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With a strong track record in the management of environmental impacts, delivery and compliance for large infrastructure projects, Royal HaskoningDHV recently brought together a panel of experts, along with an audience of developers and regulators, to discuss Defra's Evidence Plan process and its impact so far.

In September 2012 a new process was introduced to allow developers of NSIPs in England to agree Evidence Plans with relevant Statutory Nature Conservation Bodies. A commitment of the Habitats and Wild Birds Directives Implementation Review, the Evidence Plan is a formal mechanism to agree up-front what information the developer needs to supply to enable a Habitats Regulations Assessment as part of a Development Consent Order (DCO) application.

Fifteen months on, has the introduction of Evidence Plans led to a smoother, more effective DCO examination process? What are the key lessons learnt? And, are further improvements needed?

The expert panel:

- Sian John, Director, Energy and Infrastructure Consenting, Royal HaskoningDHV
- Mandy Gloyer, Policy Manager, Scottish Power
- Paolo Pizzolla, Senior Environmental Consultant, Energy and Infrastructure Consenting, Royal HaskoningDHV
- Roger Covey, Principal Adviser, Marine Sustainable Use, Natural England

Mandy Gloyer spoke from experience of the East Anglia ONE Offshore Windfarm, as well as East Anglia THREE and FOUR Offshore Windfarms where the Evidence Plan process is currently being trialled. She believes Evidence Plans can offer significant benefits to the developer. "This is a voluntary process that is developer led and therefore allows flexibility. It provides an independent record and evidence trail of who said what."

The panel agreed that Evidence Plans focus the minds of all parties involved, including regulators and planning authorities, allowing for early identification and focus on the key critical issues.

"Not ground breaking but a useful and credible structure" is how Royal HaskoningDHV's Paolo Pizzolla describes Evidence Plans. "This is a pragmatic and open approach to solving complex, technical issues. It allows you to be robust, but it is proportionate and relevant."

Sian John, who has over 20 years' experience of coordinating, managing and undertaking complex EIAs, Cumulative Impact Assessments (CIAs) and Habitats Regulations Assessments (HRAs), raised the question of whether Evidence Plans mean a quicker process. "In my experience, Evidence Plans can mean a smoother process with fewer surprises, where work is front-loaded" she explained. "It doesn't necessarily lead to a quicker process, but it does mean there is more time to address any problems and get sign-off."

Paolo agrees “It’s clear from the start what needs to be done and how that will be achieved.”

Concurring with this view, Natural England’s Roger Covey believes the value of the Evidence Plan is in enabling agreement on common ground and allowing issues to be dealt with as part of the process. Whilst not representing a regulator ‘signing off’ an approach, it does provide more accountability because a named individual is responsible for agreeing the way forward. “The view given has to be a considered response, because it’s all documented and has a specific persons’ name against it” he says.

One key point raised is if Evidence Plans represent anything really different from current structures? Particularly, as the panel shared the view that there is no clear advantage from saved time.

In answer to this, the key differences identified were:

- Front-loading the work required and limiting surprises.
- Providing a formal structure.
- Setting a clear cut off date for fixing the scheme and the studies required.
- Ensuring regular, focussed and documented dialogue.
- Helping a development team to defend (and evidence) their approach under examination.

“You definitely reduce the chance of delays” says Mandy. “Not all regulatory bodies are willing to engage, but Evidence Plans are an independent process that brings people to the table.”

“It seems clear from the experience in the room, that Evidence Plans allow greater control” summarised Sian. “You don’t reduce the timescales but you do reduce uncertainty and risk. You’re in a much stronger position when it comes to examination.”

Given these benefits, the discussion turned to whether Evidence Plans should be used in an abbreviated form for projects that are already underway and the extent to which they could be expanded to encompass relevant (nature conservation) EIA topics. The panel concluded both that they could be used in an abbreviated form, with relevant sign-up, and made wider to cover other EIA issues.

The final word went to Natural England and Roger Covey, “Evidence plans mean more regular, structured and documented communication between all the organisations involved in large scale development. Surely that has to be a good thing.”

The event was held as part of Royal HaskoningDHV’s *Bright Ideas* series of events. Find out more at [www.royalhaskoningdhv.com/bright-ideas](http://www.royalhaskoningdhv.com/bright-ideas) “You definitely reduce the chance of delays” says Mandy. “Not all regulatory bodies are willing to engage, but Evidence Plans are an independent process that brings people to the table.”

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