



IEMA Webinar:

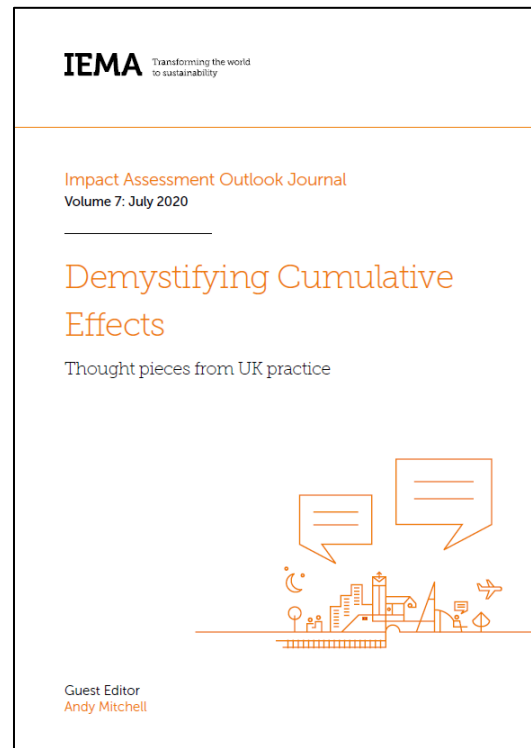
EIA Spotlight: Demystifying Cumulative Effects

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Webinar Overview

The purpose of the webinar is to highlight the launch of Impact Assessment Outlook Journal Volume 7 on Demystifying Cumulative Effects and to provide some expert discussion and opportunity for Q&A.





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Webinar slides and recording

This webinar is being recorded. The recording and presentations will be made available for IEMA members on iema.net within 48 hours of the webinar.





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Q&A

Send in your questions as we go through the session – we'll have plenty of time with our speakers after the presentation.

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Introduction

About IEMA

Created from a merger between the Environmental Auditors Registration Association (EARA), the Institute of Environmental Assessment (IEA) and the Institute of Environmental Management (IEM) in 1999.





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to sustainability

IEMA in 2020

We are the worldwide alliance of environment and sustainability professionals, working to make our businesses and organisations future-proof. Our bold Vision is:

Transforming the World to Sustainability

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Impact Assessment

- Impact Assessment Network
- IA Network Steering Group
- EIA Quality Mark
- IA Outlook Journal
- EIA Practitioner Register
- Guidance, Webinars and Events



5 Year Strategy

- **Vision:** IEMA and its members will work to ensure that IA is widely recognised as supporting better decision-making, positively influencing development outcomes and providing lasting benefits to the environment, communities and the economy
- **Objective 2:** Develop guidance and training and promote knowledge sharing and collaboration to provide practitioners with the skills and knowledge to deliver effective and proportionate IA

Good Practice: IA Outlook Journal



2018

2019

2019

2019

2020

2020

2020



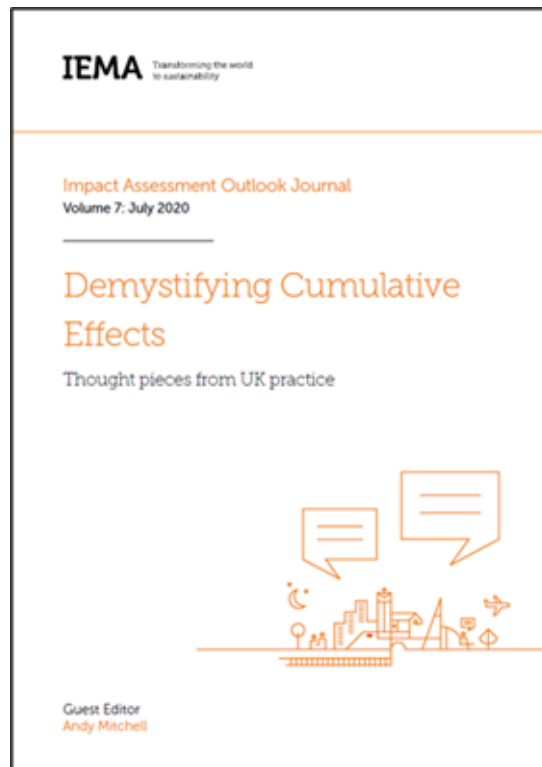
Overview of Outlook Vol. 7

Demystifying Cumulative Effects



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Guided page turn →



Consideration of Cumulative Schemes: Implementing the EIA Regulations 2017

The 2017 change from 'reasonably foreseeable' to 'other existing and/ or approved development' should have provided greater clarity....

There remains a level of intrinsic caution on the part of local authorities to ensure that all likely schemes are considered, and the possibility of challenge avoided.

- existing schemes that is, the existing baseline, and, consideration of schemes under construction and their respective operational phases;
- those schemes that are approved but not yet started construction; and
- those schemes that are considered highly likely to be going to committee before or at the same time as the application and for which sufficient information is readily available to make an informed assessment.

Review of the Current Practices in the Assessment of Cumulative Effects

The cumulation of these effects are characterised by two different types of relationships:

- **Intra-relationship:** combined effect of individual development – for examples, noise, dust and visual on one particular receptor; and,
- **Inter-relationship:** several developments with insignificant impacts individually but which together represent a significant cumulative effect.

Many practitioners face the complexity of cumulative effects in practice, primarily due to:

- the essence that impact assessments must focus on the foreseeable future; and,
- a lack of knowledge and clear regulation concerning how cumulative effects assessment should be undertaken.

...a range of public sectors and industry-led guidance reports are available on how to approach CEA, but at present there is no single, agreed industry standard method.

Cumulative: Additional, Combined or Both?

Guidance produced by Scottish Natural Heritage¹ in March 2012, defines cumulative impacts as *“the additional changes caused by a proposed development in conjunction with other similar developments OR as the combined effect of a set of developments, taken together.”*

- **Stage 1:** the cumulative effects are the **total effects** created by the development and other developments included in the assessment.
- **Stage 2:** the cumulative effects are the **contribution** of the development to the total cumulative effects assessed in Stage 1.

How can we Improve the Assessment of Cumulative Effects?

The requirement to consider cumulative effects in EIA is not a recent stipulation and has existed in its current form since the 1990s specifically within European Directive 97/11/EC and is, in fact, mentioned in previous versions as far back as Directive 85/337/EEC.

There appears to be no decisive definition of what cumulative effects in EIA are and what they should cover. The 2017 regulations offer no further guidance...

When should a development be considered on a cumulative basis? Should a development that is already approved form part of the future baseline, or should it be considered cumulatively? And, should developments that are not 'approved', but are reasonably foreseeable, still be included on a cumulative basis?

Improving cumulative effect practice will not only act to safeguard the environment, but it will also offer greater opportunities for the advancement of holistic mitigation strategies for the cumulative effects of development.

Perhaps a solution is to remind ourselves of the purpose of cumulative effect assessments in order to understand how developments (if and when they are permitted in combination with other developments), will affect the environment and its carrying capacity.

Cumulative Effects and EIA - a Legal Perspective

Hopefully it is not stepping into Brexit territory to say that environmental impact assessment, as introduced by the European Union, has been a good thing. It has provided a mechanism for focusing on key environmental effects.

The Directive/Regulations clearly state that the description of the likely significant effects includes cumulative effects. However, no further indication is provided on which cumulative effects should be addressed, and how.

Having read and re-read chapter 14 of the Environmental Statement, I find it very difficult to see what more it could usefully have said in terms of identifying likely cumulative impacts. In my view, it gives a fair and more than adequate account of what the cumulative impacts are likely to be."

*The cumulative effects
assessment is a
professional opinion.*

The cumulative effects assessment is a professional opinion. Key steps in making it robust might include:

1. **Clarity of approach** – the Regulations require the Environmental Statement/EIA Report to include a description of the forecasting methods or evidence, including difficulties and uncertainties.
2. **Recognised methodologies** – if there is a recognised methodology, use it, and say that you have used it. Alternatively, if there is a reason for not using the recognised methodology, give a clear justification for not using that methodology.
3. **No recognised methodology** – if there is no recognised methodology, explain clearly the reasons for the approach you have taken.
4. **Precedents** – if you are not using a recognised methodology, it is useful to cite examples of other projects where a similar approach has been taken.
5. **Peer review** – in exceptional circumstances, obtaining an independent peer review can increase confidence in the robustness of the cumulative assessment, and provide additional justification were it to be required as a result of challenge.



CEA Next Steps

Legalisation & Cumulative Effects

- The Legal Bit: Directive 2014/52/EU on the assessment of the effects of certain public and private projects on the environment
- *‘The description of the likely significant effects should cover the direct effects and any indirect, secondary, **cumulative**, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project..... ‘*

Defining Cumulative Effects

Intra Cumulative

Combined effects

Interaction

Synergistic

Additive

Intra relationships

Inter Cumulative

In-combination effects

Inter relationships

Two types of Cumulative Effect

Andy Ricketts
Director and
Head of EIA
at Turley

Q1: How should I define a cumulative effect and are there different types?



Nick Jackson
Birmingham
City Council



Our current EIA Regulations define cumulative effects quite widely but in practice it can be defined more simply as 'the combination of environmental effects of one or more projects to people or assets of value'.

There are two different types: effects within the project itself and effects with other projects, the assessment of both should be receptor led.

Any Scoping Opinion should request the consideration of both types of cumulative effects. It is the responsibility of the Applicant/s to deliver information on cumulative effects at the project level.

Official Guidance on CEA

- Guideline for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (European Commission 1999 Guidelines).
- Environmental Impact Assessment of Projects: Guidance on the preparation of the Environmental Impact Assessment Report (European Commission 2017 Guidelines).
- Planning Inspectorate (PINS) Advice Note Seventeen: Cumulative Effects Assessment.

Interaction vs Cumulative

The EC 2017 Guidelines address cumulative effects with reference to recent case law and relate the concepts of interaction effects and cumulative effects by dividing their consideration into two broad categories:

- the interaction between all of the different Projects in the same area;
and
- the interaction between the various impacts within a single Project.

Consensus Typology for CEA?

Type A: Interaction Effects

Definition: within a project.

Often used synonyms: Interactions, intra-cumulative effects, synergistic effects, intra-relationships, combined effects, in-combination effects*

Type B: Cumulative Effects

Definition: between projects.

Often used synonyms: Cumulative effects, inter-cumulative effects, inter-relationships, additive effects, combined effects.

Reporting Structure

Terrestrial Projects – Impact reporting

- Traffic, Noise, Air Quality, Heritage, etc.

Marine Projects – Receptor reporting

- Fisheries, Navigation, Ornithology, Recreation, etc.

Impact Reporting

Pros

- Allows topic specialists to control and 'own' the chapter
- Allows topic specific method and guidance to guide chapter
- Allows topic based stakeholders a one-stop-shop.

Cons

- Promotes siloed working and creates inconsistencies across EIA
- Encourages topic based stakeholders to ignore wider context
- Makes consultation and understanding hard for non specialists
- Makes interactions (Type A) very hard

Receptor Reporting

Pros

- Promotes integrated assessment across impacts on a receptor and interactions assessments.
- Allows broader stakeholders, decision makers and the public to understand impact on a receptor.
- Well suited to digital methods.

Cons

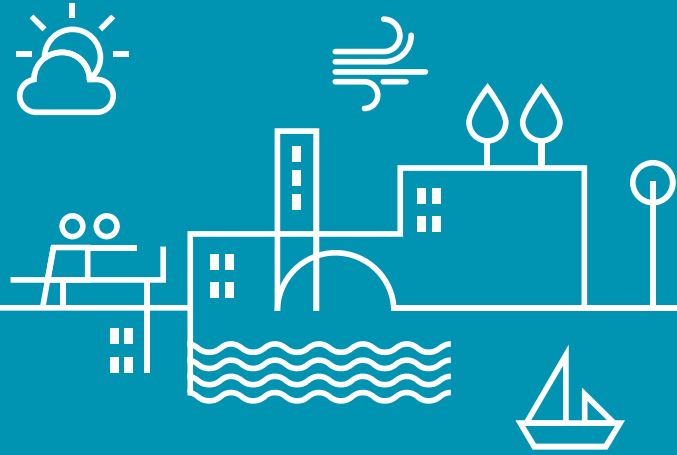
- Stakeholders need to read the whole report.
- Potential to require some methodological compromise on reporting for consistency/clarity.
- Requires an industry wide shift in reporting 'traditions'.

Rufus recommends...

- Follow Neil Collars 5 steps.
- Make sure you cover both Type A and Type B effects.
- Explain, define and agree your terminology and methodology early.
- Recognise CEA is expert judgement and uncertainty is unavoidable.
- Consider moving to Receptor based reporting and assessment.
- Consider adopting the term 'Interactions' for Type A, and limiting the use of the word Cumulative to Type B, this should aid clarity.
- Use PINS Advice Note 17 for agreeing Type B projects.

Next steps

- Get involved – join the IA Network email ia@iema.net
- Apply to join the IA Steering Group later this year.
- Contact me at IEMA if you feel that members would benefit from further CEA guidance r.howard@iema.net
- Please send through your questions.



Questions & Answers

Thanks for joining us

You will be able to access today's slides and recordings on iema.net. Simply log in and click on 'Watch again' on the 'Resources' tab.

