorisation process would probably have been of benefit.

Another main lesson learnt was a re-emphasis of the need to ensure that an Environmental Statement provides clarity as to what the project is and what the likely significant effects are. Although this may sound like a very basic and simple point to be reminded of, it was an important issue to be reminded of.

Lessons learnt cont. -

Environmental Statements – and the assessment processes that they report – are generally becoming longer and more detailed. The pressure on those producing the document is to include as much detail as possible to avoid criticism. In addition, there is a danger that the information provided can be very technical and specialist, and, therefore, difficult to understand. Conversely, however, decision makers and stakeholders are increasingly having less time and being given less resources to consider such detailed and technical information and are under increasing pressure to give a view or reach a decision.

With this in mind, it is clear that references throughout the Environmental Statement to other technical supporting assessments need to be signposted clearly as there is a danger that these signposts are often not fully considered by consultees due to workload pressures. As was the case with the ODWIJ scheme, sufficient time also needs to be built into the applicant’s programme to ensure that key consultees fully understood the proposals and have all the necessary information to allow questions to be asked and for them to consider the proposals and make their views known.

Providing a clear understanding of what the project is within the ES, providing clear and robust conclusions in respect of likely significant effects within an ES, and a clear explanation of how such conclusions have been reached, were, once again, demonstrated to be very important in enabling stakeholders and decision makers to do their job in an efficient and robust manner.

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