

Climate, Planning and Public Transport



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12 January 2024

Dear David,

Department for Infrastructure – Environmental Governance Work Programme (EGWP)

You will be aware that the Department developed an Environmental Governance Work Programme (EGWP), as part of its governance and oversight role in the new two-tier planning system. A significant part of this programme was targeted at developing competence and capacity on environmental compliance in the planning system, particularly in relation to environmental impact assessment (EIA), with a strong focus on district councils in their role as the local planning authorities (LPAs).

To assist in the effective delivery of the capacity building elements of the EGWP, the Department engaged the services of an external EIA expert. Fothergill Training and Consulting (FTC) commenced work in April 2019 for a two-year period and, following the success of this initial contract, a further two-year contract was put in place which ended in August 2023.

To date over 200 planning staff have participated in two levels of EIA training (Core and Advanced) tailored to the needs of planning staff, which has been accredited by the Institute of Environmental Management and Assessment. The Core EIA training was also adapted to support the role of statutory consultees to the planning system and, by contract end, training had been delivered to 90 consultee staff from across four NICS departments.

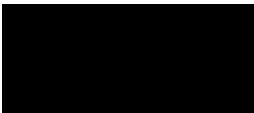
Please see attached for your information the end of contract report from FTC on 'Phase 2: Performance review external support for EIA' (Annex A) which was provided to Heads of Planning in October. The report provides a review of contract performance and the ongoing influence of the EGWP on planning officer confidence and their ability to effectively deliver EIA procedures. Overall, the report shows clear progression against the baseline objectives, which is in no small part due to the commitment and engagement by councils and the planning officers involved.

The EGWP was a voluntary initiative, led by the Department as a strategic response to challenges facing the system at the time. The support afforded by our external contractor has now come to an end and a further phase has not been programmed by the Department at this time. The final sections of the report pose opportunities and challenges for LPAs in terms of maintaining confidence levels and progress going forward, following the positive momentum achieved by everyone to date. Whilst the Department took the lead in providing the programme for the last 4 years as an introductory support to the planning system, given that 99% of applications are processed by councils, we would encourage local government to reflect on the report and consider how best to ensure that there is sufficient expertise and development of your staff on an ongoing basis, just as you would for all the other services that you provide.

The Department would be very interested in the collective view from local government on how it proposes to build on the progress to date and continues to ensure collaboration, knowledge exchange and staff development around EIA etc.

Should you wish to discuss this further, please do not hesitate to contact me.

Yours sincerely



Julie Thompson
Deputy Secretary

CC: Council Chief Executives and Heads of Planning

Environmental Governance Work Programme

Phase 2: Performance Review

External Support for EIA related

Training, Development Management Practice Notes and Environmental Officers Forum

August 2021 – August 2023

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1. Context

Over recent years the Department for Infrastructure (the Department) has been responsible for the development and delivery of an Environmental Governance Work Programme (EGWP / the Work Programme) – a voluntary initiative by the Department as a strategic response to some of the challenges facing the land-use planning system. To support the Work Programme the Department sought external support in early 2019, initially contracting Fothergill Training & Consulting Ltd (FothergillTC) in Spring 2019 to provide a two-year period of support. This initial support period – known as Phase 1 – was completed in April 2021 and a report on the work delivered and impacts was provided to the Department¹.

The findings of the Phase 1 report and the on-going nature of the Department's EGWP identified the need for further external support to further aid councils and extend advice to other Government bodies, that act as statutory consultees, with a role in the Environmental Impact Assessment (EIA) process within the planning system. FothergillTC was contracted to deliver further support services under the EGWP for another two-year period from August 2021 to August 2023 – Phase 2.

This report provides a review of contract performance and the on-going influence of the EGWP on planning officer confidence in their ability to effectively deliver the EIA procedures as set out in *the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017* (the 2017 EIA Regulations).

Phase 2 of the EGWP built upon the work undertaken in Phase 1 maintaining a focus on enhancing capacity for planning authority (PA) staff involved in the EIA process, but also included an expanded focus to include training of statutory consultees and the development of Development Management Practice Notes (DMPNs) on key aspects of the EIA process – identified as priority areas by council planning staff.

The key work areas within Phase 2 of the EGWP were:

- Deliver a suite of Advanced EIA Training sessions to enable each council, in its role as local planning authority (LPA), to have multiple planning officers with deeper EIA knowledge and understanding, to enhance internal discussion and support; building on the single officer trained in each LPA during Phase 1.
- Work with the Department – and legal review, as required, - to produce DMPNs on: EIA Screening (9B), EIA Scoping (9C), and EIA Mitigation and Monitoring (9D), to build on Phase 1's *DMPN 9A: Unauthorised Environmental Impact Assessment (EIA) Development*².
- Develop and deliver core training to staff within public bodies that act as statutory consultees to the EIA process within the planning system.
- Continue to facilitate the Environmental Officers Forum (EOF), with representatives from all LPAs and the Department, to drive inter-planning authority discussion and knowledge sharing around EIA and related matters.
- Continue to offer core EIA training for planning officers to provide opportunities beyond the 121 officers who attended such training in Phase 1.
- Review performance of Phase 2 of the EGWP against the baseline established in June 2019 and in comparison to the progress made during Phase 1 (**this report**).

¹ Environmental Governance Work Programme - Contract Performance Review: EIA Training, EIA Guidance Development and Environmental Officers Forum (April 2019 – March 2021), FothergillTC, April 2021

² Development Management Practice Note 9A: Unauthorised EIA Development. Department for Infrastructure, December 2021

This report delivers the final output from FothergillTC's Phase 2 EGWP contract and reflects on feedback on the performance of this work over the last two years in comparison to the 2019 baseline situation and spring 2021 Phase 1 contract review.

2. Outputs Delivered within EGWP Phase 2

The Department's EGWP contract with FothergillTC included the delivery of further elements developed in Phase 1, including Core and Advanced EIA training for PA staff and continuing to facilitate the Environmental Officers Forum (EOF). In addition, Phase 2 included the drafting and development of three additional EIA related development management practice notes (DMPNs) and the creation and roll-out of a revised version of the Core EIA Training course for statutory consultees.

The contract ran for two years from 12 August 2021 to 11th August 2023.

The activities delivered by FothergillTC under EGWP Phase 2 were as follows:

- September 2021, Phase 2 Start-up, including:
 - o Series of meetings with statutory consultees to determine scale of interest and learner needs for development of new version of Core EIA Training course.
 - o Meetings with the Department to define the scope of the three (3) EIA related DMPNs and timing for their drafting.
 - o **5th Meeting of the Environmental Officer Forum**, 16 September 2021
- November 2021,
 - o **Advanced EIA Training** course: Phase 2 Cohort A, 9 & 11 November 2021
 - o **Core EIA Training** course: Planning Authority, 8 November 2021
 - o **6th Meeting of the Environmental Officer Forum**, 11 November 2021
- February 2022,
 - o **7th Meeting of the Environmental Officer Forum**, 24 February 2022
- March – April 2022,
 - o **Advanced EIA Training** course: Phase 2 Cohort B, 31 March and 1 April 2022
 - o **PILOT - Core EIA Training** course: Statutory Consultees, 28 March 2022
 - o Meetings with the Department to discuss draft of DMPN 9B: EIA Screening.
- June 2022,
 - o **Advanced EIA Training** course: Phase 2 Cohort C, 7 & 8 June 2022
 - o **Core EIA Training** course: Statutory Consultees, 6 June 2022
 - o **8th Meeting of the Environmental Officer Forum**, 9 June 2022
 - o Meetings with the Department to discuss content of DMPN 9C: EIA Scoping.
- September 2022,
 - o **2 x Core EIA Training** course: Statutory Consultees, 12 and 14 September 2022
 - o Meetings with the Department to discuss approach to EOF delivery in 2023 and content of both DMPN 9B and 9C.
- November 2022,
 - o **Core EIA Training** course: Planning Authority, ONLINE – 1 & 2 November 2022
- January 2023,
 - o Informal EOF session with Office for Environmental Protection (OEP) to input into the latter's review of the performance of EIA in Northern Ireland.
- March 2023,
 - o EIA Intensive Agriculture Workshop, 28 March 2023
 - o Meeting with the Department to discuss DMPN 9B legal review feedback.
 - o Meeting with the Department to discuss complete draft of DMPN 9c: EIA Scoping.

- Meeting with the Department to discuss outline draft DMPN 9D: EIA Mitigation and Monitoring
- June 2023,
 - **9th Meeting of the Environmental Officer Forum**, 19 June 2023
 - Meeting with the Department re DMPN 9B EIA screening.
 - Meetings with the Department to discuss feedback of FothergillTC full drafts of both DMPN 9C: EIA Scoping and 9D: EIA Mitigation and Monitoring.
 - Online Survey to PA on EGWP Phase 2 Performance.
- July-August 2023,
 - Phase 2 Performance Review Report (this document)
 - Slide deck of EGWP performance Baseline for Department's use.
 - Briefing Slides for future Environmental Officers Forum / PA roll-out of DMPN 9B (Screening) and 9C (Scoping)

Alongside the above activities, regular meetings have been held between the Department and FothergillTC to manage the above deliverables, and ensure that the administrative and documentary needs for training delivery and meetings were in place.

FothergillTC has also provided email updates and inputs to EOF related email exchange, to seek to catalyse group engagement between meetings. In addition, FothergillTC produced and distributed meeting records for each of the five EOF meetings listed above. In discussion with the Department, additional online EOF meetings were offered to the planning officers who represent each of the councils in both December 2022 and August 2023. A lack of response from sufficient numbers of EOF representatives to make these meetings viable ultimately led to these potential EOF sessions being cancelled by FothergillTC, in agreement with the Department and work allocated elsewhere under the contract.

The decision to publish a DMPN rests with the Department and is subject to sign-off by senior management. The Department's EGWP lead (Brian Gorman) and Project Director (Scott Symington) have confirmed satisfaction with FothergillTC's work in developing the scope, skeleton, first and full drafting of the three (3) DMPN 9A, 9B and 9C, and the additional work to 9D in response to comments from legal review and external requests to the Department from OEP to include coverage of transboundary considerations into both 9B and 9C.

The Department has confirmed to FothergillTC that due to other work priorities and the time taken for its review/legal quality assurance processes, it expects to launch the remaining DMPNs after FothergillTC's contracted support to EGWP Phase 2 has ended.

3. Engagement across EGWP in Phase 2 (2021-2023), and comparison to Phase 1 (2019-21)

3.1 The importance of engagement for EGWP success

The Department's EGWP is, in part, its strategic response to challenges raised to the performance of LPAs in delivering against their environmental obligations, including applying the EIA process requirements. Overall the EGWP seeks to shape and improve capacity-building across the public sector side of Northern Ireland's planning system. The Work Programme provides the opportunity for greater communication, knowledge sharing and resilience on environmental governance between councils and with the Department by generating a cadre of officers who have attended the same Core EIA training and a smaller cohort of EOF representatives who have received Advanced EIA training (both levels of training having received accreditation from the Institute of Environmental Management and Assessment)..

Phase 2 of the EGWP expanded the scope of its public sector engagement beyond PAs to include statutory consultees to the planning system, who may be required to engage with the EIA process in relation to a PA producing a scoping opinion, or in responding to consultation on an Environmental Statement / subsequent Further Information Request.

Neither councils nor public bodies that act as statutory consultees are required to attend the training or engage with the wider aspects of the EGWP. As such, maintaining a positive view of the EGWP with PAs, and developing effective engagement with statutory consultees, was a key aspect of enabling success in the delivery of Phase 2.

The remainder of this section reviews engagement by councils (Section 3.2) and statutory consultees (Section 3.3) across relevant activities delivered during EGWP Phase 2 (August 2021 – August 2023).

3.2 PA Engagement with EGWP Phase 2

Phase 2 saw the EGWP expand its focus to include engagement with statutory consultees, however, on-going engagement with LPAs remained its key ambition. The aim being to continue progress made in Phase 1 by:

- 1) Increasing the number of officers trained to the Advanced EIA level to at least three per LPA;
- 2) Enhancing collaboration and exchange of EIA information between all PAs, via the EOF; and
- 3) Maintaining the overall level of engagement from LPAs in EGWP activity.

Context – Council Engagement in EGWP Phase 1

Phase 1 of the EGWP (June 2019 to April 2021) saw good engagement levels across the majority of LPAs in relation to the EIA training, performance surveys and attendance at the EOF. It was noted in that review, however, that Newry, Mourne and Down council had demonstrated little to no engagement with Phase 1 of the EGWP. In addition, whilst clearly engaged, both Belfast City and Antrim and Newtonabbey councils indicated a number of instances where their degree of engagement with EGWP Phase 1 fell below that of their fellow councils. Table 3.1, below, reproduces the summary table of LPA engagement included in the April 2021 Phase 1 report³.

³ See Footnote 1

Table 3.1: Previous EGWP Engagement Findings – End of Phase 1 April 2021

| Council Area / Department | Strong Engagement | Limited Engagement | Weak / No Engagement |
|---------------------------------------|-------------------|--------------------|----------------------|
| Antrim and Newtownabbey | 1 | 2 | 1 |
| Ards and North Down | 3 | 1 | 0 |
| Armagh, Banbridge and Craigavon | 3 | 1 | 0 |
| Belfast | 2 | 2 | 0 |
| Causeway Coast and Glens | 4 | 0 | 0 |
| Department for Infrastructure | 4 | 0 | 0 |
| Derry and Strabane | 4 | 0 | 0 |
| Fermanagh and Omagh | 3 | 1 | 0 |
| Lisburn and Castlereagh | 3 | 1 | 0 |
| Mid and East Antrim (incl: SES staff) | 3 | 1 | 0 |
| Mid Ulster | 2 | 1 | 1 |
| Newry Mourne and Down | 0 | 0 | 4 |

PA Engagement Levels with EGWP – Phase 2

Phase 2 provided multiple opportunities for PA to engage with the EGWP, including Advanced and Core EIA training sessions, continuation of the Environmental Officers Forum meetings and in some cases the opportunity to offer to host events. In addition to that, all planning officers who had attended an EGWP training course since the EGWP began in 2019 were emailed a survey in late June 2023, providing a broader data point related to on-going PA staff engagement with the EGWP.

The findings of Phase 2 EGWP engagement for each PA are set out in Table 3.2, below.

Table 3.2: EGWP Phase 2 Engagement Findings (July 2023)⁴

| EGWP Phase 2 PA Engagement (August 2021 - July 2023) | | | | | | | | | | | |
|---|----------------------------------|--------------|------|------------------------------|--------------|------|----------------|-------------------|------|----------------------------|-------------------|
| Planning Authority | Advanced EIA Learners in Phase 2 | | | Core EIA Learners in Phase 2 | | | EOF Attendance | | | Summary Survey Respondents | Hosted EGWP Event |
| | Places Available | Places Taken | % | Places Available | Places Taken | % | EOF Meetings | Meetings Attended | % | | |
| Antrim and Newtownabbey | 3 | 3 | 100% | 3 | 3 | 100% | 5 | 3 | 60% | 4 | n/a |
| Armagh, Banbridge and Craigavon* | 3 | 3 | 100% | 3 | 4 | 133% | 5 | 2 | 40% | 4 | n/a |
| Ards and North Down | 3 | 3 | 100% | 3 | 2 | 67% | 5 | 4 | 80% | 7 | n/a |
| Belfast | 3 | 3 | 100% | 3 | 3 | 100% | 5 | 4 | 80% | 4 | n/a |
| Causeway Coast and Glens | 3 | 3 | 100% | 3 | 3 | 100% | 5 | 5 | 100% | 11 | 1 |
| Derry and Strabane* | 3 | 3 | 100% | 3 | 4 | 133% | 5 | 5 | 100% | 10 | n/a |
| Fermanagh and Omagh | 3 | 3 | 100% | 3 | 1 | 33% | 5 | 3 | 60% | 3 | n/a |
| Lisburn and Castlereagh | 3 | 2 | 67% | 3 | 3 | 100% | 5 | 3 | 60% | 4 | 2 |
| Mid and East Antrim (incl: SES staff) | 3 | 3 | 100% | 3 | 1 | 33% | 5 | 1 | 20% | 2 | n/a |
| Mid Ulster | 3 | 3 | 100% | 3 | 3 | 100% | 5 | 3 | 60% | 4 | n/a |
| Newry Mourne and Down | 3 | 2 | 67% | 3 | 2 | 67% | 5 | 2 | 40% | 5 | n/a |
| Department for Infrastructure | n/a | 6 | n/a | n/a | 4 | n/a | 5 | 5 | 100% | 13 | n/a |

⁴ *Both of these LPAs took up an offer from the Department for additional places at Core EIA Training courses, as a result of other LPAs being unable to take up their full allocation; hence the 133% finding in their respective Core EIA Training results.

Three significant positives can be taken from the data in Table 3.2. The first is that in Phase 2 all 11 of Northern Ireland's PA engaged in the EGWP. In the first Phase review it was clear that Newry, Mourne and Down District Council had not engaged with the Programme, but this significantly improved in Phase 2, with a comparable performance to the majority of other councils during the second Phase. It should be noted, however, that engagement in the EOF, and thus exchange of EIA knowledge and ideas with other LPAs remained limited.

The second clear sign of success is that as a result of Phase 2 all LPAs have increased the number of planning officers who have attended the more in-depth Advanced EIA training course – with 9 LPAs now having 4 officers at this level. This demonstrates that Phase 2 delivered on the key objective of ensuring that all LPAs have resilience in the number of staff with a deeper understanding of EIA procedures and issues. This expansion of the number of officers with a greater level of EIA training was also intended to enhance the opportunity for internal discussion and support to other internal staff and help to ensure that every council could regularly engage with the EOF. Unfortunately, the data in relation to council engagement in the EOF indicates that not all councils utilised the increased number of Advanced level trained EIA staff to ensure they were able to take part in over 50% of the EOF meetings which took place in Phase 2.

The third positive finding from Table 3.2 is that – when approached – LPAs were happy to offer to provide and organise a venue for EGWP training and workshop events. There were additional times – beyond those noted in the table – where a council offered to act as host / co-chair for an EOF meeting for example, however, timing pressures on planning officer travel time meant the EOF was delivered via online meetings throughout Phase 2.

However, Table 3.2 also indicates a drop in engagement from Mid and East Antrim council (host to the Shared Environmental Services (SES) function that provides environmental governance advice and activity in relation to the Habitats Regulations), when compared to its engagement in Phase 1 of EGWP. SES staff engaged with the EGWP Phase 2 when approached, including attending the March 2023 workshop that considered the specific challenges related to applying EIA to intensive agriculture developments. It will be important for SES to continue to have the opportunity to engage in future EOF activity, should councils decide to continue to operate the EOF following the end of facilitated support services provided by FothergillTC, via the EGWP Phase 2 contract.

Overall Phase 2 of the EGWP provided 33 planning officers with 1-day core EIA training and 37 planning officers, who had previously attended core training, with the enhanced depth of knowledge and understanding developed by attending the 2-day Advanced EIA training. In total 109 days of EIA training were provided across all PA learners during the five (5) training courses offered to council / Department staff during Phase 2 of the EGWP. This figure compares well with the approximately 130 days of training across all PA learners in Phase 1 of the Programme. This is an especially good performance given that the focus of EGWP training was expanded in Phase 2 to include statutory consultees, who received a further 91 learner days during Phase 2 (see Section 3.3 below) and a further 20 EIA related learning days were delivered across PAs via the March 2023 EIA of Intensive Agriculture workshop.

Across all PAs and statutory consultee staff engaged in Phase 2 of the EGWP, FothergillTC and the Department worked to deliver at least 210 learning days related to EIA capacity building.

3.3 Statutory Consultee Engagement

The Phase 2 EGWP expanded its engagement beyond PAs to seek to include statutory consultees within the staff trained who deliver their role as set out in the 2017 EIA Regulations. This work involved the development of a bespoke version of the Core EIA Training course, amending the content to focus on the parts of the EIA process where the Regulations indicate statutory consultees should be actively engaged in the process.

The 2017 EIA Regulations do not specify which public bodies are considered to be statutory consultees under the law, instead stating that a PA should consult:

“other authorities likely to be concerned by the proposed development by reason of their specific environmental responsibilities of local or regional competencies” (Regulation 8(12)).

The initial step in Phase 2 involved agreeing a list of such bodies between the Department and FothergillTC, which was based on the planning system’s statutory consultees. Once this list was agreed, each organisation was invited to meet with the EGWP team in September 2021. The meetings were designed to establish their interest in attending Core EIA Training, and in providing views to help shape the bespoke course content. The bodies engaged in scoping the needs and general content of the bespoke Core EIA Training course were:

- Department for Communities
 - o Historic Environment Division
- Department for Agriculture, Environment and Rural Affairs (DAERA), including Northern Ireland Environment Agency (NIEA)
- Department for Infrastructure
 - o Roads Division
 - o Rivers Division
- Northern Ireland Water
- Geological Survey Northern Ireland

In most cases the meetings were well attended with multiple staff from each organisation and representatives who undertook the role of responding to consultations on planning applications. The exception to this was the Department’s Roads Division, where a single representative attended whose role related to the division’s function in the application of the different EIA Regulations in relation to the consent process for new road infrastructure. While discussion on the similarities and difference between the two Dfl regimes (planning and roads) was interesting, it did not assist in the aim of aligning the Core EIA Training course to the needs of Roads Division staff members who respond to planning application consultations as statutory consultees to LPAs.

Course Development and Piloting

Following the above meetings, the bespoke elements and amendments to the existing Core EIA Training course were agreed with the EGWP team in the Department, with materials developed by January 2022. It was agreed that a pilot course would be held with a single organisation to ensure the new course was meeting needs and delivering on the agreed learning outcomes.

Due to significant interest and numbers of staff within NIEA / DAERA seeking to take up the opportunity of attending EIA training, the Department arranged the pilot with them in spring 2022.

The pilot of the Statutory Consultee Core EIA Training course was held on **28 Mar 2022** as a face-to-face session. It was hosted by NIEA at their Klondyke House building in Belfast.

The pilot was run exclusively with DAERA / NIEA staff, with 25 learners attending the session. Specific post-training delegate surveys were not included in the scope of this part of EGWP Phase 2, but delegate feedback was requested on the day and – via the Department – by email following the session.

Delegate engagement during the training and feedback at the end of the day was positive in relation to the learning content and the approach to delivery. In follow-up correspondence DAERA advised the Department that they had received “*lots of positive feedback*” on what was regarded as “*an excellent course*”.

Course Delivery

Based on the success of the pilot and its positive reception by DAERA/NIEA delegates, DAERA confirmed it was happy to host three (3) further Core EIA Statutory Consultee Training Sessions. This proactive engagement in working with the Department to host and organise this aspect of EGWP Phase 2, is further endorsement of the EGWP’s wider impact and DAERA’s recognition of the value of collaborative action to enhance environmental governance across the planning system.

Following the delivery of the Pilot (28 March), discussions were held between FothergillTC and the Department to confirm modifications to the course for the roll-out to other statutory consultees. It was confirmed that a member of the Department’s Casework Team would be available in the afternoon of each session to enable discussion of real world case examples.

- Pilot EIA Statutory Consultee course – 28 March 2022
Total attendees = 25 learners all from NIEA

- Core EIA Statutory Consultees – Rollout session 1
6 June 2022, held face to face, hosted by NIEA at Klondyke House, Belfast
Total Attendees = 24 learners from:
 - NIEA/DAERA (12)
 - DfI Rivers (3)
 - NI Water (3)
 - Department for Communities (2)
 - Geological Survey NI (Department for Economy) (2)
 - DfI Roads (1)
 - Health and Safety Executive NI (1)

- Core EIA Statutory Consultees – Rollout sessions 2 and 3
12th and 14th September 2022, held face to face, hosted by NIEA at Klondyke House, Belfast
Total Attendees across both sessions = 42 learners from:
 - NIEA/DAERA (18)
 - DfI Rivers (9)
 - NI Water (8)
 - Department for Communities (4)
 - Geological Survey NI (Department for Economy) (3)

The figures above demonstrate strong engagement with the EGWP statutory consultee Core EIA Training course for the majority of organisations. It was also pleasing to see engagement from HSENI at the June training session, as they had not been part of the initial scoping in September 2021. Unfortunately, as with the initial engagement process, the Department’s Roads Division did not

proactively engage with the opportunity, with only a single staff member attending. The opportunity offered by the EGWP for EIA related capacity building was well received by those attending the training based on feedback to the trainer on the day and via email with the EGWP team following delivery.

4. Influence of the Environmental Governance Work Programme

4.1 Performance and Influence of EGWP EIA Training – Learner Survey Data

Phase 2 enabled a second, third and fourth cohort of learners from the 12 planning authorities (11 in the case of the third cohort due to staff illness, see table 3.2), in total 37 planning staff from the 12 PAs completed the 2-day Advanced EIA Training course, which builds on the Core EIA training all attendees had previously received. This brought the total number of PA planning staff trained to an advanced level in EIA through the EGWP to 49, across phases 1 and 2, leaving 9 of the 11 LPAs with 4 staff trained to Advanced level (the remaining LPAs having 3 staff at this level).

In addition, Phase 2 also saw 33 more planning staff, across the 12 planning authorities (councils and the Department), trained to the Core EIA level. This brought the total number of planning staff trained in the core aspects of EIA procedures and practice through the EGWP to 154.

PA learners who attended EGWP EIA Training, both Core or Advanced, were surveyed in the days following attending the session to seek their feedback on how the course had influenced their confidence and understanding in relation to EIA. The tables below present the findings from Phase 2 learners for both Advanced (Table marked A) and Core (Table marked B) for each of the five time periods when training was delivered.

In relation to the findings in the tables below – the survey presented delegates with a slider on a range of 0 (No confidence / Disagree) to 100 (Fully confident / Agree), the slide was positioned at 50, halfway along the range. As such, higher scores indicate positive results of training, in relation to comparisons (Table 4A & 4B) increase indicates the training positively influenced learner capabilities.

Table 4A: The influence of Advanced EIA Training on delegate confidence in their EIA knowledge

| Advanced EIA Training | Phase 1 (Oct'19 – Feb'20) | Phase 2 | | |
|---|--|----------------|---------------|---------------|
| | | Nov'21 | Mar'22 | Jun'22 |
| Confidence in EIA knowledge <u>before</u> Training | 54 | 66 | 28 | 55 |
| Confidence in EIA knowledge after Training | 75 | 81 | 68 | 86 |
| Increase in delegate confidence score in their EIA knowledge post-training (Prior / Post) | +21 | +15 | +40 | +31 |

Note: The 2-day Advanced EIA course covered a broader range of topics and in greater depth. As a result, the findings between Tables A and B for the same question cannot be directly compared.

Table 4B: The influence of the Core EIA Training on delegate confidence in their EIA knowledge

| Core EIA Training | Phase 1 Average across 5 Sessions (Oct'19 – Mar'21) | Phase 2 | |
|---|---|---------|--------|
| | | Nov'21 | Nov'22 |
| Confidence in EIA knowledge <u>before</u> Training | 49.2 | 38 | 30 |
| Confidence in EIA knowledge after Training | 75.6 | 70 | 71 |
| Increase in delegate confidence score in their EIA knowledge post-training (Prior / Post) | +26.4 | +32 | +41 |

EGWP Influence of PA staff confidence in their EIA Knowledge

Both Tables 4A and B demonstrate that, as was the case in Phase 1, the EGWP EIA training courses have had a positive result on the confidence of planning staff in relation to their knowledge of EIA. This enhanced knowledge provides them with greater confidence to undertake the EIA aspects of their role in delivering the regulatory procedures for which they are responsible. The results in the Tables are in line with the Phase 1 findings with a significant increase in confidence having attended either the Advanced (4A) or Core (4B) course.

It is notable, but not unexpected, that a number of the courses in Phase 2 had delegates with far lower levels of initial confidence in their EIA knowledge before attending the training. This is not a surprising result as those PA staff members with some EIA knowledge and a more active role in delivering the process in their PA were more likely to be given the opportunity to attend training in Phase 1, rather than in the more recent training in 2021-22.

Where delegates started from a lower level of confidence, than the Phase 1 average, then it is clear that the Phase 2 courses have acted to generate a higher increase in confidence score per delegate than was the case in Phase 1. This indicates that staff with limited or no prior knowledge or experience of EIA, but who have EIA duties in their role, may have even more to gain from attending EIA training than those who already have some knowledge and are attending to refresh and boost existing confidence.

It should be noted that the data for Advanced (Table 4A) and Core (Table 4B) are not directly comparable as the Advanced course builds from attendance at the Core training and thus is indicative of confidence in EIA knowledge at a greater depth than for those attending the 1-day Core course.

A clear positive from these findings is that the Core training continued to provide enhanced confidence for general PA staff in Phase 2. A more significant benefit is that the delivery of three Advanced courses in Phase 2 means 9 of the 11 LPAs increased their number of Advanced level trained staff from 1 officer in Phase 1 to 4 officers by the end of Phase2 (the remaining LPA having 3 officers at Advanced level). This provides a much broader base of knowledge and confidence in each LPA in relation to the more in-depth aspects of EIA..

If further EIA training is considered by LPAs in future, the evidence from EGWP indicates that a Core and Advanced approach provides staff with a clear and positive effect in their confidence to deliver EIA activity within their roles. It should be noted that the Core course was delivered both face to face and online in Phase 2, but the Advanced course, due to a greater need for interaction and

engagement activity, remained as a face to face only course, with delivery arrangements adapted as needed to the Covid restrictions that applied at the date of delivery.

Table 5A: The influence of Advanced EIA Training on delegate understanding of key procedural steps in the EIA process

| Advanced – EIA Training | Phase 1 (Oct'19 – Feb'20) | Phase 2 | | |
|--|-------------------------------------|----------------|---------------|---------------|
| | | Nov'21 | Mar'22 | Jun'22 |
| Due to the training, I better understand EIA screening | 91.7 | 100 | 100 | 100 |
| Due to the training, I better understand how to manage EIA applications | 90 | 100 | 100 | 100 |
| Due to the training, I better understand concepts and practice around unauthorised EIA development | 90 | 100 | 100 | 100 |
| Due to the training, I better understand how to manage the examination of an Environmental Statement | 90 | 100 | 66.7 | 100 |

Note: The 2-day Advanced EIA course covered a broader range of topics and in greater depth. As a result, the findings between Tables A and B for the same question cannot be directly compared, and the Advanced course added detailed coverage of examination and management of Environmental Statements.

Table 5B: The influence of the Core EIA Training on delegate understanding of key procedural steps in the EIA process

| Core EIA Training | Phase 1 Average across 5 Sessions (Oct'19 – Mar'21) | Phase 2 | |
|--|--|----------------|---------------|
| | | Nov'21 | Nov'22 |
| Due to the training, I better understand EIA screening | 94 | 100 | 100 |
| Due to the training, I better understand how to manage EIA applications | 94 | 91 | 100 |
| Due to the training, I better understand concepts and practice around unauthorised EIA development | 96.6 | 73 | 100 |

EGWP Influence of PA staff understanding of EIA process

The survey results show that the Phase 2 training, on average, generated similar, if not higher, levels of agreement from delegates that both Advanced and Core EIA training session helped them to improve their understanding of the areas of EIA procedural compliance covered. The Advanced EIA courses delivered in Phase 2 demonstrate very strong influence on improving delegate understanding with all survey respondents indicating fully agreeing with the statement about the relevant part of the process (i.e. screening, managing applications etc.). The one exception being the March 2022 finding related to understanding how to manage the examination of an Environmental Statement: the outlier finding of 66.7% of respondents here is indicative of a single delegate, as the

survey had a low response rate of just 3 of the 13 delegates who attended responding to the survey. The respondent did not indicate where they felt the learning provided lacked the information needed to build understanding to the level that other attendees in that delivery (March 2022) and the two other Phase 2 sessions did deliver the required learning.

The results in Tables 5A do demonstrate that the further depth provided by the 2-day Advanced course (beyond that which can be covered in the 1-day Core training) led to a higher % of learners feeling their understanding of each area of EIA had been enhanced. This is not surprising as the longer scope allows each component of the EIA process to be explored in greater depth.

The finding may appear to indicate that PA staff whose roles mean they are likely to regularly be involved with applications for EIA development, rather than just the screening of projects to determine whether EIA is required, would benefit from attending Advanced EIA training, rather than only attending the more key outline information provided by the Core EIA training.

Table 6A: The influence of Advanced EIA Training on delegates feeling supported in delivering their EIA responsibilities

| Advanced – EIA Training | Phase 1 (Oct'19 – Feb'20) | Phase 2 | | |
|---|-------------------------------------|----------------|---------------|---------------|
| | | Nov'21 | Mar'22 | Jun'22 |
| Agree training given them better understanding EIA to support their role | 91.7 | 100 | 100 | 100 |
| Due to training know who to ask to get support when unsure on EIA, HRA, etc | 67 | 91 | 77 | 92 |
| Delegate indicated content training prepared them for next 18-24months | 70 | 71.4 | 66.7 | 80 |

Note: The 2-day Advanced EIA course covered a broader range of topics and in greater depth. As a result, the findings between Tables A and B for the same question cannot be directly compared.

Table 6B: The influence of the Core EIA Training on delegates feeling supported in delivering their EIA responsibilities

| Core EIA Training | Phase 1 Average across 5 Sessions (Oct'19 – Mar'21) | Phase 2 | |
|---|--|----------------|---------------|
| | | Nov'21 | Nov'22 |
| Agree training given them better understanding EIA to support their role | 97.6 | 100 | 100 |
| Due to training know who to ask to get support when unsure on EIA, HRA, etc | 79.8 | 89 | 94 |
| Delegate indicated content training prepared them for next 18-24months | 81 | 73 | 78 |

EGWP Influence of PA staff feeling supported in delivery of their EIA responsibilities

Tables 6A and 6B indicate that in the majority of cases Phase 2 EIA training courses delivered enhanced delegate feedback than the equivalent feedback provided by those attending in Phase 1 of the EGWP. The Phase 2 delegates – across Advanced and Core training – indicate the training

received help support them in their role to deliver EIA activities for their respective PA and that they were clearer on who they should turn to when in need of support e.g. on EIA and other issues such as the assessments required under the Habitats Regulations. This indicates that Phase 2 of EGWP continued the effective and positive progress made from Phase 1 of helping PA staff feel more capable, connected and supported in delivering environmental governance activities related to their roles.

It is positive that at least two thirds of all those trained under Phase 2 indicated they felt the EIA training was sufficient to enable them to deliver EIA duties for the next 18-24 months. However, in all cases at least one fifth of respondents (20%) trained in Phase 2 indicated they would like to have further capacity building on EIA in that time period. This is a comment echoed more widely in responses to the Phase 2 summary survey, Section 4.3 below, indicating that, while EGWP has delivered considerable training to date, on-going support needs to be considered by LPAs to refresh and continue the success EGWP has demonstrated.

The Phase 2 data findings in both Tables 6A and 6B are in line with the findings on this question in Phase 1. It should, however, be recognised that all staff trained in Phase 1, are now beyond that 24 month period and the majority of those trained in Phase 2 have now had 12 months since completing their training. The desire for on-going engagement on EIA within and across PA and the desire for refresher training are both strong and clear messages that are identified from the June-July 2023 Phase 2 summary survey, discussed in Section 4.3 below.

In summary the findings across the Tables in this section (4A to 6B) indicate that the EGWP Phase 2 EIA training programme continued to deliver a strong boost to the confidence of PA staff, continuing the successes delivered in Phase 1. While this capacity building, enhanced confidence and improvements in understanding of EIA will clearly have a longer-term residual improvement across PAs, the data indicates that some form of on-going refresher process and confidence retention process may be needed to avoid a gradual decline after the end of the EGWP's Phase 2 training.

4.2 Progress in Planning Staff EIA capacity (Confidence & Perspectives) – Comparing Baseline, end Phase 1 and end Phase 2

This section provides analysis of how PA staff perspectives, across 7 key areas related to EIA, have developed to the end of Phase 2 (July 2023), comparing to the baseline situation pre-EGWP interventions (April 2019) and to the level of progress made by the end of Phase 1 (March 2021). The data presented are from responses to an online survey issued to all PA staff in 2019 and those who had attended training (2021 and 2023 surveys). This data was gathered separately and, in most cases, some time (weeks if not months) after attending an EIA training course. As such, the data provides insight into the overall influence of the combined EGWP activities (training, DMPNs and the EOF) on PA staff.

The survey questions remained the same in all three surveys to allow direct comparison of findings over time. The survey presented respondents with a slider that could be moved across a range of 0 (Totally Disagree) to 100 (Fully Agree), the slide was positioned at 50, halfway along the range. The individual numbers provided by each of the respondents (188 to baseline survey, 60 to two-year-on survey and 71 to the June 2023 Phase 2 survey) were then categorised into one of three findings:

- **Strongly Agree** with the statement in the survey question = Score of **70 or more** (dark green)
- **Partly agree** with the statement = Score of **31-69** (light green)

- **Disagree** with the statement Score of **30 or less** (red)

The seven graphs (Figures 1 – 7) therefore demonstrate the view of PA staff about both the impact of Phase 2 of the EGWP beyond the performance of Phase 1, and also demonstrate the overall performance of the four-year EGWP measured against the baseline situation across PAs in April 2019. Arrows have been added to the graphs to represent either overall performance, or change in perceptions of performance between across the whole of the EGWP period (baseline, Phase 1 and Phase 2).

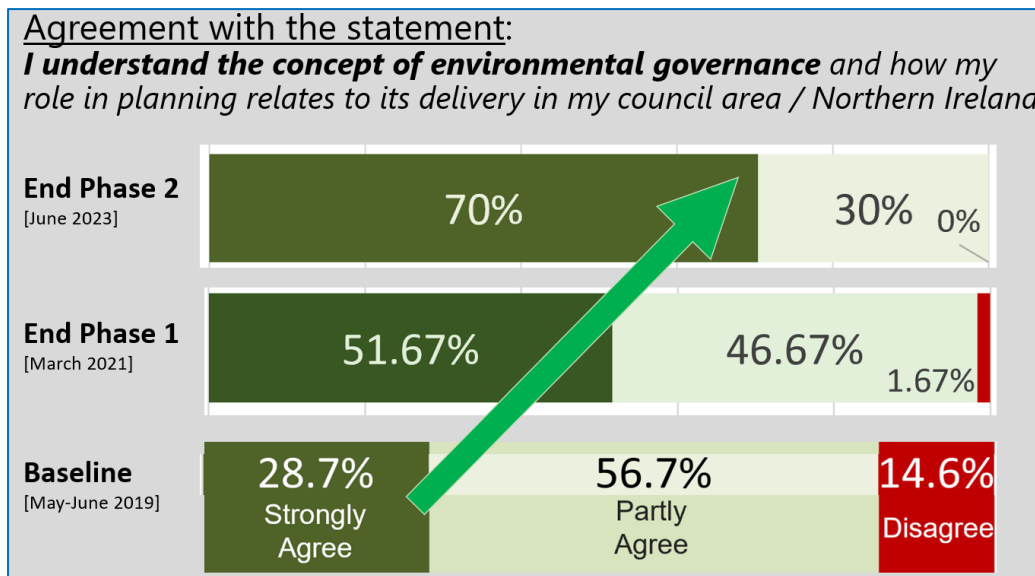
As such, a longer dark green bar – strongly agree – at the top of each Figure indicates a positive change in the views of planning staff across Northern Ireland’s PAs at the end of Phase 2, when compared to the end of Phase 1 and the baseline situation.

Overall, figures 1-7 show that Phase 2 has further improved on the positive effect and influence delivered across PAs during Phase 1 of EGWP, enhancing understanding and confidence on EIA and environmental governance across PA staff in Northern Ireland. The data presented in this section provides a clear and continuing endorsement from the planning staff working in PAs of the benefits the EGWP has delivered. The findings indicate considerably enhanced confidence and comfort among PA staff in having the knowledge and understanding to effectively manage environmental risks in relation to planning applications which pose likely significant effects to the environment.

It must be noted, however, that not all areas have continued to demonstrate progress, notably Figure 6 shows a decline in the proportion of PA staff who feel there is active exchange of information and advice on EIA within the planning team **within** their authority. This is an area where the EGWP has sought to enable the right knowledge and environment for progress to be made, but ultimately is not one that a Department-led initiative can seek to directly influence. The importance of internal exchange and engagement between planning staff in LPAs has been a key message regularly highlighted to those attending training and via the EOF. As such, it is clear that the success and long-term benefit from the work and impetus the EGWP has generated into the EIA work across LPAs, will need to be supplemented by on-going commitment and action by each individual LPA to avoid losing momentum and reversing the positive trends delivered since Spring 2019.

Each of the 7 areas (performance metrics) is now presented as a figure accompanied with interpretation and analysis, starting with Figure 1, overleaf.

Figure 1: Understanding the concept of *Environmental Governance*



Phase 2 continued to deliver a focus on EIA capacity building, but the whole Programme has included a strong tone and reference back to the concept of environmental governance and the responsibilities a PA has to the environment in performing its duties. Figure 1 shows that this core tenet of the EGWP has continued to build through Phase 2, with 70% of the 71 Phase 2 survey respondents strongly agreeing that they now understand the concept. Phase 2’s focus on delivery of more Advanced EIA training courses, the release of the Unauthorised EIA Development Management Practice Note and the continuation of EOF discussions have clearly helped to continue to drive very positive outcomes.

It is notable that by June 2023, close to the formal end of EGWP’s Phase 2, not a single respondent provided a response that disagreed with the statement indicating that the EGWP has generated a significant change in LPA perspectives across its four years of FothergillTC supplied external support.

Figure 2: Confidence in key EIA procedural knowledge

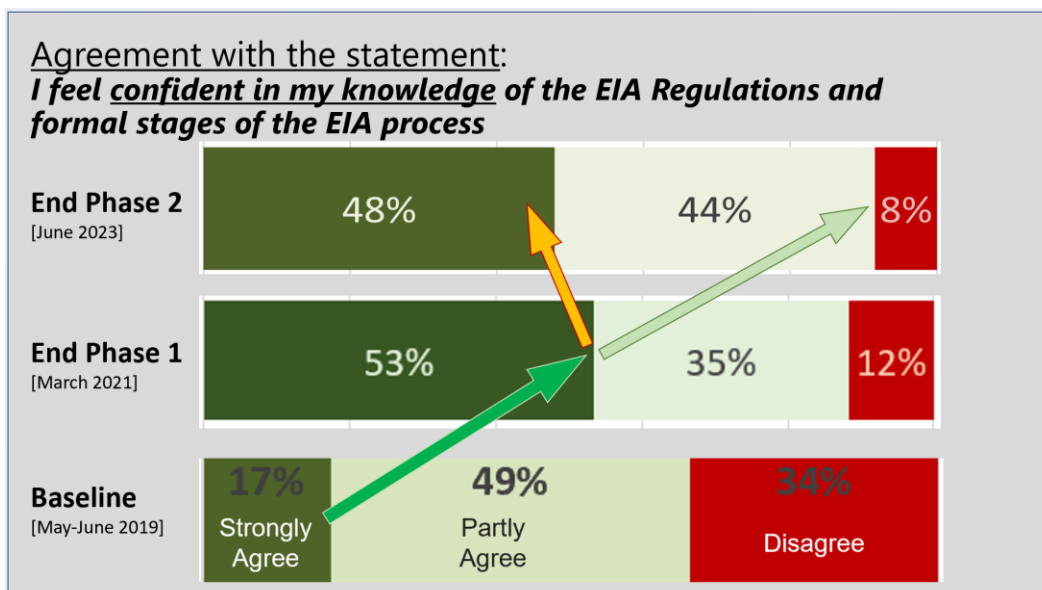


Figure 2 provides positive overall findings for the on-going influence of the EGWP in building PA staff confidence in core EIA knowledge related to the 2017 EIA Regulations and process, with the proportion of respondents disagreeing with the statement continuing to fall from 34% in spring 2019, to 12% at the end of Phase 1 and just 8% as Phase 2 is completed.

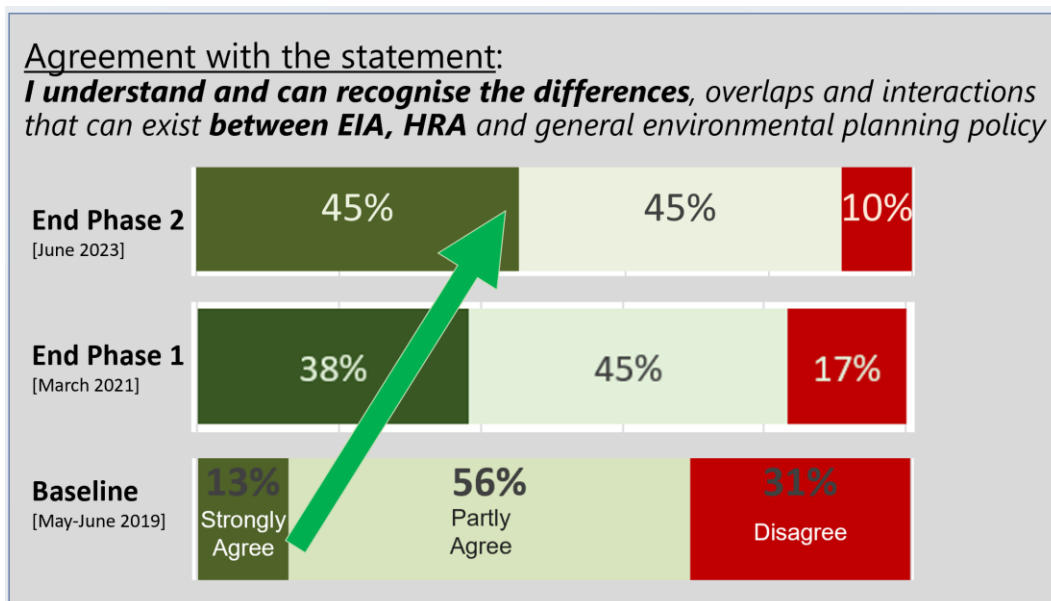
There is, however, a small but notable decline from the performance level achieved at the end of Phase 1 in the proportion of planning officers who *strongly agree* in being confident in their knowledge. This outcome is perhaps unsurprising given that Phase 1 focussed all its attention on directly training PA staff, whereas in Phase 2 more than half of those trained by the EGWP were staff within statutory consultees, who contribute to the overall success of the effective application of the EIA procedures in relation to planning system. As such, the confidence amongst planning officers might be expected to fall from a strongly agree to a partly agree as the period when they were last supported by direct advice and training from an EIA expert moves beyond 2-3 years. It remains encouraging that overall the % of planning officers disagreeing with the statement, at the end of Phase 2, has continued to fall. This infers that officers have some degree of confidence in their regulatory EIA knowledge, but that as the time period grows between the last time they were provided with direct EIA training, high levels of confidence begin to fall back, but overall confidence remains higher.

It is also worth noting that the three EIA related process advice notes (9B EIA Screening, 9C EIA Scoping and 9D EIA Mitigation and Monitoring) are yet to launch; as such, the full impact of Phase 2's work is yet to be felt within PA practice. These three new Development Management Practice Notes on EIA to be launched by the Department will provide a longer-term basis for on-going support.

It should be noted, however, one of the key themes in the open text feedback from PA staff within the Phase 2 summary survey, see Section 4.3, is a significant desire for on-going EIA training opportunities and refresher sessions / discussions. As discussed in Section 4.1, the final row of Tables 6A and 6B indicated that at least 20% of those trained by the EGWP felt they would still need further support in the 18-24 months after receiving training as part of the EGWP.

If the success and progress of the EGWP, as demonstrated in this report's findings, is to be maintained within and across Northern Ireland's LPAs into the future the data across this report, in particular Figure 2, indicates on-going efforts and inputs in relation to EIA capacity building and maintenance will be required. Given that the EGWP is a Departmental initiative to provide supplementary support across the planning system, at some point the need for EIA capacity maintenance will need to become normalised within the on-going activities of each individual PA, who are individually required to comply with the EIA and other environmental regulations.

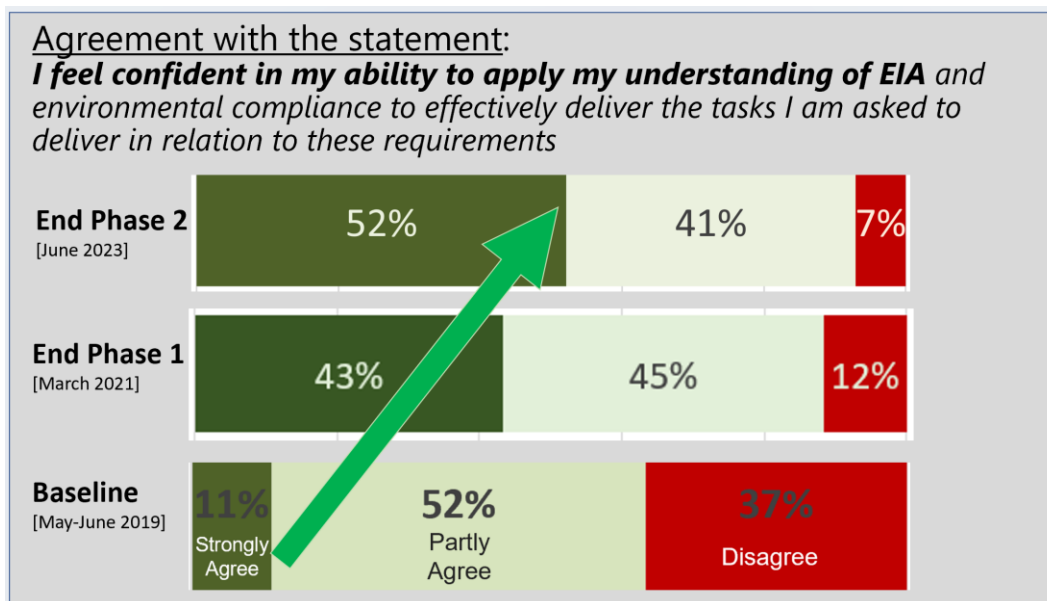
Figure 3: Understanding links between EIA and wider matters



The responses of planning staff across all PAs indicates that EGWP Phase 2 has continued to drive success in this area with growing recognition of the alignment, difference and interactions between EIA requirements and other environmental governance responsibilities. The speed of progress in this area has slowed in Phase 2. This may again be inferred to have been driven by the scope of Phase 2 focussing more of its EIA training on staff who work outside of PAs i.e. to those in statutory consultees who help deliver a quality and timely decision-making process for EIA developments. However, this can only be inferred, as the data only indicates trends, not their causes; as such, there could be other reasons for this slow down in the rate of improvement in the % of officers who are highly confident. This finding could infer more work will ultimately be needed to ensure planning officers recognise the relationships and differences between EIA, HRA and wider environmental policy requirements.

It is also noted that outside of the EGWP, Shared Environmental Services (SES), which delivers Habitats Regulations support to the council PAs, has also expanded its engagement and training during the period of Phase 2. As such, it is not possible from the data to discern how far this SES's HRA related engagement and training has contributed to the increasing confidence levels in differentiating between EIA and HRA, during the Phase 2 period.

Figure 4: Confidence in ability to apply EIA relevant to my role



As with Figures 1 and 3, Figure 4 demonstrates on-going positive performance and progress from Phase 1 in those planning officers who strongly agree with the statement posed. Figure 4 is a particularly critical area as it focusses not just on capacity building in terms of increased knowledge in relation to EIA, but also the practical application of this enhanced level of knowledge in a planning officer’s job.

The end of EGWP Phase 2 also hits a key milestone in planning officer response with more than half (52%) of those who attended training and responded to the survey indicating they strongly agree that they are able to be confident in delivering EIA tasks for which they are responsible. Given that the equivalent baseline figure just four years ago was only 11% of respondents it can be concluded that the EGWP has delivered a significant shift in the confidence of planning staff across PAs.

Figure 5: Understanding how to access support related to EIA and wider issues

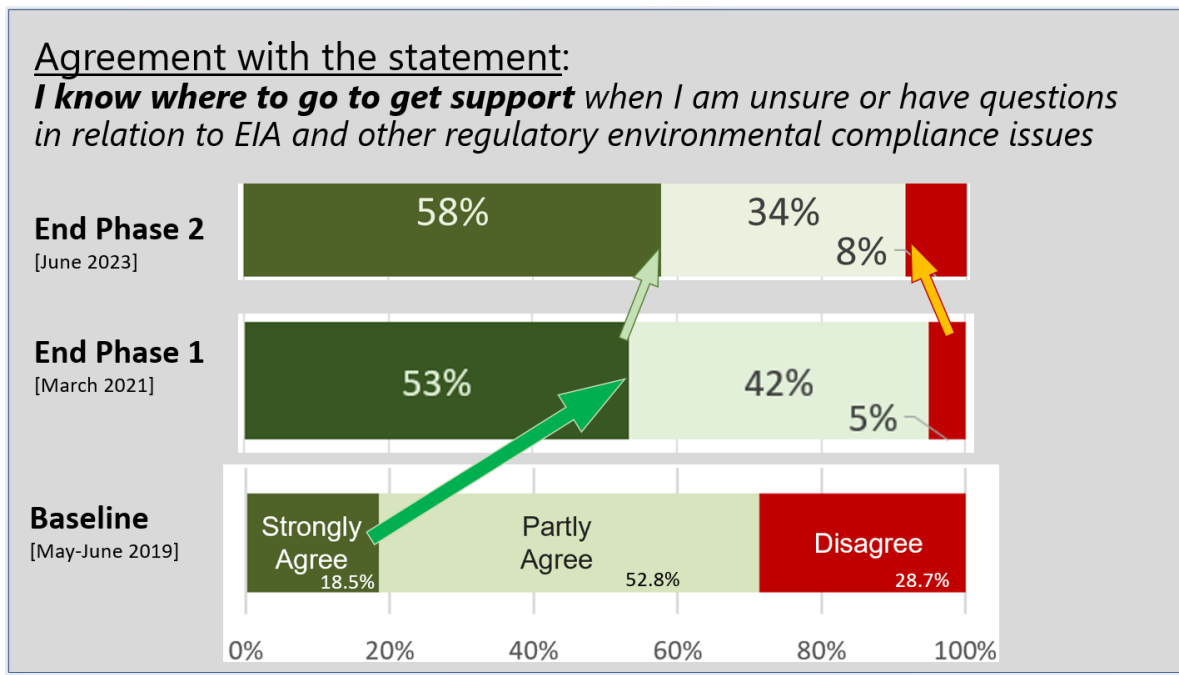
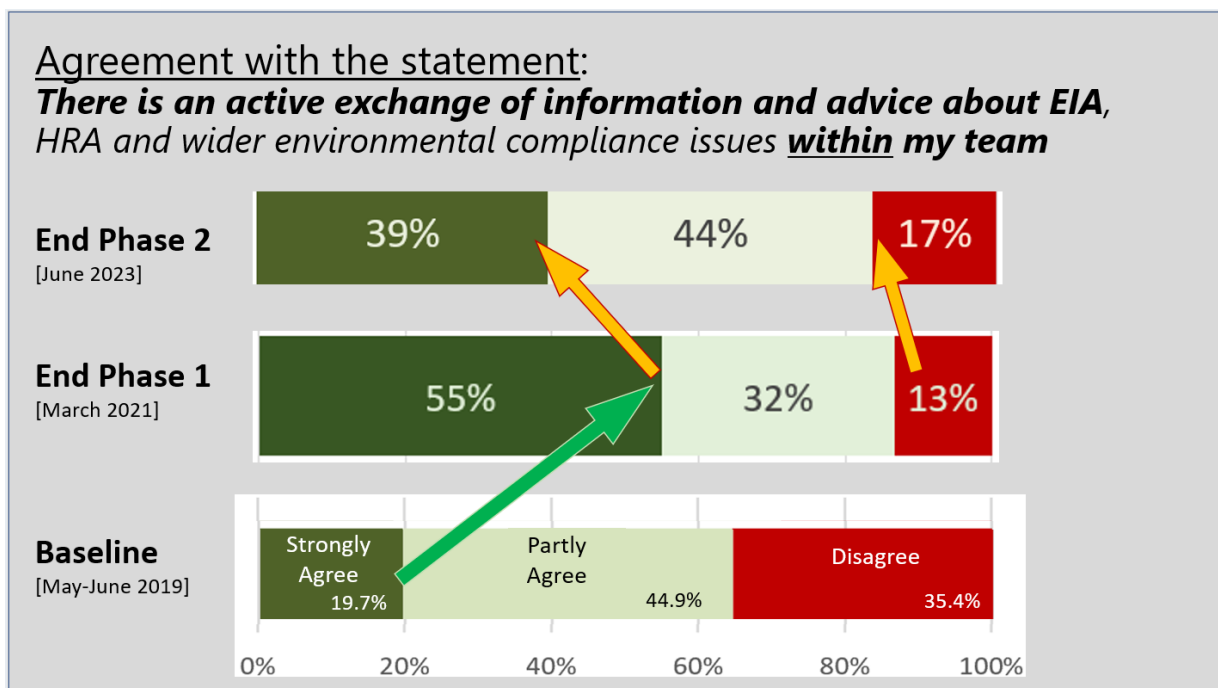


Figure 6: Perspective on level of discussion on EIA *within* their council



Figures 5 and 6 demonstrate significant improvements in the perspectives of planning staff over Phase 1 of the EGWP. Unfortunately, these areas have either stalled or taken a step back in terms of progress across the Phase 2 period. Notably, however, these areas are not aspects that the work delivered through the EGWP can support directly as they relate to on-going discussions related to EIA between PA staff *within* each council. In many ways the findings in Figure 6 provide a review of whether inter-connections are being developed within each of the 11 council PAs – in particular the on-going discussions between staff members involved in the EIA process. The data would suggest that during Phase 1 such EIA related discussion improved significantly – alongside the EGWP actions

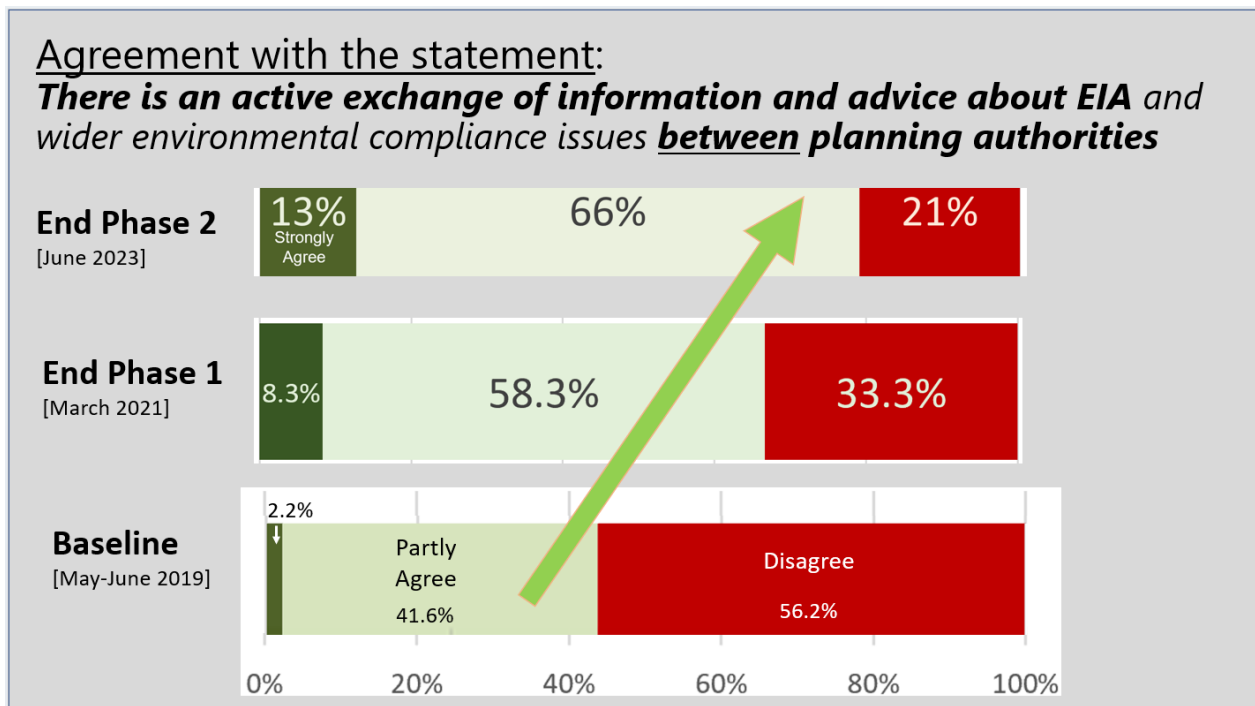
such as the PA training and Environmental Officers Forum. However, the end of Phase 2 findings indicate that overall, the view across planning officers is that such internal EIA discussions *within* individual PAs have fallen back. The data here cannot indicate why this is the case, but it could be that other initiatives have taken time that may otherwise have been available to discuss and exchange knowledge on EIA; for example through the latter half of 2022 and into 2023 the launch of the new planning portal required considerable internal communications for the majority of PAs. Without focussed attention on enabling regular internal discussion around EIA there is a risk that this trend continues and that some planning officers feel unable to discuss EIA and raise issues, which is ultimately likely to impact confidence in the delivery of their EIA duties. As such, each PA should consider how they will help ensure there are opportunities for regular discussion on EIA and related experience across its officers, to help maintain the progress that the EGWP has helped generate.

There are some positives - Figure 5 demonstrates an increase in the number of staff who strongly agree that they feel support has continued (although at a slower rate), when compared to responses to the same questions between the baseline in 2019 and the end of Phase 1.

Figure 6 presents an area of concern, however, as it can be seen to give an indication of how well each PA is working on its own management of EIA, and wider environmental governance, performance. The data from the end of Phase 2 indicates that planning officers do not feel that internal communication and discussion is as effective as it was at the end of Phase 1 (March 2021). There is insufficient data, from the 71 Phase 2 summary survey responses, to attempt to disaggregate the above findings, to determine whether the reduced performance is an issue present across every PA, or a more distinct problem that is present in smaller number of PAs. The data does show that while the EGWP support may have come from the Department, progress and success in supporting planning staff in EIA has a distinct element relating to individual PAs, which must be fully considered and addressed if positive performance is to be maintained.

It is concerning that despite the emphasis the Department and its EGWP has placed on the need for effective EIA support within each individual PA, 1 in 6 respondents at the end of Phase 2 felt that such exchange and support is lacking. The performance improvement since the start of the EGWP still demonstrates a substantial improvement over the baseline; but with external support to LPAs provided by the EGWP now coming to an end, there is the risk that this progress may be eroded unless LPAs take up their own activities to provide some focus and support on EIA to planning staff.

Figure 7: Perspective on engagement between councils on EIA and wider issues



The final performance metric on the status of EIA capacity and engagement amongst Northern Ireland’s PAs relates to inter-authority engagement and exchange. This area was by far the lowest performing area in the baseline survey (Spring 2019) with the majority of respondents at that time disagreeing that active exchange occurred on EIA issues. The Phase 2 data continues the trend seen in Phase 1 of steady progress on improving performance in this area, with the EGWP creation and leadership of the Environmental Officers Forum likely the key driver in this change in perspective. It is pleasing to see that by June 2023 only 1 in 5 planning officers disagree with the statement that Northern Ireland’s PAs actively exchange information and advice on EIA and related issues, having fallen from 1 in 3 respondents at the end of Phase 1. There is still, however, clear room for improvement in this area as a fifth of those officers replying to the Phase 2 survey are not seeing the benefit and outcomes of discussions being held between councils by their colleagues in the Environmental Officers Forum. As such, councils could seek to review how effective their internal communications are around such inter-PA exchange – for example are the outcomes of EOF meetings discussed at team meetings and distributed to the whole PA team via email updates? With Phase 2 seeing the EGWP facilitation support for the EOF ending, there must also be some concern as to whether such inter-PA exchange around EIA, and other environmental governance matters, will continue the trend of improvement shown in Figure 7, or whether there is a risk that performance in this area begins to reverse, should individual PAs fail to continue to support the EOF, after central support via the EGWP ends in August 2023.

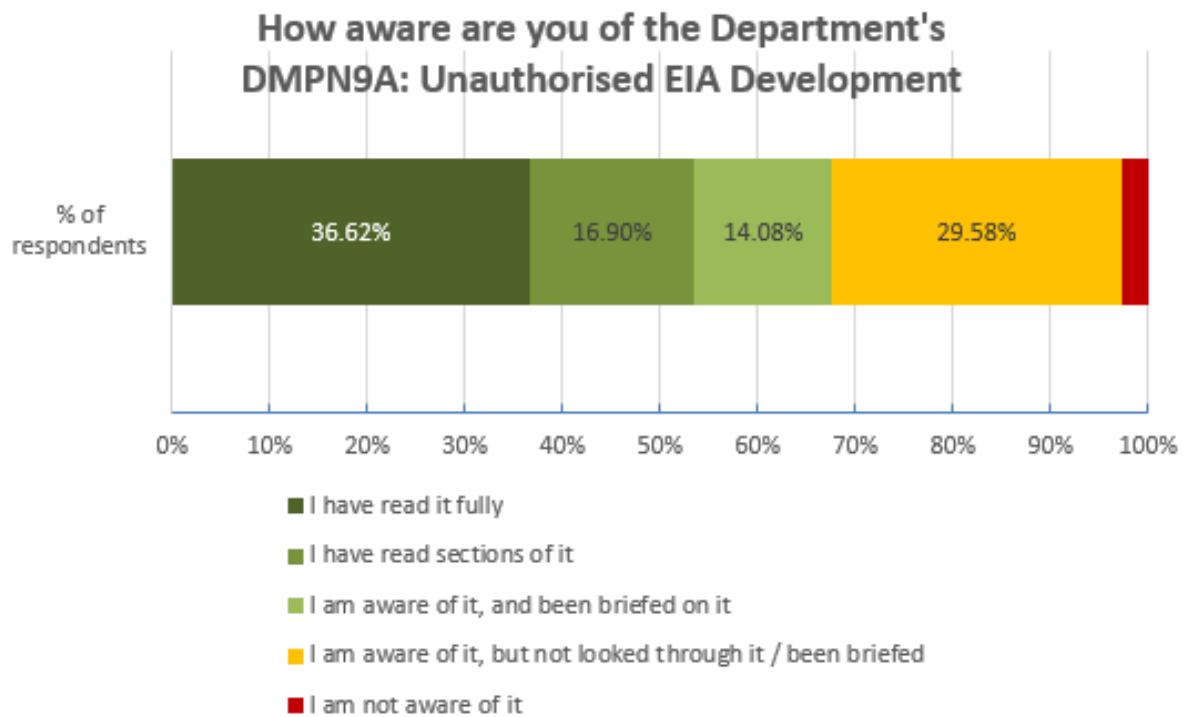
Phase 2’s workshop exploring the specific challenges of EIA related to intensive agriculture developments provides a strong example of how a sub-group of PAs can come together to exchange knowledge and specific challenges. This workshop, held in March 2023, also highlighted how:

- a PA can help lead such engagement, being hosted by Causeway Coast and Glens Borough Council, and having key staff from that authority help open discussions and knowledge sharing; and

- statutory consultees, in this case from Northern Ireland Environment Agency, can also contribute to such knowledge exchange and engagement in a positive and collaborative manner.

The open question beyond the data presented in Figure 7 is how will LPAs seek to collectively share responsibility for maintaining the progress enabled by Phase 1 and 2 of the EGWP, given that the external support provided by FothergillTC to facilitate much of this inter-PA engagement on EIA comes to an end.

Figure 8: Awareness and Uptake of EGWP EIA Practice Note 9A



As indicated in Section 2, Phase 2 of the EGWP involved the launch of the Department's first Development Management Practice Note in relation to specific areas of Environmental Impact Assessment (EIA) identified by LPAs as priorities. This was DMPN 9A: Unauthorised EIA Development, which was drafted in Phase 1, and launched in December 2021, 5 months into Phase 2. The Phase 2 summary survey sought to understand how widely PAs were aware of and using the DMPN, both to understand the influence of EGWP dissemination approaches, and also to inform future activities in launching further DMPNs.

Figure 8 shows positive performance, with two thirds of respondents having either read the document, at least in part, or having received a briefing on it from LPA colleagues. This adds to evidence of wide uptake in practice, with feedback from EOF representatives of their active use of the advice within it, and reporting that the independent Planning Appeals Commission (Northern Ireland) has made reference to it in its work.

It should be noted that Phase 2 of EGWP included a direct briefing to LPA EOF representatives and a roll-out slide deck for DMPN 9A, to support effective dissemination.

4.3 Commentary from EOF representatives and PA Staff on EGWP Phase 2 Performance & Challenges and their Aspirations for Future Progress

In addition to the data in 4.1 and 4.2, the review of the performance of EGWP Phase 2 provided the opportunity for each PA's EOF representatives, and PA staff who had attended EIA training, to provide their views on the Programme, challenges in relation to effective EIA practice and next steps for capacity building. EOF representatives were asked for views at the 9th meeting, held 19 June 2023, while all those trained, including EOF representatives, were provided with the opportunity to complete an online survey in late June 2023.

The findings, presented below, focus on the key themes noted in this feedback:

The EGWP has helped planning officers deliver their role in relation to EIA

The EOF representatives have consistently highlighted the benefits they feel the EGWP, in particular the facilitated Forum, has delivered to enable not just themselves, but colleagues in their respective PAs to effectively and confidently handle the EIA process. In addition, given a free text response opportunity within the Phase 2 summary survey in June 2023, over 80% of respondents elected to provide a positive quote when asked how the EGWP had helped their role as a planner.

Examples of quotes provided by planning officers include:

- EGWP has helped me with *"screening applications and understanding the processes of EIA"*
- *"made significant changes in how we deal with EIA within the office."*
- *"I was able to determine whether an unauthorised development was EIA or not based on the information note."*
- *"I found the scoping session and discussions particularly useful and applied these on most scoping requests."*
- It *"has given more confidence in assessment and decision making for EIA projects."*
- *"It allowed for refresh and understanding of screening and scoping as well as checking applications and understanding triggers for an EIA."*
- *"More confidence in screening without need of consultee support."*

Challenges remain in delivering EIA, most of which are well understood, but one of which poses a risk to maintaining performance and momentum after EGWP Phase 2

Respondents to the survey were asked to identify the greatest challenge they see remaining for them in relation to the delivery of effective EIA practice. The answer was free text, allowing an open

response - the challenges listed below were issues that more than 5% of the respondents (at least 4 individuals) raised at the end of Phase 2.

Number of respondents indicating the issue was the greatest challenge to around EIA in their PA:

- Making effective screening determinations (10 respondents)
- Lack of time / resources made available to deliver effective EIA activities (9 respondents)
- Risk of legal challenge to PA's EIA related decisions (8 respondents)
- Low quality of EIA information submitted by applicants (8 respondents)
- Handling EIA issues related to unauthorised development (6 respondents)
- How to make effective professional judgements in EIA (5 respondents)
- Keeping updated on EIA case law (4 respondents)
- EIA related to intensive agriculture (4 respondents)

Note: Quality / timeliness of statutory consultee responses in relation to the EIA process was only noted as a key challenge by 3 respondents, despite this being a regular concern raised in discussion during Phase 1, which may indicate that Phase 2's engagement and training has already generated some benefits in practice.

The findings from the survey include a number of common themes that relate to complexity around the EIA process (especially screening, unauthorised EIA, professional judgement and intensive agriculture). In addition, wider known challenges related to Northern Irish EIA are also present in relation to the scale of legal challenge, the need to keep up with the outcomes of such cases and the limited quality in EIA documents supplied by applicants.

The more concerning issue is the fact that 9 planning officers, the second highest grouping, felt that the greatest challenge to effective progress of EIA practice in their LPA was down to a lack of time and resources allocated to it. It is recognised that resources are stretched and that LPAs have had a number of additional priorities during Phase 2 of the EGWP, not least the launch of the new online planning portal system. However, wider free text questions that enabled respondents to provide additional commentary on any aspect of EIA also noted a theme that planning officers want to see more leadership and support from within their individual LPA to help deliver effective EIA and maintain the progress the officers feel has been made by the activities under the EGWP. Example quotes from officers in different LPAs are presented below, which help to highlight challenges being experienced in time, support and leadership in prioritising improvement of EIA service delivery:

- *"It is worthwhile training, but too greedy of officer time which isn't appreciated by Senior management in Council."*
- *"Feeling that, at senior management level, there is an expectation to continue on as before and that the EIA training was merely a tick box exercise without the need to implement the advice given and dedicate further resources to this area."*
- *"I consider DFI need to make it very clear to Heads of Planning/Principals that there is a need for officers to dedicate greater resources to the processing of ES applications."*
- *"At this Council that responsibility is left to the Case Officer (i.e., there is no dedicated procedure or system of screening in an administrative or technical context). Because it is left to individuals it is often missed or left to the last minute."*

The aim of this report is not to seek to criticise LPAs, but to highlight trends – positive and negative – that exist at the end of Phase 2 of the EGWP that pose opportunity or challenge to continuing the successes delivered by the Programme. As such, the council to which each of the above quotes relates to is not being shared; but they each relate to respondents from different LPAs, so should not be dismissed as an isolated issue that can be ignored.

Planning officers have a clear view on what is needed to deliver on-going support to maintain and further enhance EIA performance in and across LPAs

Respondents to the survey were asked to identify specific areas of future support needed in relation to their EIA work. As with other questions in this section the answers were free text, allowing an open response. The support areas below were again identified by at least 5% of respondents (at least 4 individuals) and were grouped into the themes presented below as part of FothergillITC's analysis of the Phase 2 summary survey data.

Number of respondents indicating a specific area of future support was needed in their PA:

- More / on-going EIA Training (32 respondents)
 - 15 of which also indicated the need for refresher training for those trained during EGWP Phases 1 and 2
- Sharing of EIA knowledge, including continuation of the EOF (19 respondents)
- Provision of examples of effective EIA, including screening determinations and scoping opinions (7 respondents)
- A centralised support service from which officers could seek EIA advice (4 respondents)

From the above it is clear that planning officers recognise that managing EIA effectively is an issue for their LPA to handle, rather than one that a centralised EGWP (or equivalent) can provide for them on an on-going basis. It is, however, clear that those same officers feel that they will not be able to maintain their confidence and improved performance around EIA practice into the future if the end of EGWP Phase 2 means a return to a lack of focus and support in relation to EIA. The call for on-going EIA related training is a very significant finding, with 45% of the entire survey's respondents specifically taking the time to add this request into a free text box. Alongside the strength of message within the volume of responses, there were multiple additional quotes and detail, a selection of which are presented below to reiterate the strength of view amongst planning officers of the need for EIA training and knowledge exchange and sharing to continue.

Quotes given to the EGWP Phase 2 Summary Survey related to officers seeking a commitment to on-going EIA training and knowledge sharing:

- *"More training courses at a more in-depth level and provided to officers who are experienced and deal with this day in day out - i.e., not just the SPTO's."*
- *"EIA training should be extended to all staff involved with EIA screening etc."*
- *"I think that the Advanced EIA Training course should be rolled out to all PPTO and SPTO grades and eventually to all staff"*
- *"I hope the work... leaves a legacy and something that all the Councils can build on. This will require time and commitment which will be the main challenge."*

- *“One course at a certain point in time is brilliant to receive but refreshers/updates are important.”*
- *“I think the EoF will be a really useful tool for all authorities going forward. Since transfer of planning powers to Councils it seemed that everyone began to work in their own areas and no knowledge/experience/advice was shared across anymore”*

5. Overall EGWP Phase 1 & 2 Review and Next Steps

The outputs and engagement findings presented in Sections 2 and 3 of this report demonstrate that as a package of work Phase 2 of the EGWP not only delivered on required outputs, but also drove cross cutting influence. Over 90 statutory consultees were trained with the Northern Ireland Environment Agency stepping forward to host all sessions due to the benefits they recognised their staff gained from the training. Nine of the 11 LPAs have four planning officers that have had 3 days of detailed EIA training across their attendance at the Core EIA training to refresh knowledge and the in-depth 2-day Advanced EIA course. As such, Phase 2 of the EGWP has provided every LPA with the key unit of staff who are capable of providing more advanced advice to their colleagues on EIA matters, and have the back-up of other equally trained colleagues to discuss complex issues as and when they emerge. Further, the continued facilitation of the EOF throughout Phase 2 and the continued engagement of PA representatives (see Table 3.2) provides the basis for a clear on-going mechanism of regular discussion, information sharing and capacity enhancement between the region's LPAs.

The data gathered and presented in Section 4 of the report goes on to provide strong evidence of the continued efficacy of the EGWP through the activities delivered in Phase 2. The data shows both near-term feedback from PA delegates shortly after being trained, indicating immediate benefits to knowledge, confidence and other aspects of EIA relevant to their roles. In addition, the longer-term trends data that is presented via longitudinal study in Section 4.2 demonstrates the progress that has been made from the baseline situation in April 2019, through the end of Phase 1 and now at the end of Phase 2. While the findings cannot be directly tied to the EGWP activities alone, unlike the EIA training surveys, the findings demonstrate significant positive progress across the key areas the EGWP sought to influence in terms of PA performance in relation to delivery of their EIA duties.

While the overall findings provide a highly positive outcome across both of the completed phases of the EGWP, the report has found evidence that this progress, and the legacy and long-term value of the work delivered under the Programme, is at risk if this momentum is not maintained and some form of support in relation to EIA continued for LPA staff. It is not for this report to seek to define that support, and at this time a Phase 3 period of Department funded external support is not possible, in at least the short-term.

As such, the emphasis on maintaining the significant boost of capacity enhancement that has been delivered to Northern Irish LPAs in relation to their delivery of EIA duties now falls onto those same LPAs to determine how best to continue to support their staff. There are clear and obvious short-term decisions that need to be made around whether to continue with the Environmental Officers Forum and how to deliver facilitation and leadership without external contractor support. The clear message from planning officers who have engaged so positively across both Phases 1 and 2 of the EGWP is:

- Don't abandon the positive progress made in planning officer confidence around EIA;
- Maintain opportunities for positive and proactive knowledge sharing and advice on EIA both within and between councils; and
- Find a way to continue to enable EIA training opportunities both for planning officers who were not fortunate enough to attend EGWP sessions, and as refresher and greater depth capacity building for those that were.

Having driven demonstrable improvement to EIA practice across Northern Irish LPAs the Department's EGWP now hands that responsibility to each LPA, who ultimately have responsibility for their own performance in relation to EIA requirements and wider environmental governance. The task for discussion within each LPA and between Heads of Planning is how to act, either individually or collectively to:

- 1. Provide on-going support to planning officers on EIA**
- 2. Efficiently continue to deliver inter-PA collaboration and knowledge exchange around EIA**
- 3. Move from Department-led EGWP support, to council leadership and ownership of maintaining and improving their environmental governance responsibilities**
- 4. Explore the actions needed to generate wider progress to improve the quality of EIA information from developers as part of the broader *Planning Improvement* initiative.**

The EGWP has laid the groundwork and delivered improved EIA performance across all LPAs. It is now the role of each LPA to at least maintain, if not build on, that firm foundation for the benefit of Northern Ireland's economy, communities and natural environment.

Environmental Governance Work Programme

Phase 2: Performance Review

External Support for EIA related

Training, Development Management Practice Notes and Environmental Officers Forum

August 2021 – August 2023

August 2023

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1. Context

Over recent years the Department for Infrastructure (the Department) has been responsible for the development and delivery of an Environmental Governance Work Programme (EGWP / the Work Programme) – a voluntary initiative by the Department as a strategic response to some of the challenges facing the land-use planning system. To support the Work Programme the Department sought external support in early 2019, initially contracting Fothergill Training & Consulting Ltd (FothergillTC) in Spring 2019 to provide a two-year period of support. This initial support period – known as Phase 1 – was completed in April 2021 and a report on the work delivered and impacts was provided to the Department¹.

The findings of the Phase 1 report and the on-going nature of the Department's EGWP identified the need for further external support to further aid councils and extend advice to other Government bodies, that act as statutory consultees, with a role in the Environmental Impact Assessment (EIA) process within the planning system. FothergillTC was contracted to deliver further support services under the EGWP for another two-year period from August 2021 to August 2023 – Phase 2.

This report provides a review of contract performance and the on-going influence of the EGWP on planning officer confidence in their ability to effectively deliver the EIA procedures as set out in *the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017* (the 2017 EIA Regulations).

Phase 2 of the EGWP built upon the work undertaken in Phase 1 maintaining a focus on enhancing capacity for planning authority (PA) staff involved in the EIA process, but also included an expanded focus to include training of statutory consultees and the development of Development Management Practice Notes (DMPNs) on key aspects of the EIA process – identified as priority areas by council planning staff.

The key work areas within Phase 2 of the EGWP were:

- Deliver a suite of Advanced EIA Training sessions to enable each council, in its role as local planning authority (LPA), to have multiple planning officers with deeper EIA knowledge and understanding, to enhance internal discussion and support; building on the single officer trained in each LPA during Phase 1.
- Work with the Department – and legal review, as required, - to produce DMPNs on: EIA Screening (9B), EIA Scoping (9C), and EIA Mitigation and Monitoring (9D), to build on Phase 1's *DMPN 9A: Unauthorised Environmental Impact Assessment (EIA) Development*².
- Develop and deliver core training to staff within public bodies that act as statutory consultees to the EIA process within the planning system.
- Continue to facilitate the Environmental Officers Forum (EOF), with representatives from all LPAs and the Department, to drive inter-planning authority discussion and knowledge sharing around EIA and related matters.
- Continue to offer core EIA training for planning officers to provide opportunities beyond the 121 officers who attended such training in Phase 1.
- Review performance of Phase 2 of the EGWP against the baseline established in June 2019 and in comparison to the progress made during Phase 1 (**this report**).

¹ Environmental Governance Work Programme - Contract Performance Review: EIA Training, EIA Guidance Development and Environmental Officers Forum (April 2019 – March 2021), FothergillTC, April 2021

² Development Management Practice Note 9A: Unauthorised EIA Development. Department for Infrastructure, December 2021

This report delivers the final output from FothergillTC's Phase 2 EGWP contract and reflects on feedback on the performance of this work over the last two years in comparison to the 2019 baseline situation and spring 2021 Phase 1 contract review.

2. Outputs Delivered within EGWP Phase 2

The Department's EGWP contract with FothergillTC included the delivery of further elements developed in Phase 1, including Core and Advanced EIA training for PA staff and continuing to facilitate the Environmental Officers Forum (EOF). In addition, Phase 2 included the drafting and development of three additional EIA related development management practice notes (DMPNs) and the creation and roll-out of a revised version of the Core EIA Training course for statutory consultees.

The contract ran for two years from 12 August 2021 to 11th August 2023.

The activities delivered by FothergillTC under EGWP Phase 2 were as follows:

- September 2021, Phase 2 Start-up, including:
 - o Series of meetings with statutory consultees to determine scale of interest and learner needs for development of new version of Core EIA Training course.
 - o Meetings with the Department to define the scope of the three (3) EIA related DMPNs and timing for their drafting.
 - o **5th Meeting of the Environmental Officer Forum**, 16 September 2021
- November 2021,
 - o **Advanced EIA Training** course: Phase 2 Cohort A, 9 & 11 November 2021
 - o **Core EIA Training** course: Planning Authority, 8 November 2021
 - o **6th Meeting of the Environmental Officer Forum**, 11 November 2021
- February 2022,
 - o **7th Meeting of the Environmental Officer Forum**, 24 February 2022
- March – April 2022,
 - o **Advanced EIA Training** course: Phase 2 Cohort B, 31 March and 1 April 2022
 - o **PILOT - Core EIA Training** course: Statutory Consultees, 28 March 2022
 - o Meetings with the Department to discuss draft of DMPN 9B: EIA Screening.
- June 2022,
 - o **Advanced EIA Training** course: Phase 2 Cohort C, 7 & 8 June 2022
 - o **Core EIA Training** course: Statutory Consultees, 6 June 2022
 - o **8th Meeting of the Environmental Officer Forum**, 9 June 2022
 - o Meetings with the Department to discuss content of DMPN 9C: EIA Scoping.
- September 2022,
 - o **2 x Core EIA Training** course: Statutory Consultees, 12 and 14 September 2022
 - o Meetings with the Department to discuss approach to EOF delivery in 2023 and content of both DMPN 9B and 9C.
- November 2022,
 - o **Core EIA Training** course: Planning Authority, ONLINE – 1 & 2 November 2022
- January 2023,
 - o Informal EOF session with Office for Environmental Protection (OEP) to input into the latter's review of the performance of EIA in Northern Ireland.
- March 2023,
 - o EIA Intensive Agriculture Workshop, 28 March 2023
 - o Meeting with the Department to discuss DMPN 9B legal review feedback.
 - o Meeting with the Department to discuss complete draft of DMPN 9c: EIA Scoping.

- Meeting with the Department to discuss outline draft DMPN 9D: EIA Mitigation and Monitoring
- June 2023,
 - **9th Meeting of the Environmental Officer Forum**, 19 June 2023
 - Meeting with the Department re DMPN 9B EIA screening.
 - Meetings with the Department to discuss feedback of FothergillTC full drafts of both DMPN 9C: EIA Scoping and 9D: EIA Mitigation and Monitoring.
 - Online Survey to PA on EGWP Phase 2 Performance.
- July-August 2023,
 - Phase 2 Performance Review Report (this document)
 - Slide deck of EGWP performance Baseline for Department's use.
 - Briefing Slides for future Environmental Officers Forum / PA roll-out of DMPN 9B (Screening) and 9C (Scoping)

Alongside the above activities, regular meetings have been held between the Department and FothergillTC to manage the above deliverables, and ensure that the administrative and documentary needs for training delivery and meetings were in place.

FothergillTC has also provided email updates and inputs to EOF related email exchange, to seek to catalyse group engagement between meetings. In addition, FothergillTC produced and distributed meeting records for each of the five EOF meetings listed above. In discussion with the Department, additional online EOF meetings were offered to the planning officers who represent each of the councils in both December 2022 and August 2023. A lack of response from sufficient numbers of EOF representatives to make these meetings viable ultimately led to these potential EOF sessions being cancelled by FothergillTC, in agreement with the Department and work allocated elsewhere under the contract.

The decision to publish a DMPN rests with the Department and is subject to sign-off by senior management. The Department's EGWP lead (Brian Gorman) and Project Director (Scott Symington) have confirmed satisfaction with FothergillTC's work in developing the scope, skeleton, first and full drafting of the three (3) DMPN 9A, 9B and 9C, and the additional work to 9D in response to comments from legal review and external requests to the Department from OEP to include coverage of transboundary considerations into both 9B and 9C.

The Department has confirmed to FothergillTC that due to other work priorities and the time taken for its review/legal quality assurance processes, it expects to launch the remaining DMPNs after FothergillTC's contracted support to EGWP Phase 2 has ended.

3. Engagement across EGWP in Phase 2 (2021-2023), and comparison to Phase 1 (2019-21)

3.1 The importance of engagement for EGWP success

The Department's EGWP is, in part, its strategic response to challenges raised to the performance of LPAs in delivering against their environmental obligations, including applying the EIA process requirements. Overall the EGWP seeks to shape and improve capacity-building across the public sector side of Northern Ireland's planning system. The Work Programme provides the opportunity for greater communication, knowledge sharing and resilience on environmental governance between councils and with the Department by generating a cadre of officers who have attended the same Core EIA training and a smaller cohort of EOF representatives who have received Advanced EIA training (both levels of training having received accreditation from the Institute of Environmental Management and Assessment)..

Phase 2 of the EGWP expanded the scope of its public sector engagement beyond PAs to include statutory consultees to the planning system, who may be required to engage with the EIA process in relation to a PA producing a scoping opinion, or in responding to consultation on an Environmental Statement / subsequent Further Information Request.

Neither councils nor public bodies that act as statutory consultees are required to attend the training or engage with the wider aspects of the EGWP. As such, maintaining a positive view of the EGWP with PAs, and developing effective engagement with statutory consultees, was a key aspect of enabling success in the delivery of Phase 2.

The remainder of this section reviews engagement by councils (Section 3.2) and statutory consultees (Section 3.3) across relevant activities delivered during EGWP Phase 2 (August 2021 – August 2023).

3.2 PA Engagement with EGWP Phase 2

Phase 2 saw the EGWP expand its focus to include engagement with statutory consultees, however, on-going engagement with LPAs remained its key ambition. The aim being to continue progress made in Phase 1 by:

- 1) Increasing the number of officers trained to the Advanced EIA level to at least three per LPA;
- 2) Enhancing collaboration and exchange of EIA information between all PAs, via the EOF; and
- 3) Maintaining the overall level of engagement from LPAs in EGWP activity.

Context – Council Engagement in EGWP Phase 1

Phase 1 of the EGWP (June 2019 to April 2021) saw good engagement levels across the majority of LPAs in relation to the EIA training, performance surveys and attendance at the EOF. It was noted in that review, however, that Newry, Mourne and Down council had demonstrated little to no engagement with Phase 1 of the EGWP. In addition, whilst clearly engaged, both Belfast City and Antrim and Newtonabbey councils indicated a number of instances where their degree of engagement with EGWP Phase 1 fell below that of their fellow councils. Table 3.1, below, reproduces the summary table of LPA engagement included in the April 2021 Phase 1 report³.

³ See Footnote 1

Table 3.1: Previous EGWP Engagement Findings – End of Phase 1 April 2021

| Council Area / Department | Strong Engagement | Limited Engagement | Weak / No Engagement |
|---------------------------------------|-------------------|--------------------|----------------------|
| Antrim and Newtownabbey | 1 | 2 | 1 |
| Ards and North Down | 3 | 1 | 0 |
| Armagh, Banbridge and Craigavon | 3 | 1 | 0 |
| Belfast | 2 | 2 | 0 |
| Causeway Coast and Glens | 4 | 0 | 0 |
| Department for Infrastructure | 4 | 0 | 0 |
| Derry and Strabane | 4 | 0 | 0 |
| Fermanagh and Omagh | 3 | 1 | 0 |
| Lisburn and Castlereagh | 3 | 1 | 0 |
| Mid and East Antrim (incl: SES staff) | 3 | 1 | 0 |
| Mid Ulster | 2 | 1 | 1 |
| Newry Mourne and Down | 0 | 0 | 4 |

PA Engagement Levels with EGWP – Phase 2

Phase 2 provided multiple opportunities for PA to engage with the EGWP, including Advanced and Core EIA training sessions, continuation of the Environmental Officers Forum meetings and in some cases the opportunity to offer to host events. In addition to that, all planning officers who had attended an EGWP training course since the EGWP began in 2019 were emailed a survey in late June 2023, providing a broader data point related to on-going PA staff engagement with the EGWP.

The findings of Phase 2 EGWP engagement for each PA are set out in Table 3.2, below.

Table 3.2: EGWP Phase 2 Engagement Findings (July 2023)⁴

| EGWP Phase 2 PA Engagement (August 2021 - July 2023) | | | | | | | | | | | |
|---|----------------------------------|--------------|------|------------------------------|--------------|------|----------------|-------------------|------|----------------------------|-------------------|
| Planning Authority | Advanced EIA Learners in Phase 2 | | | Core EIA Learners in Phase 2 | | | EOF Attendance | | | Summary Survey Respondents | Hosted EGWP Event |
| | Places Available | Places Taken | % | Places Available | Places Taken | % | EOF Meetings | Meetings Attended | % | | |
| Antrim and Newtownabbey | 3 | 3 | 100% | 3 | 3 | 100% | 5 | 3 | 60% | 4 | n/a |
| Armagh, Banbridge and Craigavon* | 3 | 3 | 100% | 3 | 4 | 133% | 5 | 2 | 40% | 4 | n/a |
| Ards and North Down | 3 | 3 | 100% | 3 | 2 | 67% | 5 | 4 | 80% | 7 | n/a |
| Belfast | 3 | 3 | 100% | 3 | 3 | 100% | 5 | 4 | 80% | 4 | n/a |
| Causeway Coast and Glens | 3 | 3 | 100% | 3 | 3 | 100% | 5 | 5 | 100% | 11 | 1 |
| Derry and Strabane* | 3 | 3 | 100% | 3 | 4 | 133% | 5 | 5 | 100% | 10 | n/a |
| Fermanagh and Omagh | 3 | 3 | 100% | 3 | 1 | 33% | 5 | 3 | 60% | 3 | n/a |
| Lisburn and Castlereagh | 3 | 2 | 67% | 3 | 3 | 100% | 5 | 3 | 60% | 4 | 2 |
| Mid and East Antrim (incl: SES staff) | 3 | 3 | 100% | 3 | 1 | 33% | 5 | 1 | 20% | 2 | n/a |
| Mid Ulster | 3 | 3 | 100% | 3 | 3 | 100% | 5 | 3 | 60% | 4 | n/a |
| Newry Mourne and Down | 3 | 2 | 67% | 3 | 2 | 67% | 5 | 2 | 40% | 5 | n/a |
| Department for Infrastructure | n/a | 6 | n/a | n/a | 4 | n/a | 5 | 5 | 100% | 13 | n/a |

⁴ *Both of these LPAs took up an offer from the Department for additional places at Core EIA Training courses, as a result of other LPAs being unable to take up their full allocation; hence the 133% finding in their respective Core EIA Training results.

Three significant positives can be taken from the data in Table 3.2. The first is that in Phase 2 all 11 of Northern Ireland's PA engaged in the EGWP. In the first Phase review it was clear that Newry, Mourne and Down District Council had not engaged with the Programme, but this significantly improved in Phase 2, with a comparable performance to the majority of other councils during the second Phase. It should be noted, however, that engagement in the EOF, and thus exchange of EIA knowledge and ideas with other LPAs remained limited.

The second clear sign of success is that as a result of Phase 2 all LPAs have increased the number of planning officers who have attended the more in-depth Advanced EIA training course – with 9 LPAs now having 4 officers at this level. This demonstrates that Phase 2 delivered on the key objective of ensuring that all LPAs have resilience in the number of staff with a deeper understanding of EIA procedures and issues. This expansion of the number of officers with a greater level of EIA training was also intended to enhance the opportunity for internal discussion and support to other internal staff and help to ensure that every council could regularly engage with the EOF. Unfortunately, the data in relation to council engagement in the EOF indicates that not all councils utilised the increased number of Advanced level trained EIA staff to ensure they were able to take part in over 50% of the EOF meetings which took place in Phase 2.

The third positive finding from Table 3.2 is that – when approached – LPAs were happy to offer to provide and organise a venue for EGWP training and workshop events. There were additional times – beyond those noted in the table – where a council offered to act as host / co-chair for an EOF meeting for example, however, timing pressures on planning officer travel time meant the EOF was delivered via online meetings throughout Phase 2.

However, Table 3.2 also indicates a drop in engagement from Mid and East Antrim council (host to the Shared Environmental Services (SES) function that provides environmental governance advice and activity in relation to the Habitats Regulations), when compared to its engagement in Phase 1 of EGWP. SES staff engaged with the EGWP Phase 2 when approached, including attending the March 2023 workshop that considered the specific challenges related to applying EIA to intensive agriculture developments. It will be important for SES to continue to have the opportunity to engage in future EOF activity, should councils decide to continue to operate the EOF following the end of facilitated support services provided by FothergillTC, via the EGWP Phase 2 contract.

Overall Phase 2 of the EGWP provided 33 planning officers with 1-day core EIA training and 37 planning officers, who had previously attended core training, with the enhanced depth of knowledge and understanding developed by attending the 2-day Advanced EIA training. In total 109 days of EIA training were provided across all PA learners during the five (5) training courses offered to council / Department staff during Phase 2 of the EGWP. This figure compares well with the approximately 130 days of training across all PA learners in Phase 1 of the Programme. This is an especially good performance given that the focus of EGWP training was expanded in Phase 2 to include statutory consultees, who received a further 91 learner days during Phase 2 (see Section 3.3 below) and a further 20 EIA related learning days were delivered across PAs via the March 2023 EIA of Intensive Agriculture workshop.

Across all PAs and statutory consultee staff engaged in Phase 2 of the EGWP, FothergillTC and the Department worked to deliver at least 210 learning days related to EIA capacity building.

3.3 Statutory Consultee Engagement

The Phase 2 EGWP expanded its engagement beyond PAs to seek to include statutory consultees within the staff trained who deliver their role as set out in the 2017 EIA Regulations. This work involved the development of a bespoke version of the Core EIA Training course, amending the content to focus on the parts of the EIA process where the Regulations indicate statutory consultees should be actively engaged in the process.

The 2017 EIA Regulations do not specify which public bodies are considered to be statutory consultees under the law, instead stating that a PA should consult:

“other authorities likely to be concerned by the proposed development by reason of their specific environmental responsibilities of local or regional competencies” (Regulation 8(12)).

The initial step in Phase 2 involved agreeing a list of such bodies between the Department and FothergillTC, which was based on the planning system’s statutory consultees. Once this list was agreed, each organisation was invited to meet with the EGWP team in September 2021. The meetings were designed to establish their interest in attending Core EIA Training, and in providing views to help shape the bespoke course content. The bodies engaged in scoping the needs and general content of the bespoke Core EIA Training course were:

- Department for Communities
 - o Historic Environment Division
- Department for Agriculture, Environment and Rural Affairs (DAERA), including Northern Ireland Environment Agency (NIEA)
- Department for Infrastructure
 - o Roads Division
 - o Rivers Division
- Northern Ireland Water
- Geological Survey Northern Ireland

In most cases the meetings were well attended with multiple staff from each organisation and representatives who undertook the role of responding to consultations on planning applications. The exception to this was the Department’s Roads Division, where a single representative attended whose role related to the division’s function in the application of the different EIA Regulations in relation to the consent process for new road infrastructure. While discussion on the similarities and difference between the two Dfl regimes (planning and roads) was interesting, it did not assist in the aim of aligning the Core EIA Training course to the needs of Roads Division staff members who respond to planning application consultations as statutory consultees to LPAs.

Course Development and Piloting

Following the above meetings, the bespoke elements and amendments to the existing Core EIA Training course were agreed with the EGWP team in the Department, with materials developed by January 2022. It was agreed that a pilot course would be held with a single organisation to ensure the new course was meeting needs and delivering on the agreed learning outcomes.

Due to significant interest and numbers of staff within NIEA / DAERA seeking to take up the opportunity of attending EIA training, the Department arranged the pilot with them in spring 2022.

The pilot of the Statutory Consultee Core EIA Training course was held on **28 Mar 2022** as a face-to-face session. It was hosted by NIEA at their Klondyke House building in Belfast.

The pilot was run exclusively with DAERA / NIEA staff, with 25 learners attending the session. Specific post-training delegate surveys were not included in the scope of this part of EGWP Phase 2, but delegate feedback was requested on the day and – via the Department – by email following the session.

Delegate engagement during the training and feedback at the end of the day was positive in relation to the learning content and the approach to delivery. In follow-up correspondence DAERA advised the Department that they had received “lots of positive feedback” on what was regarded as “an excellent course”.

Course Delivery

Based on the success of the pilot and its positive reception by DAERA/NIEA delegates, DAERA confirmed it was happy to host three (3) further Core EIA Statutory Consultee Training Sessions. This proactive engagement in working with the Department to host and organise this aspect of EGWP Phase 2, is further endorsement of the EGWP’s wider impact and DAERA’s recognition of the value of collaborative action to enhance environmental governance across the planning system.

Following the delivery of the Pilot (28 March), discussions were held between FothergillTC and the Department to confirm modifications to the course for the roll-out to other statutory consultees. It was confirmed that a member of the Department’s Casework Team would be available in the afternoon of each session to enable discussion of real world case examples.

- Pilot EIA Statutory Consultee course – 28 March 2022
Total attendees = 25 learners all from NIEA

- Core EIA Statutory Consultees – Rollout session 1
6 June 2022, held face to face, hosted by NIEA at Klondyke House, Belfast
Total Attendees = 24 learners from:
 - NIEA/DAERA (12)
 - DfI Rivers (3)
 - NI Water (3)
 - Department for Communities (2)
 - Geological Survey NI (Department for Economy) (2)
 - DfI Roads (1)
 - Health and Safety Executive NI (1)

- Core EIA Statutory Consultees – Rollout sessions 2 and 3
12th and 14th September 2022, held face to face, hosted by NIEA at Klondyke House, Belfast
Total Attendees across both sessions = 42 learners from:
 - NIEA/DAERA (18)
 - DfI Rivers (9)
 - NI Water (8)
 - Department for Communities (4)
 - Geological Survey NI (Department for Economy) (3)

The figures above demonstrate strong engagement with the EGWP statutory consultee Core EIA Training course for the majority of organisations. It was also pleasing to see engagement from HSENI at the June training session, as they had not been part of the initial scoping in September 2021. Unfortunately, as with the initial engagement process, the Department’s Roads Division did not

proactively engage with the opportunity, with only a single staff member attending. The opportunity offered by the EGWP for EIA related capacity building was well received by those attending the training based on feedback to the trainer on the day and via email with the EGWP team following delivery.

4. Influence of the Environmental Governance Work Programme

4.1 Performance and Influence of EGWP EIA Training – Learner Survey Data

Phase 2 enabled a second, third and fourth cohort of learners from the 12 planning authorities (11 in the case of the third cohort due to staff illness, see table 3.2), in total 37 planning staff from the 12 PAs completed the 2-day Advanced EIA Training course, which builds on the Core EIA training all attendees had previously received. This brought the total number of PA planning staff trained to an advanced level in EIA through the EGWP to 49, across phases 1 and 2, leaving 9 of the 11 LPAs with 4 staff trained to Advanced level (the remaining LPAs having 3 staff at this level).

In addition, Phase 2 also saw 33 more planning staff, across the 12 planning authorities (councils and the Department), trained to the Core EIA level. This brought the total number of planning staff trained in the core aspects of EIA procedures and practice through the EGWP to 154.

PA learners who attended EGWP EIA Training, both Core or Advanced, were surveyed in the days following attending the session to seek their feedback on how the course had influenced their confidence and understanding in relation to EIA. The tables below present the findings from Phase 2 learners for both Advanced (Table marked A) and Core (Table marked B) for each of the five time periods when training was delivered.

In relation to the findings in the tables below – the survey presented delegates with a slider on a range of 0 (No confidence / Disagree) to 100 (Fully confident / Agree), the slide was positioned at 50, halfway along the range. As such, higher scores indicate positive results of training, in relation to comparisons (Table 4A & 4B) increase indicates the training positively influenced learner capabilities.

Table 4A: The influence of Advanced EIA Training on delegate confidence in their EIA knowledge

| Advanced EIA Training | Phase 1 (Oct'19 – Feb'20) | Phase 2 | | |
|---|--|----------------|---------------|---------------|
| | | Nov'21 | Mar'22 | Jun'22 |
| Confidence in EIA knowledge <u>before</u> Training | 54 | 66 | 28 | 55 |
| Confidence in EIA knowledge after Training | 75 | 81 | 68 | 86 |
| Increase in delegate confidence score in their EIA knowledge post-training (Prior / Post) | +21 | +15 | +40 | +31 |

Note: The 2-day Advanced EIA course covered a broader range of topics and in greater depth. As a result, the findings between Tables A and B for the same question cannot be directly compared.

Table 4B: The influence of the Core EIA Training on delegate confidence in their EIA knowledge

| Core EIA Training | Phase 1 Average across 5 Sessions (Oct'19 – Mar'21) | Phase 2 | |
|---|---|---------|--------|
| | | Nov'21 | Nov'22 |
| Confidence in EIA knowledge <u>before</u> Training | 49.2 | 38 | 30 |
| Confidence in EIA knowledge after Training | 75.6 | 70 | 71 |
| Increase in delegate confidence score in their EIA knowledge post-training (Prior / Post) | +26.4 | +32 | +41 |

EGWP Influence of PA staff confidence in their EIA Knowledge

Both Tables 4A and B demonstrate that, as was the case in Phase 1, the EGWP EIA training courses have had a positive result on the confidence of planning staff in relation to their knowledge of EIA. This enhanced knowledge provides them with greater confidence to undertake the EIA aspects of their role in delivering the regulatory procedures for which they are responsible. The results in the Tables are in line with the Phase 1 findings with a significant increase in confidence having attended either the Advanced (4A) or Core (4B) course.

It is notable, but not unexpected, that a number of the courses in Phase 2 had delegates with far lower levels of initial confidence in their EIA knowledge before attending the training. This is not a surprising result as those PA staff members with some EIA knowledge and a more active role in delivering the process in their PA were more likely to be given the opportunity to attend training in Phase 1, rather than in the more recent training in 2021-22.

Where delegates started from a lower level of confidence, than the Phase 1 average, then it is clear that the Phase 2 courses have acted to generate a higher increase in confidence score per delegate than was the case in Phase 1. This indicates that staff with limited or no prior knowledge or experience of EIA, but who have EIA duties in their role, may have even more to gain from attending EIA training than those who already have some knowledge and are attending to refresh and boost existing confidence.

It should be noted that the data for Advanced (Table 4A) and Core (Table 4B) are not directly comparable as the Advanced course builds from attendance at the Core training and thus is indicative of confidence in EIA knowledge at a greater depth than for those attending the 1-day Core course.

A clear positive from these findings is that the Core training continued to provide enhanced confidence for general PA staff in Phase 2. A more significant benefit is that the delivery of three Advanced courses in Phase 2 means 9 of the 11 LPAs increased their number of Advanced level trained staff from 1 officer in Phase 1 to 4 officers by the end of Phase2 (the remaining LPA having 3 officers at Advanced level). This provides a much broader base of knowledge and confidence in each LPA in relation to the more in-depth aspects of EIA..

If further EIA training is considered by LPAs in future, the evidence from EGWP indicates that a Core and Advanced approach provides staff with a clear and positive effect in their confidence to deliver EIA activity within their roles. It should be noted that the Core course was delivered both face to face and online in Phase 2, but the Advanced course, due to a greater need for interaction and

engagement activity, remained as a face to face only course, with delivery arrangements adapted as needed to the Covid restrictions that applied at the date of delivery.

Table 5A: The influence of Advanced EIA Training on delegate understanding of key procedural steps in the EIA process

| Advanced – EIA Training | Phase 1 (Oct'19 – Feb'20) | Phase 2 | | |
|--|-------------------------------------|----------------|---------------|---------------|
| | | Nov'21 | Mar'22 | Jun'22 |
| Due to the training, I better understand EIA screening | 91.7 | 100 | 100 | 100 |
| Due to the training, I better understand how to manage EIA applications | 90 | 100 | 100 | 100 |
| Due to the training, I better understand concepts and practice around unauthorised EIA development | 90 | 100 | 100 | 100 |
| Due to the training, I better understand how to manage the examination of an Environmental Statement | 90 | 100 | 66.7 | 100 |

Note: The 2-day Advanced EIA course covered a broader range of topics and in greater depth. As a result, the findings between Tables A and B for the same question cannot be directly compared, and the Advanced course added detailed coverage of examination and management of Environmental Statements.

Table 5B: The influence of the Core EIA Training on delegate understanding of key procedural steps in the EIA process

| Core EIA Training | Phase 1 Average across 5 Sessions (Oct'19 – Mar'21) | Phase 2 | |
|--|--|----------------|---------------|
| | | Nov'21 | Nov'22 |
| Due to the training, I better understand EIA screening | 94 | 100 | 100 |
| Due to the training, I better understand how to manage EIA applications | 94 | 91 | 100 |
| Due to the training, I better understand concepts and practice around unauthorised EIA development | 96.6 | 73 | 100 |

EGWP Influence of PA staff understanding of EIA process

The survey results show that the Phase 2 training, on average, generated similar, if not higher, levels of agreement from delegates that both Advanced and Core EIA training session helped them to improve their understanding of the areas of EIA procedural compliance covered. The Advanced EIA courses delivered in Phase 2 demonstrate very strong influence on improving delegate understanding with all survey respondents indicating fully agreeing with the statement about the relevant part of the process (i.e. screening, managing applications etc.). The one exception being the March 2022 finding related to understanding how to manage the examination of an Environmental Statement: the outlier finding of 66.7% of respondents here is indicative of a single delegate, as the

survey had a low response rate of just 3 of the 13 delegates who attended responding to the survey. The respondent did not indicate where they felt the learning provided lacked the information needed to build understanding to the level that other attendees in that delivery (March 2022) and the two other Phase 2 sessions did deliver the required learning.

The results in Tables 5A do demonstrate that the further depth provided by the 2-day Advanced course (beyond that which can be covered in the 1-day Core training) led to a higher % of learners feeling their understanding of each area of EIA had been enhanced. This is not surprising as the longer scope allows each component of the EIA process to be explored in greater depth.

The finding may appear to indicate that PA staff whose roles mean they are likely to regularly be involved with applications for EIA development, rather than just the screening of projects to determine whether EIA is required, would benefit from attending Advanced EIA training, rather than only attending the more key outline information provided by the Core EIA training.

Table 6A: The influence of Advanced EIA Training on delegates feeling supported in delivering their EIA responsibilities

| Advanced – EIA Training | Phase 1 (Oct'19 – Feb'20) | Phase 2 | | |
|---|-------------------------------------|----------------|---------------|---------------|
| | | Nov'21 | Mar'22 | Jun'22 |
| Agree training given them better understanding EIA to support their role | 91.7 | 100 | 100 | 100 |
| Due to training know who to ask to get support when unsure on EIA, HRA, etc | 67 | 91 | 77 | 92 |
| Delegate indicated content training prepared them for next 18-24months | 70 | 71.4 | 66.7 | 80 |

Note: The 2-day Advanced EIA course covered a broader range of topics and in greater depth. As a result, the findings between Tables A and B for the same question cannot be directly compared.

Table 6B: The influence of the Core EIA Training on delegates feeling supported in delivering their EIA responsibilities

| Core EIA Training | Phase 1 Average across 5 Sessions (Oct'19 – Mar'21) | Phase 2 | |
|---|--|----------------|---------------|
| | | Nov'21 | Nov'22 |
| Agree training given them better understanding EIA to support their role | 97.6 | 100 | 100 |
| Due to training know who to ask to get support when unsure on EIA, HRA, etc | 79.8 | 89 | 94 |
| Delegate indicated content training prepared them for next 18-24months | 81 | 73 | 78 |

EGWP Influence of PA staff feeling supported in delivery of their EIA responsibilities

Tables 6A and 6B indicate that in the majority of cases Phase 2 EIA training courses delivered enhanced delegate feedback than the equivalent feedback provided by those attending in Phase 1 of the EGWP. The Phase 2 delegates – across Advanced and Core training – indicate the training

received help support them in their role to deliver EIA activities for their respective PA and that they were clearer on who they should turn to when in need of support e.g. on EIA and other issues such as the assessments required under the Habitats Regulations. This indicates that Phase 2 of EGWP continued the effective and positive progress made from Phase 1 of helping PA staff feel more capable, connected and supported in delivering environmental governance activities related to their roles.

It is positive that at least two thirds of all those trained under Phase 2 indicated they felt the EIA training was sufficient to enable them to deliver EIA duties for the next 18-24 months. However, in all cases at least one fifth of respondents (20%) trained in Phase 2 indicated they would like to have further capacity building on EIA in that time period. This is a comment echoed more widely in responses to the Phase 2 summary survey, Section 4.3 below, indicating that, while EGWP has delivered considerable training to date, on-going support needs to be considered by LPAs to refresh and continue the success EGWP has demonstrated.

The Phase 2 data findings in both Tables 6A and 6B are in line with the findings on this question in Phase 1. It should, however, be recognised that all staff trained in Phase 1, are now beyond that 24 month period and the majority of those trained in Phase 2 have now had 12 months since completing their training. The desire for on-going engagement on EIA within and across PA and the desire for refresher training are both strong and clear messages that are identified from the June-July 2023 Phase 2 summary survey, discussed in Section 4.3 below.

In summary the findings across the Tables in this section (4A to 6B) indicate that the EGWP Phase 2 EIA training programme continued to deliver a strong boost to the confidence of PA staff, continuing the successes delivered in Phase 1. While this capacity building, enhanced confidence and improvements in understanding of EIA will clearly have a longer-term residual improvement across PAs, the data indicates that some form of on-going refresher process and confidence retention process may be needed to avoid a gradual decline after the end of the EGWP's Phase 2 training.

4.2 Progress in Planning Staff EIA capacity (Confidence & Perspectives) – Comparing Baseline, end Phase 1 and end Phase 2

This section provides analysis of how PA staff perspectives, across 7 key areas related to EIA, have developed to the end of Phase 2 (July 2023), comparing to the baseline situation pre-EGWP interventions (April 2019) and to the level of progress made by the end of Phase 1 (March 2021). The data presented are from responses to an online survey issued to all PA staff in 2019 and those who had attended training (2021 and 2023 surveys). This data was gathered separately and, in most cases, some time (weeks if not months) after attending an EIA training course. As such, the data provides insight into the overall influence of the combined EGWP activities (training, DMPNs and the EOF) on PA staff.

The survey questions remained the same in all three surveys to allow direct comparison of findings over time. The survey presented respondents with a slider that could be moved across a range of 0 (Totally Disagree) to 100 (Fully Agree), the slide was positioned at 50, halfway along the range. The individual numbers provided by each of the respondents (188 to baseline survey, 60 to two-year-on survey and 71 to the June 2023 Phase 2 survey) were then categorised into one of three findings:

- **Strongly Agree** with the statement in the survey question = Score of **70 or more** (dark green)
- **Partly agree** with the statement = Score of **31-69** (light green)

- **Disagree** with the statement Score of **30 or less** (red)

The seven graphs (Figures 1 – 7) therefore demonstrate the view of PA staff about both the impact of Phase 2 of the EGWP beyond the performance of Phase 1, and also demonstrate the overall performance of the four-year EGWP measured against the baseline situation across PAs in April 2019. Arrows have been added to the graphs to represent either overall performance, or change in perceptions of performance between across the whole of the EGWP period (baseline, Phase 1 and Phase 2).

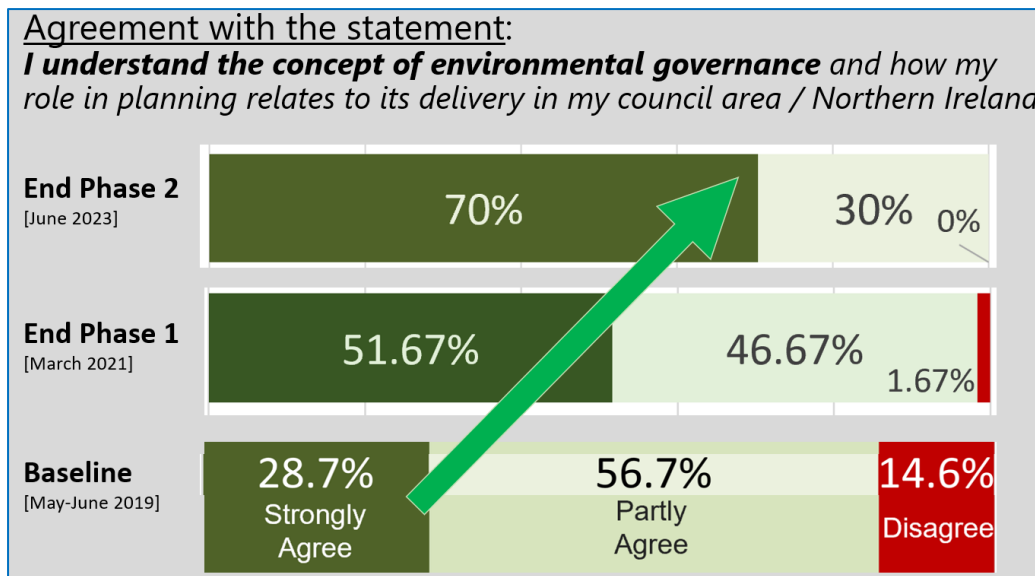
As such, a longer dark green bar – strongly agree – at the top of each Figure indicates a positive change in the views of planning staff across Northern Ireland’s PAs at the end of Phase 2, when compared to the end of Phase 1 and the baseline situation.

Overall, figures 1-7 show that Phase 2 has further improved on the positive effect and influence delivered across PAs during Phase 1 of EGWP, enhancing understanding and confidence on EIA and environmental governance across PA staff in Northern Ireland. The data presented in this section provides a clear and continuing endorsement from the planning staff working in PAs of the benefits the EGWP has delivered. The findings indicate considerably enhanced confidence and comfort among PA staff in having the knowledge and understanding to effectively manage environmental risks in relation to planning applications which pose likely significant effects to the environment.

It must be noted, however, that not all areas have continued to demonstrate progress, notably Figure 6 shows a decline in the proportion of PA staff who feel there is active exchange of information and advice on EIA within the planning team **within** their authority. This is an area where the EGWP has sought to enable the right knowledge and environment for progress to be made, but ultimately is not one that a Department-led initiative can seek to directly influence. The importance of internal exchange and engagement between planning staff in LPAs has been a key message regularly highlighted to those attending training and via the EOF. As such, it is clear that the success and long-term benefit from the work and impetus the EGWP has generated into the EIA work across LPAs, will need to be supplemented by on-going commitment and action by each individual LPA to avoid losing momentum and reversing the positive trends delivered since Spring 2019.

Each of the 7 areas (performance metrics) is now presented as a figure accompanied with interpretation and analysis, starting with Figure 1, overleaf.

Figure 1: Understanding the concept of *Environmental Governance*



Phase 2 continued to deliver a focus on EIA capacity building, but the whole Programme has included a strong tone and reference back to the concept of environmental governance and the responsibilities a PA has to the environment in performing its duties. Figure 1 shows that this core tenet of the EGWP has continued to build through Phase 2, with 70% of the 71 Phase 2 survey respondents strongly agreeing that they now understand the concept. Phase 2’s focus on delivery of more Advanced EIA training courses, the release of the Unauthorised EIA Development Management Practice Note and the continuation of EOF discussions have clearly helped to continue to drive very positive outcomes.

It is notable that by June 2023, close to the formal end of EGWP’s Phase 2, not a single respondent provided a response that disagreed with the statement indicating that the EGWP has generated a significant change in LPA perspectives across its four years of FothergillTC supplied external support.

Figure 2: Confidence in key EIA procedural knowledge

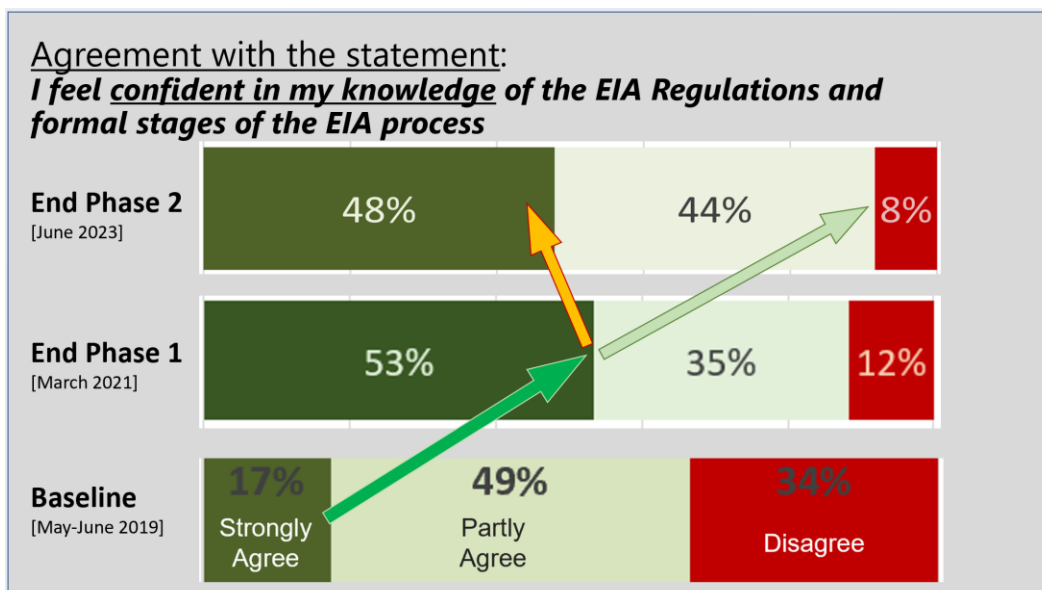


Figure 2 provides positive overall findings for the on-going influence of the EGWP in building PA staff confidence in core EIA knowledge related to the 2017 EIA Regulations and process, with the proportion of respondents disagreeing with the statement continuing to fall from 34% in spring 2019, to 12% at the end of Phase 1 and just 8% as Phase 2 is completed.

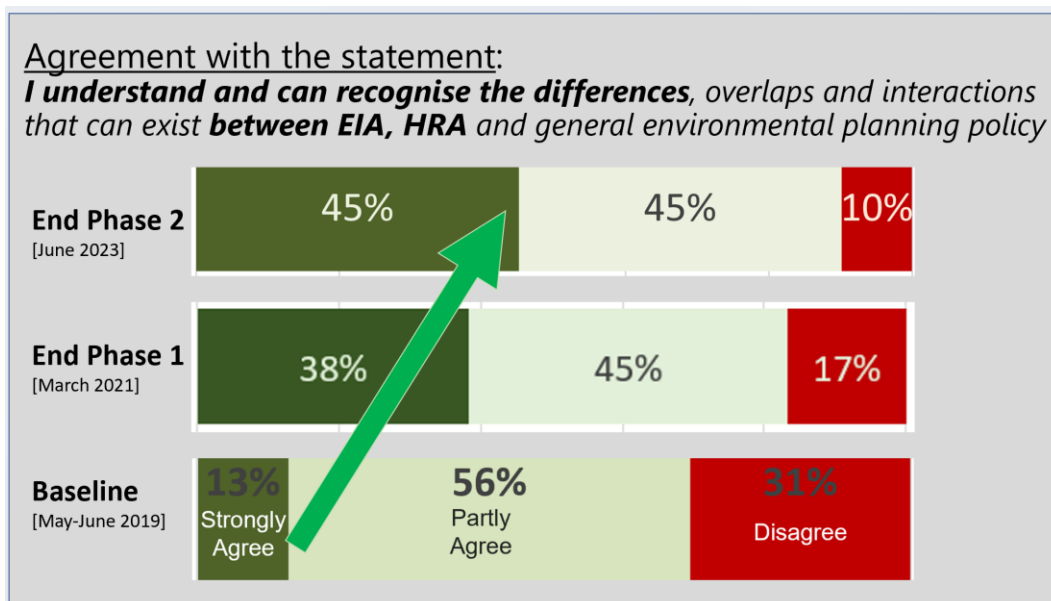
There is, however, a small but notable decline from the performance level achieved at the end of Phase 1 in the proportion of planning officers who *strongly agree* in being confident in their knowledge. This outcome is perhaps unsurprising given that Phase 1 focussed all its attention on directly training PA staff, whereas in Phase 2 more than half of those trained by the EGWP were staff within statutory consultees, who contribute to the overall success of the effective application of the EIA procedures in relation to planning system. As such, the confidence amongst planning officers might be expected to fall from a strongly agree to a partly agree as the period when they were last supported by direct advice and training from an EIA expert moves beyond 2-3 years. It remains encouraging that overall the % of planning officers disagreeing with the statement, at the end of Phase 2, has continued to fall. This infers that officers have some degree of confidence in their regulatory EIA knowledge, but that as the time period grows between the last time they were provided with direct EIA training, high levels of confidence begin to fall back, but overall confidence remains higher.

It is also worth noting that the three EIA related process advice notes (9B EIA Screening, 9C EIA Scoping and 9D EIA Mitigation and Monitoring) are yet to launch; as such, the full impact of Phase 2's work is yet to be felt within PA practice. These three new Development Management Practice Notes on EIA to be launched by the Department will provide a longer-term basis for on-going support.

It should be noted, however, one of the key themes in the open text feedback from PA staff within the Phase 2 summary survey, see Section 4.3, is a significant desire for on-going EIA training opportunities and refresher sessions / discussions. As discussed in Section 4.1, the final row of Tables 6A and 6B indicated that at least 20% of those trained by the EGWP felt they would still need further support in the 18-24 months after receiving training as part of the EGWP.

If the success and progress of the EGWP, as demonstrated in this report's findings, is to be maintained within and across Northern Ireland's LPAs into the future the data across this report, in particular Figure 2, indicates on-going efforts and inputs in relation to EIA capacity building and maintenance will be required. Given that the EGWP is a Departmental initiative to provide supplementary support across the planning system, at some point the need for EIA capacity maintenance will need to become normalised within the on-going activities of each individual PA, who are individually required to comply with the EIA and other environmental regulations.

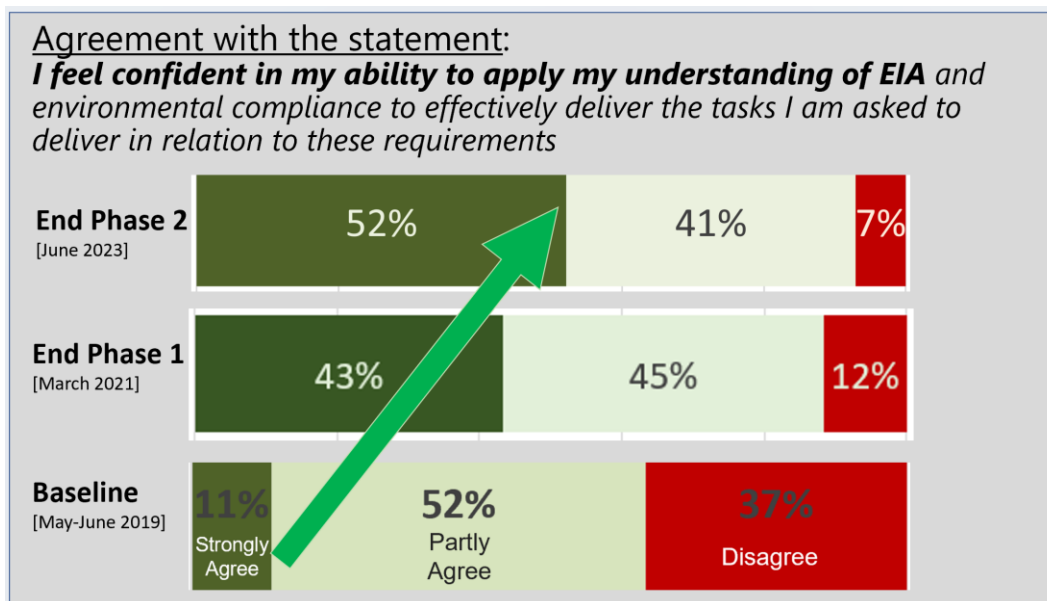
Figure 3: Understanding links between EIA and wider matters



The responses of planning staff across all PAs indicates that EGWP Phase 2 has continued to drive success in this area with growing recognition of the alignment, difference and interactions between EIA requirements and other environmental governance responsibilities. The speed of progress in this area has slowed in Phase 2. This may again be inferred to have been driven by the scope of Phase 2 focussing more of its EIA training on staff who work outside of PAs i.e. to those in statutory consultees who help deliver a quality and timely decision-making process for EIA developments. However, this can only be inferred, as the data only indicates trends, not their causes; as such, there could be other reasons for this slow down in the rate of improvement in the % of officers who are highly confident. This finding could infer more work will ultimately be needed to ensure planning officers recognise the relationships and differences between EIA, HRA and wider environmental policy requirements.

It is also noted that outside of the EGWP, Shared Environmental Services (SES), which delivers Habitats Regulations support to the council PAs, has also expanded its engagement and training during the period of Phase 2. As such, it is not possible from the data to discern how far this SES's HRA related engagement and training has contributed to the increasing confidence levels in differentiating between EIA and HRA, during the Phase 2 period.

Figure 4: Confidence in ability to apply EIA relevant to my role



As with Figures 1 and 3, Figure 4 demonstrates on-going positive performance and progress from Phase 1 in those planning officers who strongly agree with the statement posed. Figure 4 is a particularly critical area as it focusses not just on capacity building in terms of increased knowledge in relation to EIA, but also the practical application of this enhanced level of knowledge in a planning officer’s job.

The end of EGWP Phase 2 also hits a key milestone in planning officer response with more than half (52%) of those who attended training and responded to the survey indicating they strongly agree that they are able to be confident in delivering EIA tasks for which they are responsible. Given that the equivalent baseline figure just four years ago was only 11% of respondents it can be concluded that the EGWP has delivered a significant shift in the confidence of planning staff across PAs.

Figure 5: Understanding how to access support related to EIA and wider issues

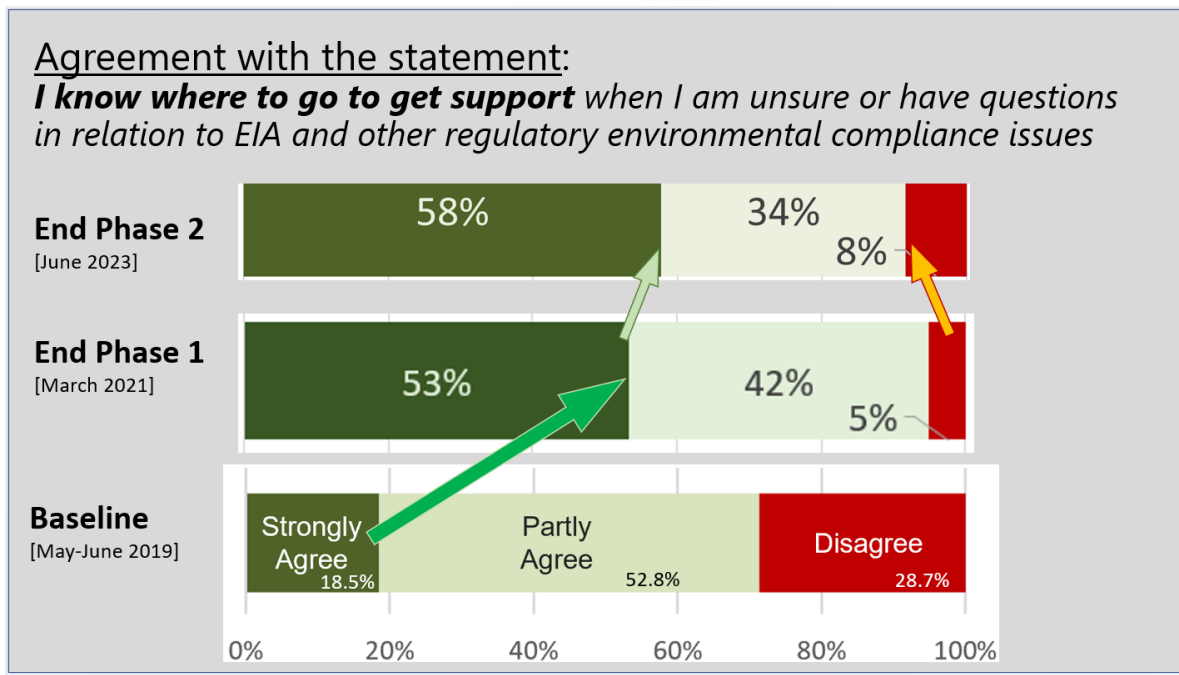
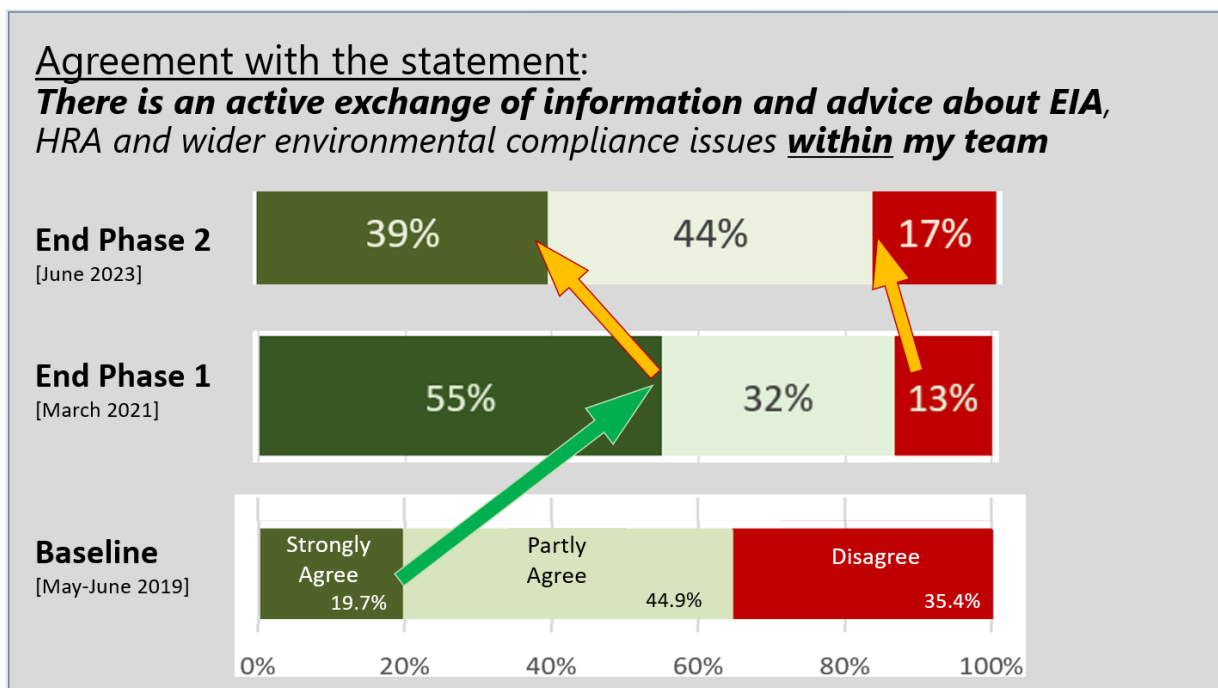


Figure 6: Perspective on level of discussion on EIA *within* their council



Figures 5 and 6 demonstrate significant improvements in the perspectives of planning staff over Phase 1 of the EGWP. Unfortunately, these areas have either stalled or taken a step back in terms of progress across the Phase 2 period. Notably, however, these areas are not aspects that the work delivered through the EGWP can support directly as they relate to on-going discussions related to EIA between PA staff *within* each council. In many ways the findings in Figure 6 provide a review of whether inter-connections are being developed within each of the 11 council PAs – in particular the on-going discussions between staff members involved in the EIA process. The data would suggest that during Phase 1 such EIA related discussion improved significantly – alongside the EGWP actions

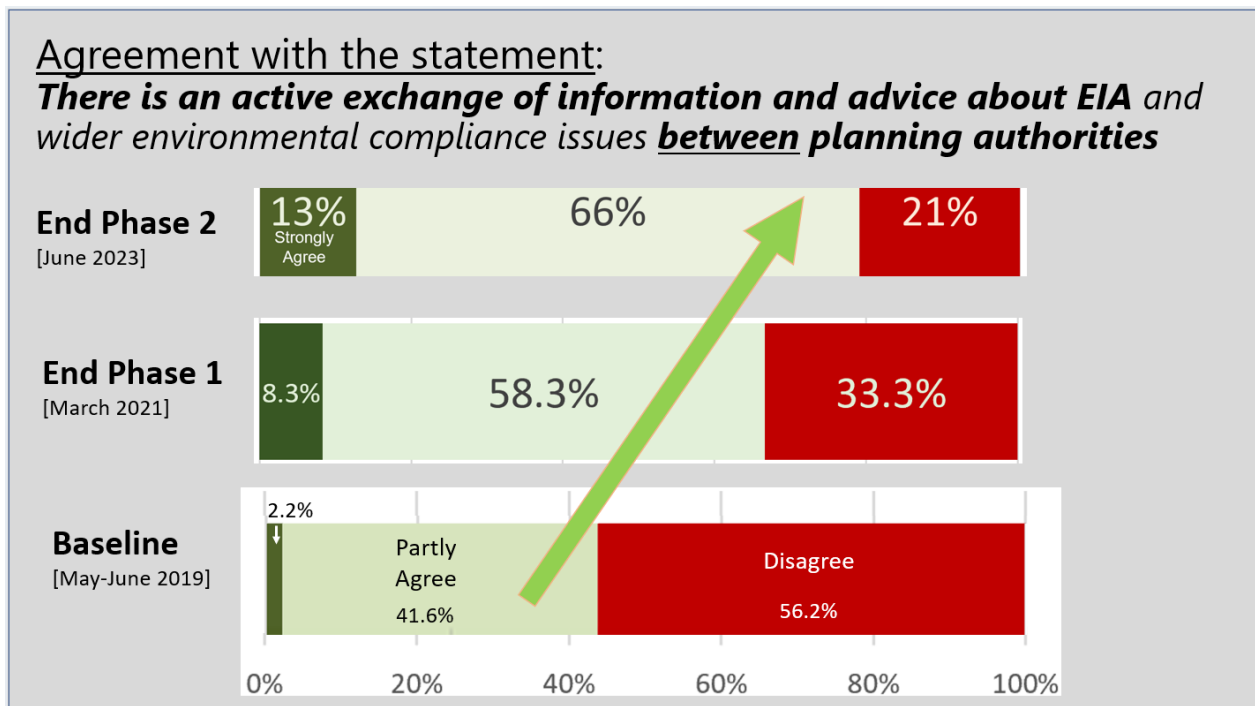
such as the PA training and Environmental Officers Forum. However, the end of Phase 2 findings indicate that overall, the view across planning officers is that such internal EIA discussions *within* individual PAs have fallen back. The data here cannot indicate why this is the case, but it could be that other initiatives have taken time that may otherwise have been available to discuss and exchange knowledge on EIA; for example through the latter half of 2022 and into 2023 the launch of the new planning portal required considerable internal communications for the majority of PAs. Without focussed attention on enabling regular internal discussion around EIA there is a risk that this trend continues and that some planning officers feel unable to discuss EIA and raise issues, which is ultimately likely to impact confidence in the delivery of their EIA duties. As such, each PA should consider how they will help ensure there are opportunities for regular discussion on EIA and related experience across its officers, to help maintain the progress that the EGWP has helped generate.

There are some positives - Figure 5 demonstrates an increase in the number of staff who strongly agree that they feel support has continued (although at a slower rate), when compared to responses to the same questions between the baseline in 2019 and the end of Phase 1.

Figure 6 presents an area of concern, however, as it can be seen to give an indication of how well each PA is working on its own management of EIA, and wider environmental governance, performance. The data from the end of Phase 2 indicates that planning officers do not feel that internal communication and discussion is as effective as it was at the end of Phase 1 (March 2021). There is insufficient data, from the 71 Phase 2 summary survey responses, to attempt to disaggregate the above findings, to determine whether the reduced performance is an issue present across every PA, or a more distinct problem that is present in smaller number of PAs. The data does show that while the EGWP support may have come from the Department, progress and success in supporting planning staff in EIA has a distinct element relating to individual PAs, which must be fully considered and addressed if positive performance is to be maintained.

It is concerning that despite the emphasis the Department and its EGWP has placed on the need for effective EIA support within each individual PA, 1 in 6 respondents at the end of Phase 2 felt that such exchange and support is lacking. The performance improvement since the start of the EGWP still demonstrates a substantial improvement over the baseline; but with external support to LPAs provided by the EGWP now coming to an end, there is the risk that this progress may be eroded unless LPAs take up their own activities to provide some focus and support on EIA to planning staff.

Figure 7: Perspective on engagement between councils on EIA and wider issues



The final performance metric on the status of EIA capacity and engagement amongst Northern Ireland’s PAs relates to inter-authority engagement and exchange. This area was by far the lowest performing area in the baseline survey (Spring 2019) with the majority of respondents at that time disagreeing that active exchange occurred on EIA issues. The Phase 2 data continues the trend seen in Phase 1 of steady progress on improving performance in this area, with the EGWP creation and leadership of the Environmental Officers Forum likely the key driver in this change in perspective. It is pleasing to see that by June 2023 only 1 in 5 planning officers disagree with the statement that Northern Ireland’s PAs actively exchange information and advice on EIA and related issues, having fallen from 1 in 3 respondents at the end of Phase 1. There is still, however, clear room for improvement in this area as a fifth of those officers replying to the Phase 2 survey are not seeing the benefit and outcomes of discussions being held between councils by their colleagues in the Environmental Officers Forum. As such, councils could seek to review how effective their internal communications are around such inter-PA exchange – for example are the outcomes of EOF meetings discussed at team meetings and distributed to the whole PA team via email updates? With Phase 2 seeing the EGWP facilitation support for the EOF ending, there must also be some concern as to whether such inter-PA exchange around EIA, and other environmental governance matters, will continue the trend of improvement shown in Figure 7, or whether there is a risk that performance in this area begins to reverse, should individual PAs fail to continue to support the EOF, after central support via the EGWP ends in August 2023.

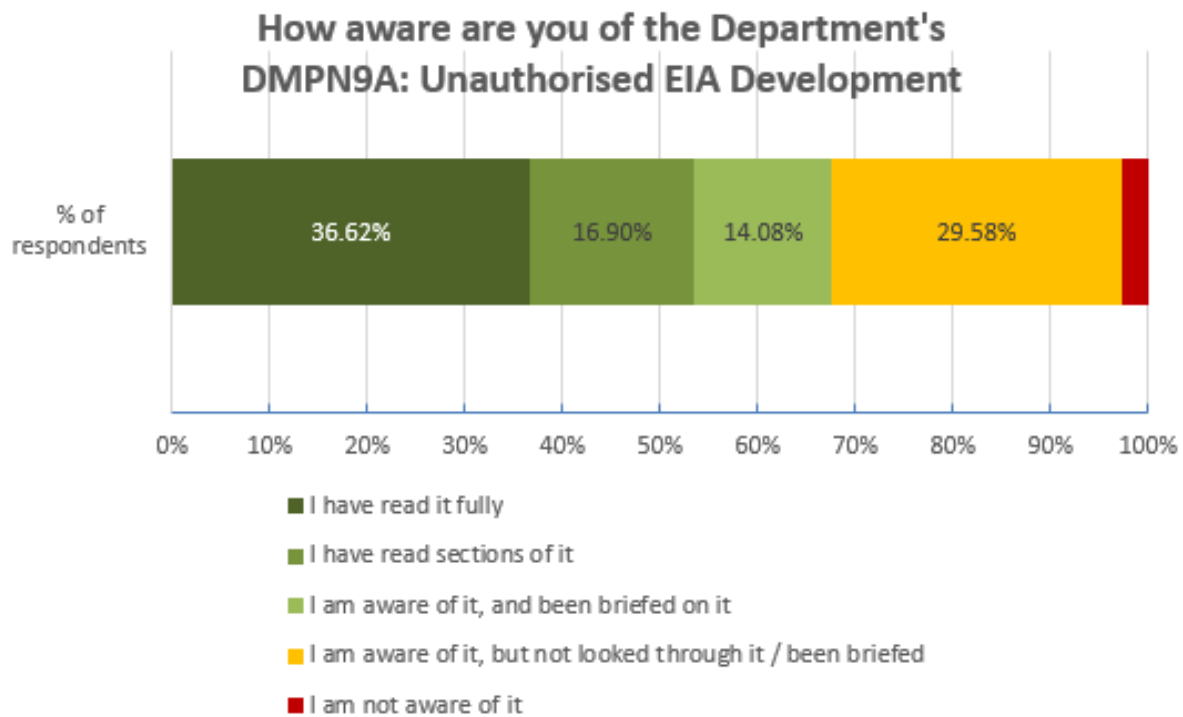
Phase 2’s workshop exploring the specific challenges of EIA related to intensive agriculture developments provides a strong example of how a sub-group of PAs can come together to exchange knowledge and specific challenges. This workshop, held in March 2023, also highlighted how:

- a PA can help lead such engagement, being hosted by Causeway Coast and Glens Borough Council, and having key staff from that authority help open discussions and knowledge sharing; and

- statutory consultees, in this case from Northern Ireland Environment Agency, can also contribute to such knowledge exchange and engagement in a positive and collaborative manner.

The open question beyond the data presented in Figure 7 is how will LPAs seek to collectively share responsibility for maintaining the progress enabled by Phase 1 and 2 of the EGWP, given that the external support provided by FothergillTC to facilitate much of this inter-PA engagement on EIA comes to an end.

Figure 8: Awareness and Uptake of EGWP EIA Practice Note 9A



As indicated in Section 2, Phase 2 of the EGWP involved the launch of the Department's first Development Management Practice Note in relation to specific areas of Environmental Impact Assessment (EIA) identified by LPAs as priorities. This was DMPN 9A: Unauthorised EIA Development, which was drafted in Phase 1, and launched in December 2021, 5 months into Phase 2. The Phase 2 summary survey sought to understand how widely PAs were aware of and using the DMPN, both to understand the influence of EGWP dissemination approaches, and also to inform future activities in launching further DMPNs.

Figure 8 shows positive performance, with two thirds of respondents having either read the document, at least in part, or having received a briefing on it from LPA colleagues. This adds to evidence of wide uptake in practice, with feedback from EOF representatives of their active use of the advice within it, and reporting that the independent Planning Appeals Commission (Northern Ireland) has made reference to it in its work.

It should be noted that Phase 2 of EGWP included a direct briefing to LPA EOF representatives and a roll-out slide deck for DMPN 9A, to support effective dissemination.

4.3 Commentary from EOF representatives and PA Staff on EGWP Phase 2 Performance & Challenges and their Aspirations for Future Progress

In addition to the data in 4.1 and 4.2, the review of the performance of EGWP Phase 2 provided the opportunity for each PA's EOF representatives, and PA staff who had attended EIA training, to provide their views on the Programme, challenges in relation to effective EIA practice and next steps for capacity building. EOF representatives were asked for views at the 9th meeting, held 19 June 2023, while all those trained, including EOF representatives, were provided with the opportunity to complete an online survey in late June 2023.

The findings, presented below, focus on the key themes noted in this feedback:

The EGWP has helped planning officers deliver their role in relation to EIA

The EOF representatives have consistently highlighted the benefits they feel the EGWP, in particular the facilitated Forum, has delivered to enable not just themselves, but colleagues in their respective PAs to effectively and confidently handle the EIA process. In addition, given a free text response opportunity within the Phase 2 summary survey in June 2023, over 80% of respondents elected to provide a positive quote when asked how the EGWP had helped their role as a planner.

Examples of quotes provided by planning officers include:

- EGWP has helped me with *“screening applications and understanding the processes of EIA”*
- *“made significant changes in how we deal with EIA within the office.”*
- *“I was able to determine whether an unauthorised development was EIA or not based on the information note.”*
- *“I found the scoping session and discussions particularly useful and applied these on most scoping requests.”*
- It *“has given more confidence in assessment and decision making for EIA projects.”*
- *“It allowed for refresh and understanding of screening and scoping as well as checking applications and understanding triggers for an EIA.”*
- *“More confidence in screening without need of consultee support.”*

Challenges remain in delivering EIA, most of which are well understood, but one of which poses a risk to maintaining performance and momentum after EGWP Phase 2

Respondents to the survey were asked to identify the greatest challenge they see remaining for them in relation to the delivery of effective EIA practice. The answer was free text, allowing an open

response - the challenges listed below were issues that more than 5% of the respondents (at least 4 individuals) raised at the end of Phase 2.

Number of respondents indicating the issue was the greatest challenge to around EIA in their PA:

- Making effective screening determinations (10 respondents)
- Lack of time / resources made available to deliver effective EIA activities (9 respondents)
- Risk of legal challenge to PA's EIA related decisions (8 respondents)
- Low quality of EIA information submitted by applicants (8 respondents)
- Handling EIA issues related to unauthorised development (6 respondents)
- How to make effective professional judgements in EIA (5 respondents)
- Keeping updated on EIA case law (4 respondents)
- EIA related to intensive agriculture (4 respondents)

Note: Quality / timeliness of statutory consultee responses in relation to the EIA process was only noted as a key challenge by 3 respondents, despite this being a regular concern raised in discussion during Phase 1, which may indicate that Phase 2's engagement and training has already generated some benefits in practice.

The findings from the survey include a number of common themes that relate to complexity around the EIA process (especially screening, unauthorised EIA, professional judgement and intensive agriculture). In addition, wider known challenges related to Northern Irish EIA are also present in relation to the scale of legal challenge, the need to keep up with the outcomes of such cases and the limited quality in EIA documents supplied by applicants.

The more concerning issue is the fact that 9 planning officers, the second highest grouping, felt that the greatest challenge to effective progress of EIA practice in their LPA was down to a lack of time and resources allocated to it. It is recognised that resources are stretched and that LPAs have had a number of additional priorities during Phase 2 of the EGWP, not least the launch of the new online planning portal system. However, wider free text questions that enabled respondents to provide additional commentary on any aspect of EIA also noted a theme that planning officers want to see more leadership and support from within their individual LPA to help deliver effective EIA and maintain the progress the officers feel has been made by the activities under the EGWP. Example quotes from officers in different LPAs are presented below, which help to highlight challenges being experienced in time, support and leadership in prioritising improvement of EIA service delivery:

- *"It is worthwhile training, but too greedy of officer time which isn't appreciated by Senior management in Council."*
- *"Feeling that, at senior management level, there is an expectation to continue on as before and that the EIA training was merely a tick box exercise without the need to implement the advice given and dedicate further resources to this area."*
- *"I consider DFI need to make it very clear to Heads of Planning/Principals that there is a need for officers to dedicate greater resources to the processing of ES applications."*
- *"At this Council that responsibility is left to the Case Officer (i.e., there is no dedicated procedure or system of screening in an administrative or technical context). Because it is left to individuals it is often missed or left to the last minute."*

The aim of this report is not to seek to criticise LPAs, but to highlight trends – positive and negative – that exist at the end of Phase 2 of the EGWP that pose opportunity or challenge to continuing the successes delivered by the Programme. As such, the council to which each of the above quotes relates to is not being shared; but they each relate to respondents from different LPAs, so should not be dismissed as an isolated issue that can be ignored.

Planning officers have a clear view on what is needed to deliver on-going support to maintain and further enhance EIA performance in and across LPAs

Respondents to the survey were asked to identify specific areas of future support needed in relation to their EIA work. As with other questions in this section the answers were free text, allowing an open response. The support areas below were again identified by at least 5% of respondents (at least 4 individuals) and were grouped into the themes presented below as part of FothergillITC's analysis of the Phase 2 summary survey data.

Number of respondents indicating a specific area of future support was needed in their PA:

- More / on-going EIA Training (32 respondents)
 - 15 of which also indicated the need for refresher training for those trained during EGWP Phases 1 and 2
- Sharing of EIA knowledge, including continuation of the EOF (19 respondents)
- Provision of examples of effective EIA, including screening determinations and scoping opinions (7 respondents)
- A centralised support service from which officers could seek EIA advice (4 respondents)

From the above it is clear that planning officers recognise that managing EIA effectively is an issue for their LPA to handle, rather than one that a centralised EGWP (or equivalent) can provide for them on an on-going basis. It is, however, clear that those same officers feel that they will not be able to maintain their confidence and improved performance around EIA practice into the future if the end of EGWP Phase 2 means a return to a lack of focus and support in relation to EIA. The call for on-going EIA related training is a very significant finding, with 45% of the entire survey's respondents specifically taking the time to add this request into a free text box. Alongside the strength of message within the volume of responses, there were multiple additional quotes and detail, a selection of which are presented below to reiterate the strength of view amongst planning officers of the need for EIA training and knowledge exchange and sharing to continue.

Quotes given to the EGWP Phase 2 Summary Survey related to officers seeking a commitment to on-going EIA training and knowledge sharing:

- *"More training courses at a more in-depth level and provided to officers who are experienced and deal with this day in day out - i.e., not just the SPTO's."*
- *"EIA training should be extended to all staff involved with EIA screening etc."*
- *"I think that the Advanced EIA Training course should be rolled out to all PPTO and SPTO grades and eventually to all staff"*
- *"I hope the work... leaves a legacy and something that all the Councils can build on. This will require time and commitment which will be the main challenge."*

- *“One course at a certain point in time is brilliant to receive but refreshers/updates are important.”*
- *“I think the EoF will be a really useful tool for all authorities going forward. Since transfer of planning powers to Councils it seemed that everyone began to work in their own areas and no knowledge/experience/advice was shared across anymore”*

5. Overall EGWP Phase 1 & 2 Review and Next Steps

The outputs and engagement findings presented in Sections 2 and 3 of this report demonstrate that as a package of work Phase 2 of the EGWP not only delivered on required outputs, but also drove cross cutting influence. Over 90 statutory consultees were trained with the Northern Ireland Environment Agency stepping forward to host all sessions due to the benefits they recognised their staff gained from the training. Nine of the 11 LPAs have four planning officers that have had 3 days of detailed EIA training across their attendance at the Core EIA training to refresh knowledge and the in-depth 2-day Advanced EIA course. As such, Phase 2 of the EGWP has provided every LPA with the key unit of staff who are capable of providing more advanced advice to their colleagues on EIA matters, and have the back-up of other equally trained colleagues to discuss complex issues as and when they emerge. Further, the continued facilitation of the EOF throughout Phase 2 and the continued engagement of PA representatives (see Table 3.2) provides the basis for a clear on-going mechanism of regular discussion, information sharing and capacity enhancement between the region's LPAs.

The data gathered and presented in Section 4 of the report goes on to provide strong evidence of the continued efficacy of the EGWP through the activities delivered in Phase 2. The data shows both near-term feedback from PA delegates shortly after being trained, indicating immediate benefits to knowledge, confidence and other aspects of EIA relevant to their roles. In addition, the longer-term trends data that is presented via longitudinal study in Section 4.2 demonstrates the progress that has been made from the baseline situation in April 2019, through the end of Phase 1 and now at the end of Phase 2. While the findings cannot be directly tied to the EGWP activities alone, unlike the EIA training surveys, the findings demonstrate significant positive progress across the key areas the EGWP sought to influence in terms of PA performance in relation to delivery of their EIA duties.

While the overall findings provide a highly positive outcome across both of the completed phases of the EGWP, the report has found evidence that this progress, and the legacy and long-term value of the work delivered under the Programme, is at risk if this momentum is not maintained and some form of support in relation to EIA continued for LPA staff. It is not for this report to seek to define that support, and at this time a Phase 3 period of Department funded external support is not possible, in at least the short-term.

As such, the emphasis on maintaining the significant boost of capacity enhancement that has been delivered to Northern Irish LPAs in relation to their delivery of EIA duties now falls onto those same LPAs to determine how best to continue to support their staff. There are clear and obvious short-term decisions that need to be made around whether to continue with the Environmental Officers Forum and how to deliver facilitation and leadership without external contractor support. The clear message from planning officers who have engaged so positively across both Phases 1 and 2 of the EGWP is:

- Don't abandon the positive progress made in planning officer confidence around EIA;
- Maintain opportunities for positive and proactive knowledge sharing and advice on EIA both within and between councils; and
- Find a way to continue to enable EIA training opportunities both for planning officers who were not fortunate enough to attend EGWP sessions, and as refresher and greater depth capacity building for those that were.

Having driven demonstrable improvement to EIA practice across Northern Irish LPAs the Department's EGWP now hands that responsibility to each LPA, who ultimately have responsibility for their own performance in relation to EIA requirements and wider environmental governance. The task for discussion within each LPA and between Heads of Planning is how to act, either individually or collectively to:

- 1. Provide on-going support to planning officers on EIA**
- 2. Efficiently continue to deliver inter-PA collaboration and knowledge exchange around EIA**
- 3. Move from Department-led EGWP support, to council leadership and ownership of maintaining and improving their environmental governance responsibilities**
- 4. Explore the actions needed to generate wider progress to improve the quality of EIA information from developers as part of the broader *Planning Improvement* initiative.**

The EGWP has laid the groundwork and delivered improved EIA performance across all LPAs. It is now the role of each LPA to at least maintain, if not build on, that firm foundation for the benefit of Northern Ireland's economy, communities and natural environment.