

A basic introduction to Strategic Environmental Assessment (SEA)



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Section 1

Strategic Environmental Assessment - Background

1. INTRODUCTION

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- 1.1 Strategic Environmental Assessment (SEA) is a method of considering and broadly evaluating the likely impact of a public plan, programme or strategy on the environment.
- 1.2 SEA has a key role to play in delivering the Scottish Government's central purpose of sustainable economic growth, by ensuring greater consideration of the impact that public plans, programmes or strategies will have on Scotland's environment and by providing an important opportunity for public participation in plan decision making.
- 1.3 Scottish SEA legislation applies to 'plans, programmes and strategies', often referred to in guidance as PPS. In the interests of simplicity plans, programmes and strategies are referred to as 'plans' throughout this booklet.
- 1.4 This introduction provides simply pointers to the key principles of SEA, for those who are unfamiliar with the process or procedures. Those seeking a more detailed practical guide on how to undertake an SEA can refer to the SEA Tool-Kit, which is available at www.scotland.gov.uk/Publications/2006/09/13104943/0.
- 1.5 This introduction covers:
 - how the SEA process can fit with preparing a plan;
 - how an SEA could benefit the plan's preparation,
 - how long the SEA process is likely to take,
 - the main stages within the SEA process,
 - the resources that are likely to be required
 - the potential implications of failing to undertake an SEA
- 1.6 This introduction is intended to offer general guidance on the SEA process in Scotland, from the perspective of the Scottish Government. It is not a definitive statement of the law, and is no substitute for legal advice when required.
- 1.7 The main stages of an SEA are set out in the diagram in [Annex A](#). The Annex also provides a short description of the main aims and the key points of each stage in the SEA process.

2. THE LEGISLATION

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- 2.1 The [Environmental Assessment \(Scotland\) Act 2005](#)¹ (2005 Act) came fully into force on 20 February 2006. The 2005 Act ensures that the environmental effects of public plans that fall within its scope, are properly assessed and are outlined in an Environmental Report. The Environmental Report and the plan to which it relates must then be open to a meaningful public consultation. This must be undertaken at an early stage in the preparation process, to give interested parties an opportunity to comment and help shape the content of the plan, prior to its adoption.
- 2.3 The 2005 Act implements the [EU Directive 2001/42/EC](#), 'on the assessment of the effects of certain plans and programmes on the environment' which was the original driver for SEA within Scotland.

3. WHAT IS SEA?

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- 3.1 SEA is an assessment of the likely effects that a public plan will have on the environment if implemented. The findings of the assessment are outlined in an Environmental Report and a public consultation on the plan and the report has to be carried out before the plan can be adopted. When carried out early in the plan's preparation, the information gained during the assessment has the potential to influence the plan's development as alternative options of delivery, if available, are also considered and assessed.
- 3.2 A meaningful SEA can challenge those responsible for preparing plans to identify and explore alternative approaches and different options, and highlighting the best options for the environment. It can help to avoid, or minimise any negative environmental impacts and enhance positive ones.

4. DO I HAVE TO DO AN SEA?

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- 4.1 The Act is focused on the public sector, in other words any person, body or office-holder exercising functions of a public character. The phrase 'public character' seeks to capture the full extent of the public sector, from central and local government, across the range of public bodies and those private companies who perform public functions under licence or regulatory frameworks.
- 4.2 If you are preparing a plan that deals with issues that can be considered to be of a public character and is likely to result in significant environmental effects, either positive or negative, then it is likely an SEA will be required.
- 4.3 It is important to note that 'environmentally friendly' plans can trigger the need for an SEA, just the same as those that are likely to have adverse effects. To decide if an assessment is required, the important question is whether the plan is likely to have a significant effect on the environment, as opposed to whether its effects will be good or bad.

¹The 2005 Act applies to Scottish plans. The Environmental Assessment of Plans and Programmes Regulations 2004 (S.I. 2004/1633) apply to certain plans which cover Scotland **and** any part of England.

- 4.4 The 2005 Act ensures, with only a few exceptions, that Scottish public sector plans which are likely to have significant environment effects, are accompanied by an Environmental Report. The 2005 Act applies to new plans, as well as modifications to existing, adopted plans.
- 4.5 It is best to determine from the outset whether the plan requires an SEA. Where this is unclear and timescales do not allow sufficient time to consider this before the plan's preparation commences, it is prudent to expect that an SEA will be required and to start assessing and recording environmental information, until it is clear whether or not an SEA is required. This should help to ensure that the SEA is not just 'bolted on' at the end of the plan preparation process.
- 4.6 It is important to note that under the 2005 Act, Scottish Ministers have statutory powers that allow them to direct a responsible authority to undertake an SEA for a public plan, if it should have had one but hasn't, even if the plan has since been adopted. Organisations who find themselves subject to a Ministerial direction are likely to experience significant delays in the preparation of such a plan and rectifying the situation could have major resource implications.

5 WHAT ARE THE ADVANTAGES OF UNDERTAKING AN SEA? [\(back to contents\)](#)

- 5.1 SEA has many benefits and should not be viewed solely as an environmental tool. When resources within an organisation are limited, simply applying the SEA principles, such as considering how the plan fits in with other plans, can ensure resources are not being wasted due to conflicting objectives. SEA also challenges those preparing plans to be creative about considering different methods of delivery within the plan by requiring consideration of reasonable alternatives.
- 5.2 The key strengths of SEA are that it:
- requires plan makers to think through options and compare the likely effects on the environment.
 - ensures that the environment is considered early and openly.
 - facilitates greater consideration of how different plans interact and influence each other and the environment.
 - allows policy makers to draw on the environmental expertise offered by statutory consultees.
 - opens up the decision making process to public debate.
- 5.3 SEA can improve plans by helping to avoid adverse impacts and enhancing the potential environmental benefits. This can be achieved not only from greater engagement with the public, but also by systematically testing the effects of a plan at key stages in its preparation and addressing issues and problems before they arise. This reduces the potential for environmental damage, including potentially unforeseen effects, which may have to be rectified in the future.

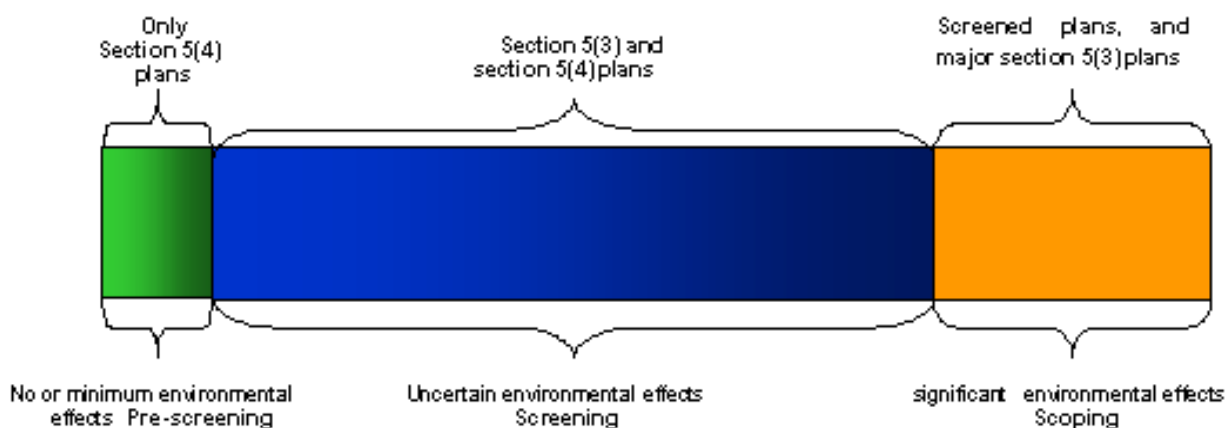
5.4 Social and economic values and objectives can often be the primary drivers for the preparation of a plan, with the effects on environment being overlooked. If a plan is to be sustainable it is essential that social, economic and environmental factors are ALL in balance. SEA has a key role to play in delivering sustainable economic growth.

6 ARE THERE ANY EXEMPTIONS FROM SEA? [\(back to contents\)](#)

6.1 Plans which deal with national defence or civil emergencies and financial and budgetary plans, automatically fall outwith the scope of SEA.

6.2 Where it is clear that they will have no or minimal environmental effects, certain public plans can be 'pre-screened' out of the SEA process. Only plans that fall within Section 5(4) of the 2005 Act can be considered in pre-screening. Plans caught by Section 5(3) of the 2005 Act cannot be pre-screened because they fall within the scope of the EU Directive.

6.3 Public plans with uncertain environment effects have to be screened, in order to try and determine their likely effects with the aid of the Consultation Authorities. Some plans caught by section 5(3) can skip the screening stage and go straight to scoping, which may save time and resources. The diagram below illustrates the relationship between environmental effect and the screening/scoping requirements under the 2005 Act.



7 WHO SHOULD I CONTACT IF I AM UNDERTAKING AN SEA? [\(back to contents\)](#)

7.1 Official correspondence, including any reports should be sent to the SEA Gateway at the Scottish Government. Contact details are provided in [Section 20](#). The Scottish Government's new Environmental Assessment Team can also provide technical help for those who are undertaking the SEA process. Contact details are also in Section 19.

- 7.2 The 2005 Act identifies [Scottish Environment Protection Agency](#), [Scottish Natural Heritage](#) and [Historic Scotland](#) as statutory Consultation Authorities (CA). Their role is to offer their environmental expertise at key stages in the SEA process, to help enhance the assessment and improve the overall reporting processes. If you have a specific technical question relating to an SEA you can informally contact the Consultation Authorities for advice. Again, initial contact details are provided in [Section 20](#).

8 WHAT IS THE ROLE OF THE SEA GATEWAY AND THE ENVIRONMENTAL ASSESSMENT TEAM [\(back to contents\)](#)

- 8.1 The SEA Gateway is responsible for co-ordinating all SEA correspondence, which simplifies the administration of SEA and reduces the burden on Responsible Authorities. The Gateway not only ensures that reports and related correspondence are issued to the Consultation Authorities but also works behind the scenes to ensure that respondents receive responses on time. The Gateway Helpdesk number is 0131 244 1704.
- 8.2 Formal SEA submissions, such as screening, scoping or Environmental Reports, should be issued to the SEA Gateway via - SEA.Gateway@scotland.gsi.gov.uk
- 8.3 The Environmental Assessment Team was recently established as a means for the Scottish Government to meet its statutory obligations under SEA in an efficient way. In addition to this central role, the team also has the capacity to aid other SEA practitioners within Scotland, by offering technical advice, examining and updating SEA guidance as necessary, identifying data sources, encouraging the sharing of best practice and placing SEA practitioners in touch with one another. Contact details are in Section 20.

9 DO CONSULTANTS HAVE TO UNDERTAKE AN SEA? [\(back to contents\)](#)

- 9.1 Consultants do not need to be brought in to undertake an SEA. There are many benefits of doing the work in-house, although this will depend on a number of factors, including whether staff have the knowledge to undertake an assessment; are confident about how they can access relevant information; the timetable; what resources are available; and the complexity of the plan's subject matter.
- 9.2 Doing an SEA in-house can improve capacity, develop skills and offer financial savings. It can also build closer links between the SEA and the plan, generate greater awareness of local environmental sensitivities and ultimately ensure the SEA influences and benefits the plan.
- 9.3 Notwithstanding the above points, Responsible Authorities could find it helpful, where resources permit, to use external parties at some stage in the preparation process to either test their assessment findings or to demonstrate a level of independent verification of their findings.

Section 2

Strategic Environmental Assessment - Undertaking an SEA

10 AT WHAT POINT IN THE PLAN'S PREPARATION DO I UNDERTAKE THE SEA?

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- 10.1 It is important that the SEA is considered from the beginning of the plan preparation process, when there is sufficient time for it to influence the plan's content and maximise its potential environmental benefits. Ideally the preparation of the plan and the SEA should commence and progress together, ensuring that each aspect of the plan is examined and documented as it emerges and that alternatives are considered along the way.

11 HOW DO I GET STARTED?

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- 11.1 The types of questions you need to consider, prior to commencing an assessment are set out in the Table below:

1. Does the plan fall within the 2005 Act or are any of the exemptions relevant?
2. How environmentally sensitive is the plan area?
3. What environmental issues might arise from the plan when it is adopted and implemented?
4. If not exempt, does the plan fall under Section 5(3) or 5(4) of the 2005 Act?
5. What is the preparation timetable for the plan? What stage is the plan already at?
6. Can the SEA be resourced internally?
7. What help is available from other organisations?
8. Are there obvious alternatives to the plan, which should be included in the assessment?

- 11.2 The answer to these questions is not always apparent early in the plan's preparation, and issues may only arise as the assessment progresses. However, good preparation is essential, and early consideration of these questions can help to properly schedule the SEA into the preparation process.

- 11.3 The answers to questions 1 to 3 in the table above can help to gain an early view on the most important environmental considerations within a plan. The answers questions 2 and 3, for qualifying plans will be continually revisited throughout the future assessment process.

- 11.4 The answers to questions 4 to 8 are more practically focussed. Thinking through the implications of timing and availability of resources at the beginning of the preparation process, ensures that the plan and the SEA can be properly aligned and therefore better integrated.

12. WHAT RESOURCES WILL I REQUIRE?

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- 12.1 How much an SEA is likely to cost can vary vastly, as it depends on a number of factors, such as the type of plan, its complexity, the scale of the likely environmental effect, access to data, the depth of the assessment required and who is undertaking it (i.e. in-house or consultants).
- 12.2 In Scotland, for those who decide to contract out the entire SEA to consultants, records show that the cost of an SEA can range from £10,000, to a few specialist assessments that have cost over £250,000. The majority of assessments cost far less than the maximum of this range but can nevertheless be significant. Undertaking an SEA in-house can reduce costs but still requires a commitment to resources. The Environmental Assessment Team can provide advice on how efficiency can be maximised.
- 12.3 In many cases the preparation of the plan and the SEA can be undertaken by the same team, so additional staff are not automatically required. Often team members preparing a plan already have a good understanding of the plan's likely effects on the environment. Simply ensuring that this information is recorded, may go a long way towards providing the building blocks for the assessment. This is especially true at the early stages of a plan's preparation when key decisions may be taken which could effectively narrow alternative options later in the process.
- 12.4 It is important to keep in mind that SEA is a consultation tool and that the findings of the assessment, within the Environmental Report, have to be understood by individuals from a variety of backgrounds. Having the same team preparing the plan and the SEA offers a greater opportunity to ensure the report is practical, simple to follow, proportionate and, more importantly, in tune with the plan being assessed.
- 12.5 As with determining the cost of an SEA, the time it takes to complete the process from start to finish can vary, depending on the type of plan, the scale of its environmental effects, depth of the assessment required and resources available. There are fixed statutory time periods at screening and scoping but these should not cause delays if they are factored in from the beginning.
- 12.6 Within the 2005 Act there are three points in the preparation of an SEA, where publication costs may be incurred due to advertising requirements. These are; after the screening determination is made (not relevant to all plans), to launch the main consultation and following adoption of the plan. In each case an advert, in a local newspaper circulating in the area likely to be affected by the implementation of the plan, is required. To reduce costs some Responsible Authorities have placed these adverts within other mandatory announcements or made multiple SEA announcements for different plans in a single advert. Providing the basic requirements of the 2005 Act are met, this is acceptable and helps reduce costs.

13 HOW CAN I KEEP THE SEA IN PROPORTION?

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- 13.1 When carrying out an SEA, it is important to remain focussed on the 'bigger picture' and remember that the assessment needs to remain strategic. SEA is not expected to be a large, high level Environmental Impact Assessment (EIA). An SEA should focus on assessing the likely significant environmental effects of implementing a plan and concentrate primarily on the elements that are likely to result in significant environmental effects, either directly or indirectly.
- 13.2 The scale and level of detail included in the assessment will depend on a number of factors, including; the type of plan being prepared, the sensitivity of the environment it affects, its influence on other plans (including those in a hierarchy where the plan sits) and whether there are any reasonable alternatives. These factors can help to determine what scale of assessment is required and where efforts need to be concentrated, to avoid or minimise the likely environmental effects whenever possible.
- 13.3 The assessment of a plan should be considered in relation to the environmental issues outlined in the 2005 Act, these are: biodiversity; population; human health; fauna; flora; soil; water; air; climatic factors; material assets; cultural heritage, including architectural and archaeological heritage; landscape; and the inter-relationship between them. It is also important to establish whether the significant effects are likely to be short, medium or long term, whether they are permanent or temporary, and whether there are any effects, such as:
- **secondary** – effects that are not as a direct result of the plan, but arise as 'knock on effects' as a result of subsequent actions.
 - **cumulative** – this can arise where several parts of the plan, each with their own individual environmental effects, overlap and have the potential to come together and impact on a specific area or resource. For example, several developments occurring within an already environmentally sensitive area could mean what appear to be small impacts on their own, could be collectively significant.
 - **synergistic** – where different effects interact to produce a total effect greater than the sum of, or different to, the individual effects. Examples include where different pollutants combine to generate greater toxic effects.
- 13.4 It is acceptable to 'scope out' topic areas where no significant effects are expected. However, justification for this has to be provided, ideally at the scoping stage, when the Consultation Authorities can offer a view. Those aspects of the plan (e.g. objectives, strategies, policies, proposals, alternatives or actions) that are likely to have a significant effect, either positive or negative, need to be considered in the assessment.
- 13.5 The use of matrices has become a popular visual means to express the impact of the plan on the environment. These generally cross reference the content of the plan with a range of questions or criteria that form a framework for the assessment, the use of colours in matrices and a clear structure can also be helpful. However, if not used sparingly matrices tables can be repetitive and lengthy, making the Environmental Report difficult to read.

13.6 Whilst these matrices, can be developed and retained as evidence of the assessment process, careful consideration should be given as to whether the Environmental Report is the best place for them to be displayed. A summary of the key findings can be much more practical and succinct for those reading the report in conjunction with the plan.

Important point

Knowing what will have a significant effect can be a matter of judgement, and will be heavily dependent on the character, quality and sensitivity of the environment affected by the plan. Significance can be influenced by a combination of other factors, including the scale, magnitude, frequency and certainty of the effects occurring. What may be a significant effect in one location, may not be significant in another. Therefore it is important to be clear about how you are aiming to identify significant effects early in the process, and to apply consideration of these factors consistently throughout the assessment.

14 DOES THE SEA HAVE TO BE REPEATED AT EACH LEVEL, FOR PLAN IN A HIERARCHY? [\(back to contents\)](#)

14.1 The simple way to consider what elements of a plan have to be assessed now, and those that can be deferred to an SEA of a lower plan, is to examine where and when key decisions are being taken in the hierarchy.

14.2 The assessment should focus on the parts of the plan that will set the direction for other lower level plans within the hierarchy. The assessment of other, more flexible or less prescriptive parts of the plan, can effectively be 'parked' and then picked up in a lower plan as it is being prepared, where this would provide a more meaningful insight into the environmental effects. For example, at a national level the implications of a new national road building programme would be assessed, but the assessment of the individual routes would be undertaken in a lower level plan.

Important point

If the higher level plan is taking decisions that a lower level plan is unable to influence or alter, then the assessment has to be undertaken at that stage. This is most evident in land use plans, which at the higher level may focus on strategic spatial development strategies, which are taken forward through site allocations or specific proposals at the lower level. A thorough assessment of a high level plan does not, however, preclude the need for additional assessment of the lower level.

15 HOW DO I MAKE USE OF THE ASSESSMENT FINDINGS? [\(back to contents\)](#)

15.1 Clearly SEA findings should not be manipulated in order to suit the decisions that are being taken within the plan for other reasons.

- 15.2 SEA is advisory. The assessment aims to improve transparency and provide stakeholders and decision makers with a vital opportunity to think through the effects of implementing a plan. Undertaking an SEA does not automatically mean that the option with the least environmental impact automatically preferred as other factors such as resources may result in another option being selected. However, it does mean that any such decision is more transparent. Where social and economic aims prevail, this must be clearly stated, and the reasons for this explained.
- 15.3 Assessing the effects of implementing a plan on an area that already has existing environmental problems, can sometimes be more straightforward, as it is clear what the issues are. In other cases the effects may be less apparent due to a number of factors, such as lack of environmental information, secondary effects and the potential for synergy with other plans. In these situations it is important to be upfront about the lack of definitive findings. SEA requirements recognise that comprehensive detailed information will not always available. Primary data collection is not usually required.

16 WHAT ARE THE RISKS OF GETTING IT WRONG?

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- 16.1 A poor assessment of the environmental effects of implementing a plan could threaten the very environment that SEA was designed to protect. Depending on how sensitive the environment affected by the plan is, irreversible damage could occur, such as the loss of a valued or irreplaceable habitat, pollution that exceeds critical levels, or long term landscape decline.
- 16.2 A judicial review is a legitimate and available option for those with an interest in trying to halt the progress of a plan. In Scotland, a judicial review is where the Court of Session has been asked to review the lawfulness of a decision or action of a public body and can be brought by any person or organisation that has a sufficient interest in the decision. A Responsible Authority is open to legal challenge, if it can be proven that the SEA process, and the outputs from it, were flawed in some way.
- 16.3 Another form of challenge can come from the European Commission who may open an 'infraction procedure' if they consider there has been a breach of European Community law. Ultimately the Commission could bring a case against the member state concerned to the European Court of Justice. In practice most cases are resolved before reaching this stage. However, any individual or organisation can bring a complaint to the attention of the Commission.
- 16.4 There are cost implications arising from not undertaking the assessment correctly. These can come from a number of areas, such as having to reopen the plan and assess it, responding to any legal challenges and ultimately having to correct any adverse environmental damage. These could have significant financial and resourcing costs and could undermine the credibility of the Responsible Authority in the long term.

17 COMMON PROBLEMS EXPERIENCED BY RESPONSIBLE AUTHORITIES AND POTENTIAL SOLUTIONS [\(back to contents\)](#)

17.1 A **lack of good data** can be a problem. This information is used when trying to establish the current characteristics of the local environment (i.e. baseline information). This is the starting point of the assessment and helps to focus and substantiate the assessment.

Potential solutions:

- Consultation Authorities can provide or highlight key environmental data
- The SEA Tool-Kit outlines key data sources;
- Web based environmental inventories (e.g. [SNHi](#));
- The SEA database² can be interrogated to find recent assessments that use similar data sources;
- In the longer term, the use of SEA monitoring will fill data gaps for future assessments;
- Where resources permit, it can be resource efficient to compile a centralised repository for environmental data in your organisation.

17.2 **Undertaking the assessment late** in a plan's preparation can be a common issue. This often happens when there is a strong impetus for the policy or a challenging preparation timetable for a new plan, which drives it forward rapidly before some issues have been properly considered and taken into account.

Potential solutions:

- Check internal guidance on how plans have to be prepared and ensure it clearly defines the role of SEA in the process.
- Ensure decision makers and those preparing plans are aware of SEA, and its implications.
- Always be prepared to undertake a meaningful consultation, allowing people to comment openly on alternatives.

17.3 **Knowing what environmental issues to 'scope in and 'scope out'** of an SEA is an essential skill. Scope out too little and the assessment will not reflect the scale of the plan, lack focus and become unwieldy. Too much and important environmental effects, particularly indirect effects, could be missed, leaving the SEA open to challenge.

Potential solutions:

- Be clear about what the plan is aiming to achieve. Then focus on the key aims and where the potential for significant environmental effects lie.
- Use the environmental baseline information to inform the scope of the assessment. Try to focus on key environmental problems.
- Discuss ideas for focussing the assessment early with the Consultation Authorities as this could help to scope out some environmental issues.

² The SEA Database is due to come on-line in Autumn 2009.

18 OTHER EUROPEAN ASSESSMENT OBLIGATIONS

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- 18.1 **Appropriate Assessment under the Habitats Directive** - any plan likely to have a significant effect on a Natura 2000³ site may - in addition to any SEA - also require an 'Appropriate Assessment', under The Conservation (Natural Habitats, &c.) Regulations 1994, as amended. These regulations implement European Directive 92/43/EEC (known as the 'Habitats Directive') in Scotland.
- 18.2 The requirements of the Habitats Directive are separate from that of the SEA and have a different focus. There may, however, be an opportunity to share some aspects of the SEA & AA processes, and for this reason there will be benefits in identifying at an early stage whether an Appropriate Assessment may also be required. Further information on Appropriate Assessment is available from [Scottish Natural Heritage](#) and from the Scottish Government's Landscapes and Habitats Division.
- 18.3 **Environmental Impact Assessment (EIA)** - ensures that decisions on whether to allow individual projects are made in full knowledge of any likely significant environmental effects. Continuing through the decision-making hierarchy, EIA picks up the environmental assessment process where SEA has left off, at the detailed project level.
- 18.4 EIA requirements are set out by European Directive 85/337/EEC as amended, (known as the 'EIA Directive'). In Scotland the EIA Directive is given effect through a number of different EIA regimes which apply to different types of development. Further information is available on the Scottish Government's Planning EIA web pages at:
www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/enviro-assessment/eia/Q/editmode/on/forceupdate/on
and on the European Commission website at
<http://ec.europa.eu/environment/eia/home.htm>

19 WHERE CAN I GO FOR HELP? [\(back to contents\)](#)

SEA GATEWAY – Based with the Scottish Government, the Gateway team can provide helpful SEA advice based on the 2005 Act.

Contact details:

SEA.gateway@scotland.gsi.gov.uk

or

SEA Gateway
Scottish Government
Area 2-H (South)
Victoria Quay
Edinburgh
EH6 6QQ Telephone: 0131 244 1704

³ Natura 2000 is a protected site which represents an area of the highest value for natural habitats and species of plants and animals which are rare, endangered or vulnerable in the European Community.

ENVIRONMENTAL ASSESSMENT TEAM – The Environmental Assessment Team is also based within the Scottish Government and can provide more practical, hands on advice about undertaking an SEA. The team have multi sector SEA experience and undertake the statutory SEA obligations for the Scottish Government.

Contact details:

Environmental Assessment Team
Scottish Government
Area 2-H (South)
Victoria Quay
Edinburgh
EH6 6QQ Telephone: 0131 244 7547

CONSULTATION AUTHORITIES - In addition to their statutory responsibilities, the Consultation Authorities may be able to provide technical assistance with informal enquiries for those Responsible Authorities who are unsure of their approach or have encountered problems.

Contact details:

Historic Scotland

SEA Secretariat
Longmore House,
Salisbury Place
Edinburgh,
EH9 1SH

Telephone – 0131 668 8898
E-mail – hssea.gateway@scotland.gsi.gov.uk

Scottish Environment Protection Agency -

SEA Gateway
Environmental Strategy
SEPA Corporate Office
Bremner House
The Castle Business Park
Stirling
FK9 4TR

Telephone – 01786 452431
E-mail – sea.gateway@sepa.org.uk

Scottish Natural Heritage -

SEA Gateway Secretariat
Scottish Natural Heritage
Silvan House,
3rd Floor East,
231 Corstorphine Road,
Edinburgh
EH12 7AT

Telephone – 0131 3162600
E-mail – sea.gateway@snh.gov.uk

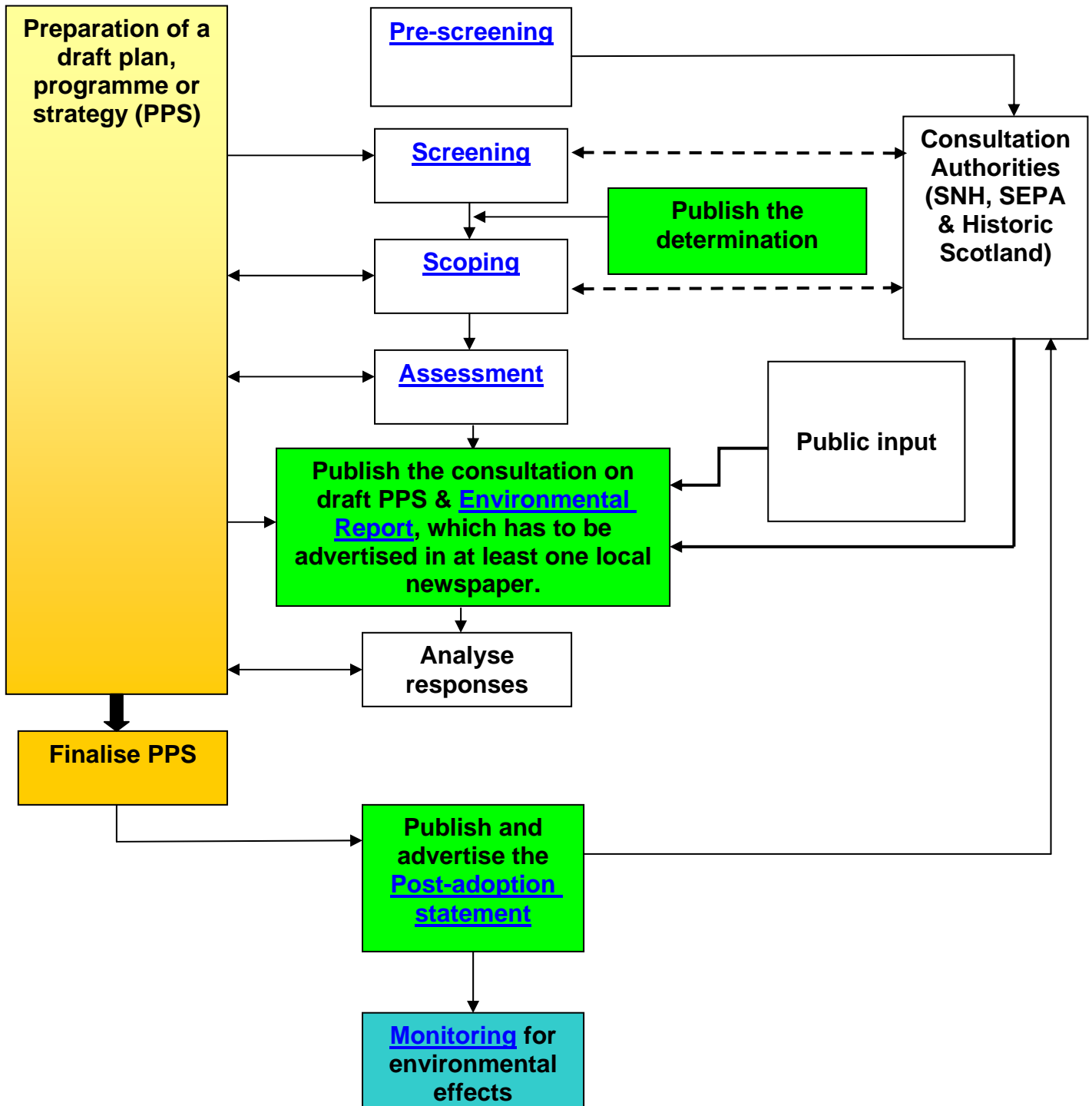
OTHER RESPONSIBLE AUTHORITIES – The SEA Gateway is launching an on-line SEA database, which will allow Responsible Authorities to determine who may have undertaken an SEA for a similar type of plan within Scotland. This will be especially helpful for local authorities who often have to prepare similar plans.

GOVERNMENT BODIES – It is important to consider other areas within public sector, such as NHS, Deer Commission, Transport Scotland, Forestry Commission etc, who may be able to offer some advice, highlight statistical information or provide information that could prove helpful within a particular assessment. Organisations such as the NHS can offer specialist input into the assessment process on matters relating to human health.

NON GOVERNMENT ORGANISATIONS – There are many NGOs with interests that relate to the environment. These organisations range in size and the information they can offer varies substantially. However, these groups are an important resource and may be able to tease out potentially unforeseen effects on their particular area of interest. Their inclusion at an early stage of SEA and plan preparation can be very beneficial.

TABLE OF MAIN STAGES OF AN SEA

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MAIN STAGES OF SEA

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Stage	Aim	Key points
<p>Pre-screening <i>(link to SEA Tool-Kit)</i></p>	<p>To quickly eliminate plans which would clearly have no or minimal environmental effects from the full SEA process. This can allow responsible authorities to focus SEA resources on plans which are likely to result in significant environmental effects.</p>	<ul style="list-style-type: none"> • This is not a route available to all plans – it applies only to those which fall under Section 5(4) of the 2005 Act and likely to have no or minimal environmental effects. • It is a form of self exemption for plans that would result in no or minimal environmental effects when implemented. • If in doubt about whether the effects would be minimal, it is prudent to undertake screening instead (see below). • All that is required is a simple statement that explains to the Consultation Authorities how you have reached the conclusion that the plan has no or minimal environmental effects. • Apart from the registration of the pre-screening decision, if this route is taken, no further action is required. However, it is advisable to have evidence of your deliberations on reaching this conclusion, to respond to any potential challenge. • A register of pre-screening decisions is available on-line.
<p>Screening <i>(link to SEA Tool-Kit)</i></p>	<p>Provides the statutory Consultation Authorities with an early opportunity to get involved and highlight areas of concern and offer advice, if necessary.</p> <p>Explains whether a plan is likely to have significant environmental effects.</p>	<ul style="list-style-type: none"> • Screening is the stage when a Responsible Authority considers whether a plan is likely to result in significant environmental effects. • Criteria that can help you to determine this are provided by the 2005 Act. • This stage provides an important opportunity to gain the Consultation Authorities (CA) expert opinions early in the process. • Some plans (those falling within Section 5(3) of the 2005 Act) are able to automatically skip screening, and enter straight at scoping, thereby missing the determination stage. • Plans falling under Section 5(4) of the 2005 Act have to go through screening. • A screening template is available in the SEA Tool Kit for those who wish to follow it as a guide. • Examples of completed screening determinations can be provided by the SEA Gateway.

Stage	Aim	Key points
<p>Determination <i>(link to SEA Tool-Kit)</i></p>	<p>Alerts those who may have an interest in a plan that an SEA is or is not being undertaken</p>	<ul style="list-style-type: none"> • The determination follows screening and is the statement about whether an SEA is required or <u>not</u>. • There is a requirement to advertise determinations in a local newspaper circulating in the area covered by the plan.
<p>Scoping <i>(link to SEA Tool-Kit)</i></p>	<p>To provide the Consultation Authorities with an outline of what will be contained within the Environmental Report, thereby allowing them to offer their expert opinions and views on the content.</p>	<ul style="list-style-type: none"> • Forms the foundations of the SEA, by setting out the level of detail that is to be provided in the assessment, an outline of relevant background information about the environment and proposed consultation periods. • The most important thing to remember at scoping is that this part of the process should give the CAs enough information about your plan and the environment that it will affect, in order for them to develop an informed view about whether your approach to the SEA is likely to be suitable. • Examples of scoping reports can be provided by the SEA Gateway on request. • If undertaken well, scoping can help to make best use of resources later down the line, by focusing on the really important environmental issues arising from the plan. • Remember to outline the length of the proposed consultation period for the Environmental Report and the plan itself. • The format of a scoping report is not fixed. A scoping report template is available in the SEA Tool-Kit for those who wish to use it as a guide.
<p>Assessment</p>	<p>To establish the current characteristics of the environment and the likely changes if the plan is implemented.</p>	<ul style="list-style-type: none"> • This involves identifying and evaluating the likely significant environmental effects of a plan and the reasonable alternatives to it. • The starting point for any assessment is gaining an understanding of the current environment, including known problems in that area. This is known as baseline information. • As knowledge of the plan can be more important than having an environmental background, practitioners preparing the plan may be able to undertake the SEA, without resorting to consultants.

Stage	Aim	Key points
<p>Environmental Report <i>(link to SEA Tool-Kit)</i></p>	<p>Sets out the findings of the assessment and acts as a tool for public consultation.</p> <p>Sets out the current characteristics of the environment and the likely changes if the plan was implemented.</p>	<ul style="list-style-type: none"> • Outlines the findings of the environmental assessment. • It is important that the report meets the needs of the target audience – striking a balance between providing details of a rigorous assessment whilst making technical information accessible and easy to follow. • It is only necessary to cover in the report those aspects of the plan e.g. objectives, policies, strategies, proposals, alternatives. that are likely to have significant environmental effects. • It should demonstrate where the SEA has influenced the content of a plan. • The 2005 Act sets out the required contents of an Environmental Report. This can be used as a checklist during the process. • There is a requirement to advertise the consultation on the plan and the Environmental Report to which it relates.
<p>‘Post adoption’ SEA statement</p>	<p>Concludes the process by explaining how the SEA has helped to influence the content of the plan.</p>	<ul style="list-style-type: none"> • Outlines the findings of the environmental assessment and how consultees’ comments on the Environmental Report have been taken into account. • There is a requirement to advertise post adoption SEA statements.
<p>Monitoring</p>	<p>Monitoring should ensure that SEA becomes an ongoing process of assessment and does not conclude on adoption of the plan.</p> <p>This is important because many environmental effects may only occur over the long term.</p>	<ul style="list-style-type: none"> • This is an ongoing process following adoption of the plan • SEA monitoring can be combined with existing monitoring systems to ensure there is no requirement for additional data collection. • Monitoring can highlight a need to take remedial action to avoid or mitigate any adverse environmental effects arising from the plan.

