

# Environmental Impact Assessment (EIA): Agenda

01.

What is an EIA?

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02.

How does it relate to the DCO process and what are the related requirements?

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03.

Where in the EIA process are we?

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# Our Outcomes

We will deliver a railway that is:



Better for  
customers



Cheaper for  
the taxpayer



Greener for the  
environment



Delivered quicker  
than before



Safe &  
secure



# Greener for the Environment

## Environmental Sustainability Principles:



Respecting important sites and locations



Caring for your landscapes



Sourcing responsibly



Protecting species



Protecting you from flooding



Preserving your heritage



Respecting our neighbours



Contributing to the fight against climate change



Protecting your farmland

# What is an EIA?

*“EIA is a decision-making tool to **identify** and **evaluate** the environmental consequences of a planned development to facilitate **informed decision making** and sound environmental management.”*

International Association for Impact Assessment, 2013

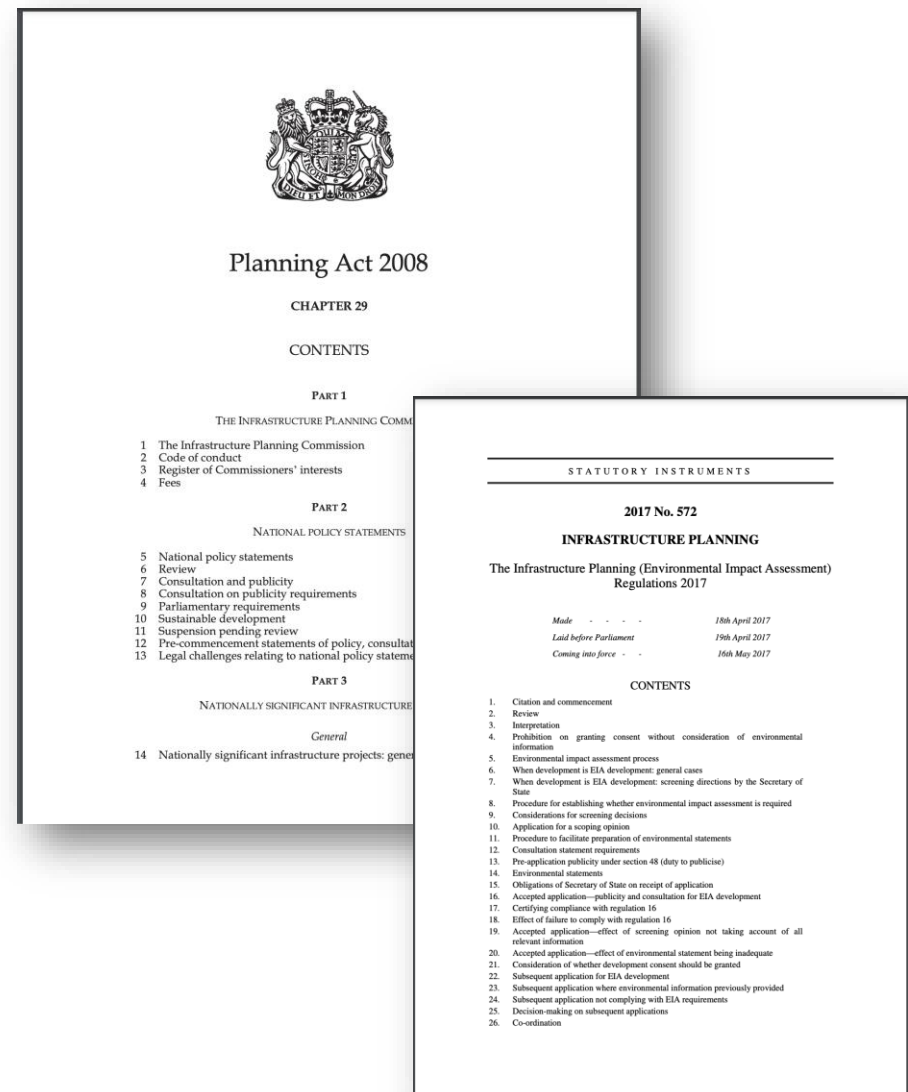
Mitigation is an inherent part of the impact assessment process and is referenced in the  
Infrastructure Planning (EIA) Regulations 2017

“a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment”

# What is an EIA?

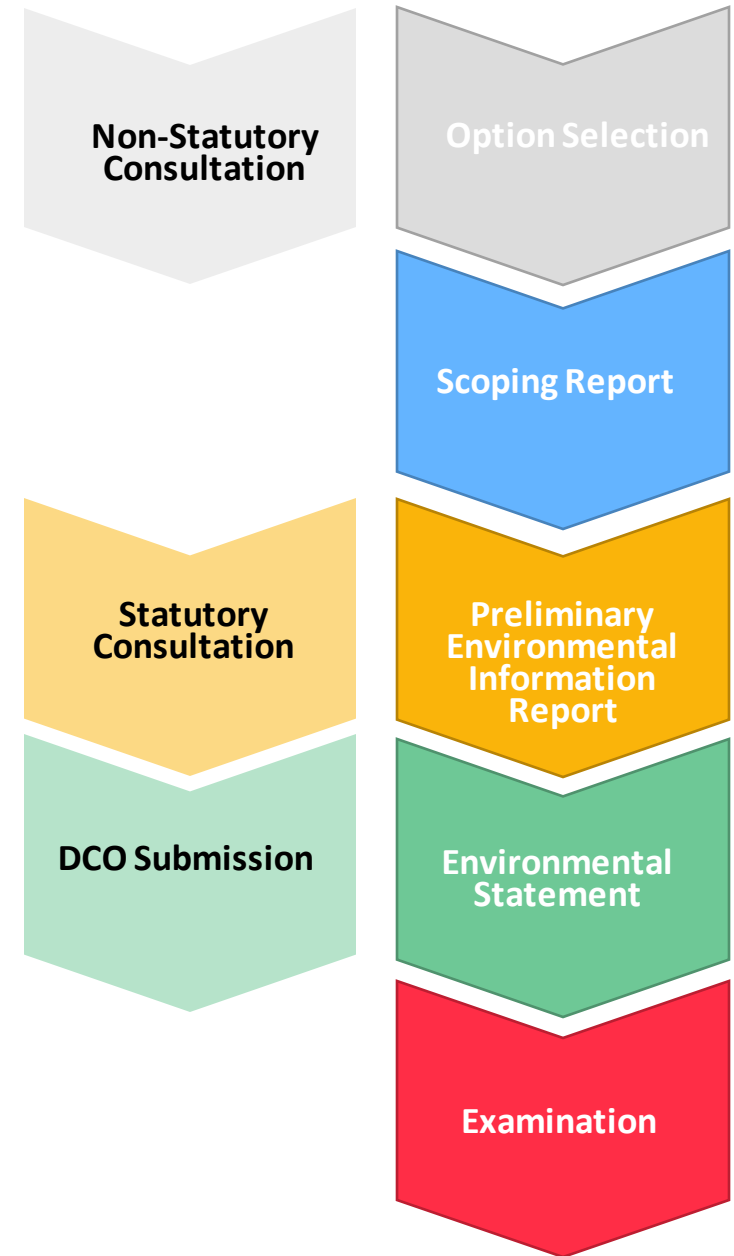
The project will require a Development Consent Order (DCO) to give consent to construct and operate the railway, under the Planning Act 2008.

The Project also falls within the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), which require an Environmental Statement (ES) to be prepared and submitted with the application for development consent.

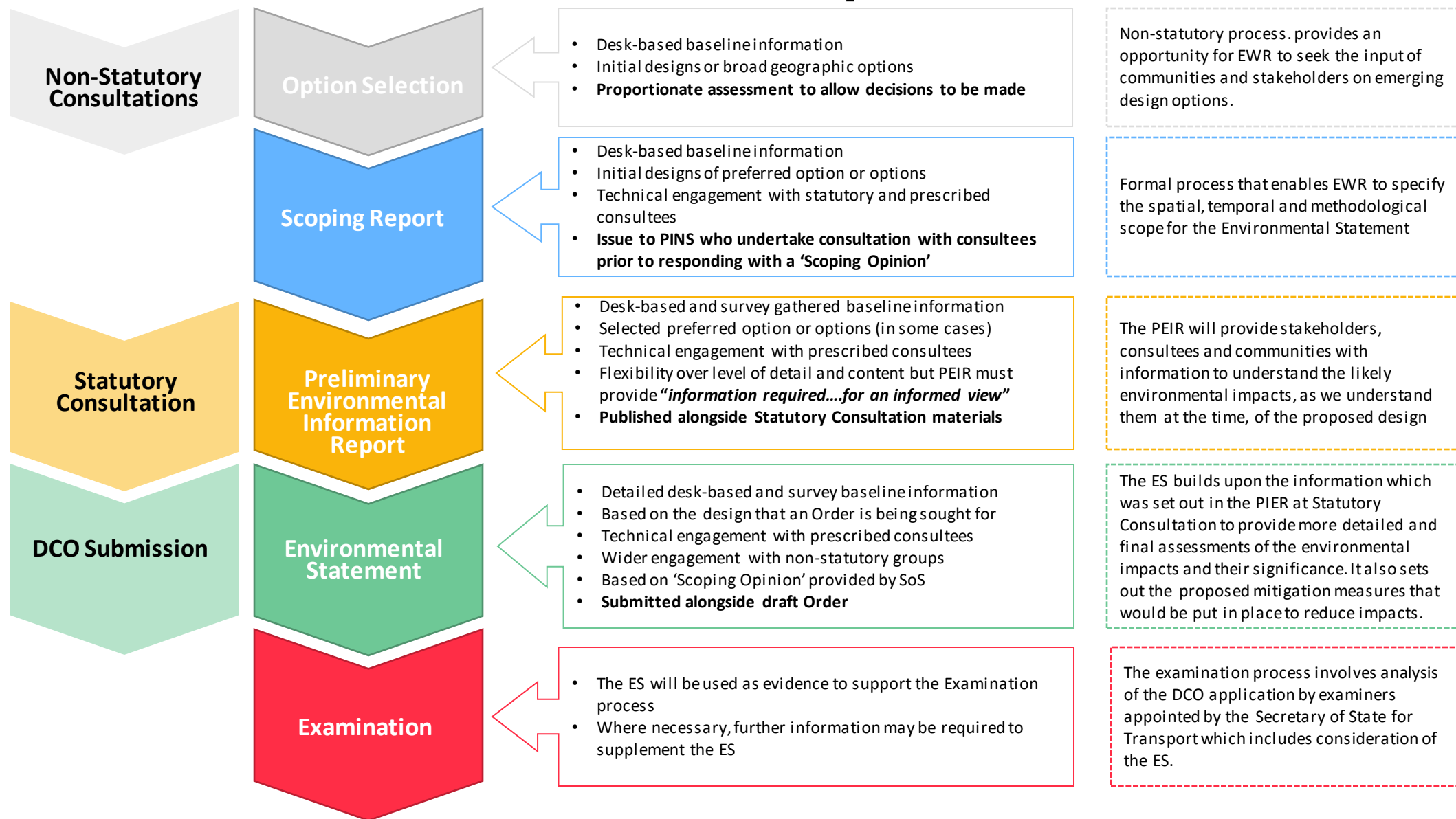


# EIA Process

An overview of the Scoping Report, Preliminary Environmental Information Report and Environmental Statement production process



# Where does EIA fit in the DCO process?





# Scoping Report Case Study

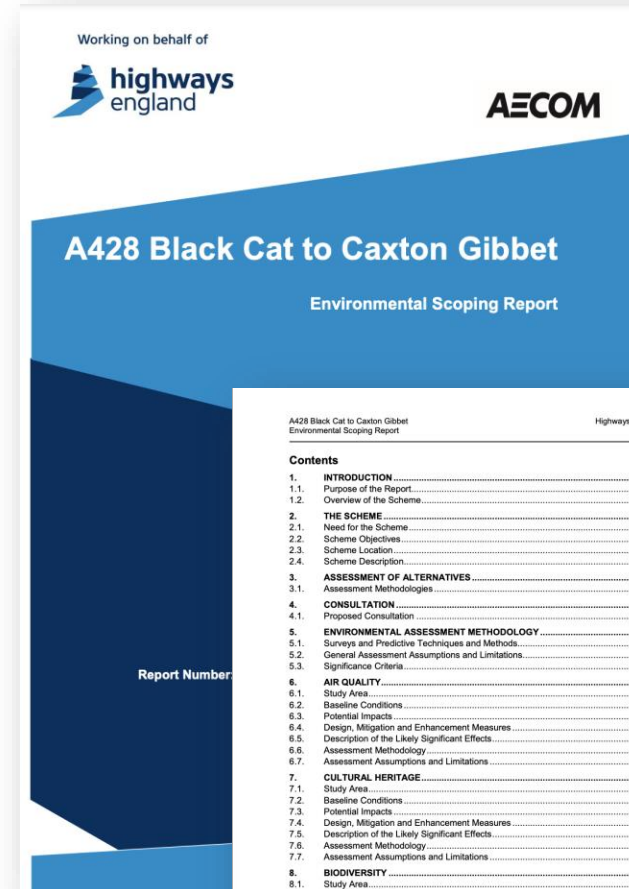
In accordance with Regulation 10(1) of the EIA Regulations

## Key points:

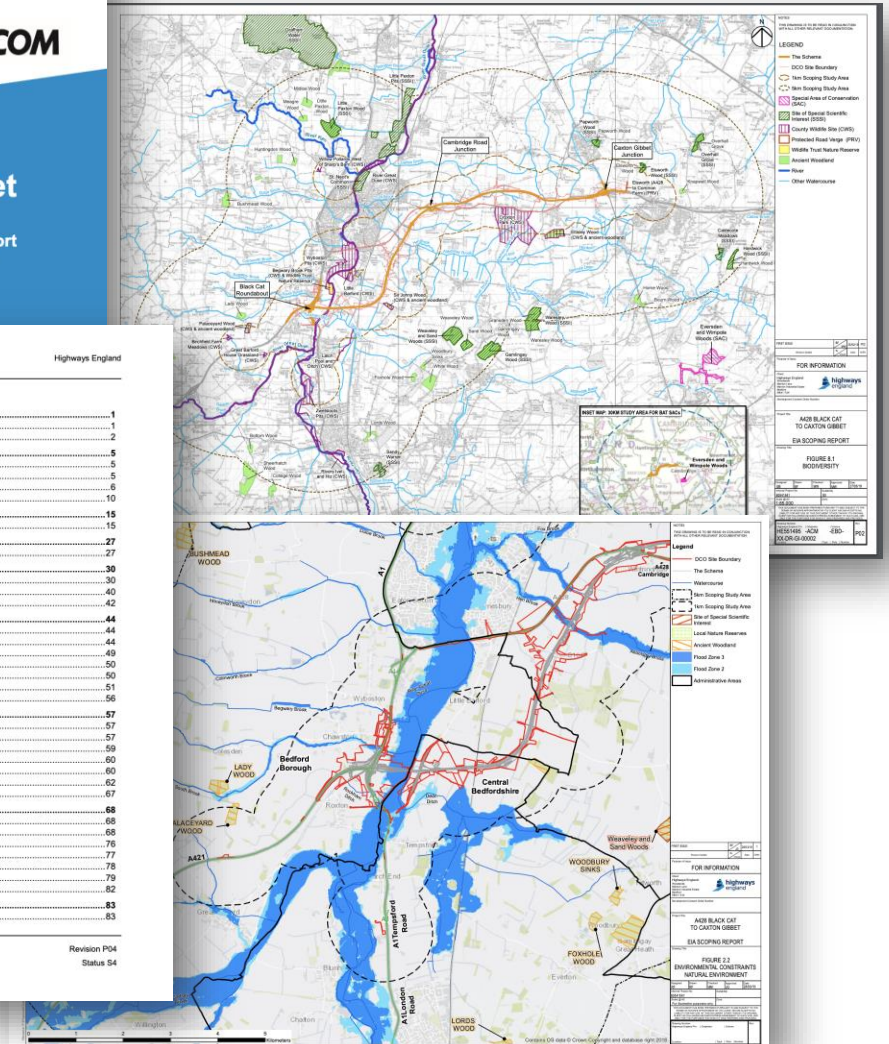
- Description of the scheme and a plan showing the 'land'
- Outline of reasonable alternatives considered
- Description of 'matters' scoped in and out
- Proposes 'how' the EIA will be carried out

## Process:

- Provided to Planning Inspectorate (PINS), acting on behalf of the SoS, and made publicly available
- Results in the '**Scoping Opinion**' issued on behalf of the SoS



A428 Black Cat to Caxton Gibbet Environmental Scoping Report		Highways England
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# Preliminary Environmental Information Case Study

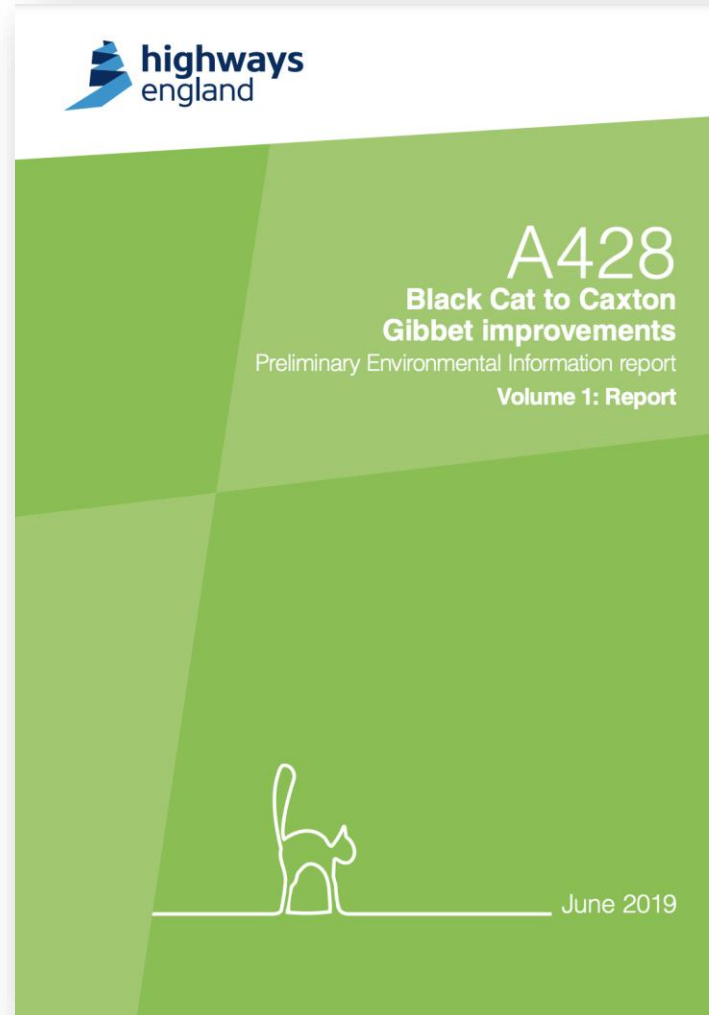
In accordance with Regulation 12 of the EIA Regulations

## Key points:

- Flexibility in what is provided and how it is presented
- Information that EWR has compiled
- *“is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development”*

## Process

- Published at Statutory Consultation



A428 Black Cat to Caxton Gibbet Improvements  
Preliminary Environmental Information Report  
Volume 1

Highways England

## Contents

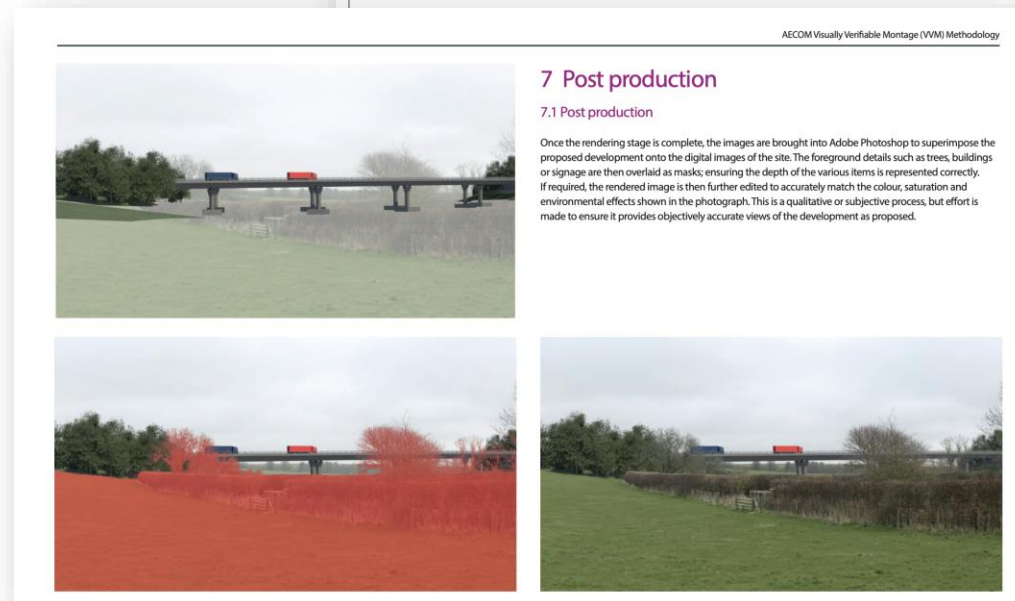
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# Environmental Statement Case Study

In accordance with Regulation 14 of the EIA Regulations.

## Key Points:

- Full suite of assessment of matters scoped in and completed in line with the 'Scoping Opinion'
- Information to be included described in Schedule 4 of the EIA Regulations.



Example of 'photomontage' production process (A303)

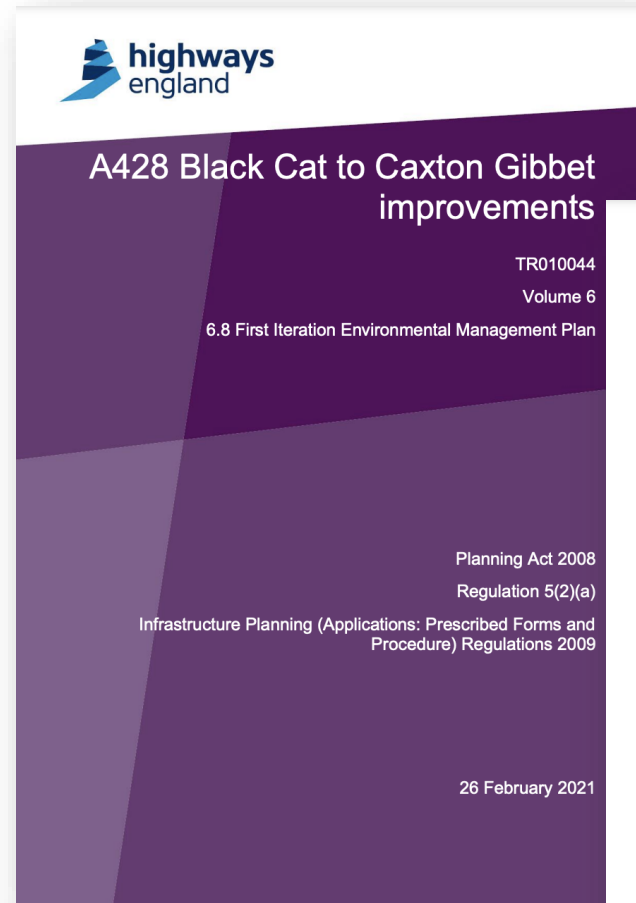
# Environmental Statement Case Study (Contd.)

## Code of Construction Practice or Outline Environmental Management Plan

A document which sets out mitigation measures and practices that the Project will follow during the construction phase

### Examples:

- *Emissions standards for construction fleet*
- *Measures for protecting species*
- *Measures for stockpiling materials*
- *Traffic management measures*

The image shows the table of contents page. At the top right is the 'highways england' logo. Below it, the title 'A428 Black Cat to Caxton Gibbet improvements Environmental Statement - First Iteration Environmental Management Plan' is printed. The main heading 'Table of contents' is centered. Below it, a table with two columns, 'Chapter' and 'Pages', lists the contents. The table includes chapters 1 through 10, with sub-chapters and their respective page numbers. At the bottom, the 'Planning Inspectorate Scheme Ref: TR010044' and 'Application Document Ref: TR010044/APP6.8' are printed.

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# Other documents and assessments



- 
- **Traffic and Transport Assessment**
  - **Habitats Regulation Assessment**
  - **Equalities Impact Assessment**
  - **Letters of No Impediment**

## **Transport Assessment**

This document will support the assessments within the Environmental Statement by providing an assessment in the changes of traffic flows and impact on the transport network. The Environmental Statement will then report the effect of this on transport users, local communities and other receptors in chapters such as Air Quality and Noise.

## **Habitats Regulation Assessment**

Where the project may be in proximity, or have the potential to effect a Special Area of Conservation (SAC), we would expect to provide a "HRA Report" which provides sufficient information for a "competent authority" to complete an "appropriate assessment".

The report will consider the potential effect of EWR on the integrity of certain designated sites.

## **Equalities Impact Assessment (EqIA)**

Under section 149 of the Equality Act 2010, a public authority is subject to the Public-Sector Equality Duty (PSED). THE PSED requires EWR to have due regard to eliminating discrimination, harassment and victimisation, advance equality of opportunity for protected characteristic groups (PCGs) and foster good relations between people who share relevant protected characteristics.

An EqIA is not a legal requirement, but it will aim to identify disproportionate and differential impacts on PCGs as a result of the project. PCGs considered within the assessment are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

## **Letter of No Impediment (LoNI)**

In order to demonstrate to the ExA that species licenses would be issued by Natural England (NE), we will provide information to NE to enable them to issue to us a LoNI. This document will demonstrate that based on the mitigation proposed, NE would issue protected species licenses for certain activities before construction commenced.

# Further Reading

## **PINS Advice Note 7 - EIA:**

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-seven-environmental-impact-assessment-process-preliminary-environmental-information-and-environmental-statements/>

## **PINS Advice Note 10 – HRA:**

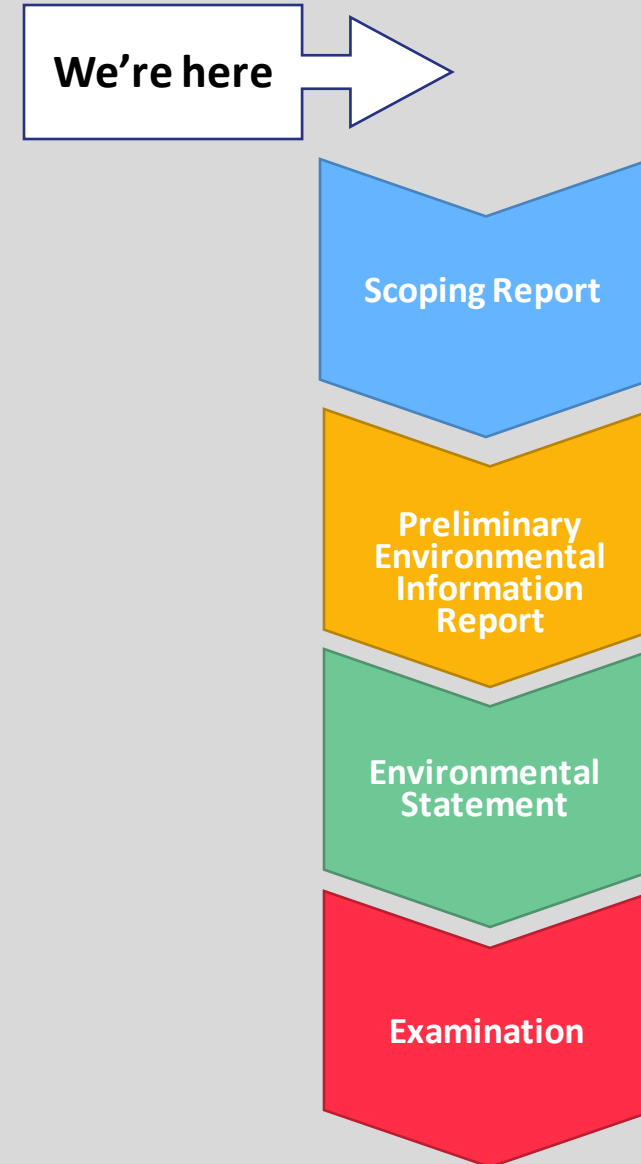
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-ten/>

## **Examples:**

- [A428 Scoping Report](#)
- [A428 Scoping Opinion](#)
- [A428 PEIR](#)
- [A428 Environmental Statement](#)
- [A303 Photomontage Production](#)

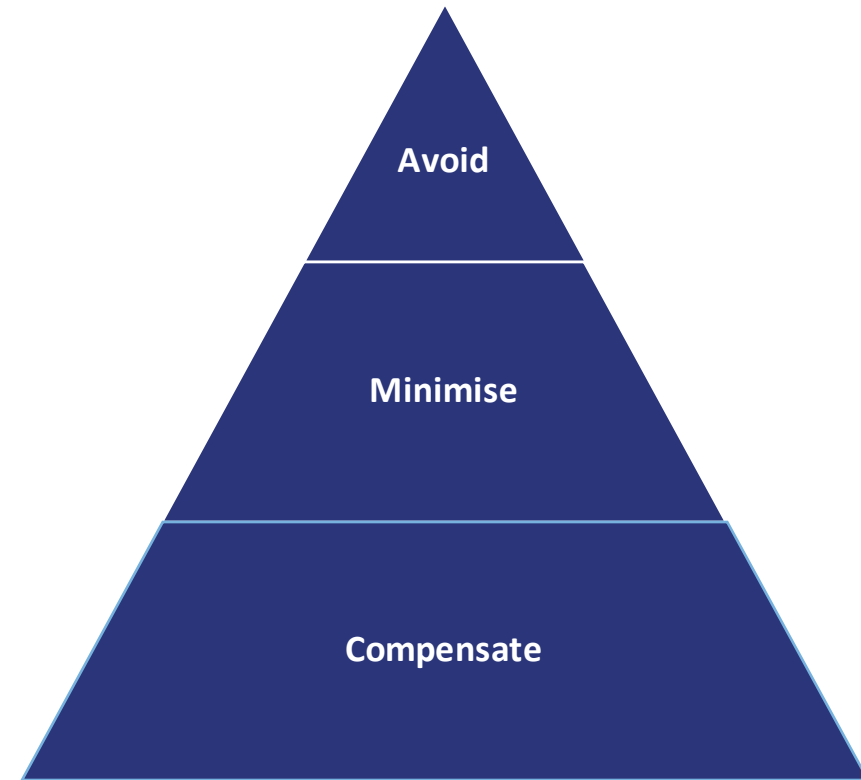
# Where in the process are we?

- Some initial engagement on scope and methods have taken place with Stakeholders
- But the Scoping Report has not yet been developed for submission to PINS
- Following option selection, the Scoping Report will be able to be completed and submitted to PINS



# EIA in Practice

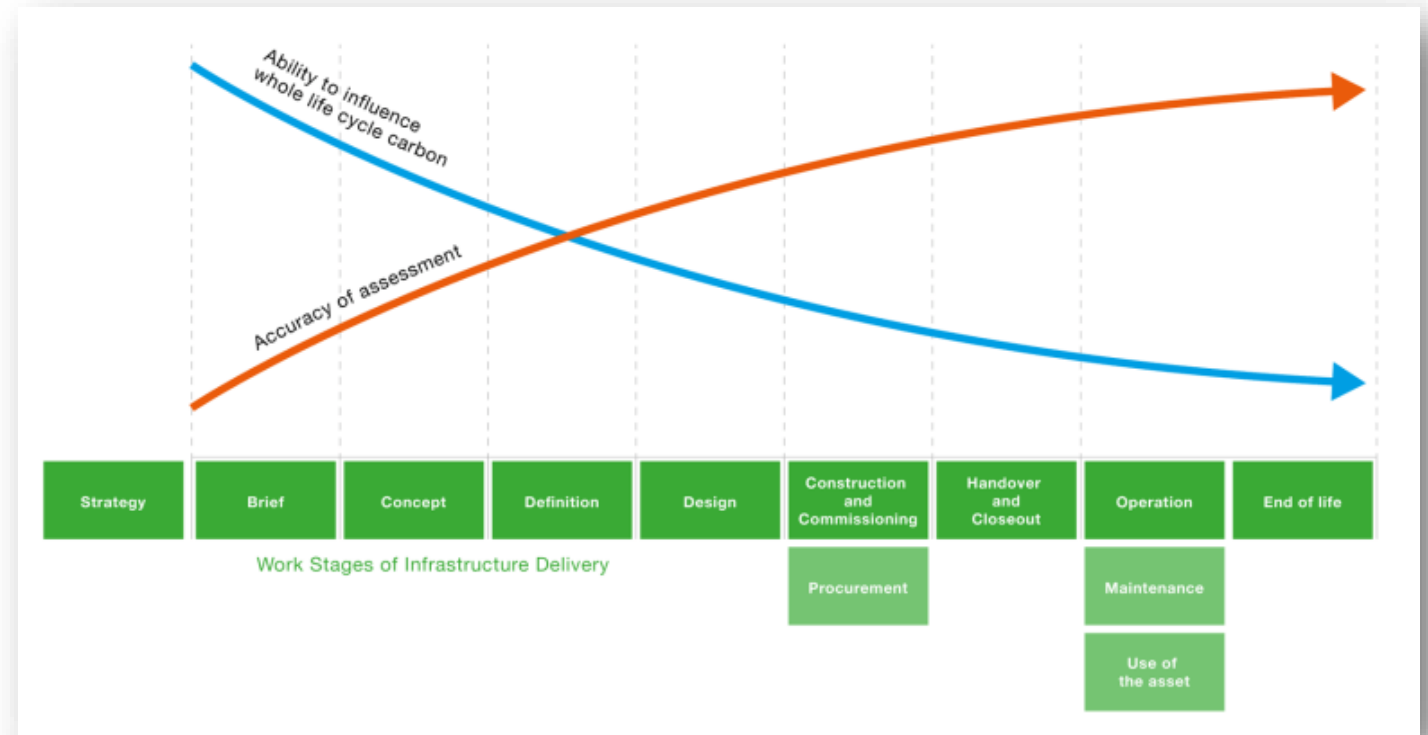
- Good EIA practice starts on day-one
- It is a circular process, where designers, engineers and environmental specialists work together to develop options
- Options are refined and developed to avoid impacts
- If impacts can't be avoided, we seek to minimise and then only compensate where impacts cannot be avoided or reduced





# EIA in Practice

- Focus on integrated design teams
- Focus on avoidance first
- Focus on feedback loops to iterate design
- Continuous improvement and assessment



# EIA in Practice

## A working example:

- To meet our BNG aspirations, avoiding loss of ancient woodland is very important
- Baseline data on ancient woodland was collected
- Historic evidence of un-designated woodland was assessed
- Design teams developed initial alignment options informed by ancient woodland locations
- The outcome was that no options presented at NSC2021 resulted in the loss of known or potential ancient woodland

