

STRATEGIC ENVIRONMENTAL ASSESSMENT TOOL KIT



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Strategic Environmental Assessment Tool Kit

SCOTTISH EXECUTIVE SEA TOOL KIT

SEA GUIDANCE

- Chapter 1** Introduction to the SEA Tool Kit
- Chapter 2** SEA – an Overview
- Chapter 3** SEA Administrative Arrangements
- Chapter 4** Qualifying PPS; Pre-screening; Screening
- Chapter 5** Scoping
- Chapter 6** Environmental Report
- Chapter 7** Adoption (pre- and post-adoption of the PPS)
- Chapter 8** Gathering Baseline Data
- Chapter 9** Prediction and Evaluation of Environmental Effects
- Chapter 10** SEA Objectives and Indicators
- Chapter 11** Prediction and Evaluation of Environmental Effects - Human Health
- Chapter 12** Cumulative, Synergistic and Secondary Environmental Effects
- Chapter 13** Consultation
- Chapter 14** Monitoring
- Chapter 15** Glossary

SEA TEMPLATES

- Annex A** SEA templates (incorporating guidance notes)
- Annex B** SEA templates (without guidance notes)

INTRODUCTION TO THE SEA TOOL KIT



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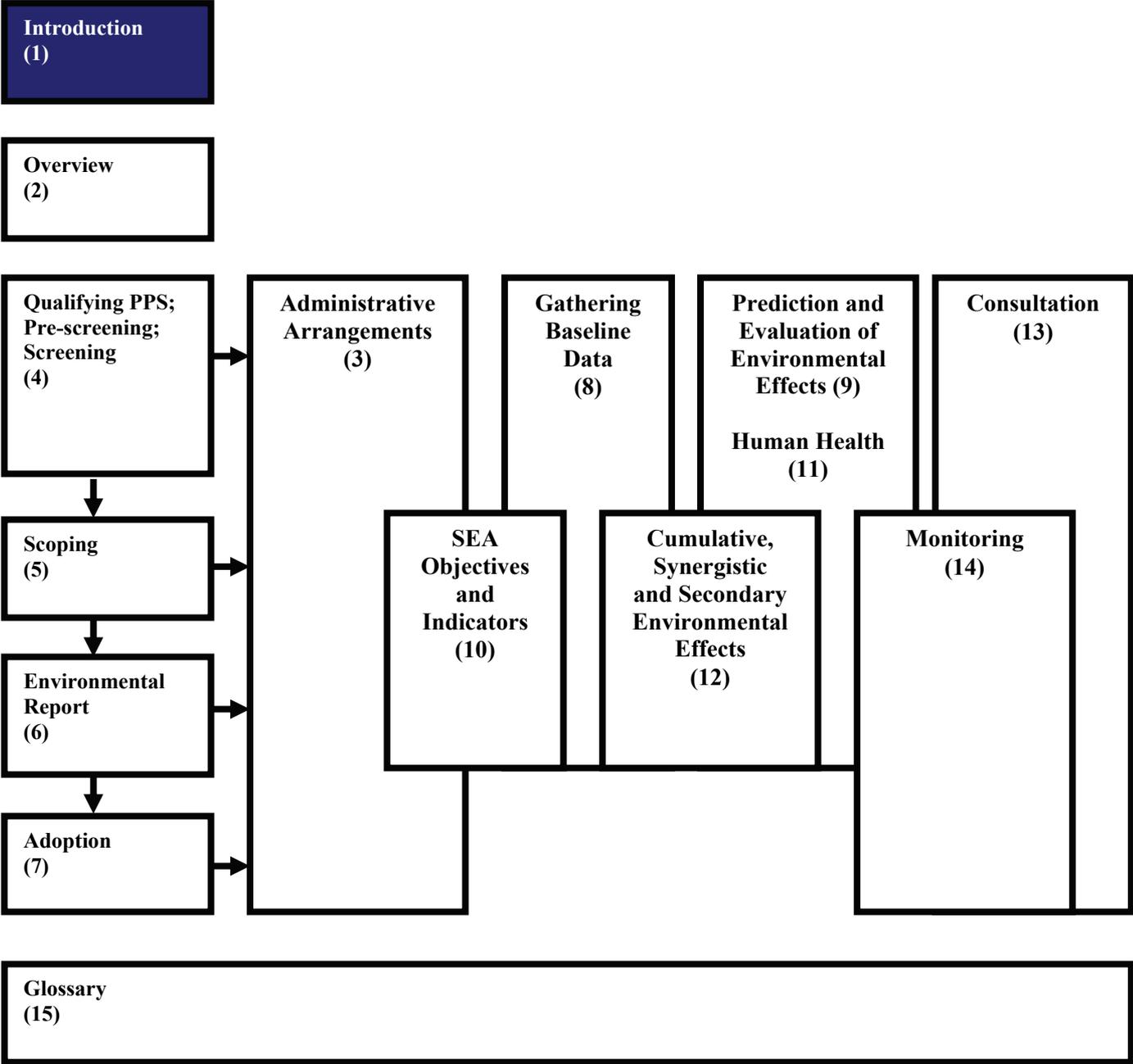
Strategic Environmental Assessment Tool Kit

Chapter 1

Introduction to the SEA Tool Kit

**SCOTTISH EXECUTIVE
SEA TOOL KIT
Chapter 1 - Introduction to the SEA Tool Kit**

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

- Acknowledgements
- Purpose of the Scottish Executive SEA Tool Kit
- Background to strategic environmental assessment in Scotland
- Structure and contents of the Tool Kit
- Equality statement
- How to keep up to date with amendments to the Tool Kit

Welcome to the Scottish Executive SEA Tool Kit, the primary purpose of which is to provide practical guidance on the Environmental Assessment (Scotland) Act 2005 ('the Act').

Acknowledgements

- 1.1.1 The Scottish Executive wishes to acknowledge the wide range of organisations and individuals who have provided invaluable assistance during the development of this Tool Kit, including: Historic Scotland; the Scottish Environment Protection Agency (SEPA); Scottish Natural Heritage (SNH); Council of Scottish Local Authorities (CoSLA); Department for Communities and Local Government (DCLG); Levett-Therivel Sustainability Consultants; NHS Health Scotland and the Scottish Health Impact Assessment Network; and Cooper, L. M. (2004) *Guidelines for Cumulative Effects Assessment in SEA of Plans*, EPMG Occasional Paper 04/LMC/CEA, Imperial College London.
- 1.1.2 This Tool Kit draws on "A Practical Guide to the Strategic Environmental Assessment Directive" (developed jointly by the Office of the Deputy Prime Minister (ODPM, now DCLG), Department of the Environment in Northern Ireland, Scottish Executive and Welsh Assembly Government. This Guidance, referred to herein as the 'SEA Practical Guide' (ODPM et al, September 2005) is available at:
<http://www.communities.gov.uk/index.asp?id=1501988>

Purpose of the Scottish Executive SEA Tool Kit

- 1.1.3 The Scottish Executive SEA Tool Kit provides comprehensive coverage and supports the commitment made by the Scottish Ministers to provide guidance on the Act.
- 1.1.4 The Tool Kit is designed to be comprehensive, but can only be considered as guidance and is not a substitute for the Act. Responsible Authorities who are in any doubt about compliance should refer to the Act or seek their own legal advice.
- 1.1.5 Specific guidance has been developed for certain types of plans, programmes and strategies (PPS), to date land use¹ and spatial planning and transport planning². Users should refer primarily to the relevant specific guidance when preparing those PPS.

Background to strategic environmental assessment in Scotland

- 1.1.6 The Environmental Assessment (Scotland) Act 2005 establishes a new framework for Strategic Environmental Assessment (SEA) in Scotland. SEA is a key component of sustainable development, establishing important methods for protecting the environment and extending opportunities for participation in public policy decision-making. SEA achieves this by:
- systematically assessing and monitoring the significant environmental effects of qualifying PPS;
 - ensuring that expertise and views are sought at various points in the process from SNH, SEPA, Historic Scotland and the public; and
 - requiring a public statement as to how the Environmental Report and the consultation comments have been taken into account

¹ www.scotland.gov.uk/publications/2003/08/18048/25556

² www.scot-tag.org.uk

- 1.1.7 Scotland has in place a comprehensive SEA regime that represents a decisive step forward in environmental protection. In complying with the Act, Responsible Authorities³ should also be aware that they must comply with European Directive 2001/42/EC (the ‘SEA Directive’). The Act is the transposing legislation in Scotland, having replaced the Scottish Regulations. However, UK Regulations remain in force for certain UK-wide plans and programmes, and guidance on these is available in the SEA Practical Guide (ODPM et al, September 2005).
<http://www.communities.gov.uk/index.asp?id=1501988>
- 1.1.8 The Environmental Assessment (Scotland) Act 2005 identifies three Consultation Authorities, who are: Scottish Natural Heritage (SNH), the Scottish Environment Protection Agency (SEPA) and the Scottish Ministers (Historic Scotland)⁴. These three bodies were designated Consultation Authorities because of their environmental expertise.

Structure and contents of the Tool Kit

- 1.1.9 The Tool Kit comprises two main components, SEA guidance and SEA templates. The Tool Kit can be accessed via the Scottish Executive webpage (link below). Modifications to the Tool Kit will also be made available on this website for practitioners to print
<http://www.scotland.gov.uk/Topics/SustainableDevelopment/14587>
- 1.1.10 The Tool Kit reflects commitments made by the Scottish Ministers to provide guidance on particular issues and aims to meet a variety of customer needs, ranging from the individual with a general interest to practitioners carrying out an SEA.
- 1.1.11 The Tool Kit includes a set of SEA templates for practitioners, which offers a guide on the structure of the SEA documentation. To meet practitioner needs, two sets of templates have been included – one set with guidance notes and the other without. A CD with the SEA templates is included with the Tool Kit and is attached to the inside of the front cover. The templates may also be downloaded from the SEA webpage.
- 1.1.12 Each chapter of the Tool Kit is designed to stand alone. The purpose of this modular approach is to allow the reader to focus quickly on the area which best meets their needs. A full list of the chapters in the Tool Kit is provided at the start of this guidance.

³ Any person, body or office holder exercising functions of a public character

⁴ The Scottish Ministers have designated Historic Scotland to act on their behalf on matters affecting the historic environment.

Equality statement

1.1.13 SEA activities must comply with statutory requirements relating to equal opportunities (see Chapter 13, paragraph 13.3.19).

1.1.14 In particular, Responsible Authorities are encouraged to:

- include equality groups and groups who may be at risk of exclusion in their consultation, and to do so in a manner which lowers barriers to effective participation;
- refer to relevant publications when considering equality issues such as:

“Equality in Scotland – Guide to data sources” –
<http://www.scotland.gov.uk/stats/egds/egds.pdf>

The Scottish Executive Equality Strategy
<http://www.scotland.gov.uk/library3/social/wtem-00.asp>

- provide documents in diverse formats and languages, at no extra cost and in such a way as to ensure the consultation period is not cut short for users of any such material.

How to keep up to date with amendments to the Tool Kit

1.1.15 The Scottish Executive SEA Gateway will amend the webpage version of the Tool Kit as required. All amended pages inserted into the Tool Kit will include a footnote stating the amendment version and date. When amendments are issued, they will be added to the list below.

AMENDMENT NUMBER	DATE	SUMMARY OF AMENDMENT

SEA – AN OVERVIEW



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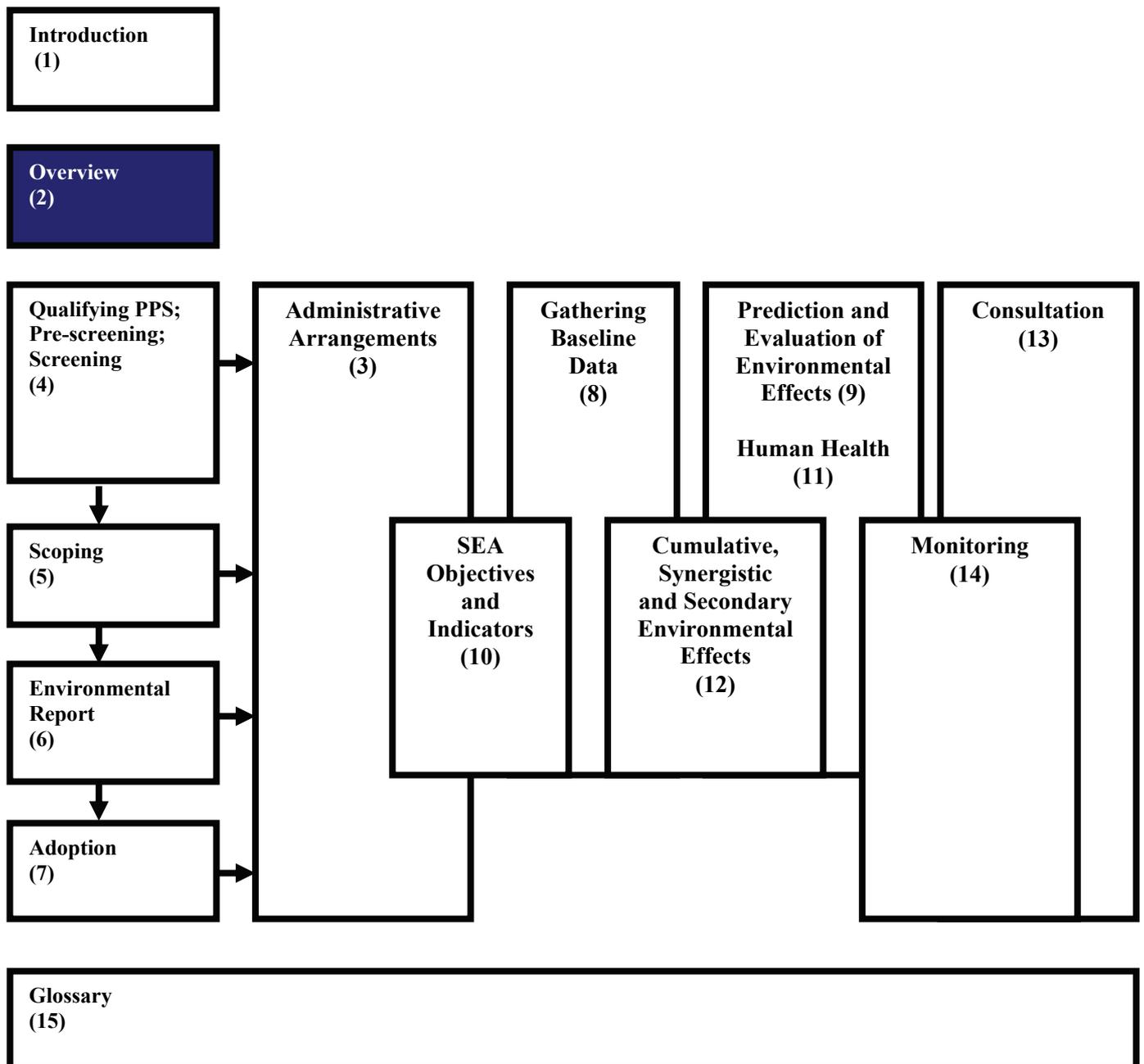
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Chapter 2

SEA – an Overview

**SCOTTISH EXECUTIVE
SEA TOOL KIT
Chapter 2 - SEA – an Overview**

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 – Introduction

Part 2 – SEA overview

- Legislative background – the SEA Directive, Regulations and Act
- SEA – its purpose and objectives
- The main stages of SEA
- Exemptions from SEA
- The Consultation Authorities
- Administrative support

Part 1 - Introduction

- 2.1.1 The environmental impact assessment of individual projects at the development consent stage has been a feature of Scots law since 1988 when Directive 85/337/EEC⁵ on the assessment of the effects of certain public and private projects on the environment was first implemented in the UK. A key challenge of the environmental impact assessment of projects is that it does not influence higher-level, strategic decision-making processes and that it is also difficult to capture cumulative effects. The importance of undertaking environmental assessment at a strategic level has been recognised for some time, but legislative requirements for doing so have only been put in place relatively recently. These requirements introduce a strategic level of assessment into the plan, programme or strategy (PPS) formulation process (referred to as “strategic environmental assessment” or SEA).
- 2.1.2 The purpose of this chapter is to describe the legislative framework in Scotland for SEA and to highlight the key requirements involved.

Part 2 – SEA overview

Legislative background – the SEA Directive, Regulations and Act

- 2.2.1 The Environmental Assessment (Scotland) Act 2005 (‘the Act’) came into force on 20 February 2006. The Act delivers on the Partnership Agreement commitment to apply SEA to all public plans, programmes and strategies (PPS) in Scotland.
- 2.2.2 This Act is now the implementing legislation for Directive 2001/42/EC, known as the “strategic environmental assessment” or “SEA” Directive (although the Directive does not itself use this term). The Directive was first transposed into Scots law through the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004 (Scottish Statutory Instrument No. 258). The Regulations apply to qualifying plans and programmes whose preparation began on or after 21 July 2004, and to those whose formal preparation began before this date but which had not been adopted, or submitted to a legislative procedure leading to adoption, by 21 July 2006.
- 2.2.3 The Act has repealed the Regulations and has widened the scope of SEA to include strategies as well as plans and programmes. Qualifying PPS where the first formal preparatory act was taken prior to 20 February 2006, and therefore commenced under the terms of the Regulations, will continue under those terms.
- 2.2.4 The Environmental Assessment of Plans and Programmes Regulations 2004 (SI 2004 No.1633) (the UK Regulations) apply the SEA Directive to plans and programmes in more than one part of the UK. PPS that do not relate solely to Scotland must therefore be considered within the terms of the UK Regulations. Regulation 14 of the UK Regulations also imposes a duty on all Responsible Authorities to notify the Secretary of State directly, where it is considered that a plan or programme is likely to have significant effects on the environment of another Member State. Notifications of this kind should be undertaken via the SEA Gateway (see Chapters 3 and 13).

⁵ as amended by Directive 97/11/EC

SEA – its purpose and objectives

2.2.5 The purpose of SEA is to ensure that information on the significant environmental effects of a PPS is gathered and made available to decision-makers, both as the PPS is prepared and prior to its adoption. SEA is therefore a key component of sustainable development, focused on protecting the environment. SEA also extends opportunities for participation in public policy decision-making and increases transparency. SEA achieves this by:

- systematically assessing, mitigating and monitoring the significant environmental effects of qualifying PPS;
- ensuring that expertise and views are sought at various points in the process from environmental bodies (SNH, SEPA, and Historic Scotland), non-governmental organisations and members of the public; and
- requiring a public statement as to how the results of the environmental assessment and the consultation comments have been taken into account in the PPS.

2.2.6 The objectives of SEA are:

- to provide a systematic means of identifying, describing, evaluating and reporting on the environmental effects of PPS.
- to require that Responsible Authorities (i.e. plan, programme or policy-makers) prepares a report on the likely significant environmental effects of their PPS and its reasonable alternatives.
- to prevent, reduce and offset negative environmental effects. The enhancement of positive effects may also benefit from the SEA process.
- to ensure wide consultation and engagement with the statutory Consultation Authorities, such other bodies as the Responsible Authority considers appropriate (e.g. health), and the public at an early and effective stage of the PPS preparation.
- to deliver a public statement demonstrating how the results of the environmental assessment and the opinions expressed during the SEA consultation process have been taken into account in a final adopted PPS.
- to ensure that Responsible Authorities monitor the significant environmental effects of implementing their PPS, enabling them to also identify unforeseen adverse effects at an early stage and to take appropriate remedial action where necessary.

2.2.7 The benefits of SEA are as follows:

- SEA improves the information base for PPS preparation, providing clear information on the possible impact on the environment and influencing the preparation of the PPS, while building in better environmental protection and outcomes.
- SEA provides a rigorous system for including environmental factors in decision-making, thus supporting a sustainable development approach.
- SEA facilitates an improved consultation process, including the rigorous assessment of reasonable alternatives.
- SEA also facilitates transparency, by requiring that an analysis of public comments is undertaken and made publicly available.
- SEA facilitates the consideration of cumulative effects and provides a means to prevent, reduce and, as fully as possible, offset any potentially adverse environmental effects.

- 2.2.8 Key matters to be kept in mind when undertaking an SEA include:
- SEA is a tool to inform decision making; it is not a consenting process;
 - SEA is about protecting the environment;
 - SEA should be undertaken as an integral component of PPS preparation and not as a parallel or bolt-on process;
 - SEA should be undertaken during PPS preparation and not after substantial decisions about PPS direction and content have already been taken
 - SEA facilitates openness and transparency of decision-making; and
 - SEA is about factoring in environmental considerations at an early stage in PPS preparation.

The main stages of SEA

- 2.2.9 There are a number of distinct stages in the SEA process and other parts of the Tool Kit go into detail describing these.
- 2.2.10 **Screening** (Chapter 4) is the stage where a Responsible Authority establishes whether the PPS is likely to have a significant environmental impact. Having formed an opinion, the Responsible Authority must formally consult with the Consultation Authorities to seek their views prior to making a determination about undertaking SEA. Pre-screening and possible exemptions from SEA are outlined in Chapter 4 for the benefit of practitioners. Certain categories of PPS automatically require an SEA and therefore screening is not required.
- 2.2.11 **Scoping** (Chapter 5) sets out in more detail the areas of likely significant impact and requires a formal consultation with the Consultation Authorities to identify the scope and level of detail needed in the Environmental Report, including the proposed period of consultation.
- 2.2.12 **Consultation on the draft PPS and Environmental Report** (Chapter 6) is required. The Environmental Report has to describe the effects on the environment of the PPS and its reasonable alternatives identified by the environmental assessment. Environmental data collation will have been ongoing throughout these stages.
- 2.2.13 **Post-Adoption** (Chapter 7) is the point at which a statement is required to set out how the consultation responses and the findings of the Environmental Report have been taken into account in the preparation of the PPS.
- 2.2.14 **Monitoring** (Chapter 14) the significant effects of the implementation of a PPS helps to ensure that the effectiveness of mitigation measures can be ascertained, as well as providing for the identification of any unforeseen adverse effects at an early stage.
- 2.2.15 Some types of PPS are always subject to SEA (see Figure 2.1) but, with the few exceptions set out below, SEA is now required for any public PPS which are likely to have significant environmental effects.
- 2.2.16 SEA is focussed on all new public PPS. Minor modifications to PPS, and those for small areas at local level, are subject to assessment only where they are likely to result in significant environmental effects. All determinations on whether assessment is needed are made on a case-by-case basis through screening.

Exemptions from SEA

- 2.2.17 The Act is very wide in its coverage, but does not apply to financial or budgetary plans and programmes, those co-financed under certain EC Council Regulations⁶ and those the sole purpose of which is to serve national defence or civil emergency. Plans that relate solely to individual schools are exempt under the Act. Scottish Ministers may by order opt to exempt other PPS.
- 2.2.18 Those PPS described in Section 5(4) of the Act which are considered likely to have no or minimal effect on the environment can be considered exempt as set out in Section 7(1) of the Act. This is called **pre-screening** (Chapter 4). To reach such an opinion the Responsible Authority must consider the significance of the environmental effects against the criteria set out in Schedule 2. Pre-screening should be considered a hard test to meet and if any doubt exists then it should not be applied. Instead, the screening process should be used to establish the likelihood of any significant effects on the environment. Under Section 7 of the Act, Responsible Authorities have a statutory obligation to notify the Consultation Authorities and a register of notifications will be made available for public inspection.

The Consultation Authorities

- 2.2.19 Historic Scotland⁷, the Scottish Environment Protection Agency and Scottish Natural Heritage are the statutory Consultation Authorities in Scotland, chosen for their environmental expertise. They play a central role in SEA by providing expert advice to Responsible Authorities. They provide it in particular but not exclusively at the screening and scoping stages, when Responsible Authorities are setting out the main areas of environmental impact and agreeing how best to assess these. Responsible Authorities have an obligation to forward the Environmental Report, at the appropriate stage, to the Consultation Authorities, who may opt not to comment.
- 2.2.20 The Consultation Authorities also hold a range of environmental data relevant to many PPS (Chapter 8). The Consultation Authorities have produced an information note that gives more details about their work and offers advice on responsibilities under SEA legislation. This can be found on their individual websites (Chapter 3).

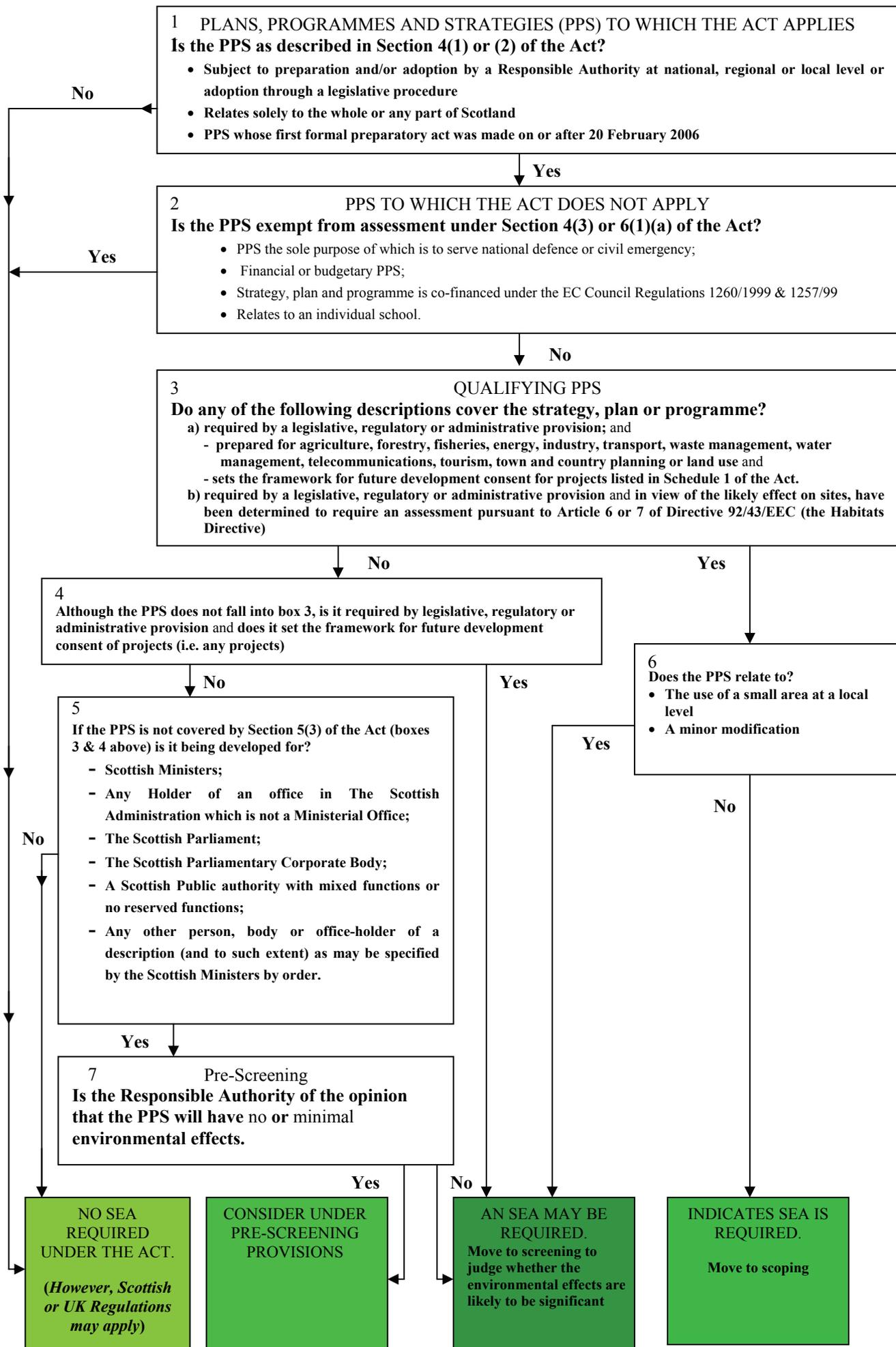
Administrative support

- 2.2.21 The Scottish Executive has established a dedicated team of officials known as the SEA Gateway to manage the administration of the necessary documentation and to offer advice on managing the SEA process. SEA Gateway details are provided in Chapter 3.

⁶ 2000-2006 programming period for Council Regulation (EC) No. 1260/1999 & 2000-2006 & 2000-2007 programming periods for Council Regulation (EC) No. 1257/99 on support for rural development from the European Agricultural Guidance and Guarantee Fund.

⁷ The Scottish Ministers have designated Historic Scotland to act on their behalf on matters affecting the historic environment.

Figure 2.1 How to apply the Environmental Assessment (Scotland) Act 2005



SEA ADMINISTRATIVE ARRANGEMENTS



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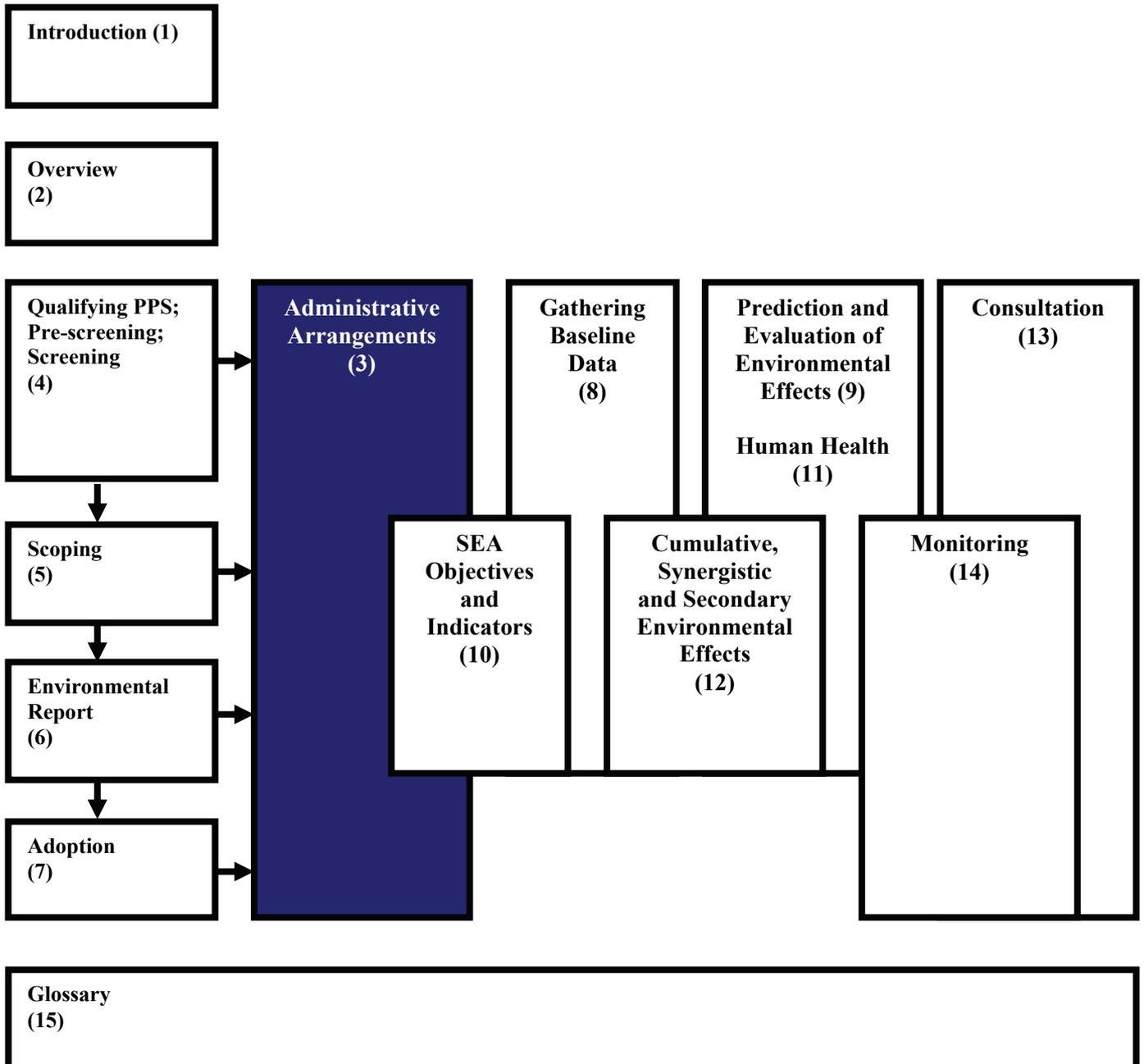
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Chapter 3

SEA Administrative Arrangements

**SCOTTISH EXECUTIVE
SEA TOOL KIT
Chapter 3 - SEA Administrative Arrangements**

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 - Introduction

Part 2 – SEA Gateway

- Functions of the SEA Gateway
- Contact details

Part 3 – Consultation Authorities

- Roles and responsibilities of the Consultation Authorities
- Contact details

Part 1 - Introduction

3.1.1 The Environmental Assessment (Scotland) Act 2005 requires an SEA of all qualifying plans, programmes and strategies (PPS). In light of Scottish Ministers' support of SEA, an SEA Gateway has been established within the Scottish Executive. Part 2 of this chapter provides guidance on the functions the SEA Gateway and provides contact details. Part 3 outlines the roles and responsibilities of the Consultation Authorities (SNH, SEPA and Historic Scotland) and provides their contact details.

Part 2 – SEA Gateway

Functions of the SEA Gateway

3.2.1 In line with the commitment to support the implementation of the Environmental Assessment (Scotland) Act 2005 ('the Act'), the Scottish Executive has made administrative provision for the SEA Gateway. The Scottish Executive SEA Gateway is unique in the UK. It comprises a dedicated team of officials in the Scottish Executive and exists to aid the administration of SEA in Scotland and to help ensure that information on SEA activities is transparent and accessible.

3.2.2 The Act requires the Responsible Authority to submit relevant documents to the Consultation Authorities at various stages including screening, scoping, Environmental Report and post-adoption. In practice, Responsible Authorities are asked to submit these documents via the Scottish Executive SEA Gateway (SEA.Gateway@scotland.gsi.gov.uk). When the SEA Gateway receives these documents it is responsible for co-ordinating the receipt of responses from the Consultation Authorities, which will then be issued to the Responsible Authority.

3.2.3 Accordingly, the SEA Gateway's key functions include:

- provision of advice and information about the process and administration of SEA;
- liaison between the Scottish Executive and the Consultation Authorities;
- liaison between the Scottish Executive and other Government Departments;
- co-ordination of consultations between Responsible Authorities and the Consultation Authorities, including:
 - forwarding of relevant documents to the Consultation Authorities for comment (i.e. screening, scoping and Environmental Reports and the SEA Statement on adoption of the PPS);
 - return of comments from the Consultation Authorities to Responsible Authorities;
 - oversight of the statutory deadlines for screening and scoping;
 - co-ordination of any transboundary consultations with other EU Member States on behalf of Scottish Responsible Authorities, via the Department for Communities and Local Government (DCLG);
 - co-ordination of Member States' transboundary consultations with the Scottish Consultation Authorities (Consultation Bodies under UK Regulations)
- undertake Scottish Ministers' SEA functions under the Act, including:
 - consideration of the proposed timescales for consultation periods for Environmental Reports
 - preparation and maintenance of the pre-screening register (Section 7 of the Act);

- preparation of the SEA annual report (Section 20 of the Act), as well as collation of Scottish statistics on behalf of DCLG;
 - arbitration on screening determinations, and undertaking screening determinations as required;
 - development of the Scottish Executive SEA web pages; and
 - development of the Scottish Executive SEA Tool Kit, including the SEA templates.
- 3.2.4 A Responsible Authority preparing a PPS, which comes to the attention of the Scottish Ministers, may be directed by the Scottish Ministers (under Section 11(1) of the Act) to send to them a copy of the PPS, in order to consider whether it falls within the terms of the Act.
- 3.2.5 The SEA Gateway does not edit the responses it receives from the Consultation Authorities. Any queries should therefore be raised directly with the author of the letter or via the Consultation Authority’s gateways (see details below).
- 3.2.6 A determination as to whether a PPS has significant environmental effects (Chapter 4) is the task of the Responsible Authority. It is important to note that the SEA Gateway is not empowered to make determinations. SEA Gateway staff are not in a position to offer a legal interpretation or opinion about compliance with the Act. Responsible Authorities are expected to seek their own legal advice if they are in any doubt about compliance with the Act.

Contact details

3.2.7 Contact details for the Scottish Executive SEA Gateway are set out below:

SEA Gateway,
Area 1-H (Bridge),
Victoria Quay,
Edinburgh,
EH6 6QQ
Tel: 0131 244 5094
Email address: SEA.Gateway@scotland.gsi.gov.uk

Part 3 – Consultation Authorities

Roles and responsibilities of the Consultation Authorities

3.3.1 Section 3 of the Act provides for three Consultation Authorities in Scotland:

- the Scottish Environment Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)
- the Scottish Minister¹ (Historic Scotland)

3.3.2 A Responsible Authority has a statutory obligation to submit specified relevant documents to the Consultation Authorities at the key stages in the SEA process: screening, scoping, Environmental Report and post-adoption. The Consultation Authorities have a statutory

¹ The Scottish Ministers have designated Historic Scotland to act on their behalf on matters affecting the historic environment

responsibility to provide views at the screening and scoping stages and may opt to provide views at the Environmental Report stage.

- 3.3.3 A common misconception by Responsible Authorities is that the Consultation Authorities can provide a view on whether a PPS is subject to the Environmental Assessment (Scotland) Act 2005. The Consultation Authorities do not decide whether a PPS is subject to the Act; this is a decision that has to be made by the Responsible Authority. Consultation Authorities are therefore not in a position to offer a legal interpretation or opinion about compliance with the Act. Responsible Authorities are expected to seek their own legal advice if they are in any doubt about compliance with the Act.
- 3.3.4 In addition to their statutory responsibilities, the Consultation Authorities, depending on available resources at the time, may be able to assist with informal enquiries. This has proved helpful in the past for Responsible Authorities, who were unsure of their approach or who have encountered problems.
- 3.3.5 Further information about the roles and responsibilities of the Consultation Authorities can be found in their information note, which is available from their individual web sites.

Contact details

The Scottish Ministers (Historic Scotland)

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

Telephone: 0131 668 8898

Email address - hssea.gateway@scotland.gsi.gov.uk

Web site – www.historic-scotland.gov.uk

the Scottish Environment Protection Agency

- **Scotland, UK and general enquiries should be directed to:**

SEA Gateway,
Environmental Strategy,
SEPA Corporate Office,
Erskine Court,
The Castle Business Park,
Stirling, FK9 4TR

Telephone - 01786 452431

Email address - sea.gateway@sepa.org.uk

Web site – www.sepa.org.uk

- **Local or regional enquiries should be sent to:**

for Glasgow, Clyde Valley, Ayrshire and Dumfries and Galloway

South West Planning Unit Manager;
SEPA East Kilbride,
Redwood Crescent,
Peel Park,
East Kilbride G74 5PP

Telephone - 01355 574200

Email address - sea.gateway@sepa.org.uk

for the Lothians, Borders, Stirling, Fife, Tayside and Clackmannanshire

South East Planning Unit Manager;
SEPA Edinburgh,
Clearwater House,
Heriot Watt Research Park,
Avenue North,
Riccarton,
Edinburgh EH14 4AP

Telephone - 0131 449 7296

Email address - sea.gateway@sepa.org.uk

for Aberdeen and Aberdeenshire, Moray, Argyll and Bute, Highlands and Islands

North Planning Unit Manager,
SEPA Dingwall,
Graesser House,
Fodderty Way,
Dingwall Business Park,
Dingwall IV15 9XB

Telephone - 01349 862021

Email address - sea.gateway@sepa.org.uk

Scottish Natural Heritage

SEA Gateway,
Secretariat,
Scottish Natural Heritage,
12 Hope Terrace,
Edinburgh EH9 2AS

Telephone - 0131 447 4784

Email address - sea.gateway@snh.gov.uk

Web site – www.snh.org.uk

QUALIFYING PPS;
PRE-SCREENING;
SCREENING



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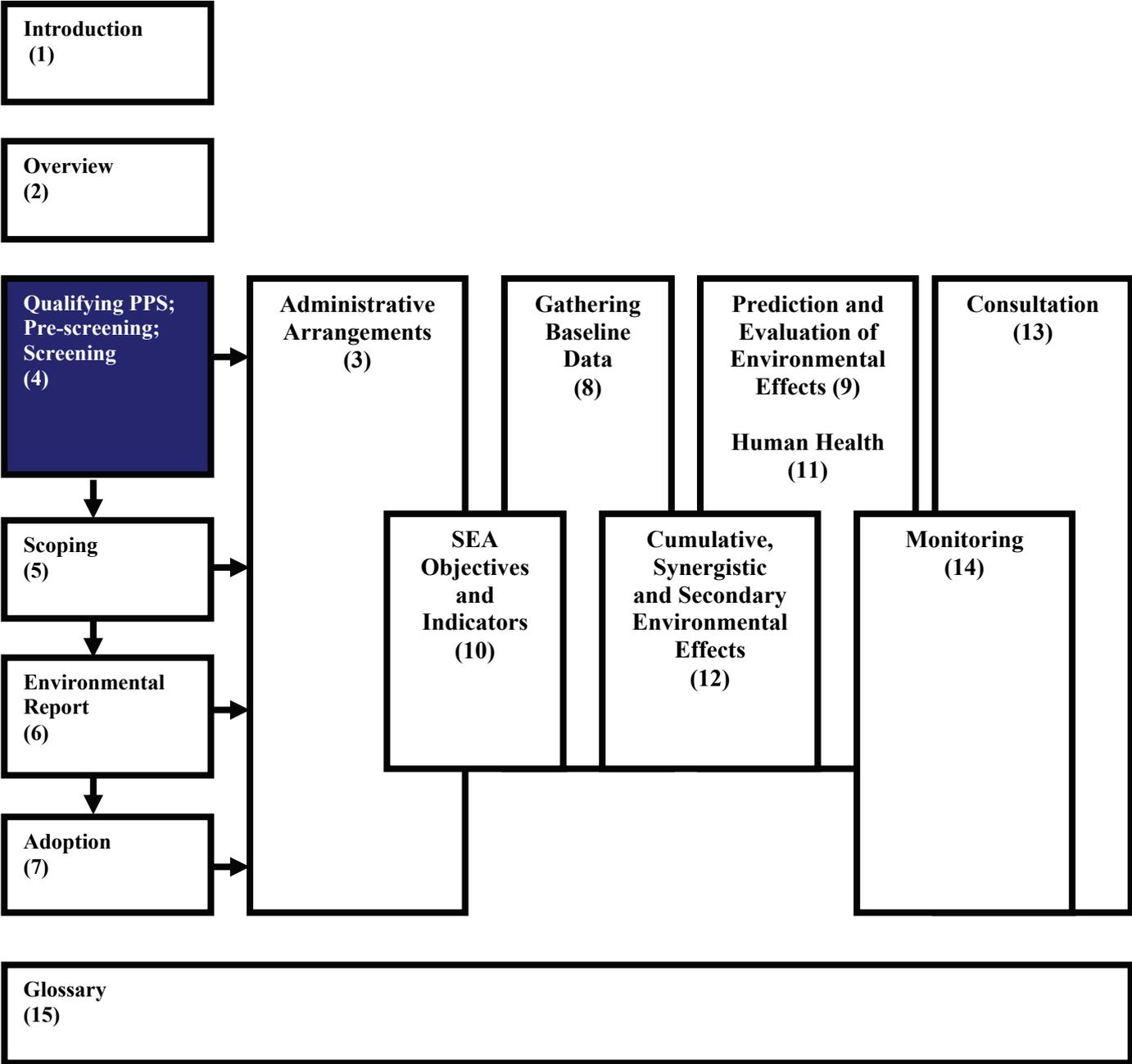
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Chapter 4

Qualifying PPS; Pre-screening; Screening

**SCOTTISH EXECUTIVE
SEA TOOL KIT**
Chapter 4 - Qualifying PPS; Pre-screening; Screening

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 - Introduction

Part 2 – Qualifying plans, programmes or strategies

- Exemptions from SEA
- Next steps

Part 3 – Pre-screening

- Legislative requirements and what this means in practice
- Next steps

Part 4 – Screening

- Legislative requirements and what this means in practice
- Submitting the screening results
- When to undertake screening
- After the determination: next steps

Part 5 – Plans, programmes and strategies - experience

Part 6 – Useful contacts for this stage

Part 7 – Annex

- Schedule 2 - Criteria for determining the likely significance of effects on the environment
- Figure 4.1 - How to apply the Environmental Assessment (Scotland) Act 2005

Part 1 - Introduction

4.1.1 The Environmental Assessment (Scotland) Act 2005 ('the Act') requires SEA of qualifying plans, programmes and strategies (PPS). Part 2 of this chapter provides advice on the identification of qualifying PPS. Part of this identification may include a review of whether the PPS is likely to have significant effects on the environment. Part 3 and Part 4 of this chapter provide guidance on the procedures used to determine whether significant environmental effects are likely, pre-screening and screening respectively. The types of PPS subject to SEA to date are summarised in Part 5, and contact details are included in Part 6.

Part 2 – Qualifying plans, programmes or strategies

4.2.1 The Act requires that environmental assessment of qualifying PPS should be undertaken. The key question for Responsible Authorities, therefore, is whether their PPS is a “qualifying” one under the Act. To ascertain this they need to answer two questions:

- is it a PPS as defined by the Act?
- is it likely to result in significant environmental effects?

The process for answering these questions is set out in the following paragraphs and outlined in Figure 4.1.

Is it a plan, programme or strategy under the Act?

4.2.2 The PPS to which the Act applies have the following characteristics:

- They are prepared and/or adopted by a responsible authority at the national, regional or local level (Section 4(1)(a) of the Act).
- They relate to matters of a public character¹ and are therefore likely to be prepared by public sector bodies or those bodies undertaking work of a public character (Sections 2(1) and 5(2) of the Act). An example of the latter might be a public utility company in Scotland.
- They relate solely to Scotland and include those co-financed by the European Community e.g. the ERDF Operational Programme (Section 4(1) of the Act). Those that relate to Scotland and any other part of the UK fall under the provisions of The Environmental Assessment of Plans and Programmes Regulations 2004 which cover the whole of the UK.
- They include modifications of PPS (Section 4(2) of the Act) as well as new ones.
- Preparation of the PPS (the “first formal preparatory act”) commenced on or after 20 February 2006².

¹ 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 to those private companies who perform public functions under licence or in accordance with statutory powers.

² as set out in The Environmental Assessment (Scotland) Act 2005 (Commencement and Savings) Order 2006. Scottish Statutory Instrument 2006 No. 19 (C.2). Plans and programmes commenced prior to this date may require SEA under the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004.

Will it result in significant environmental effects?

- 4.2.3 Certain categories of PPS, by their nature, are deemed likely to result in significant environmental effects and SEA is therefore compulsory under the Act. These PPS are identified in Sections 5(3)(a) and 5(3)(b) of the Act. Section 5(3)(a) identifies PPS which, for the specified activity sectors³, set the framework for future development consent of EIA projects⁴. Section 5(3)(b) makes SEA mandatory for those PPS requiring “appropriate assessment” under Article 6 or 7 of the Habitats Directive.
- 4.2.4 These PPS are therefore considered to be “qualifying” PPS under the Act. They do not require pre-screening or screening, and the Responsible Authority should move straight to the scoping stage of SEA (Chapter 5).
- 4.2.5 PPS outwith these categories may give rise to significant environmental effects, depending on their nature and their geographic coverage. Accordingly, all such PPS are subject to pre-screening and/or screening to identify whether they have significant environmental effects.

Exemptions from SEA

- 4.2.6 The Act identifies certain PPS which are exempt from SEA. These currently comprise:
- PPS whose sole purpose is to serve national defence or civil emergency;
 - financial or budgetary plans and programmes;
 - the EU co-financed plans and programmes identified in Section 4(3)(c)⁵.
 - PPS relating to an individual school; and
 - PPS which, as a result of pre-screening, are deemed to have no or minimal environmental effects (see Part 3).
- 4.2.7 The key to interpreting the exemptions is to consider that the overall objective of the Act is to ensure that only those PPS likely to have significant effects on the environment are assessed.
- 4.2.8 Section 5(2) of the Act excludes those parts of PPS that relate to matters that are not of a public character. The intention here is to ensure that the private activities of Responsible Authorities are not affected.
- 4.2.9 The decision as to whether the PPS is a qualifying one is the responsibility of the Responsible Authority, who may wish to take legal advice.

Next Steps

- 4.2.10 PPS which are considered to qualify for SEA (having been through pre-screening and/or screening, if required) should move to the scoping stage (Chapter 5).

³ agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use

⁴ defined in Schedule 1 of the Act

⁵ 2000-2006 programming period for Council Regulation (EC) No. 1260/1999 & 2000-2006 & 2000-2007 programming periods for Council Regulation (EC) No. 1257/99 on support for rural development from the European Agricultural Guidance and Guarantee Fund

Part 3 – Pre-screening

- 4.3.1 Pre-screening is an important step in deciding whether or not those PPS subject to Section 5(4) of the Act are excluded from having to undertake an SEA. Its purpose is to exempt from SEA, at an early stage, those PPS which there is no doubt will give rise to no or minimal environmental effects. This allows resources to be concentrated on those PPS that are likely to have significant environmental effects. Pre-screening is carried out on a case-by-case basis by a Responsible Authority.
- 4.3.2 Pre-screening is a tool for administrative efficiency. It is not a means of avoiding obligations under the Act. The nature of public PPS ensures that it is highly unlikely that a public body could adopt a PPS that should have been subject to SEA, without it being brought to the attention of the Scottish Ministers. In the unlikely event that pre-screening is applied inappropriately then, under Section 11 of the Act, Responsible Authorities can be subject to direction from the Scottish Ministers to carry out an assessment.

Legislative requirements and what this means in practice

4.3.3 Pre-screening is carried out by the Responsible Authority. The purpose of pre-screening is to identify PPS likely to have no or minimal environmental effects. If a Responsible Authority, having applied the criteria at Schedule 2 of the Act, is of the opinion that a PPS has no or minimal environmental effects then the PPS may be deemed exempt. The intent here is that the test of **no or minimal environmental effects** should be difficult to meet. Where there is doubt (for example, that an effect is more than minimal), the PPS should be subject to a formal screening under Section 8 of the Act (Part 4).

Requirement of the Act to undertake pre-screening

Section 7(1) A plan or programme of a description set out in section 5(4) is exempt if the responsible authority is of the opinion that the plan or programme will have (a) no effect; or (b) minimal effect, in relation to the environment.

Section 7(2) In considering whether or not it is of the opinion described in subsection (1), the responsible authority shall apply the criteria specified in schedule 2.

- 4.3.4 Pre-screening is only undertaken of PPS identified in Section 5(4) of the Act. However, what this means is that **all** Section 5(4) PPS are subject to pre-screening and / or screening.
- 4.3.5 The Responsible Authority should undertake pre-screening using the criteria set out in Schedule 2 of the Act, with a view to answering the question “will the PPS result in no or minimal environmental effects?”. The Schedule 2 criteria have been established as a guide to determining the likely significance of effects on the environment. They relate to the characteristics of the PPS, and the characteristics of the potential effects and the area likely to be affected. More information is provided in Part 7.

4.3.6 There is no formal consultation with the Consultation Authorities at this stage. Where a Responsible Authority is of the opinion that a PPS will result in no or minimal environmental effects, it is required only to inform the Consultation Authorities of this opinion and to also provide the information in Section 7(4). For ease of administration, Responsible Authorities are asked to submit this information to the Consultation Authorities via the Scottish Executive SEA Gateway. Contact details are provided in Part 6 of this Chapter. Responsible Authorities are not required to include evidence of how pre-screening opinions have been reached at the point of submission. However, it would be advisable for them to retain this information in case a legal challenge is raised.

Requirement of the Act to circulate pre-screening results

Section 7(3) If a responsible authority is of the opinion described in subsection (1), it shall notify the consultation authorities of that fact as soon as practicable.

Section 7(4) A notification under subsection (3) shall also include the following information: (a) the title of the plan or programme; (b) the date of the opinion; and (c) a brief description of the plan or programme, including the area or location to which the plan or programme relates.

4.3.7 If the Responsible Authority, as a result of pre-screening, is of the opinion that there will be more than a minimal effect on the environment, then the question becomes “is the environmental effect significant?”. To answer this, the Responsible Authority then undertakes screening of the PPS (see Part 4).

Requirement of the Act for a pre-screening register.

Section 7(5) The Scottish Ministers shall arrange for a register to be kept of any notifications under subsection (3).

Section 7(6) The register kept under subsection (5): (a) shall be available for public inspection (i) at any reasonable time; and (ii) at such place as the Scottish Ministers may direct; (b) may include such other information in relation to a plan or programme as the Scottish Ministers consider appropriate.

4.3.8 The Scottish Executive SEA Gateway will establish and maintain a register of pre-screening opinions. This has the advantage to all bodies concerned of providing a transparent, publicly available audit trail of decision-making.

Section 7(7) The information contained in the register may also be made available, for the purpose of facilitating public access to that information, by such means (including by means of display on a website) as the Scottish Ministers think fit.

Next steps

4.3.9 If the result of pre-screening is that a PPS is likely to result in significant environmental effects, then the Responsible Authority is required to formally screen the PPS under Section 8 of the Act. The steps involved in screening are set out in Part 4.

Part 4 – Screening

4.4.1 Part 2 noted that certain PPS will always be subject to SEA, as given their nature they are considered likely to give rise to significant environmental effects (paragraph 4.2.3). However, there are also PPS where this is uncertain and for which SEA will only be required if they have significant environmental effects. The key question “is this PPS likely to have significant effects on the environment?” is answered using the screening process. This is a key step in identifying whether a PPS is a qualifying one under the Act.

4.4.2 As with pre-screening, screening is carried out on a case-by-case basis. An indicative list of plans and programmes considered to be subject to the SEA Directive is provided in Appendix 1 of the Practical Guide to the SEA Directive⁶, but in Scotland the Act applies to a far wider range of PPS than the Directive.

4.4.3 The Scottish Executive has developed a template for screening, which is included with this Tool Kit.

Legislative requirements and what this means in practice

4.4.4 The procedure for screening (known as the screening determination) is set out in Sections 8, 9 and 10 of the Act. In brief, a Responsible Authority:

- undertakes screening of its PPS using identified criteria;
- consults with the Consultation Authorities;
- formally determines whether the PPS will have significant environmental effects; and
- disseminates the results, i.e. whether an SEA will be undertaken.

4.4.5 The screening process is set out in the following paragraphs, which include the section of the Act relevant to the step being discussed.

4.4.6 The requirement to undertake screening is set out in Section 8(1) of the Act. Section 8(1) requires the Responsible Authority make a determination as to whether a PPS is likely to have significant environmental effects (which requires that screening be carried out). The Section also identifies the PPS which will always be subject to a screening determination.

Requirement of the Act to undertake Screening

Section 8(1) The responsible authority shall determine whether or not: (a) a plan or programme of a description set out in section 5(3) which determines the use of small areas at local levels; (b) a minor modification to a plan or programme of a description set out in section 5(3); (c) a plan or programme of the description set out in section 5(3)(c); (d) a plan or programme of the description set out in section 5(4) which is not exempt by virtue of section 7(1); is likely to have significant environmental effects.

4.4.7 The PPS which require screening are:

- PPS identified in Section 5(3) of the Act which determine the use of small areas at local levels (Section 8(1)(a) of the Act);
- minor modifications to PPS identified in Section 5(3) (Section 8(1)(b) of the Act);
- those in Section 5(3)(c) of the Act, i.e. which are required by a legislative, regulatory or administrative provision and set the framework for future development consent of projects, but are outwith the activity sectors defined in Section 5(3)(a) of the Act or relate to non-EIA projects (Section 8(1)(c) of the Act); and
- Section 5(4) of the Act, PPS which have been through pre-screening and are likely to give rise to environmental effects.

⁶ A Practical Guide to the Strategic Environmental Assessment Directive (ODPM et al, September 2005; http://www.communities.gov.uk/pub/290/APracticalGuidetotheStrategicEnvironmentalAssessmentDirectivePDF776Kb_id1143290.pdf)

4.4.8 The Responsible Authority should undertake screening using the criteria set out in Schedule 2 of the Act with a view to answering the question “is the PPS likely to result in significant environmental effects?”. The Schedule 2 criteria have been established as a guide to determining the likely significance of effects on the environment. They relate to the characteristics of the PPS, and the characteristics of the potential effects and the area likely to be affected. Schedule 2 is provided in Part 7.

Requirement of the Act to use Schedule 2 criteria.

Section 8(3) In making a determination under subsection (1), the responsible authority shall apply the criteria specified in schedule 2.

4.4.9 Once screening has been undertaken against the criteria, the Responsible Authority is required to consult with the Consultation Authorities prior to making a determination on whether the PPS is likely to have significant effects (Section 9 of the Act). The Responsible Authority prepares a summary of its views as to whether or not the PPS is likely to have significant environmental effects and sends this to the Consultation Authorities. The purpose of this is to obtain the Consultation Authorities’ views as to whether or not a PPS is likely to have significant environmental effects. The requirements of the consultation process are set out in Chapter 13. There is no statutory requirement at this stage to consult more widely, e.g. with members of the public, although there is nothing to stop Responsible Authorities doing this as a matter of good practice.

4.4.10 Sections 9(4) to 9(6) of the Act set out the procedure to be followed once the Consultation Authorities have made their views on significant environmental effects known to the Responsible Authority. Where agreement is reached between a Responsible Authority and the Consultation Authorities that significant environmental effects are, or are not, likely, then the determination should be made and publicised. If the Responsible Authority and the Consultation Authorities are unable to agree on whether or not a PPS is likely to have significant environmental effects, the Responsible Authority should refer the matter to the Scottish Ministers for a determination.

Requirement of the Act for consultation at the Screening stage

Section 9(1) Before making a determination under section 8(1), the responsible authority shall prepare a summary of its views as to whether or not the plan or programme is likely to have significant environmental effects.

Section 9(2) The responsible authority shall send that summary to each consultation authority for its consideration.

4.4.11 If a determination is that a PPS is unlikely to have significant environmental effects, it will not require an SEA. In this case, the Responsible Authority is required to prepare a statement setting out its reasons for determining that the PPS will not have significant environmental effects. The statement should outline how the Schedule 2 criteria were applied in the determination.

4.4.12 A determination made by the Scottish Ministers has the same effect as if made by the Responsible Authority. If the determination is that the PPS is likely to have significant environmental effects then the Responsible Authority is responsible for publishing the determination. For those cases where the Scottish Ministers determine that a PPS is unlikely to have significant environmental effects, the Scottish Ministers will be responsible for preparing the statement of reasons and for publishing the determination.

4.4.13 If a determination is that a PPS is likely to have significant environmental effects, then SEA is required and the Responsible Authority should move to the scoping stage (Chapter 5).

Submitting the screening results

4.4.14 Section 9(1) of the Act requires that a Responsible Authority prepare a summary of its views as to whether the PPS will have significant environmental effects. In practice, the Responsible Authorities are asked to provide this information in the form of a Screening Report. A template for a Screening Report is included in the Scottish Executive's screening template, included in this Tool Kit. The Screening Report could also be used to provide the statement of reasons.

4.4.15 As Responsible Authorities are required to screen the PPS against the Schedule 2 criteria (Paragraph 4.4.8), they may find it helpful to use the criteria to report the screening results. A framework using the screening criteria is included in the Scottish Executive's screening template.

4.4.16 The Consultation Authorities have also outlined, in their Information Note⁷, the type of information that would be useful in a Screening Report:

- A brief statement about the scope of the PPS, including its purpose; legal or other requirement; its topic; its geographic coverage; context; and its aims and objectives.
- The Responsible Authority's view as to whether or not the PPS is likely to have significant environmental effects.
- A brief justification for this view covering an assessment of the characteristics of the PPS, the area affected and the predicted effects with reference to the characteristics set out in Schedule 2.
- An indicative timescale for undertaking the SEA would also be helpful.
- Contact details.

The Consultation Authorities also find visual aids, such as maps and diagrams, helpful as they provide the context in which the PPS operates.

4.4.17 As a basic guide to ensure Screening Reports are concise, Responsible Authorities should try not to exceed 5-8 pages in length.

4.4.18 To ease administration, Responsible Authorities are asked to submit their Screening reports via the SEA Gateway (contact details are provided in Part 6 of this Chapter).

Requirement of the Act for the statement of reasons

Section 8(2) Where the responsible authority determines under subsection (1) that a plan or programme is unlikely to have significant environmental effects: (a) that plan or programme is exempt; and (b) the authority shall prepare a statement of its reasons for the determination.

Section 8(4) The statement of reasons under subsection (2)(b) shall, in particular, state how the criteria mentioned in subsection (3) were applied when making the determination.

Section 9(7) A determination of the Scottish Ministers under subsection (6) shall have effect as if made by the responsible authority under section 8(1); and, where the determination is that the plan or programme is unlikely to have significant environmental effects, section 8(2)(b) shall apply to the Scottish Ministers as it would to the responsible authority.

⁷ available on the Consultation Authorities' individual web sites (Chapter 3)

When to undertake screening

4.4.19 The Act does not specify when screening should be undertaken. However, experience strongly indicates screening should occur early, at the beginning of the PPS preparation. The decision about whether a PPS is likely to have significant environmental effects is considered more effective when taken early, thereby ensuring the SEA process can be incorporated into the PPS preparation timetable, and statutory obligations can be met.

After the determination: next steps

4.4.20 Within 14 days of making the determination the Responsible Authority has to bring the determination to the attention of the public. This must include securing publication in at least one newspaper circulating in the area to which the PPS relates. The notice shall include the following information:

- the title of the PPS;
- that a determination has been made;
- whether an environmental assessment is required; and
- the address at which a copy of the determination and any related statement of reasons may be inspected or a copy obtained. This may include a website.

4.4.21 Within 28 days of a determination having been made, the Responsible Authority shall send the Consultation Authorities:

- a copy of the determination; and
- any related statement of reasons.

4.4.22 A copy of the determination and related statement of reasons shall be made available at the Responsible Authority's principal office for inspection by the public at all reasonable times, free of charge. This information should also be placed on the Responsible Authority's website.

Requirement of the Act for publishing the determination

Section 10(1) Within 28 days of a determination having been made under Section 8(1), the responsible authority shall send to the consultation authorities: (a) a copy of the determination; and (b) any related statement of reasons prepared in accordance with section 8(2)(b).

Section 10(2) The responsible authority shall: (a) keep a copy of the determination, and any related statement of reasons, available at its principal office for inspection by the public at all reasonable times and free of charge; (b) display a copy of the determination and any related statement of reasons on the authority's website; and (c) within 14 days of the making of the determination, secure the taking of such steps as it considers appropriate (including publication in at least one newspaper circulating in the area to which the plan or programme relates) to bring to the attention of the public: (i) the title of the plan or programme to which the determination relates; (ii) that a determination has been made under section 8(1); (iii) whether or not an environmental assessment is required in respect of the plan or programme; and (iv) the address (which may include a website) at which a copy of the determination and any related statement of reasons may be inspected or from which a copy may be obtained.

Section 10(3) Nothing in subsection (2)(c)(iv) shall require the responsible authority to provide a copy of any document free of charge; but where a charge is made, it shall be of a reasonable amount.

4.5.1 The Scottish Executive is conscious that some practitioners have expressed an interest in an indicative list of PPS which would be subject to the Act. Experience has however shown that indicative lists, if not very clearly presented, run the risk of being treated as definitive lists. This can prove misleading and potentially leave Responsible Authorities open to legal challenge. To avoid this risk we have prepared a list of the PPS that have already entered or passed through the environmental assessment process, along with those for which an intention to carry out SEA has been announced. This offers a useful resource to SEA practitioners and as the list develops over time it will become more comprehensive.

4.5.2 Since the SEA Regulations came into force in July 2004, the SEA Gateway team has been indexing information on the types of PPS that Responsible Authorities have already determined are subject to SEA. In time this index will become more comprehensive as experience of SEA grows in Scotland and will be accessible via the Scottish Executive SEA webpage:

www.scotland.gov.uk/Topics/SustainableDevelopment/14587

4.5.3 Collation of this information commenced under the SEA Regulations and the information collected to date will continue to be valid under the Environmental Assessment (Scotland) Act 2005. The types of PPS that have already entered the SEA process or have announced an intention to carry out an SEA comprise:

- Core path plan
- Fish farm locational framework
- Local Plan
- Local transport strategy
- National park plan
- National sludge recycling strategy
- National planning framework
- Area Waste Plans
- Structural Fund Programmes
- Masterplans
- National transport strategy
- Regional transport strategy
- Renewable energy plans and strategies
- Scottish Forestry strategy – national and regional level
- Structure Plan
- SPP6 – Renewable Energy
- West Edinburgh Planning Framework
- Other Scottish Executive PPS
- Onshore and offshore energy programmes
- Economic Development Plans

4.5.4 Appendix 1 of the SEA Practical Guide (ODPM et al, September 2005) provides an indicative list from a UK-wide perspective of the type of plans and programmes that are likely to be subject to the SEA Directive.

Part 6 –Useful contacts for this stage

4.6.1 Responsible Authorities are asked to submit Screening Reports via the Scottish Executive SEA Gateway:

Contact details: SEA Gateway
Area 1-H (Bridge),
Victoria Quay
Edinburgh
EH6 6QQ

email address: SEA.Gateway@scotland.gsi.gov.uk

SEA Gateway (helpdesk): 0131 244 5094

4.6.2 The Consultation Authorities have produced an information note⁸ for SEA practitioners, which provides advice about the role of the Consultation Authorities and the type of information Responsible Authorities should include in screening reports.

4.6.3 The Consultation Authorities welcome early discussions with Responsible Authorities regarding screening consultations. Please use the contact details provided in Chapter 3.

⁸ available on the Consultation Authorities' individual websites (Chapter 3)

Schedule 2 of the Environmental Assessment (Scotland) Act 2005

CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

1. The characteristics of the plan, or programme, having regard, in particular to-

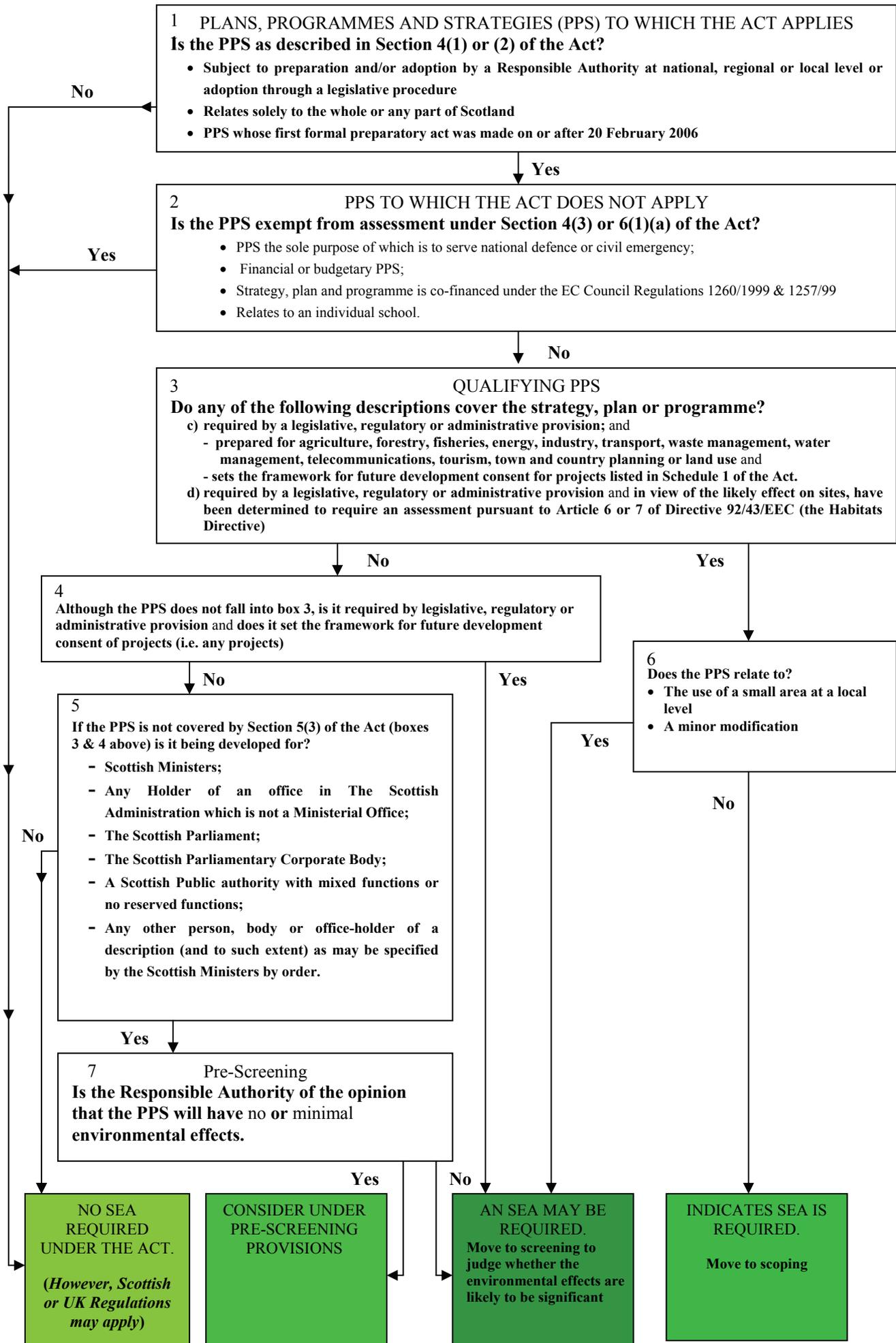
- (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
- (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
- (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
- (d) environmental problems relevant to the plan or programme; and
- (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

- (a) the probability, duration, frequency and reversibility of the effects;
- (b) the cumulative nature of the effects;
- (c) the transboundary nature of the effects⁹;
- (d) the risks to human health or the environment (for example, due to accidents);
- (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- (f) the value and vulnerability of the area likely to be affected due to:
 - i. special natural characteristics or cultural heritage;
 - ii. exceeded environmental quality standards or limit values; or
 - iii. intensive land-use; and
- (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

⁹ i.e. environmental effects on other EU Member States

Figure 4.1 How to apply the Environmental Assessment (Scotland) Act 2005





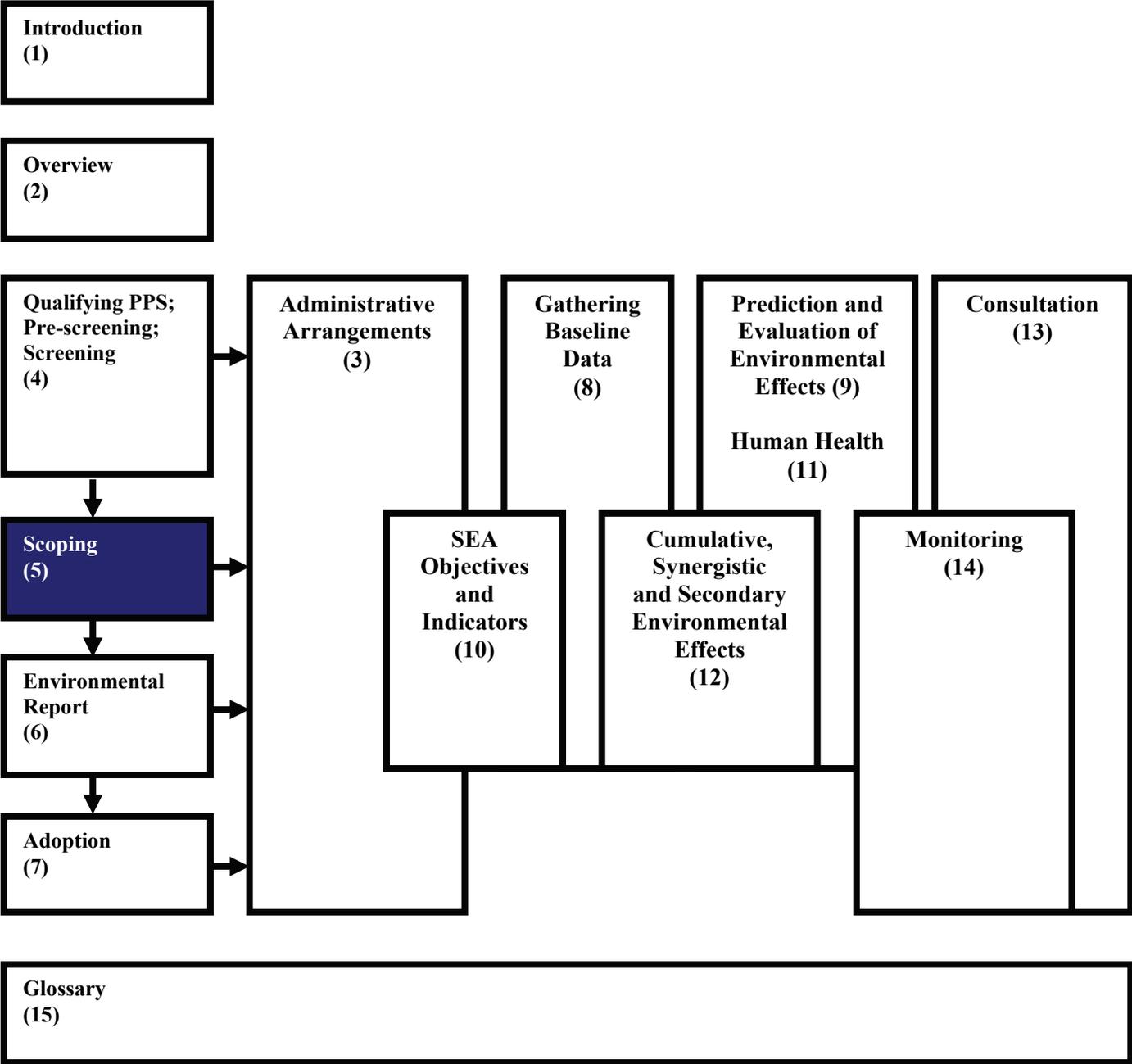
natural
scotland
SCOTTISH EXECUTIVE

**Strategic Environmental
Assessment Tool Kit
Chapter 5**

Scoping

**SCOTTISH EXECUTIVE
SEA TOOL KIT
Chapter 5 - Scoping**

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 – Introduction to scoping

- Background – what is scoping?

Part 2 – Legislative requirements for scoping

- The legislation
- What should you send to the Consultation Authorities?

Part 3 – Scoping guidance

- What should you include in a Scoping Report?
- How long should a Scoping Report be?
- When do you start and complete a Scoping Report?
- Where do you submit reports to?
- What happens after the Consultation Authorities offer a view?

Part 4 – Useful contacts for this stage

Part 1 – Introduction to scoping

Background – what is scoping?

- 5.1.1 Section 15 of the Environmental Assessment (Scotland) Act 2005 ('the Act') requires a Responsible Authority to consider, in conjunction with the Consultation Authorities, the scope and level of detail of the environmental assessment. This is known as "scoping". The purpose of scoping is to identify the environmental issues to be taken into consideration during decision-making. Scoping thus 'sets the scope' of the environmental assessment. It is undertaken early on in the assessment process, to enable the Responsible Authority to focus on the significant environmental issues to be assessed, and thereby avoid wasting time, money and effort.
- 5.1.2 The scope of the SEA depends on:
- what is being proposed, i.e. the remit of the plan, programme or strategy (PPS);
 - the geographical and temporal coverage of the PPS; and
 - the nature of the receiving environment.
- 5.1.3 The scoping process also identifies the methods to be used, the organisations and/or individuals to be consulted during the assessment, and the timing and length of the consultation period.
- 5.1.4 It is sometimes possible at this stage to identify environmental parameters which would not be affected by the PPS and thus exclude them from further consideration in the SEA ('scoping out'). At the same time, scoping identifies the parameters which should be assessed ('scoping in').

Part 2 – Legislative requirements for scoping

The legislation

- 5.2.1 The Responsible Authority must set out its proposed approach to the environmental assessment to be reported in the Environmental Report, in respect of:
- the scope of the assessment (Section 15 of the Act);
 - the level of detail of the assessment (which will vary depending on the nature and scale of the PPS); and
 - the period it intends to provide for consulting on the Environmental Report (as required by Section 16). The Responsible Authority must consider both the timing of the consultation, i.e. when it occurs in the PPS preparation process, and its length, so that the consultation is both early and effective.

The legislation then requires that a Responsible Authority must consult with the Consultation Authorities with sufficient details of the PPS so that they can form a view on the scope and level of detail to be included in the Environmental Report.

- 5.2.2 Consultation Authorities must provide a view, once consulted by a Responsible Authority, within 5 weeks and copy their responses to the other Consultation Authorities.

5.2.3 The Responsible Authority must take account of the views expressed by the Consultation Authorities and also advise the Scottish Ministers of the proposed consultation period for the Environmental Report.

5.2.4 Section 15(4) gives the Scottish Ministers powers to specify a consultation period for the Environmental Report, where they consider that the period proposed by the Responsible Authority is not likely to give Consultation Authorities or the public an early and effective opportunity to express their opinion on the PPS and the accompanying Environmental Report.

What should you send to the Consultation Authorities?

5.2.5 Practitioners often refer to a ‘scoping report’ as the means to provide “such sufficient details of the qualifying PPS” and thereby satisfy the scoping provisions of the Act. However, the method for meeting the consultation requirements of Section 15(1) is not prescribed in the Act. That said, the provision of scoping reports is a common and well established practice.

The Consultation Authorities also indicate in their Information Note¹ that they prefer to receive concise Scoping Reports covering the sort of information shown in paragraph 5.3.1 below.

5.2.6 Scoping Reports are needed to allow the Consultation Authorities to understand the remit and coverage of a PPS in order that they can effectively advise on the scope and level of detail which the assessment should cover. For example, a national level PPS with no locational proposals is less likely to require detailed information about the environmental baseline and anticipated effects on it than a PPS which covers a smaller area and includes locational proposals. In this instance, it is unlikely that the national level PPS would, for example, need to identify locations and details of individual protected sites, but a rather a broad understanding of the importance and quality of the environment should be demonstrated.

Requirements for Scoping in the Act

Section 15 (1) of the Act states that before deciding on-

- (a) the scope and level of detail of the information to be included in the environmental report; and
- (b) the consultation period it intends to specify under section 16(1)(b) of the Act and notify under section 16(2)(a)(iv),

the responsible authority shall send to each Consultation Authority such sufficient details of the qualifying plan or programme as will enable the Consultation Authority to form a view on those matters (i.e. those in (a) and (b) above).

Section 15(2) states that each Consultation Authority shall

- (a) send to the Responsible Authority its views on the matters referred to in subsection (1) within the period of 5 weeks beginning with the date on which the details referred to in that subsection are received by the Consultation Authority; and
- (b) send a copy of those views to the other Consultation Authorities

Section 15(3) states that the responsible authorities shall-

- (a) take account of the views expressed by the Consultation Authorities; and
- (b) advise the Scottish Ministers of the period it intends to specify and notify for consultation

Section 15(4) states that if Scottish ministers consider that the period referred to in subsection (3)(b) is not likely to give (as the case may be) –

- (a) the consultation authorities; or
- (b) the public –
 - (i) affected or likely to be affected by; or
 - (ii) having an interest in, the plan or programme,

an early and effective opportunity to express their opinion on the plan or programme and the accompanying environmental report, the Scottish ministers shall, within 7 days of receipt of the advice under subsection (3)(b), specify such other period as the Scottish Ministers consider will give the consultation authorities, or (as the case may be) the public, such an early and effective opportunity.

¹ available on the Consultation Authorities ‘ individual web sites (Chapter 3)

5.2.7 Responsible Authorities may also use other innovative approaches to scoping, providing it enables the Consultation Authorities to form a view about the scope and level of detail of the environmental assessment.

5.2.8 Further guidance on what should be included in a Scoping Report is provided in paragraph 5.3.1 and in the SEA templates.

Part 3 – Scoping Guidance

What should you include in a Scoping Report?

5.3.1 Typically, a Scoping Report would include the following information set out clearly and concisely. Such an approach is supported by the Consultation Authorities.

Scoping Component	This should include:	Why should this be included?
1. Set the context for the plan, programme or strategy	A brief outline of the main objectives and contents of the PPS.	To allow the Consultation Authorities to understand the nature and content of the PPS
	A summary of relationship with other relevant PPS, which may affect or influence the PPS being assessed. This should include identifying the place of the PPS in the planning hierarchy, where relevant.	To allow the Consultation Authorities to understand the policy context in which the PPS sits, particularly where other PPS may have a significant influence on content and implementation. This is also a requirement of the Environmental Report.
	Summary of the likely changes to the environment if this PPS is not implemented.	
2. Establish the relevant baseline information	Brief summary of the environmental characteristics of those geographic areas that are likely to be significantly affected by the PPS. This should include identification of the relevant environmental data/data sets to be used and possible data gaps. The level of baseline detail intended to be used in the Environmental Report should be indicated.	To allow the key environmental characteristics of the area covered by the PPS and of the issues being experienced to be understood in order that the Consultation Authorities can effectively advise on the scope and level of detail of the assessment. Guidance on establishing the baseline is available in Chapter 8.
	Brief summary of environmental problems / issues experienced in the area which may affect or be affected by the PPS	

Scoping Component	This should include:	Why should this be included?
3. Scoping in and scoping out those issues to be considered in assessment	<p>Where possible, the Responsible Authority should scope out those environmental receptors listed in Schedule 3 paragraph 6(a) of the Act which the PPS cannot in any way influence or on which it will not have significant effects.</p> <p>Not every PPS subject to SEA will have significant environmental effects on all of the 12 environmental receptors set out in Schedule 3 of the Act. Where this is the case, these issues should be scoped out to avoid wasting time, money and effort.</p>	<p>To allow the Consultation Authorities to provide a view on the scope of the assessment.</p> <p>Which environmental factors should be scoped in and scoped out should be informed by the environmental baseline and the scale, nature and proposed content of the PPS.</p> <p>The geographic scale covered by the PPS and its place in the planning hierarchy will influence the extent to which issues can be scoped out.</p>
	<p>Where there is any doubt about whether an environmental factor should be scoped in or not, then Responsible Authorities should adopt a precautionary approach and include it in the assessment.</p>	<p>Adoption of a precautionary approach is necessary to ensure that potentially significant effects are not inadvertently missed.</p>
	<p>The reasons for scoping issues out should be clearly set out and justified.</p>	<p>To allow the Consultation Authorities to fully understand the reasons why an issue has been scoped out.</p>
4. If available, identifying reasonable alternatives	<p>If known at this point, a brief description of the type and range of reasonable alternatives that may be assessed should be provided.</p>	<p>To allow the Consultation Authorities early sight of the potential alternatives that may be assessed.</p>
	<p>A suitable means to gauge the effects of alternative approaches should be separately identified if the Responsible Authority intends to use a different method to the assessment method used for the draft PPS.</p>	<p>The Act requires consideration of “reasonable” alternatives. Not all alternatives can be viable, so consideration of what ones to reject and why would also be helpful at this stage.</p>
5. Intended approach to assessment	<p>The Responsible Authority should include in the Scoping Report a brief summary of its proposed assessment technique and the level of detail of the assessment.</p>	<p>To allow the Consultation Authorities to get an idea of the intended approach to the assessment in order to inform their comments on the scope and level of detail.</p>
	<p>The Responsible Authority should include the proposed SEA objectives, where these are to be used, and indicators, if known.</p>	<p>The techniques selected have to be able to cover the range of environmental issues scoped in to the assessment.</p> <p>Chapter 9 and the SEA templates, provide further guidance on developing an assessment method.</p>

Scoping Component	This should include:	Why should this be included?
6. Proposed period of consultation	<p>The report must identify the proposed time period for consultation on the Environmental Report.</p> <p>Typical consultation periods range from 6 – 12 weeks depending upon the nature and content of the PPS.</p>	<p>This is a requirement of the Act.</p> <p>This period is not specified by the Act but it must offer the Consultation Authorities and the public an early and effective opportunity to express views and opinions.</p>

5.3.2 Further guidance on the ways in which this information can be provided is set out in the SEA templates. You may also wish to refer to examples which have been submitted by other Responsible Authorities which will be made available through the Scottish Executive SEA webpage. *(An SEA database is in development and not currently available.)*

How long should a Scoping Report be?

5.3.3 The length of a Scoping Report cannot be prescribed and will to a large extent depend on the:

- nature and complexity of the PPS;
- stage in the planning process at which scoping is carried out;
- amount of information available at the scoping stage.

5.3.4 As a basic guide to ensure scoping reports remain concise, Responsible Authorities should try not to exceed 25 pages in length. Additional information may be provided in Appendices, although these too should be kept concise and summarise information. It is not necessary, for example, to include long lists of the data intended to be used in the assessment in the Scoping Report, but rather a summary of the kinds of data that will be used.

When do you start and complete a Scoping Report?

5.3.5 The point at which a Responsible Authority submits a scoping report is to a large extent dependent on: a) the type of PPS, b) where the Responsible Authority is in its preparation, and c) the timescale for its preparation.

5.3.6 For SEA to have maximum benefit and add value to the PPS preparation, it is important to commence the assessment while reasonable alternatives are still being considered and evaluated, prior to decision-making or a consultation exercise. If scoping is undertaken too early the Responsible Authority runs the danger of not having enough information to undertake scoping effectively. Too late and the Responsible Authority may have already narrowed the field of alternatives prior to proper assessment or documentation.

5.3.7 The timing of scoping is influenced by the preparation timescale for the PPS. For example, if there is a long lead-in or preparation time, then there may be benefits in waiting until more details about the PPS become available. Where the lead-in or preparation time is short, it may be advantageous to submit a Scoping Report earlier to accommodate statutory consultation timescales.

5.3.8 Although not required by the Act, Responsible Authorities may opt to consult more widely on a Scoping Report, to gain early ‘buy in’ from stakeholders to the merits of the SEA process and to ensure that the various points of view from stakeholders have been identified and considered during preparation of the Environmental Report.

Where do you submit reports to?

5.3.9 The Act states that Responsible Authorities must submit scoping information to the Consultation Authorities. In practice, and as a means to ease administration, Responsible Authorities are asked to submit details via the Scottish Executive SEA Gateway. Contact details are set out in Part 4 of this chapter.

What happens after the Consultation Authorities offer a view?

5.3.10 Following receipt of the Consultation Authorities’ response to the scoping consultation, the Responsible Authority shall:

- take account of the views expressed by the Consultation Authorities; and
- write to advise Scottish Ministers of the period of consultation it intends to specify for the public and the Consultation Authorities. This can be done via the Scottish Executive SEA Gateway.

5.3.11 One of the ways in which a Responsible Authority can demonstrate how it has taken into account the Consultation Authorities’ views is to provide a simple summary table in the Environmental Report of each view expressed and how it has been dealt with. Further advice on this is provided in Chapter 6.

5.3.12 If the Scottish Ministers do not consider that the proposed period of consultation offers the Consultation Authorities or the public an effective opportunity to express their opinions, they may specify an alternative period, which offers both groups a greater opportunity to comment.

Part 4 – Useful contacts for this stage

5.4.1 Responsible Authorities are asked to submit Scoping Reports via the Scottish Executive SEA Gateway:

Contact details: SEA Gateway
 Area 1-H (Bridge)
 Victoria Quay
 Edinburgh
 EH6 6QQ

email address: SEA.Gateway@scotland.gsi.gov.uk

SEA Gateway (helpdesk) 0131 244 5094

5.4.2 The Consultation Authorities have produced an information note² for SEA practitioners, which provides advice about the role of the Consultation Authorities and the type of information Responsible Authorities should include in scoping submissions.

5.4.3 The Consultation Authorities welcome early discussions with Responsible Authorities regarding scoping consultations. Please use the contact details provided in Chapter 3.

² available on the Consultation Authorities’ individual web sites (Chapter 3)



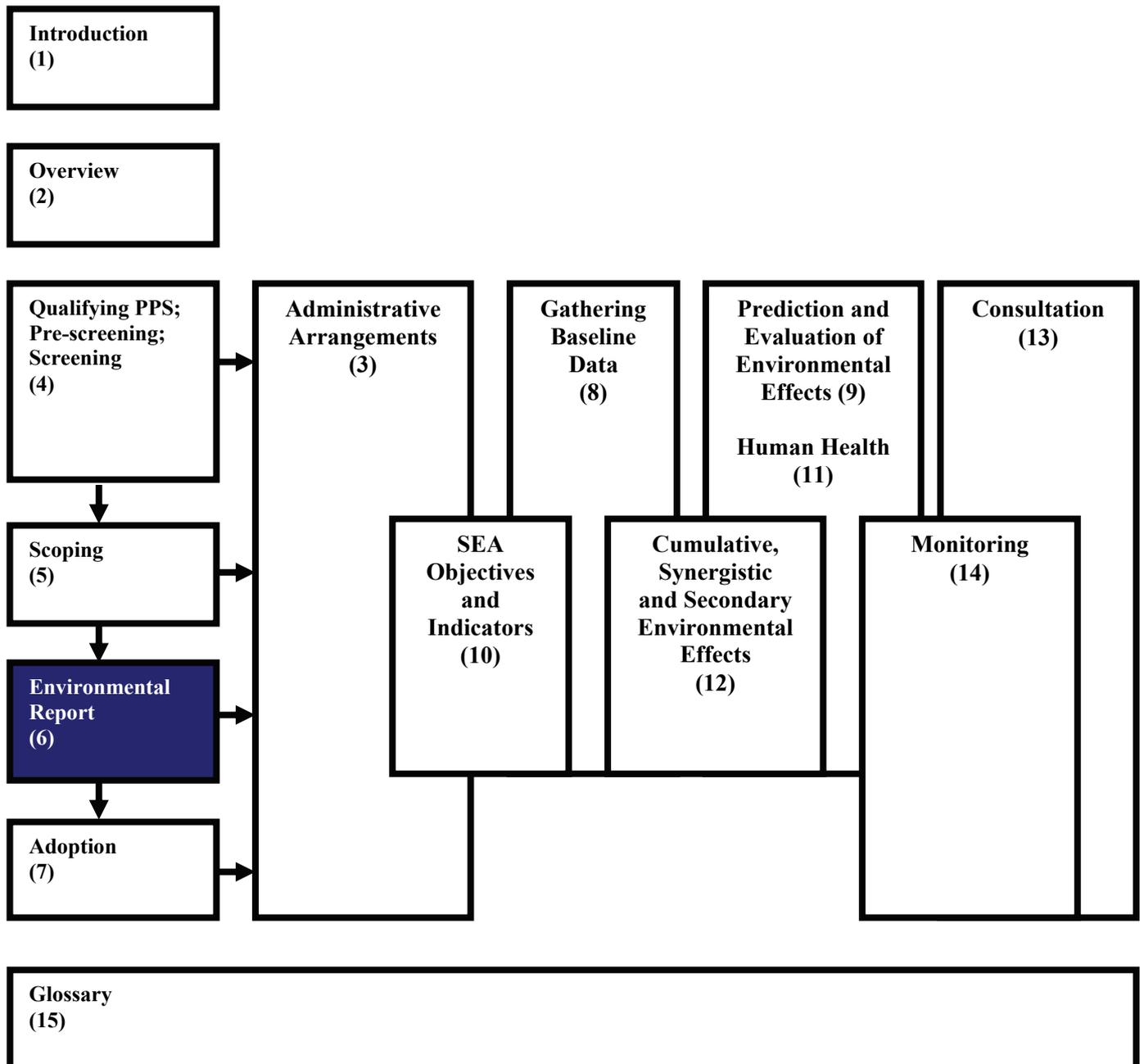
natural
scotland
SCOTTISH EXECUTIVE

**Strategic Environmental
Assessment Tool Kit
Chapter 6**

Environmental Report

**SCOTTISH EXECUTIVE
SEA TOOL KIT
Chapter 6 – Environmental Report**

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 – Introduction to the Environmental Report

- Background
- Purpose of the Environmental Report

Part 2 – Legislative requirements for the Environmental Report

- Requirement to prepare an Environmental Report
- What should you send to the Consultation Authorities?
- Where do you submit reports to?
- Public consultation on the Environmental Report

Part 3 – Environmental Report guidance

- What should you include in an Environmental Report?
- What environmental issues should be covered?
- What methods should be used to undertake the assessment?
- SEA and Sustainability Appraisal
- How long should the Environmental Report be?
- What happens after consultation on the Environmental Report?

Part 4 – Useful Contacts

Background

- 6.1.1 The scope and level of detail of the environmental assessment is considered by the Responsible Authority during the scoping stage (Chapter 5). The Responsible Authority then builds on this work in the course of undertaking the environmental assessment itself, which is the next stage in the SEA process. The Environmental Assessment (Scotland) Act 2005 ('the Act') specifies the outcome of this process through its outline of the Environmental Report (Section 14 and Schedule 3), but not the details of the process or the methods by which the assessment is to be undertaken.
- 6.1.2 The primary purpose of an SEA is to provide objective, transparent information to the decision-makers, members of the public and interested organisations. The Responsible Authority should take this into account when undertaking the assessment and reporting the results in the Environmental Report.
- 6.1.3 The Environmental Report is the main reporting mechanism for describing and evaluating the significant effects, both positive and negative, on the environment of implementing the plan, programme or strategy (PPS). The effects of alternatives to the PPS are also outlined and evaluated in the report, as well as actions to prevent, reduce and, as fully as possible, offset any significant adverse effects.
- 6.1.4 The Environmental Report is thus the key consultation document and is prepared for publication with a draft PPS. It assists decision makers, by setting out clearly the environmental impact of the draft PPS and the alternatives, allowing this information to be taken into account when coming to a decision on the PPS. In deciding the style, length and the level of detail to be provided in an Environmental Report, the Responsible Authority should bear in mind its ultimate purpose as a consultation tool. It has to be comprehensible to members of the general public.
- 6.1.5 It would be helpful if the Responsible Authority could identify within the Environmental Report whether the PPS qualifies under Section 5(3) or Section 5(4) of the Act. This is to enable the Scottish Executive to monitor SEA activity, fulfilling its reporting commitments under both the Act and the Directive.

Purpose of the Environmental Report

- 6.1.6 The purpose of the Environmental Report is to report the results of the environmental assessment. It identifies, describes and provides an evaluation of the likely significant effects, negative and positive, on the environment of implementing a PPS and its reasonable alternatives, and sets out measures to prevent, reduce and as fully as possible offset any adverse significant environmental effects that have been identified.

Requirement to prepare an Environmental Report

6.2.1 The legislation has the following key requirements:

6.2.2 Section 14 makes it clear that an Environmental Report shall be prepared for all qualifying PPS. Although the Act refers to plans and programmes, it includes plans, programmes and strategies (which include policies).

6.2.3 Sections 14(2) and (3) of the Act set out the basic matters that must be included within the Environmental Report, including the information specified in Schedule 3. The information required by Schedule 3 is set out in Figure 1. All the information set out in Figure 1 has to be included, taking into account those matters outlined in Section 14(3).

6.2.4 Ministers have the powers to modify Schedule 3 by order where changes are required (for example, to take account of new environmental issues or to reflect changes to the SEA Directive).

6.2.5 Section 16 of the Act requires Responsible Authorities to send a copy of the Environmental Report and the PPS to which it relates to the Consultation Authorities and to notify the public.

What should you send to the Consultation Authorities?

6.2.6 Responsible Authorities are required to send the Consultation Authorities a copy of the Environmental Report and the PPS to which it relates (known in the Act as the “relevant documents”) within 14 days¹ of preparing the Environmental Report. What should be included in the Environmental Report is set out in Figure 6.1 and further guidance is provided in Figure 6.2.

6.2.7 At this stage of the SEA process the Consultation Authorities have expressed a preference for both electronic and hard copies, especially if the PPS contains maps or complex illustrations. If hard copies are to be issued to the Consultation Authorities, the Responsible Authority should confirm the contact details with the SEA Gateway.

Requirements to prepare an Environmental Report in the Act	
6.2.3	Section 14(1) states that in relation to any qualifying plan or programme, the Responsible Authority shall secure the preparation of an Environmental Report.
6.2.4	Section 14(2) states that the report shall identify, describe and evaluate the likely significant effects on the environment of implementing- (a) the plan or programme; and (b) reasonable alternatives to the plan or programme, taking into account the objectives and the geographical scope of the plan or programme.
6.2.5	Section 14(3) states that the report shall include such of the information specified in Schedule 3 (see figure 1) as may reasonably be required, taking account of- (a) current knowledge and methods of assessment of environmental matters; (b) the contents of, and level of detail in, the plan or programme; (c) the stage of the plan or programme in the decision making process; and (d) the extent to which any matters to which the report relates would be more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.
6.2.6	Section 14(4) states that - information referred to in Schedule 3 may be included in the report by reference to relevant information obtained at other levels of decision making or through Community legislation.
6.2.7	Section 14(5) states that Scottish Ministers may by order modify Schedule 3.

¹ Note: the consultation period shall start from the day the relevant documents are registered with the Scottish Executive SEA Gateway.

Figure 6.1

ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005 – SCHEDULE 3	
INFORMATION FOR ENVIRONMENTAL REPORTS	
1	An outline of the contents and main objectives of the plan or programme, and of its relationship (if any) with other qualifying plans and programmes.
2	The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.
3	The environmental characteristics of areas likely to be significantly affected.
4	Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Council Directive 79/409/EEC on the conservation of wild birds and Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna (as last amended by Council Directive 97/62/EC).
5	The environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.
6	The likely significant effects on the environment, including- (a) on issues such as- (i) biodiversity; (ii) population; (iii) human health; (iv) fauna; (v) flora; (vi) soil; (vii) water; (viii) air; (ix) climatic factors; (x) material assets; (xi) cultural heritage, including architectural and archaeological heritage; (xii) landscape; and (xiii) the inter-relationship between the issues referred to in heads (i) to (xii); (b) short, medium and long-term effects; (c) permanent and temporary effects; (d) positive and negative effects; and (e) secondary, cumulative and synergistic effects.
7	The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.
8	An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of expertise) encountered in compiling the required information.
9	A description of the measures envisaged concerning monitoring in accordance with section 19.
10	A non-technical summary of the information provided under paragraphs 1 to 9.

6.2.8 The Act places no duty on the Consultation Authorities to respond to Environmental Report consultations. However, they are likely to do so. The Consultation Authorities state in their Information Note² that comments are likely to cover (but are not limited to):

- the adequacy of the Environmental Report in recording the likely significant environmental effects of the PPS and its reasonable alternatives; and
- the approach adopted to prevent, reduce and offset adverse effects.

Comments from the Consultation Authorities on the draft PPS will normally be separate from those on the Environmental Report.

Where do you submit reports to?

6.2.9 The Act states that Responsible Authorities must submit the relevant documents to the Consultation Authorities. In practice, and to ease administration, Responsible Authorities are asked to submit Environmental Reports and associated draft PPS via the Scottish Executive SEA Gateway. Contact details are set out in Part 4 of this chapter.

Public consultation on the Environmental Report

6.2.10 The Act is clear about the need for wide consultation on the relevant documents and sets out basic requirements for notifying the public about the opportunity to express opinions on the Environmental Report and the accompanying PPS. Details of the consultation requirements and guidance on how to meet them are set out in Chapter 13.

Part 3 – Environmental Report guidance

What should you include in an Environmental Report?

6.3.1 Schedule 3 of the Act (see Figure 1) outlines the information that should be included within an Environmental Report. Environmental Reports do not have to be structured to follow Schedule 3, but the required information has to be included, taking into account the caveats included at Section 14(3) of the Act. Commitments made at the earlier scoping stage should also be fulfilled.

6.3.2 As general principles, Environmental Reports should:

- be focussed on the relevant significant environmental effects (positive and negative) of implementing the PPS;
- be concise and easy to use, using maps, diagrams and tables rather than text where possible and written in accessible language;
- be clear, setting out the assessment findings, in particular the adverse environmental effects identified and the ways in which these can be prevented, reduced and as fully offset as possible;
- identify any difficulties, including deficiencies, that have been encountered;
- identify where other PPS, particularly those lower in the plan hierarchy, that may need to undertake a more detailed assessment where it has not been possible in this assessment, including who would be responsible for undertaking the assessment; and
- demonstrate how the views of the Consultation Authorities at scoping have been taken into account.

² available on the Consultation Authorities' individual web sites (Chapter 3)

6.3.3 Further guidance on how to comply with the requirements of Schedule 3 and an example of the structure for an Environmental Report is provided in Figure 6.2.

Figure 2: Contents of the Environmental Report

Schedule 3 Requirement	Description
Schedule 3 (10) - Non-technical summary (including consultation timescale and address for comments)	<p>The purpose of the non-technical summary (NTS) is to provide, in non-technical language, a summary of the findings of the Environmental Report. A summary of the information specified at paragraphs 1-9 of Schedule 3 of the Act has to be included, but it is good practice for the NTS to cover the whole Environmental Report. It is also good practice for the NTS to set out details of the consultation and the address to which comments may be sent. The NTS is normally located at the start of the Environmental Report.</p>
<p>Schedule 3 (1) - An outline of the contents and main objectives of the plan, programme or strategy and of its relationship with other qualifying plans, programmes and strategies.</p> <p>Schedule 3 (5) - Environmental protection objectives set at international, Community or Member</p>	<p>The outline should set out what the PPS is aiming to achieve. The Environmental Report must include an outline of the relationships with other qualifying PPS (<i>if any</i>) and what environmental protection objectives, ‘established at International, Community or Member State level’, have been taken into account. This helps to set the Environmental Report in context. This requirement also effectively establishes the policy framework within which a PPS must operate.</p> <p>At this point it is also appropriate to refer to a PPS place in the PPS hierarchy.</p> <p>Figure 9.7 in Chapter 9, part 6 - Prediction and Evaluation of Environmental Effects – provides a helpful visual representation of a hierarchy of PPS.</p>
Schedule 3 (2) and (3) - The relevant aspects of the current state of the environment and the environmental characteristics of areas likely to be significantly affected. (Baseline)	<p>This part of the report should provide a description of the existing environmental characteristics of the area likely to be affected by the PPS, outlining the current constraints and what is likely to happen if the PPS is not implemented. This can be informed by data on past trends and on likely future developments in the absence of the PPS (e.g. increasing traffic levels or water abstraction).</p> <p>The Environmental Report has to offer a description of the relevant aspects of the current state of the environment and the environmental characteristics of areas likely to be significantly affected, in light of the caveats set out in Section 14(3) of the Act. To establish this, a Responsible Authority should identify what organisations hold data relevant to the PPS being developed. It is anticipated that the effort required to gather information will gradually reduce with collation of data, experience and accrual of data resources by public bodies and as Responsible Authorities establish processes and systems to cope with this recurring need for baseline information.</p>

Schedule 3 Requirement	Description
	<p>Chapter 8 of this guidance offers advice on gathering baseline data and includes a useful list of known data sources, who may be approached by Responsible Authorities when developing an SEA. This list will be developed through experience and as new data sources are identified. Responsible Authorities may of course develop their own lists, which reflect their unique environmental characteristics and circumstances, and which will be common to a number of their PPS.</p>
<p>Schedule 3 (4) - any existing environmental problems which are relevant to the plan, programme or strategy.</p>	<p>The Environmental Report has to include a description of existing environmental problems which are relevant to the PPS, in particular those relating to areas of particular environmental importance, such as those designated under the Habitats and Birds Directives (Natura 2000 sites). The purpose of this section is to explain how existing environmental problems will affect or be affected by the PPS and whether it is likely to aggravate, reduce or otherwise affect existing environmental problems.</p> <p>This summary should be relevant to the scale of the PPS. For example, a national-level PPS would not normally require to identify every environmental problem in the country, but rather a strategic overview of those most relevant problems with regard to the PPS content and scope.</p>
<p>Schedule 3 (6), (7) and (8) - Assessment of environmental effects of the plan, programme or strategy, including reasonable alternatives and proposed mitigation measures</p>	<p>(6) Assessment</p> <p>This part of the Environmental Report reports the assessment of the draft PPS and its alternatives. The significant environmental effects are described and evaluated in terms of short, medium and long-term effects; permanent and temporary effects; positive and negative effects; and secondary, cumulative and synergistic effects.</p> <p>The assessment should cover the 12 environmental factors set out in paragraph 6(a) of Schedule 3, unless they have been judged not likely to have significant environmental effects at the scoping stage. Further guidance on what might be covered for each of these environmental receptors is provided in paragraphs 3.5 to 3.17 below.</p> <p>Assessing and presenting cumulative, synergistic and secondary effects can be complex and further guidance is provided in Chapter 12.</p> <p>Methods used must provide a transparent assessment of the impacts on the individual components of the environment. A Responsible Authority would typically select an approach relevant to the scale and nature of the PPS and/or the current state of the environment, in order to assess the likely significant effects. Assessment is often presented through the use of a matrix which assesses each part of the</p>

Schedule 3 Requirement	Description
	<p>PPS and each alternative against the assessment criteria (e.g. SEA objectives) used for the SEA. These matrices are normally presented as appendices and their results summarised as findings.</p> <p>The findings of the assessment should be clearly set out in a concise and easy to understand way. In particular, any adverse environmental effects that have been identified should be clearly stated.</p> <p>Examples of assessment methods are outlined in the SEA templates. As experience grows, case study examples will be made available through the Scottish Executive SEA website.</p> <p>This part of the Environmental Report should also include a concise description of how the assessment was undertaken and of any difficulties experienced (e.g. data gaps, lack of expertise).</p> <p>(7) Alternatives Responsible Authorities will normally have considered a range of alternatives when preparing PPS. Under the Act it is now necessary to be clear about the alternatives that have been considered (including where appropriate the “business as usual” option) and what environmental effects they may have. Accordingly, reasonable alternatives to the PPS must be identified, described and evaluated in the Environmental Report. Guidance on how to identify and evaluate alternatives is provided in Chapter 9. Alternatives may include those to the PPS, and also those within the PPS.</p> <p>Alternatives should be realistic, practicable and relevant. In some cases alternatives may be limited in the light of policies set in a higher tier of PPS. There is no expectation of Responsible Authorities to assess options that would be incompatible with the law or national policy, nor is there any expectation that options or alternatives must be generated merely for the sake of assessment.</p> <p>However, all alternatives spanning the range of reasonable options should be identified and assessed, even those rejected at an early stage because they were considered feasible but inappropriate.</p> <p>The Environmental Report should include an outline of the reasons for selecting the alternatives dealt with so there is the opportunity to indicate why some apparently reasonable options were not included in the assessment.</p>

Schedule 3 Requirement	Description
	<p>(8) Mitigation</p> <p>Measures which are envisaged to prevent, reduce and as far as possible offset any adverse environmental effects that have been identified in the assessment should be presented in the Environmental Report. Such measures are often referred to as mitigation and in the context of this guidance is taken to include all measures that may prevent, reduce or offset adverse environmental effects from occurring. Good practice would include acting to enhance environmental benefits.</p> <p>Such measures might include:</p> <ul style="list-style-type: none"> • changes to the PPS subject to SEA (e.g. to avoid sensitive sites); • measures that need to be enacted in lower or higher tier PPS; • measures that need to be enacted through other actions (e.g. through project EIA); or • compensation measures (e.g. replacement habitats). <p>One of the more important mitigation measures to consider in the report will be the way in which the PPS itself has been modified as a result of the environmental assessment process.</p> <p>It is important in this context to appreciate that the requirement is not to mitigate every conceivable adverse effect but to focus mitigation on any significant adverse effects. The Environmental Report should provide an indication of the anticipated effectiveness of the measures in achieving the mitigation.</p> <p>The likely significant environmental effects of the identified mitigation measures, where these would occur, also have to be assessed and set out in the Environmental Report.</p> <p>When identifying mitigation measures, Responsible Authorities should also where possible identify bodies or agencies that will be responsible for ensuring that they happen. This is important to ensure that mitigation actions are implemented effectively.</p>
<p>Schedule 3 (9) - Monitoring</p>	<p>The Responsible Authority must monitor the significant environmental effects of the implementation of the PPS. This must be done in such a way as to also identify unforeseen adverse effects on the environment and enable the Responsible Authority to take the appropriate remedial action. The Environmental Report should describe the monitoring measures envisaged to comply with this requirement. Monitoring measures are ideally linked to targets, objectives or indicators established in the</p>

Schedule 3 Requirement	Description
	Environment Report. Chapter 14 provides guidance on monitoring of significant environmental effects, following adoption of the PPS.
<p>Additional Information – These items are not required by the Act, but may be appropriate for inclusion in some Environmental Reports</p>	<p>1. Responsible Authorities may wish to include a section in the Environmental Report which indicates how the views of the Consultation Authorities at the scoping stage have been taken into account. The Consultation Authorities have indicated that summarising this in the Environmental Report would be very helpful. It is a useful way to demonstrate how the Consultation Authorities’ views have been taken into account, in accordance with the requirements of Section 18(3) of the Act.</p> <p>2. Some Responsible Authorities may find it helpful to provide a revised Environmental Report to take account of views expressed upon it during consultation or to assess changes made to the PPS as it progresses from consultation to adoption. This is not a requirement of the Act and is not expected (unless there are changes to the PPS which may result in significant environmental effects), but Responsible Authorities may find such an approach useful. Where such an approach has been adopted, an indication of how and where it has been revised (e.g. “tracked” changes) would be helpful.</p> <p>3. Where an Environmental Report makes recommendations for further assessment or mitigation in other PPS, it would be useful if these were grouped together in order to be clear to other plan owners where such work is required.</p> <p>4. Next Steps - It may be helpful to inform the public of key dates such as the closing date for comments, period during which comments will be scrutinised, any further planning/SEA activities, and adoption and post adoption SEA activities such as notification and monitoring.</p>

6.3.4 Further guidance on the ways in which this information can be provided is set out in the SEA templates. You may also wish to refer to examples which have been submitted by other Responsible Authorities which will be made available through the Scottish Executive SEA web site.

<http://www.scotland.gov.uk/Topics/SustainableDevelopment/14587>

What environmental issues should be covered?

6.3.5 Schedule 3(6) lists 12 environmental factors that should be included in the assessment, which includes their interactions. The Schedule does not set out what is covered by these headings. The following list sets out the 12 environmental factors and the sorts of issues which it may be appropriate to consider within Environmental Reports.

6.3.6 This list is indicative and the range of issues will always vary from PPS to PPS. Consideration will depend on the level of detail of the assessment and whether certain issues have been scoped in or out, for example. Other environmental issues not listed here may be appropriate to include in some assessments. Accordingly, coverage of the issues in this Chapter is not intended to imply compliance.

6.3.7 **Biodiversity, Flora and Fauna**

- Areas designated or proposed for their international (Special Protection Areas, Special Areas of Conservation and Ramsar sites), national (Sites of Special Scientific Interest, National Natural Reserves) or local nature conservation importance and a description of the relevant interests, including earth heritage interests;
- Species, including migratory species, characteristic of the area or likely to be encountered in development that are protected by law;
- Species and habitats identified as priorities in national or local biodiversity action plans.

6.3.8 **Population and Human Health**

- Areas of particular amenity value, cultural associations, or sensitivity to development including those of importance for tourism or outdoor recreation;
- Access to National, Regional and Country Parks;
- Urban and rural areas of degraded environment needing restoration or enhancement;
- Operational and closed waste disposal and management sites and any particular environmental problems associated with them;
- Noise;
- Odour;
- Proximity to other potential sources of pollution from industrial sites and other sources;
- Access to recreational opportunities and open space.

6.3.9 **Soil**

- Areas affected by former mineral working and requiring restoration or environmental improvement;
- Prime quality agricultural land;
- Relevant aspects of geology;
- Contaminated land;
- Derelict land;
- Unstable land;
- Land vulnerable to erosion e.g. from the sea;
- Nitrate Vulnerable Zones (also connected to groundwater quality).

6.3.10 **Water**

- River basins and catchments;
- Pressures and impacts on ecological status of waterbodies;
- Water pollution from point or diffuse sources;
- Morphological impacts on waterbodies from engineering and other works;
- Impacts on waterbodies from abstraction;

- Groundwater quality and quantity;
- Lochs, ponds, standing waters and other wetlands including peat lands;
- The coastal environment, including bathing waters, transitional waters and estuaries;
- The marine environment;
- Areas of fluvial or coastal flood risk;
- Private water abstractions;
- Drinking water quality.

6.3.11 Air

- Locations where air quality thresholds of pollution have been exceeded;
- Air Quality Management Areas;
- Dust;
- Ambient air quality;
- Odour;
- Release of specific emissions from specific sites which may be causing problems in the PPS area;
- Industrial emissions generally.

6.3.12 Climatic Factors

- UKCIP national and regional climate change scenarios;
- Greenhouse gas emissions;
- Effects of future climate change, at large scale and at local scale and particularly those areas most sensitive to future changes;
- Flooding and predicted sea level rises;
- Climate change adaptation .

6.3.13 Material Assets

- Quality of housing stock;
- Environmental infrastructure (e.g. flood defences, dams);
- Public transport infrastructure;
- Road infrastructure;
- Rights of Way;
- Existing land use e.g. recreation;
- Minerals e.g. coal, sand & gravel.

6.3.14 Cultural Heritage

Historic environment features including:

- World Heritage Sites;
- Scheduled ancient monuments and their settings;
- Listed Buildings and their settings;
- Gardens and designed landscapes included on the Inventory of Gardens and Designed Landscapes, and their settings;
- Protected wrecks;
- Conservation Areas;

- Other areas or concentrations of historically interesting buildings.
- Sites of regional or local archaeological importance
- Maritime and underwater archaeology
- Historic landscapes and/or townscapes
- Areas with a concentration of archaeological and other cultural heritage interests
- Areas where the archaeological interest is uncertain but potentially significant.

6.3.15 **Landscape**

- Landscape character including any particularly rare or distinctive features or associations;
- National Parks and a description of the special qualities of the area which were the reasons for designation (also includes biodiversity and cultural heritage issues);
- Other areas designated for their national (National Scenic Areas) or local landscape importance (e.g. Areas of Great Landscape Value);
- Areas valued for their wild land character;
- Urban parks and open spaces of recreational, amenity or wildlife value;
- Green belts;
- Green corridors or wedges of green land important because they penetrate or separate urban areas;
- Important open areas which contribute to the distinctive setting or identity of settlements.

6.3.16 **Interaction between these factors**

- Areas sensitive to the cumulative effects of different development types e.g. single houses in the countryside, mineral workings or windfarms;
- Areas sensitive to an accumulation of different environmental effects, e.g. noise and visual intrusion;
- The coastal zone, including areas of particular sensitivity or under particular pressures for change.

What methods should be used to undertake the assessment?

6.3.17 The method used to undertake the assessment will vary from PPS to PPS, depending upon its scale, nature, content and place in the PPS hierarchy. The Act does not prescribe the assessment method and Responsible Authorities are free to determine a method that suits their needs, so long as the information required by Schedule 3 is provided.

6.3.18 Examples of assessment methods are outlined in Chapter 9. Further examples of Environmental Reports will be posted on the Scottish Executive SEA website.
<http://www.scotland.gov.uk/Topics/SustainableDevelopment/14587>

SEA and Sustainability Appraisal

6.3.19 There is no requirement under the Act to consider social or economic factors as part of what is commonly referred to as “Sustainability Appraisal”. Responsible Authorities are not precluded from undertaking Sustainability Appraisal so long as the full requirements of the Act are met. Where a Sustainability Appraisal is the preferred approach, Responsible Authorities should:

- Demonstrate how the requirements of the Act have been met;
- Ensure that the Environmental Report is a discrete and easily identified component;
- Be aware that the Consultation Authorities will only comment on the environmental components, in line with their competencies; and
- Be aware that statutory timescales only apply to the components relevant to the Act.

How long should the Environmental Report be?

6.3.20 The length of an Environmental Report cannot be prescribed and will, to a large extent, depend upon:

- the nature, complexity and scale of the PPS;
- its geographic scope,
- its content; and
- its position in any PPS hierarchy.

6.3.21 The SEA templates provide a framework for the Environmental Report. The size of the sections and boxes in the template is not a guide to the amount of detail required, as that will depend on the nature and complexity of the PPS. Section 14 and Schedule 3 of the Act make provision for the purpose and content of the Environmental Report.

6.3.22 The guiding principle to length and level of detail is that, it should be proportionate to the PPS. Typically, an Environmental Report will comprise up to 50 pages. Additional information may be provided in appendices, although these too should be kept concise and summarise information, while remaining comprehensible to the general public.

What happens after consultation on the Environmental Report?

6.3.23 The Responsible Authority must take account of the Environmental Report and of any opinions which are expressed upon it as it prepares the PPS for adoption.

6.3.24 Further guidance about the adoption stage is provided in Chapter 7.

Part 4 – Useful contacts for this stage

6.4.1 Responsible Authorities are asked to submit Environmental Reports via the Scottish Executive SEA Gateway:

Contact details: SEA Gateway
1-H (Bridge)
Victoria Quay
Edinburgh
EH6 6QQ

email address: SEA.Gateway@scotland.gsi.gov.uk

SEA Gateway (helpdesk) 0131 244 5094

- 6.4.2 The Consultation Authorities have produced an Information Note³ for SEA practitioners, which provides advice about the role of the Consultation Authorities and the type of information Responsible Authorities should include in Environmental Reports.
- 6.4.3 The Consultation Authorities welcome early discussions with Responsible Authorities regarding SEA. They can be contacted through their SEA gateways at the contact details provided in Chapter 3.

³ available on the Consultation Authorities' individual web sites (Chapter 3)

ADOPTION (PRE- AND POST-ADOPTION OF THE PPS)



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Strategic Environmental Assessment Tool Kit

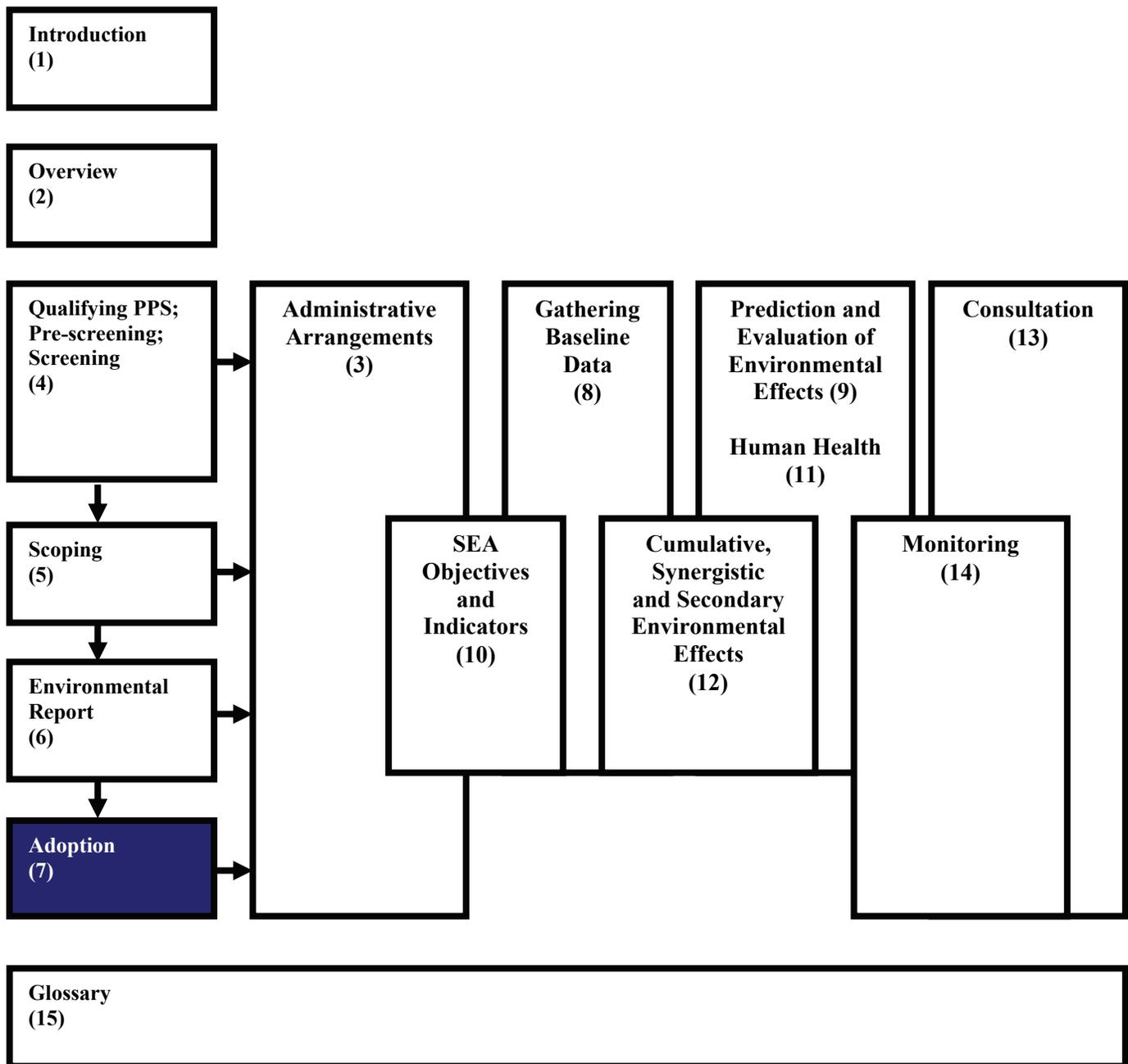
Chapter 7

Adoption (Pre- and Post Adoption of the PPS)

SCOTTISH EXECUTIVE
SEA TOOL KIT

Chapter 7 – Adoption (Pre- and Post Adoption of the PPS)

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 – Introduction

Part 2 – Legislative requirements

- Checklist

Part 3 – Guidance - Adoption

- What information should you include in the SEA Statement?
- How long should a SEA Statement be?
- What should you send to the Consultation Authorities?
- Where do you submit reports to?

Part 4 – Useful contacts for this stage

Part 1 – Introduction

- 7.1.1 Before a qualifying plan, programme or strategy (PPS) can be formally adopted, it is a requirement of the Environmental Assessment (Scotland) Act 2005 ('the Act') that the Environmental Report and the outcome of consultations upon it are taken into account. The Act also requires that once the PPS is adopted, a statement is published which explains how the Responsible Authority has taken the SEA process into account and how environmental considerations have been integrated into the PPS.
- 7.1.2 This part of the guidance sets out what a Responsible Authority must do when adopting a PPS which has been subject to SEA, and provides advice on the type of information that may be included within the required statement.

Part 2 – Legislative requirements

- 7.2.1 The specific requirements of the Act in respect of pre- and post-adoption procedures are set out in the adjacent boxes.

- 7.2.2 Section 17 of the Act requires that prior to the formal adoption of a qualifying PPS, account must be taken of the Environmental Report, of opinions expressed upon it (both from the Consultation Authorities and from the wider public) and of any transboundary consultations with other EU Member States. How these have all been taken into account must be demonstrated.

- 7.2.3 Section 18 of the Act sets out a comprehensive range of activities which must be undertaken to demonstrate that account has been taken of the Environmental Report and any views expressed upon it, and to advertise the fact that the PPS has been formally adopted. This includes the preparation of a statement (called an "SEA Statement") explaining how the Environmental Report and opinions expressed upon it have been taken into account. There is also a requirement to send a copy of the adopted PPS and the SEA Statement to the Consultation Authorities.

Requirements prior to adoption of PPS

Section 17 states that in the preparation of a qualifying plan or programme, the responsible authority shall take account of-

- (a) the environmental report for that plan or programme;
- (b) every opinion expressed in response to the invitation to the Consultation Authorities and to the public on the Environmental Report and the relevant strategy, plan or programme (section 16 of the Act);
- (c) the outcome of any relevant consultations with other EU Member States under Regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (UK Regulations).

Requirements post adoption of PPS

Section 18(1) states that as soon as reasonably practicable after the adoption of a qualifying plan or programme, the responsible authority must-

- (a) make available a copy of-
 - (i) the plan or programme;
 - (ii) the Environmental Report relating to it; and
 - (iii) a statement containing the particulars referred to in 18(3)
- at the authority's principal office for inspection by the public at all reasonable times and free of charge;

Checklist

7.2.4 To assist Responsible Authorities in meeting the requirements of the adoption stage of SEA, Figure 7.1 provides a checklist of these activities. Please note that this checklist is provided to guide Responsible Authorities and should not be assumed to imply compliance with the Act.

Requirements post adoption of PPS

- (b) secure the taking of such steps as it considers appropriate (including publication in at least one newspaper circulating in the area to which the plan or programme relates) to bring to the attention of the public-
 - (i) the title of the plan or programme;
 - (ii) the date on which it was adopted;
 - (iii) the address (which may include a website) at which a copy of the plan or programme and its accompanying Environmental Report, and of the statement containing the particulars specified in subsection (3), may be inspected or from which a copy may be obtained;
 - (iv) the times at which inspection may be made; and
 - (v) that inspection may be made free of charge; and
- (c) display a copy of -
 - (i) the documents referred to in paragraph (a);
 - and**
 - (ii) the information referred to in paragraph (b),
 on the authority's website.

Section 18(2) states that –

As soon as reasonably practicable after the adoption of a qualifying plan or programme, the responsible authority shall inform the consultation authorities of the adoption of the plan or programme and shall send them a copy of-

- (a) the plan or programme as adopted; and
- (b) the statement containing the particulars specified in subsection (3).

Section 18(3) states that –

- the particulars referred to in 18(1) and 18(2) are-
- (a) how environmental considerations have been integrated into the plan or programme;
 - (b) how the environmental report has been taken into account;
 - (c) how the opinions expressed in response to the invitation mentioned in section 16 have been taken into account;
 - (d) how the results of any relevant transboundary consultation have been taken into account;
 - (e) the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives considered; and
 - (f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Figure 7.1 Checklist of adoption activities

	Task	When	Section
1	Take account of the environmental report for the PPS;	During the preparation of the PPS	17(a)
2	Take account of every opinion expressed in response to the invitation to the Consultation Authorities and to the public;	During the preparation of the PPS	17(b)
3	Take account of the outcome of any transboundary consultation;	During the preparation of the PPS	17(c)
4	Prepare a statement containing the particulars referred to in Section 18(3) of the Act. This is more commonly known as the post adoption “SEA Statement” and guidance as to what should be included is provided in Part 3 and in the SEA templates.	As soon as reasonably practicable after the adoption of the PPS	18(3)
5	Make available a copy of the PPS, the Environmental Report relating to it and the “SEA Statement” at the Responsible Authority’s principal office for inspection by the public at all reasonable times and free of charge;	As soon as reasonably practicable after the adoption of the PPS	18(1)(a)
6	Bring to the attention of the public- <ul style="list-style-type: none"> • the title of the PPS; • the date on which it was adopted; • the address (which may include a website) at which a copy of the PPS and its accompanying Environmental Report and of the SEA Statement may be inspected or from which a copy may be obtained; • the times at which inspection may be made; and • that inspection may be made free of charge; 	As soon as reasonably practicable after the adoption of the PPS. This may be achieved through the advertisement in 7 below.	18(1)(b)
7	Publish in at least one newspaper circulating in the area to which the PPS relates a notice providing the information cited in 6 above	As soon as reasonably practicable after the adoption of the PPS	18(1)(b)
8	Display a copy of - <ul style="list-style-type: none"> • the documents referred to in 5 above • the information referred to in 6 above on the authority’s website.	As soon as reasonably practicable after the adoption of the PPS	18(1)(c)
9	Inform the consultation authorities of the adoption of the PPS and send them a copy of- <ul style="list-style-type: none"> • the PPS as adopted; and • the “SEA Statement”. Responsible Authorities are asked to submit these through the Scottish Executive SEA Gateway.	As soon as reasonably practicable after the adoption of the PPS	18(2)

What information should you include in the SEA Statement?

7.3.1 Section 18(1)(a)(iii) requires the Responsible Authority to make available a statement containing specified information, as soon as is reasonably practicable after the adoption of the PPS. This statement is referred to as the post-adoption “SEA Statement”.

7.3.2 There is a template for a SEA Statement in the templates attached to the Tool Kit.

7.3.3 The length and level of detail in the SEA Statement will vary depending on the nature of the PPS, the number of consultation responses received and on the nature and extent of any significant environmental effects.

7.3.4 The SEA Statement must include the following:

Requirement of Act	Guidance
<ul style="list-style-type: none"> Describe how environmental considerations have been integrated into the PPS 	<p>This might include:</p> <ul style="list-style-type: none"> details of measures taken to prevent, reduce and as fully as possible offset the adverse environmental effects identified in the assessment or to enhance positive benefits; details of how cumulative and other indirect effects have been considered and taken into account; any special characteristics, problems or designations in the area which have been considered during the PPS preparation; details of how environmental protection objectives, set by other PPS or by international, European or national policy have been considered during PPS preparation.
<ul style="list-style-type: none"> Describe how the Environmental Report has been taken into account; 	<p>This might include:</p> <ul style="list-style-type: none"> details of how the PPS has changed as a result of the environmental assessment, particularly in regard to negative impacts identified in the Environmental Report; an indication of the need for more detailed assessment required to be undertaken by lower tier PPS in order to understand the environmental effects properly; details of mitigation measures required and those responsible for implementing them.

Requirement of Act	Guidance
<ul style="list-style-type: none"> Describe how the opinions expressed on the Environmental Report during consultation have been taken into account 	<p>This is likely to include:</p> <ul style="list-style-type: none"> a list of all comments received, including those from the Consultation Authorities, explaining how they have been taken into account or, if not, the reasons why not; <p>When reporting on comments, Responsible Authorities should comply with other relevant legislation such as the Data Protection Act.</p>
<ul style="list-style-type: none"> Describe how the results of any transboundary consultations have been taken into account 	<p>This is likely to include:</p> <ul style="list-style-type: none"> a list of all comments received from other Member States explaining how they have been taken into account or, if not, the reasons why not.
<ul style="list-style-type: none"> Set out the reasons for choosing the PPS as adopted in the light of other reasonable alternatives considered 	<p>This might include:</p> <ul style="list-style-type: none"> a summary of the alternatives considered; a summary of the reasons for the final choice; an explanation as to why certain aspects of the PPS may have been progressed in the light of identified negative impacts.
<ul style="list-style-type: none"> The measures that are to be taken to monitor the significant environmental effects of implementing the PPS 	<ul style="list-style-type: none"> For further guidance refer to Chapter 14.

How long should an SEA Statement be?

7.3.5 The length of a SEA Statement cannot be prescribed and will to a large extent depend on:

- the nature and complexity of the PPS;
- the number of comments received;
- the nature and extent of significant effects identified; and
- the extent of mitigation measures required to prevent, reduce and/or offset adverse environmental effects.

SEA Statements, however, should be kept as concise as possible.

What should you send to the Consultation Authorities?

7.3.6 Responsible Authorities are required to send the Consultation Authorities a copy of the adopted PPS and the SEA Statement as soon as is reasonably practicable after adoption of the PPS.

7.3.7 The Consultation Authorities have expressed a preference for both electronic and hard copies, especially if the adopted PPS contains maps or complex illustrations. If hard copies are to be issued to the Consultation Authorities the Responsible Authority should confirm contact details with the SEA Gateway.

Where do you submit reports to?

7.4.1 The Act states that Responsible Authorities must submit the relevant documents to the Consultation Authorities as well as making them available through websites and at the authority's offices. In practice, and to ease administration, Responsible Authorities are asked to submit SEA Statements and the adopted PPS via the Scottish Executive SEA Gateway.

Address SEA Gateway,
 Area 1-H (Bridge),
 Victoria Quay,
 Edinburgh,
 EH6 6QQ

email - SEA.Gateway@scotland.gsi.gov.uk

Telephone 0131 244 5094

7.4.2 The Consultation Authorities have produced an Information Note for SEA practitioners, which provides advice about the role of the Consultation Authorities and the type of information Responsible Authorities should provide at this stage.

GATHERING BASELINE DATA



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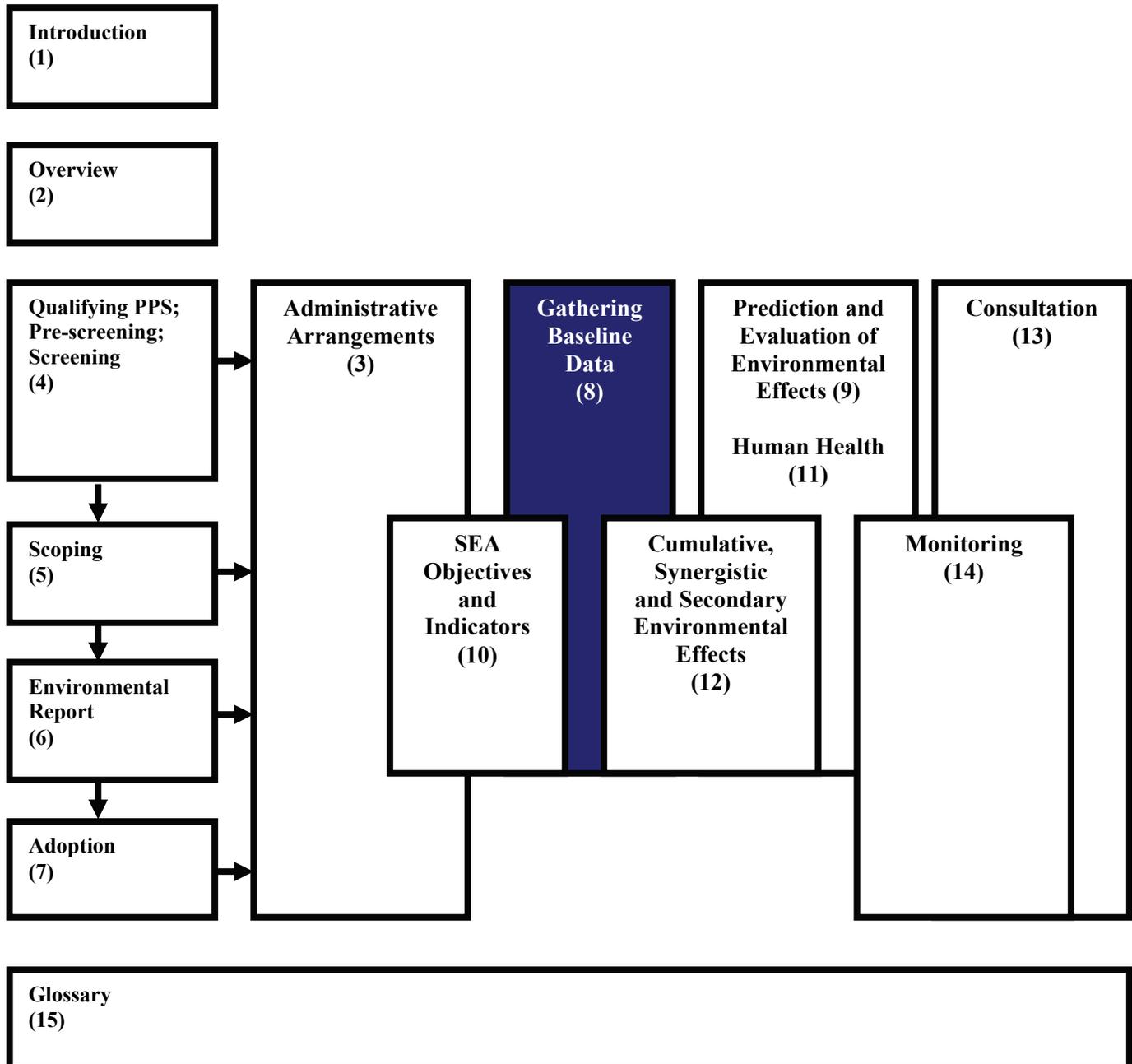
Chapter 8

Gathering Baseline Data

SCOTTISH EXECUTIVE
SEA TOOL KIT

Chapter 8 - Gathering Baseline Data (includes list of useful data sources)

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 – Introduction to baseline information

Part 2 - Legislative requirements

- The relevant statutory provisions

Part 3 - Data collation

- Data types
- Relevant data sources
- Issues in data collection

Part 4 - Information held by the Consultation Authorities

- Historic Scotland
- The Scottish Environment Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)

Part 5 - Data sources - Scotland

Part 6 - Further guidance sources

Part 1 – Introduction to baseline information

8.1.1 Baseline environmental information is important for the main stages of the SEA process, as follows:

- **Screening:** at the screening stage the characteristics of affected areas are a factor in determining whether significant environmental effects are likely. The Responsible Authority will therefore require an understanding of the existing environment, in order to make this determination.
- **Scoping:** the scoping stage considers the characteristics of the existing environment when deciding whether environmental components need to be included in the assessment.
- **Environmental Report:** at this stage it is the environmental baseline against which the potential impacts of the PPS are assessed.
- **Monitoring:** the monitoring of significant environmental effects after adoption of the PPS is based on the assessment reported in the Environmental Report.

8.1.2 Baseline information should therefore be considered early on in the SEA process. Establishing a baseline will help the Responsible Authority to provide the Consultation Authorities with sufficient information to allow them to offer views and opinions at the screening, scoping and Environmental Report stages.

8.1.3 Responsible Authorities should consider what baseline environmental information is required for the SEA before embarking on an extensive data collection exercise. The baseline information collected should be appropriate for the subject and proportionate to the scale of the plan, programme or strategy (PPS) being assessed.

Part 2 - Legislative requirements

The relevant statutory provisions

8.2.1 Sections 14(1) and (2) of the Environmental Assessment (Scotland) Act 2005 ('the Act') require a Responsible Authority to assess the likely significant effects of a PPS on the environment and to provide the results in an Environmental Report. The information to be provided in Environmental Reports is set out in Section 14(3) and Schedule 3 of the Act, and includes the current environmental characteristics of the area and any existing environmental problems.

8.2.2 Section 14(3) recognises that there is a limit to the information in Schedule 3 that can reasonably be collated. This also applies to the collection of baseline environmental information.

Data types

- 8.3.1 Schedule 3 identifies the environmental issues which have to be assessed. These include (but are not limited to):
- biodiversity, flora and fauna;
 - population;
 - human health;
 - soil;
 - water;
 - air and climatic factors;
 - material assets;
 - cultural heritage;
 - landscape; and
 - the inter-relationships between these.

Baseline information for the twelve categories will therefore be required, in order to gain an understanding of the affected environment and carry out the assessment.

- 8.3.2 Given the range of issues covered in Schedule 3, data are likely to be both quantitative and qualitative. Either or both will be appropriate. Most baseline information will relate to a geographical area or sector, rather than being specific to the particular PPS on which SEA is being carried out. It could therefore be used to support assessments of a range of PPS prepared by one or more Responsible Authorities. Potential uses and opportunities for information sharing and collaboration should be kept in mind when information is initially collected.

Relevant data sources

- 8.3.3 A list of known data sources is available at the end of this chapter.
- 8.3.4 A suggested first step is for Responsible Authorities to consider what data they already have and what more they will require. For example, data may be readily available from state of the environment reports and previous environmental assessments of other PPS. Many Responsible Authorities also collect environmental data as part of the planning process or for monitoring purposes.
- 8.3.5 The Consultation Authorities are able to provide certain environmental data (see Part 4 of this chapter). Local Authorities often hold environmental information pertaining to the local area, on such issues as air quality, noise complaints, biodiversity, landscape and the historic environment. Other consultees, comprising both government and non-governmental organisations and community groups, may also be able to assist. See Part 4 and Part 5, data held by Consultation Authorities and data sources listings respectively.

Issues in data collection

- 8.3.6 Where particular baseline information is unavailable or unsatisfactory, Responsible Authorities may have to consider how they can improve this situation for future assessment. Information gathered and collated as a result of monitoring during the implementation of a PPS has the potential to be a valuable source of baseline information in the future. The need for good, reliable information will be an important consideration when deciding what and how to monitor the implementation of the PPS.
- 8.3.7 An SEA containing relevant information may already have been carried out on another PPS. If the information in a previous SEA remains fully up-to-date and is relevant to the current SEA, then it can be used in the assessment of the current PPS. It is vital, however, to be sure that the information in the earlier assessment is up-to-date and covers all the relevant environmental issues. Any differences must be addressed.
- 8.3.8 Avoiding duplication of data collection is a core principle of an efficient SEA process but Responsible Authorities will want to be sure they are offering consultees the clearest possible environmental information in every case.
- 8.3.9 Sufficient data about the current and likely future state of the environment should be collected to allow the PPS effects to be adequately predicted and evaluated in accordance with Schedule 3, paragraphs 2-3 of the Act.
- 8.3.10 The following principles can help to manage the collection and presentation of baseline data and a table such as Figure 8.1 may assist.
- The information collected must be relevant and appropriate to the scale of the PPS, and to matters which the PPS will address. There is no requirement to produce complex data.
 - The data and information collected should inform and be relevant to the SEA objectives and indicators. Guidance on SEA objectives and indicators is provided in Chapter 10.
 - Using a checklist can be a helpful way of considering whether enough information has been collected for each indicator selected:
 - How good or bad is the current situation?
 - What are the trends?
 - Do trends show that it is getting better or worse?
 - How far is the current situation from any established thresholds or targets?
 - Are particularly sensitive or important elements of the receiving environment affected, e.g. people, resources, species/habitats, watercourses? These may include landscapes or areas with a recognised national, Community or international protection status such as Sites of Special Scientific Interest.
 - How difficult would it be to offset or remedy any damage?
 - Are there problems which are reversible or irreversible, permanent or temporary?
 - Have there been significant cumulative or synergistic effects over time?
 - Are there expected to be such effects in the future?

8.3.11 In theory, collection of baseline information could go on indefinitely. A practical approach is therefore essential. A time limit should be set for information collection. There may be information or data that the Responsible Authority does not have to hand and they must seek to pursue other sources to fill these gaps. Where data are not available, the Act does not require the Responsible Authority to generate them. However, it is good practice to make arrangements to fill these gaps or flag them up with the relevant parties, as this will be useful for future SEA. Where data are unreliable or partial, Responsible Authorities should make this clear in their Environmental Reports.

8.3.12 It is often useful to map information, to show how it varies across the PPS area. Using time data series, it is also possible to show how changes have occurred over time. Geographical Information Systems (GIS) are particularly useful in this respect. They enable layers of information to be built up, and it is possible to examine how closely one set of information relates to another. In this way, geographical patterns and linkages can begin to be established and explored. Where data cannot be mapped, the use of graphs, diagrams and other visual forms of representation can help to make the data easier to understand.

Figure 8.1 (based on the SEA Practical Guide (ODPM et al, September 2005) gives an example of how baseline information can be organised and presented.

Figure 8.1 Possible way of organising and presenting baseline information					
SEA Topic	Indicator	Quantified information (for Responsible Authority unless otherwise noted)	Comparators and targets	Trend	Issues/ constraints
Population and Human Health	Air quality				
	No. Air Quality Management Areas			Numbers are increasing	
	No. people affected by ambient noise	unknown	Scottish Executive noise maps	No trend available	Unable to identify situation
	Public concern over noise	Noise is not perceived to be a problem.		No trend available	Favourable situation

Historic Scotland

- 8.4.1 Background information on HS and general advice on data is available from the HS website at www.historic-scotland.gov.uk. Information on the historic environment is available from a variety of sources. To comply with the Freedom of Information (Scotland) Act 2002, HS has produced a publication scheme to provide access to information collected, held and used by HS. This publication scheme is a guide to the information which HS routinely makes available either electronically through its website, or via its offices. The publication scheme can be viewed on the HS website (http://www.historic-scotland.gov.uk/foi_publication_scheme_feb05.pdf).
- 8.4.2 Information on the location and details of scheduled ancient monuments and listed buildings (including supporting information) is provided on Pastmap (<http://www.PASTMAP.org.uk>), a free, interactive, map-based query system developed jointly by the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) and Historic Scotland. Databases providing summary information on scheduled ancient monuments and listed buildings are also available on the Historic Scotland website. The underlying scheduled ancient monument and listed building data displayed on Pastmap is also available, under licence, in GIS format (contact hsgimanager@scotland.gsi.gov.uk).
- 8.4.3 Information on the location of identified gardens and designed landscapes is provided on Pastmap. Detailed supporting information on gardens and designed landscapes is provided in the Inventory of Gardens and Designed Landscapes. The Inventory can be consulted at HS offices or is available to purchase from HS and SNH (see below for addresses). The underlying gardens and designed landscape data used on Pastmap is available from Historic Scotland (contact hsgimanager@scotland.gsi.gov.uk). The Inventory is currently being updated; for up-to-date information please contact Historic Scotland's Gardens Inventory Manager Tony Cairns (tony.cairns@scotland.gsi.gov.uk) or the Landscape Historian Raoul Curtis-Machin (raoul.curtis-machin@scotland.gsi.gov.uk).
- 8.4.4 Information on all archaeological/historic sites, buildings and finds recorded in the National Monuments Record of Scotland (NMRS) is available on the RCAHMS website (<http://www.rcahms.gov.uk>). Locational and supporting information is provided on Pastmap.
- 8.4.5 Information on historic landscapes, in particular historic land-use assessment and NMRS data, can be obtained from the RCAHMS website (<http://www.rcahms.gov.uk>). The historic land-use assessment is a GIS-based analysis of past and present land-use, developed jointly by Historic Scotland and RCAHMS. It can be found on the RCAHMS web-site at HLAMAP.
- 8.4.6 Information on cultural World Heritage Sites is provided on the Historic Scotland website (<http://www.historic-scotland.gov.uk>).
- 8.4.7 Wrecks may be protected under the Protection of Wrecks Act 1973, scheduled as ancient monuments or identified as NMRS sites. Information on protected wrecks is available, under licence, in GIS format (contact hsgimanager@scotland.gsi.gov.uk).

8.4.8 Local authorities also hold information on the historic environment relevant to their areas. Their archaeological services can provide information on sites included in their Sites and Monuments Records, whilst planning authorities can provide information on conservation areas. Contact details are provided on Pastmap and on the HS website.

The Scottish Environment Protection Agency (SEPA)

8.4.9 General advice on data sources is available from SEPA's website at www.sepa.org.uk. To comply with the Freedom of Information (Scotland) Act 2002, SEPA has produced a publication scheme to provide access to an extensive range of information collected, held and used by the Agency. This publication scheme is a guide to the information which can be made available either electronically through the website, or via SEPA's office network throughout Scotland. SEPA's publication scheme can be viewed at www.sepa.org.uk/pdf/access/publication_scheme.pdf.

8.4.10 Some of the information held by SEPA which will be available under its publications scheme and which may be useful to Responsible Authorities undertaking SEA is included in the table below.

8.4.11 This information is available on the SEPA website. Other information from the publication scheme is available either on the website or in hard copy. Specific information requests may also be made directly to the local SEPA office – contact details on the SEPA website at www.sepa.org.uk/contact/index.htm.

State of the Environment Reports For Air, Water, Soil and Scotland	www.sepa.org.uk/publications/state_of/index.htm
Bathing water quality data	www.sepa.org.uk/publications/bathingwaters/index.htm
Water quality data – such as the water quality classification scheme and monitoring and new classifications established to meet the requirements of the Water Framework Directive.	www.sepa.org.uk/publications/wfd/index.htm www.sepa.org.uk/data/classification/index.htm
River level data	www.sepa.org.uk/data/river_levels/data.htm
Flood warning information	www.sepa.org.uk/flooding/index.htm
Catchment Management Plans e.g. such as the Spey Catchment Plan.	www.sepa.org.uk/publications/technical/spey/index.htm
Waste Strategy/waste data reports – e.g. Waste Data Digests providing information about waste arising.	www.sepa.org.uk/publications/nws/index.htm www.sepa.org.uk/publications/wds/index.htm
Environmental Pollution Emission Register (EPER)	www.sepa.org.uk/data/eper/mainpage.htm
Scottish Pollutant Release Inventory (SPRI)	www.sepa.org.uk/spri/index.htm
NO₂ and SO_x Emissions: Scotland	www.sepa.org.uk/data/emissions_SO2_NOx/
Air Pollution Information System	www.apis.ac.uk/
SEPA Policies – e.g. Groundwater Policy	www.sepa.org.uk/policies/index.htm
SEPA Guidance	www.sepa.org.uk/guidance/index.htm

Scottish Natural Heritage (SNH)

- 8.4.12 General advice on data availability is available from the SNH website at www.snh.org.uk. A section of the website is dedicated to Strategic Environmental Assessment and provides access to relevant data sets. To comply with the Freedom of Information (Scotland) Act 2002, SNH has produced a publication scheme to provide access to an extensive range of information collected, held and used by SNH. This publication scheme is a guide to the information which SNH routinely makes available either electronically through its website, or via its office network throughout Scotland.
- 8.4.13 SNH will publish information in accordance with the publication scheme and will monitor and review its operation in the light of public comment and feedback. The scheme is not a list of individual published documents, since this will change as new items are published and obsolete items are withdrawn.
- 8.4.14 The main types of information on the natural heritage held by SNH and which will be available under the publications scheme include:
- descriptions of the various national and international natural heritage designations;
 - maps showing designated sites;
 - Site Management Statements describing management objectives for each SSSI (*in accordance with the Data Protection Act names of individual owners and occupiers are removed unless permission has been given to release this information*);
 - site documentation explaining the reasons for designation for all national and international natural heritage designations;
 - Gardens and Designed Landscapes;
 - species and habitat distribution trends and inventory data (some data may be withheld where there is a possibility that release would result in environmental damage, and this danger outweighs the public benefit in releasing the information. In these cases, summary information will normally be provided);
 - natural heritage trend information;
 - the status of biodiversity plans, and progress towards meeting biodiversity targets;
 - lists of protected species in Scotland;
 - details of the SNH licensing systems and examples of the types of licences we authorise;
 - geological, geomorphological and land cover information;
 - information on landscape character assessments;
 - information on the Scottish Outdoor Access Code and the Scottish Access Forum;
 - information on access and recreational use of the natural heritage;
 - information on wild land search areas; and
 - information on educational and interpretative projects to raise public awareness of the natural heritage and of SNH's work.
- 8.4.15 Detailed information is also available on SNH's Grant, Natural Care and Management Agreement programmes.

8.4.16 The information outlined above is available either on the SNH website or in hard copy on request. SNH is working to increase public accessibility to its natural heritage data and information, and to make most of its data holdings available through its website. SNH also contributes data to the National Biodiversity Network (NBN) which co-ordinates the collection and dissemination of biodiversity information across the UK. Further information from the NBN is available on its website: www.nbn.org.uk. SNH's publication 'Facts & Figures' contains a range of useful facts and statistics about SNH's work and Scotland's natural heritage. The publication contains:

- a complete Scottish listing of all areas designated as: Sites of Special Scientific Interest, Special Areas of Conservation, Special Protection Areas, National Nature Reserves, National Scenic Areas and certain other types of natural heritage designation;
- a list of management agreements and leases in force during the year to 31 March 2002;
- performance against customer care standards;
- details of licences issued;
- details of grants awarded;
- details of research contracts let; and
- details of partnership projects funded.

8.4.17 As well as responding to specific requests, SNH publishes an extensive range of information about the Scottish environment in the form of research reports, policy statements, guidance notes, information leaflets and booklets. A catalogue of publications is available from SNH. Responsible Authorities wanting to obtain a copy of the catalogue should contact the Publications Section, Scottish Natural Heritage, Battleby, Redgorton, Perth PH1 3EW, for which a charge may be incurred.

Part 5 - Data sources* - Scotland

Air

Datasets	Organisation	Website	Contact	Local	Regional	National
Air Pollutants	National Atmospheric Emissions Inventory	www.naei.org.uk	air_emissions@aeat.co.uk	No	No	Yes
	Air Quality Archive	www.airquality.co.uk/archive/data_and_statistics_home.php	aqinfo@aeat.co.uk	No	Yes	No
	Air Pollution Information System	www.apis.ac.uk	bib@ceh.ac.uk	No	No	Yes
	NO2 and SOx Emissions	www.sepa.org.uk/data/emissions_SO2_NOx/	contact through website	No	No	Yes
Air Quality	Scottish Environment Protection Agency	www.sepa.org.uk/data/index.htm	contact through website	Yes	No	No
	Scotland and Northern Ireland Forum for Environmental Research (SNIFFER)	www.sniffer.org.uk	info@sniffer.org.uk	Yes	No	No
	NETCEN	www.netcen.co.uk	contact through website	No	No	Yes
Industrial Emissions	Scottish Environment Protection Agency	www.sepa.org.uk/data/index.htm	contact through website	No	No	Yes
	Environmental Pollution Emission Register (EPER)	www.sepa.org.uk/data/eper/mainpage.htm	contact through website	Yes	No	No
	Scottish Pollutant Release Inventory	www.sepa.org.uk/spri/index.htm	contact through website	Yes	No	No

* The Scottish Executive has no means to guarantee the quality or accuracy of the websites identified in this element of the Tool Kit.

Biodiversity, Flora and Fauna

Datasets	Organisation	Website	Contact	Local	Regional	National
Aquaculture	Fisheries Research Service	www.frs-scotland.gov.uk	enquiries@marlab.ac.uk	Yes	No	Yes
Birds	Scottish Ornithologists' Club	http://www.the-soc.zenwebhosting.com/index.htm	mail@the-soc.org.uk	No	Yes	No
	British Trust for Ornithology	www.bto.org	scot.info@bto.org	No	No	Yes
	Joint Nature Conservation Committee	www.jncc.gov.uk	comment@jncc.gov.uk	No	No	Yes
	RSPB Scotland	www.rspb.org.uk/scotland/index.asp	rspb.scotland@rspb.org.uk	No	No	Yes
Butterflies	Butterfly Conservation Scotland	www.butterfly-conservation.org/bcuk/scotland/index.php	scotland@butterfly-conservation.org	No	No	Yes
Deer	Deer Commission for Scotland	www.dcs.gov.uk	Mike.Daniels@deercom.com	Yes	No	No
Fish Stocks	Fisheries Research Service	www.frs-scotland.gov.uk	enquiries@marlab.ac.uk	Yes	No	Yes
Fisheries	Fisheries Research Service	www.frs-scotland.gov.uk	enquiries@marlab.ac.uk	Yes	No	Yes
Forestry	Forestry Commission Scotland	www.forestry.gov.uk/scotland	allan.tanner@forestry.gsi.gov.uk	No	No	Yes
Habitat Conservation	Joint Nature Conservation Committee	www.jncc.gov.uk	comment@jncc.gov.uk	No	No	Yes
Marine Conservation	Joint Nature Conservation Committee	www.jncc.gov.uk	comment@jncc.gov.uk	No	No	Yes
Plants	Plantlife	www.plantlife.org.uk	deborah.long@plantlife.org.uk	No	No	Yes
	Macaulay Land Institute	www.mluri.sari.ac.uk/index.html	enquiries@macaulay.ac.uk	Yes	No	No
Protected Areas	Scottish Natural Heritage	www.snh.org.uk/trends	enquiries@snh.gov.uk	Yes	No	No

Datasets	Organisation	Website	Contact	Local	Regional	National
Sea Mammals	Sea Mammal Research Unit	http://www.smru.st-and.ac.uk/	ajp7@st-andrews.ac.uk	Yes	No	No
Water birds	Wildfowl & Wetlands Trust	http://www.wwt.org.uk/	enquiries@wwt.org.uk	No	Yes	No
	British Trust for Ornithology	www.bto.org	scot.info@bto.org	No	No	Yes
	Joint Nature Conservation Committee	www.jncc.gov.uk	comment@jncc.gov.uk	No	No	Yes
	RSPB Scotland	www.rspb.org.uk/scotland.index.asp	rspb.scotland@rspb.org.uk	No	No	Yes
Wildlife	Scottish Natural Heritage	www.snh.org.uk/trends	enquiries@snh.gov.uk	Yes	Yes	No
	Scottish Biodiversity Forum	http://www.biodiversityscotland.gov.uk/	contact through website	No	No	Yes
	Biological Records Centre	http://www.brc.ac.uk/	brc@ceh.ac.uk	No	Yes	No
	National Biodiversity Network	www.nbn.org.uk	o.grafton@nbn.org.uk	No	Yes	Yes
Woodland	Forestry Commission Scotland	www.forestry.gov.uk/scotland	allan.tanner@forestry.gsi.gov.uk	No	No	Yes
<u>Climatic Factors</u>						
Carbon Dioxide	National Atmospheric Emissions Inventory	www.naei.org.uk	air.emissions@aeat.co.uk	No	No	Yes
	Air Quality Archive	http://www.airquality.co.uk/archive/data_and_statistics_home.php	aqinfo@aeat.co.uk	No	Yes	No
	Air Pollution Information System	www.apis.ac.uk	bib@ceh.ac.uk	No	No	Yes
Climate Change	Scottish Executive Climate Change	www.scotland.gov.uk/Topics/Environment/Climate-Change	contact through website	No	No	Yes

Datasets	Organisation	Website	Contact	Local	Regional	National
	UK Climate Impacts Programme	http://www.ukcip.org.uk/default.asp	contact through website	No	Yes	Yes
Precipitation	Met Office	www.metoffice.co.uk	enquiries@metoffice.gov.uk	No	No	Yes
	Climate Research Unit	http://www.cru.uea.ac.uk/cru/data/	cru@uea.ac.uk	No	No	Yes
Renewable Energy	Renewable Energy Statistics Database	www.restats.org.uk	mike.janes@dti.gsi.gov.uk	No	No	Yes
Temperature	Met Office	www.metoffice.co.uk	enquiries@metoffice.gov.uk	No	No	Yes
	Climate Research Unit	http://www.cru.uea.ac.uk/cru/data/	cru@uea.ac.uk	No	No	Yes
Weather	Met Office	www.metoffice.co.uk	enquiries@metoffice.gov.uk	Yes	No	No
<u>Cultural Heritage</u>						
World Heritage Sites	Historic Scotland	www.historic-scotland.gov.uk	hs.website@scotland.gsi.gov.uk	No	Yes	Yes
Archaeology	Historic Scotland	www.historic-scotland.gov.uk	hs.website@scotland.gsi.gov.uk	No	Yes	Yes
	Royal Commission on the Ancient and Historic Monuments of Scotland	www.rcahms.gov.uk	nmrs@rcahms.gov.uk	Yes	Yes	Yes
	Local Authority Archaeological Services		Contact details available at - http://jura.rcahms.gov.uk/PASTMAP/contacts.jsp	Yes	No	No
Historic Buildings and Conservation Areas	Historic Scotland	www.historic-scotland.gov.uk	hs.website@scotland.gsi.gov.uk	Yes	Yes	Yes
	Local Authority Planning Services	Local Authority websites		Yes	Yes	Yes

Datasets	Organisation	Website	Contact	Local	Regional	National
Gardens and Designed Landscapes	Historic Scotland	www.historic-scotland.gov.uk	hs.website@scotland.gsi.gov.uk	No	No	Yes
	Scottish Natural Heritage	http://www.snh.org.uk/	enquiries@snh.gov.uk	No	No	Yes
<u>Landscape</u>						
Land Cover Change	Countryside Survey 2000	http://www.cs2000.org.uk/index.htm	helen.pontier@defra.gsi.gov.uk	No	No	Yes
	Royal Commission on the Ancient and Historic Monuments of Scotland	http://jura.rcahms.gov.uk/PASTMAP/contacts.jsp	nmrs@rcahms.gov.uk	No	No	No
Landscape designations	Scottish Natural Heritage	http://www.snh.org.uk/	enquiries@snh.gov.uk	Yes	Yes	Yes
<u>General</u>						
All Environment	Scottish Executive - Environment Statistics DEFRA	www.scotland.gov.uk/stats/envonline/menu0.asp http://www.defra.gov.uk/environment/statistics	statisticsgroup@scotland.gsi.gov.uk helpline@defra.gsi.gov.uk	Yes	No	Yes
Economic	Scottish Neighbourhood Statistics	www.sns.gov.uk	neighbourhood.statistics@scotland.gov.uk	Yes	Yes	No
	Office for National Statistics	www.statistics.gov.uk	info@statistics.gov.uk	No	No	Yes
Fertilizer Usage	Scottish Executive - Environment Statistics	www.scotland.gov.uk/stats/envonline/menu0.asp	statisticsgroup@scotland.gsi.gov.uk	No	No	Yes
Historic Scotland	Historic Scotland	www.historic-scotland.gov.uk	hs.website@scotland.gsi.gov.uk	Yes	No	No
Natural Heritage Trends	Scottish Natural Heritage	www.snh.org.uk/trends	enquiries@snh.gov.uk	Yes	Yes	No

Datasets	Organisation	Website	Contact	Local	Regional	National
Noise	Audit Scotland	www.audit-scotland.gov.uk	info@audit-scot.gov.uk	No	Yes	Yes
Performance Indicators	Audit Scotland	www.audit-scotland.gov.uk	info@audit-scot.gov.uk	Yes	No	No
Pesticide Incidents	Scottish Agricultural Science Agency	http://www.sasa.gov.uk/pesticide_wildlife/index.cfm	info@sasa.gsi.gov.uk	No	No	Yes
Pesticide Usage	Scottish Agricultural Science Agency	http://www.sasa.gov.uk/pesticide_wildlife/index.cfm	info@sasa.gsi.gov.uk	Yes	No	Yes
Public Attitudes	Office for National Statistics	www.statistics.gov.uk	info@statistics.gov.uk	Yes	No	Yes
Radioactivity	Scottish Environment Protection Agency	www.sepa.org.uk/data/index.htm	contact through website	Yes	Yes	Yes
	Health Protection Agency - Radioactivity Protection	http://www.hpa.org.uk/radiation/	glasgow@hpa-rp.org.uk	No	No	Yes
Social	Office for National Statistics	www.statistics.gov.uk	info@statistics.gov.uk	Yes	No	Yes
	Scottish Neighbourhood Statistics	www.sns.gov.uk	neighbourhood.statistics@scotland.gov.uk	No	Yes	No
Sustainable Development	Scottish Executive - Sustainable Development	http://www.scotland.gov.uk/Topics/SustainableDevelopment/	contact through website	Yes	No	Yes
Transport	Scottish Executive - Transport Statistics	www.scotland.gov.uk/about/CSU/DD-EAS-Trans/00015781/trantheme.aspx	transtat@scotland.gsi.gov.uk	Yes	No	Yes
Urban Environment	Scotland and Northern Ireland Forum for Environmental Research (SNIFFER)	www.sniffer.org.uk	info@sniffer.org.uk	Yes	No	No
Waste	Scottish Environment Protection Agency	www.sepa.org.uk/data/index.htm	contact through website	Yes	No	No
	Audit Scotland	www.audit-scotland.gov.uk	info@audit-scot.gov.uk	Yes	Yes	No

Population and Human Health

Datasets	Organisation	Website	Contact	Local	Regional	National
Census Data	General Register Office for Scotland	www.gro-scotland.gov.uk	customer@gro-scotland.gov.uk	Yes	No	No
Health	Royal Environmental Health Institute for Scotland	http://www.royal-environmental-health.org.uk	contact through website	Yes	No	Yes
	Scotland's Health on the Web	www.show.scot.nhs.uk	contact through website	Yes	No	Yes
	Scottish Executive Housing Statistics	www.scotland.gov.uk/about/DD/EAS/00014844/home.aspx	jan.young@scotland.gsi.gov.uk	Yes	No	Yes
	Scottish Health Statistics	www.isdscotland.org	contact through website	Yes	No	Yes
	Scottish Public Health Observatory	http://www.scotpho.org.uk/	scotpho@isd.csa.scot.nhs.uk	Yes	Yes	Yes
Population	General Register Office for Scotland	www.gro-scotland.gov.uk	customer@gro-scotland.gov.uk	Yes	No	No
	Scottish Neighbourhood Statistics	www.sns.gov.uk	neighbourhood.statistics@scotland.gov.uk	No	Yes	No
<u>Water and Soil</u>						
Contaminated Land	NETCEN	www.netcen.co.uk	contact through website	No	No	Yes
Geology	British Geological Survey	www.bgs.ac.uk	Enquiries@bgs.ac.uk	No	No	Yes
Inland Water	Centre for Ecology and Hydrology	www.ceh.ac.uk	edinburgh@ceh.ac.uk	No	No	Yes
	Scottish Environment Protection Agency	www.sepa.org.uk/data/index.htm	contact through website	No	Yes	No
Soil	Macaulay Land Institute	www.mluri.sari.ac.uk/index.html	enquiries@macaulay.ac.uk	Yes	No	No

Datasets	Organisation	Website	Contact	Local	Regional	National
	Scottish Environment Protection Agency	www.sepa.org.uk/data/index.htm	contact through website	Yes	No	No
Water Quality	Scotland and Northern Ireland Forum for Environmental Research (SNIFFER)	www.sniffer.org.uk	info@sniffer.org.uk	Yes	No	No
	Scottish Environment Protection Agency	www.sepa.org.uk/data/index.htm	contact through website	Yes	No	No
Water Services	The Water Industry Commissioner for Scotland	www.watercommissioner.co.uk	enquiries@watercommissioner.co.uk	No	No	Yes

Part 6 - Further guidance sources

Note: Inclusion of these alternative SEA reference sources is not in itself an endorsement by the Scottish Executive, of their quality and/or accuracy. It is therefore up to Responsible Authorities to ensure that any information or guidance taken from alternative sources meets with the requirements of the Environmental Assessment (Scotland) Act 2005.

A Practical Guide to the Strategic Environmental Assessment Directive	http://www.communities.gov.uk/index.asp?id=1501988
Convention on Biological Conservation	http://www.biodiv.org/doc/reviews/impact/SEA-guidelines.pdf
CCW, English Nature, Environment Agency and RSPB – SEA and Biodiversity: guidance for practitioners 2004	http://www.rspb.org.uk/Images/SEA_and_biodiversity_tcm5-56786.pdf
Data Protection Act guidance	http://www.informationcommissioner.gov.uk/eventual.aspx?id=34
Environmental Information (Scotland) Regulations guidance	http://www.itspublicknowledge.info/
EU guidance - Directive 2001/42 on 'the assessment of the effects of certain plans and programmes on the environment'	http://europa.eu.int/comm/environment/eia/030923_sea_guidance.pdf
Freedom of Information guidance	http://www.itspublicknowledge.info/
Guidelines for cumulative effects assessment in SEA of Plans - Imperial College London (2004)	http://www.env.ic.ac.uk/research/epmg/CooperCEAGuidelinesJuly04FINAL.pdf
Guidelines for the Assessment of Indirect and Cumulative Effects as well as Impact Interactions	http://europa.eu.int/comm/environment/eia/eia-studies-and-reports/guidel.htm
Health Scotland	http://www.healthscotland.com/
Historic Scotland	http://www.historic-scotland.gov.uk/
IEMA - guidelines on participation in environmental decision making	http://www.iema.net/shop/default.php?cpath=27_26
National consumer council	http://www.ncc.org.uk/involvingconsumers/index.htm

NHS Health Protection Scotland	http://www.hps.scot.nhs.uk/
NHS Lothian HIA Screening check list	http://www.nhslothian.scot.nhs.uk/hia/hia_02.html
Scottish HIA	http://www.phis.org.uk/about/enet.asp?p=ee&id=8
UK HIA Gateway	http://www.hiagateway.org.uk/
SCOTPHO	http://www.scotpho.org.uk/
NHS Scottish Health Statistics	http://www.scotpho.org.uk/ and http://www.isdscotland.org/isd/index2.jsp?p_applic=CC&p_service=Content.show&pContentID=1&
Practical approaches to participation - the Macaulay institute	http://www.macaulay.ac.uk/serp/research/SERPpb1.pdf
Scottish Consumer Council	http://www.scotconsumer.org.uk/involvingconsumers/index.htm
Scottish Environment Protection Agency	http://www.sepa.org.uk/
Scottish Executive - The Scottish Indices of Multiple Deprivation (SIMD) 2004	http://www.scotland.gov.uk/stats/simd2004/
Scottish Executive Compact Good Practice Guides (engaging with the voluntary sector)	www.scotland.gov.uk/library2/doc16/cgpg-00.asp
Scottish Executive Equality in Scotland – Guide to data sources	http://www.scotland.gov.uk/stats/egds/egds.pdf
Scottish Executive Equality Strategy - Working together for Equality	http://www.scotland.gov.uk/library3/social/wtem-00.asp
Scottish Natural Heritage	http://www.snh.org.uk/
Scottish Neighbourhood Statistics (SNS),	http://www.sns.gov.uk/
The Scottish Executive – SEA webpage	http://www.scotland.gov.uk/Topics/Environment/17108/14587
Welsh HIA Support Unit	http://www.whiasu.cardiff.ac.uk/index.html
World Health Organisation (WHO), Health Impact Assessment and SEA	http://euro.who.int/healthimpact/mainacts/20030120_1

World Health Organisation (WHO), definition of health	http://www.who.int/about/definition/en/
World Health Organisation (WHO), Health Impact Assessment	http://www.euro.who.int/healthimpact

PREDICTION AND EVALUATION OF ENVIRONMENTAL EFFECTS



natural
scotland
SCOTTISH EXECUTIVE

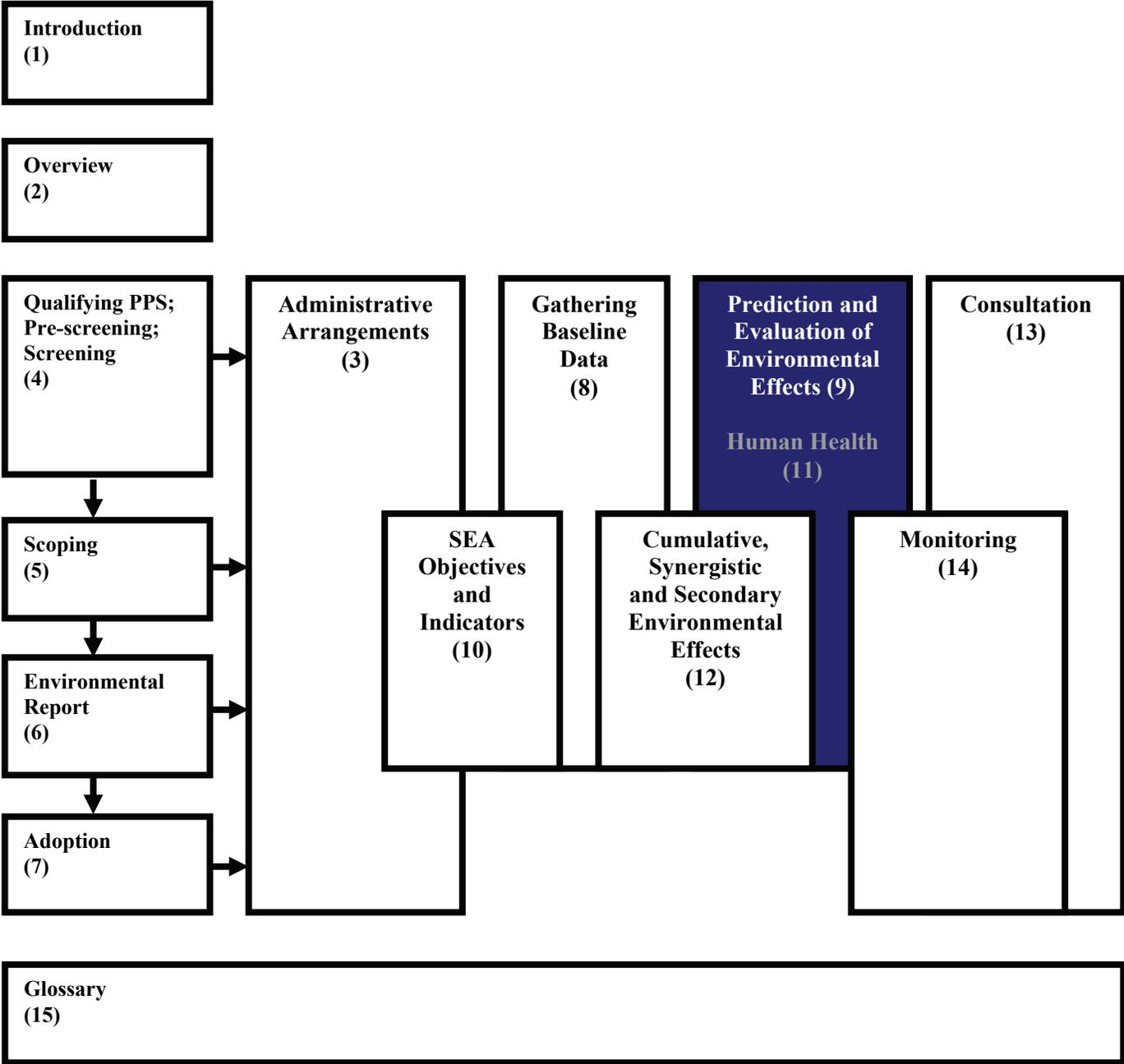
Strategic Environmental Assessment Tool Kit

Chapter 9

Prediction and Evaluation of Environmental Effects

**SCOTTISH EXECUTIVE
SEA TOOL KIT**
Chapter 9 - Prediction and Evaluation of Environmental Effects

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENT

Part 1 – Introduction

Part 2 – Legislative requirements

- The relevant statutory provisions

Part 3 - Prediction and evaluation of environmental effects

- What is being assessed?
- Predicting an environmental effect
- Evaluating an environmental effect
- Issues in prediction and evaluation

Part 4 – Annex: Alternatives

Part 5 – Annex: Significance

Part 6 – Annex: PPS Hierarchy

Part 1 – Introduction

- 9.1.1 The focus of the Environmental Assessment (Scotland) Act 2005 ('the Act') is on the assessment of significant effects on the environment arising from implementing a plan, programme or strategy (PPS). There are two key steps in this assessment. The first is prediction, i.e. the identification of an impact and its magnitude. The second is evaluation, i.e. reaching a judgement on the significance of the identified impact: does it matter?
- 9.1.2 Some level of prediction takes place at all stages of the SEA process, as follows:
- Screening: at the screening stage the potential for significant effects on the environment from implementing the PPS are a factor in determining whether it qualifies for SEA. The Responsible Authority will therefore need an understanding of the potential impacts to make this determination (Chapter 4).
 - Scoping: the scoping stage considers the potential effects of the PPS when deciding whether environmental components should be scoped in or out of the assessment.
 - Environmental Report: at this stage the potential impacts of the PPS and its alternatives are assessed, i.e. identified, described, evaluated and, as far as possible, mitigated.
 - Monitoring: the requirement to monitor significant environmental effects after adoption is based on the assessment reported in the Environmental Report.
- 9.1.3 The purpose of this chapter is to help Responsible Authorities and other interested parties to understand how to predict and evaluate environmental effects.

Part 2 – Legislative requirements

The relevant statutory provisions

- 9.2.1 Sections 14(1) and (2) of the Act require the Responsible Authority to assess the likely significant effects of a PPS and its alternatives on the environment and to provide the results in an Environmental Report. The information to be provided in Environmental Reports is set out in Section 14(3) and Schedule 3 and guidance is provided in Chapter 6. The characteristics of the effects to be reported include:
- short, medium and long-term effects;
 - permanent and temporary effects;
 - positive and negative effects; and
 - secondary, cumulative and synergistic effects.
- 9.2.2 Effects on the environmental components identified in Schedule 3 (Paragraph 6) should be assessed, unless scoped out at the scoping stage (Chapter 5).

Part 3 - Prediction and Evaluation of Environmental Effects

What is being assessed?

- 9.3.1 Assessing a PPS usually involves breaking it down into its constituent parts, i.e. its aims and objectives, its policies, and its proposals. The Act also requires the assessment of alternatives to the PPS.

- 9.3.2 The place of a PPS in the PPS hierarchy will affect the level of detail in the assessment and the assessment methods used. For example, the assessment of a high-level policy is likely to be undertaken at a more broad-brush level than a PPS which includes locational proposals. Advice on hierarchy is provided in Part 6 of this chapter.
- 9.3.3 To reach a view on whether a PPS is likely to have significant environmental effects it is important to, firstly, predict the effects of the PPS and its reasonable alternatives and, secondly, to evaluate the significance of those effects.

Predicting an environmental effect

- 9.3.4 Prediction of effects involves:
- Identifying the changes to the environmental baseline which are predicted to arise from implementing the PPS, including its alternatives. These changes are identified (i.e. predicted) by considering the key elements of the PPS against a set of assessment criteria. These criteria are often in the form of SEA objectives (described in Chapter 10), or could include those used in developing GIS constraints maps.
 - Describing these changes in terms of their magnitude, i.e. their nature and scale. This is usually described in terms of their geographical scale, the time period over which they will occur, whether they are direct or indirect, permanent or temporary, positive or negative, probable or improbable, frequent or rare, and whether or not there are secondary, cumulative and/or synergistic effects.
- 9.3.5 Predictions do not have to be expressed in quantitative terms. Hard data may enable Responsible Authorities to make quantitative predictions, and this can be particularly useful where the effects of a PPS are close to a threshold, or cumulative. However, quantification is not always practicable, and broad-based and qualitative predictions are equally valid and appropriate. These may be expressed in easily understood terms such as "moving towards or moving away from" the SEA objectives or on a scale from >> (very positive) to (neutral) to << (very negative). It is suggested that predictions are linked to specific SEA objectives, e.g. "will the PPS promote change in a desired direction?" (see Chapter 10).
- 9.3.6 These predicted effects can be compared with one another, and with the "no PPS" or "business as usual" scenarios. Note that "no PPS" and "business as usual" scenarios can still involve changes to the baseline. In this context "business as usual" would mean no change to current practices.
- 9.3.7 The following list of illustrative questions may assist in taking forward prediction:
- Is the PPS/alternative distinct and clearly presented?
 - Are they likely to have any adverse effects?
 - Can these be reduced, prevented, reduced or as fully offset as possible?
 - Can positive effects be enhanced?
 - Can any of the effects be quantified in a meaningful way?
 - Are any effects of the alternatives unclear or ambiguous?

Evaluating an environmental effect

9.3.8 Evaluation involves forming a judgement on whether or not a predicted environmental effect will be significant. The criteria set out in Schedule 2 of the Act will be useful when considering the likely significance of these effects, in terms of the magnitude of effects and the nature and sensitivity of the receiving environment.

9.3.9 When evaluating significance it may help to use a checklist of questions. The following are illustrative of the type of questions and are not exhaustive:

- How sensitive is the receiving environment?
- Which communities are affected?
- Would the impact establish a precedent?
- Are environmental limit values or targets being threatened?
- Are designated/protected areas or species adversely affected?
- Is an appropriate assessment under the Habitats Directive required?¹
- Can the impact be mitigated? What is the potential cost of mitigation?
- What is the magnitude of impact? (i.e. scale, duration, reversibility)

Issues in prediction and evaluation

9.3.10 When presenting the results of the assessment the following are useful points to bear in mind:

- Is it clear exactly what is proposed, and how the alternatives differ from each other or relate to the PPS as a whole?
- Is each PPS/alternative assessed likely to have a significant adverse effect in relation to each of the SEA objectives?
- If so, can the effect be prevented or its severity reduced and/or as far as possible offset?
- If the effect cannot be prevented, e.g. by conditions or changes to the way it is implemented, can the alternative be changed or eliminated?
- If its effect is uncertain, or depends on how the PPS is implemented, how can this uncertainty be reduced?

The most familiar forms of SEA prediction and evaluation are broad brush and qualitative, using professional judgement (supported where available by data) to identify whether a PPS is moving towards or away from each SEA objective. In some cases, specific data may be available to allow quantitative assessment.

9.3.11 In considering the effects of a PPS, some useful points to consider may be:

- When using symbols or other ways of presenting information regarding the likely effects (e.g. positive, negative, uncertain, not significant), always explain and justify the choice of symbol.
- Focus on the significant effects.
- Where possible, use the assessment of effects to improve the environmental performance of individual policies as well as the PPS as a whole.

¹ See, for example, Scottish Executive interim guidance on “Assessing Development Plans in Terms of the Need for Appropriate Assessment”: <http://www.scotland.gov.uk/Publications/2006/06/02093425/0>

- Concentrate on the effects of the PPS, rather than other factors that may influence the achievement of the SEA objective – it is the influence of the PPS that is being assessed.
- Consider only effects that are likely to result from the influence of the PPS – discount those changes which would have happened anyway, irrespective of the PPS.
- Consider whether the effect is likely to be permanent or temporary, and the timescale over which the effect is likely to be observed.
- Provide detailed and quantitative predictions where possible but avoid using spurious measurements which are not grounded in evidence.
- Consider the effects of displacement of environmental problems to other areas as a result of the PPS.
- If there are risks or uncertainties attached to the assessment, these should be clearly stated.
- It is not desirable to use elaborate scoring or weighting in assessments or to “add up” scores across an assessment.

Examples of presentational tables are included overleaf for illustration; more examples are provided in the SEA Templates.

Figure 9.1 Illustration of documentation of effects.

(Source : the SEA Practical Guide (ODPM et al, September 2005))

SEA objectives	Targets (where available)	Can the effect be quantified? (if yes, insert data)	Effects over time 0= Neutral effect += positive effect - = negative effect			Comments/ explanation (e.g. significance, reversibility etc.)
			short term	medium term	long term	
Protect biodiversity at ecosystem, species and genetic levels	10% increase per 10 year period in sites with land managed to wildlife		0	+	++	

Additional information on changes to the option, proposals for mitigation, etc:

Figure 9.2 Example table for assessment of alternatives against SEA objectives

(Source : the SEA Practical Guide (ODPM et al, September 2005))

SEA Objective	Option A		Option B	
	Performance	Commentary / explanation	Performance	Commentary / explanation
SEA Objective 1				
SEA Objective 2				
SEA Objective 6				
SEA Objective 7				
<i>Etc</i>				
Additional Comments (including changes to the alternative) and Preferred Option				

Key for performance:
 + positive - negative O neutral? uncertain
 + minor ++ major
 A distinction could also be made between short, medium and long term, if appropriate

Figure 9.3 Example of comparison of alternatives

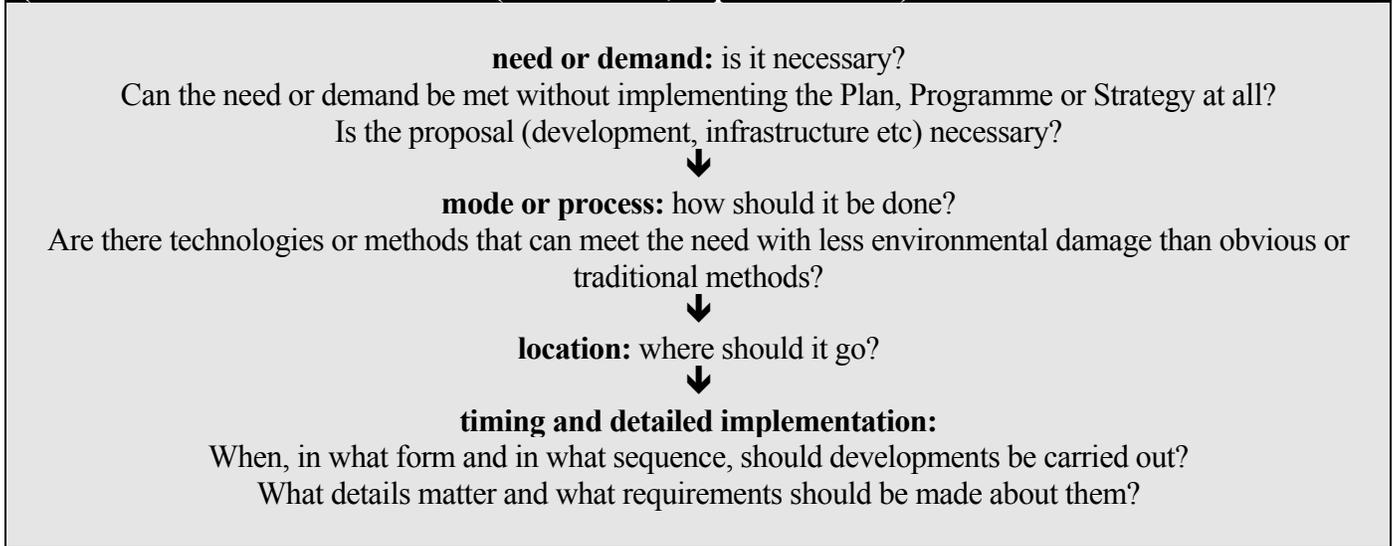
Scale: + positive, - negative, +/- range of positive and negative effects

(Source : the SEA Practical Guide (ODPM et al, September 2005))

	Option 1: multi-function waste treatment facilities (management, storage and processing) in each population centre with >25,000 inhabitants				Option 2: limited function waste treatment facilities (management, recycling, and some treatment) dotted around the county provided on a basis of one facility per 10,000 inhabitants			
SEA Objective	Short term	Med term	Long term	Comments/ explanation	Short term	Med term	Long term	Comments/ explanation
Limit air pollution to levels that do not damage natural systems	+/-	+/-	+/-	Operating conditions may reduce amount of pollution from waste treatment, but more vehicle trips needed to bring waste to the limited number of sites	+	++	+++	Easier access to treatment facilities should reduce the number and length of trips to assemble waste at the site. Effect is cumulative
Reduce the need to travel		+/-	-	Limited number of treatment sites results in more and longer trips. Effect accumulates as the volume of waste produced per capita rises	+	++	+++	As above
Preserve historic buildings, and other culturally important features				Has no obvious impact	-	-	-	Potential impact if new treatment sites affect valued or protected localities or sites. Unquantifiable at present

- 9.4.1 It is normal practice when developing a PPS to propose different ways of fulfilling its objectives. In the UK the term “options” is often used. Alternatives are thus developed as part of the PPS-making process; however, they may be amended or added to as a result of SEA. It is not the purpose of SEA to decide the alternative to be chosen for the PPS. This is the role of the Responsible Authority preparing the PPS or the decision-makers who have to make choices on the PPS to be adopted. The SEA simply provides information on the relative environmental performance of alternatives, and can make the decision-making process more transparent.
- 9.4.2 Alternatives should be sufficiently distinct in order to highlight the different environmental implications of each, allowing meaningful comparisons to be made at a strategic level. A hierarchy of alternatives is illustrated in Figure 9.1.
- 9.4.3 Some alternatives are discrete. These are often the broad options considered early in the PPS preparation. Other alternatives can be combined in various ways. Groups of policies that make up a PPS are often alternatives of this type. Alternatives may be grouped into scenarios, for instance rapid economic growth, low growth, "most sustainable" option, etc.
- 9.4.4 The alternatives identified should be appropriate to the remit of the PPS. For instance, demand reduction measures are often outside the control of the Responsible Authority. Some alternatives may not be practical, or within a Responsible Authority’s powers, while others may not be appropriate to a particular stage or level of the PPS. A wider range of alternatives will be available at a regional level than at a local level, and decisions made at the "higher" level will close off some alternatives. Nevertheless, a Responsible Authority should consider and outline in the Environmental Report the relationship with higher level PPS, as this could suggest a wider, and more sustainable, range of alternatives than hitherto considered.
- 9.4.5 Stakeholders may usefully be involved in the generation and assessment of both strategic and more detailed alternatives through consultation. Demonstrating that there are choices to be made is a way of engaging stakeholders in the process. The alternatives considered throughout the process should be documented and reasons given to why they are or are not taken forward (Schedule 3 of the Act).

Figure 9.4 'Hierarchy' of alternatives
(Source : the SEA Practical Guide (ODPM et al, September 2005))



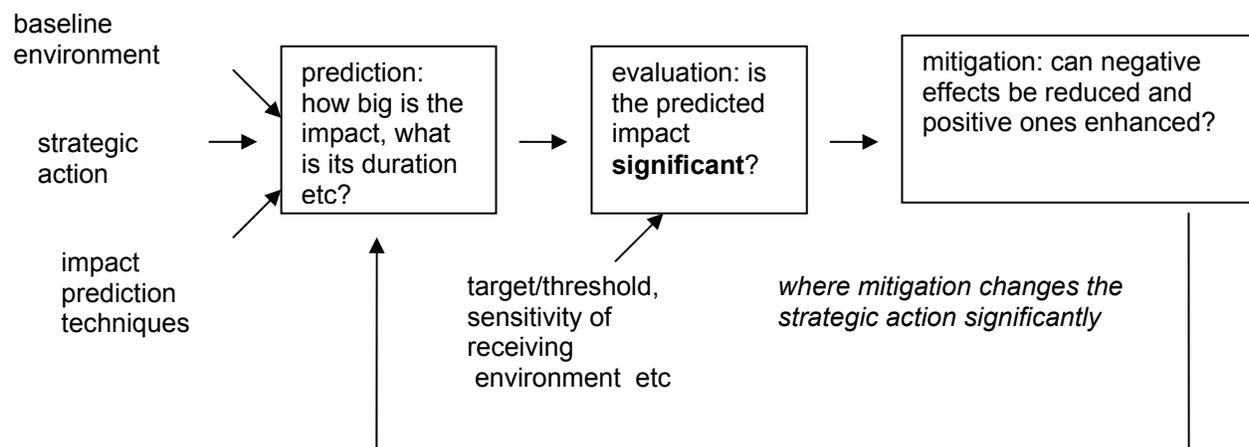
Part 5 – Annex: Significance

Significance in effect prediction and evaluation

9.5.1 The SEA Practical Guide (ODPM et al, September 2005) distinguishes between impact prediction and impact evaluation (Figure 9.5):

- *Prediction* involves identifying the changes to the environmental baseline which will arise from the PPS, and describing these changes in terms of their magnitude, i.e. geographical scale, time period over which they occur, whether they are permanent or temporary, positive or negative, probable or improbable, frequent or rare, and whether or not there are secondary, cumulative and/or synergistic effects.
- *Evaluation* involves forming a judgment on whether or not a predicted effect will be significant. This judgment typically takes into account the magnitude of the potential effect, and the value and sensitivity of the receiving environment.

Figure 9.5 Significance in prediction, evaluation and mitigation (adapted from Therivel, 2004)



9.5.2 It is not the purpose of this guidance to establish a single method for determining significance. Such guidance would constrain the assessment inappropriately in that it could not possibly take account of key factors such as the context and nature of individual PPS. Instead, the following principles are intended to offer direction to those defining significance in the context of their own PPS:

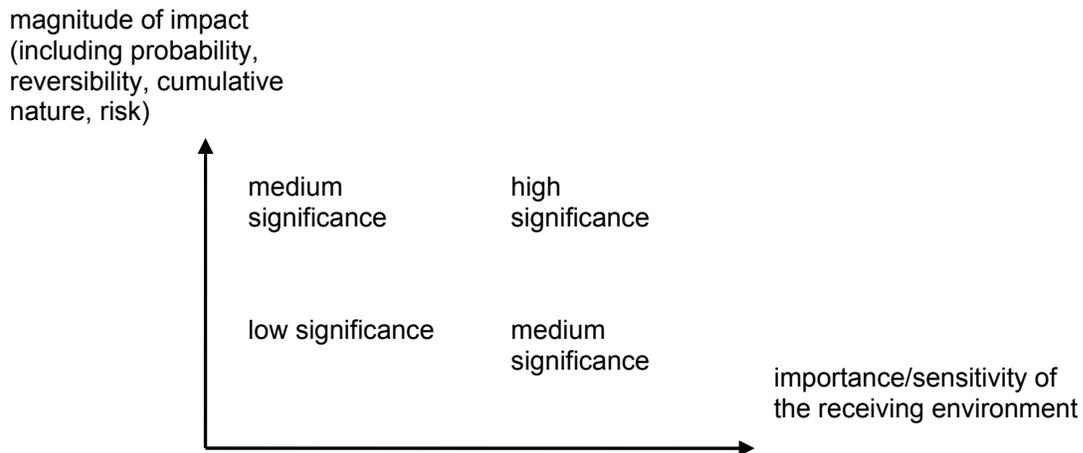
- Impact evaluation involves a systematic and transparent approach covering all SEA issues², and both positive and negative effects;
- It is not appropriate to offset negative and positive effects in order to determine likely significance;
- Where significance is uncertain, more rather than less significance should be assumed for negative effects, and less rather than more significance should be assumed for positive effects, in accordance with the precautionary principle;
- Expert judgement is acceptable, and often inevitable, given the challenge in finding appropriate methods and measurements, as well as the fact that data may not always be available. Where expert judgement is key to a determination of significance the source and nature of that expert judgement must be made clear. Data gaps should be commented on, and if possible they should be addressed;
- If established criteria or quantitative standards are in place then they should be used if they can be properly applied in the context of the PPS. Often, however, a qualitative statement will be needed. It should always be clear exactly what expert judgment was used to set the qualitative standard and the method used for measuring it.

² biodiversity; flora, fauna, soil, air, water, climatic factors, population, human health; material assets; cultural heritage, including architectural and archaeological heritage; landscape; the inter-relationship between the issues referred to in heads (i) to (xii)

9.5.3 Figure 9.6 shows how impact magnitude and environmental sensitivity come together to identify significance. A given PPS will clearly have a more significant impact if it affects a highly vulnerable area, or one that is closer to its environmental threshold/capacity, than one that is less so. Value and sensitivity can be determined from, for instance:

- Designations (e.g. National Park);
- Other measures of value, e.g. areas that are heavily used by people, habitats that support rare species, buildings that are particularly sensitive to disturbance (e.g. hospitals);
- Environmental standards and thresholds (e.g. air or water quality standards, information about water supply v. demand). The closer that an environmental component is to its threshold, the more significant an impact on it will be;
- Public, stakeholder, and/or expert views on environmental aspects that they consider to be important or vulnerable.

Figure 9.6 - Identifying impact significance (based on Therivel, 2004)



From SEA to EIA - hierarchies of plans, programmes, strategies (PPS) and projects

If an SEA has been carried out on a high level or “parent” PPS, is one required for PPS at lower tiers or later stages?

Section 14(3) of the Act –

The report shall include such of the information specified in Schedule 3 as may reasonably be required, taking account of—

- (a) current knowledge and methods of assessment of environmental matters;
- (b) the contents of, and level of detail in, the plan or programme;
- (c) the stage of the plan or programme in the decision-making process; and
- (d) the extent to which any matters to which the report relates would be more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.

(4) Information referred to in Schedule 3 may be included in the report by reference to relevant information obtained at other levels of decision-making or through Community legislation

9.6.1 Section 14(3)(d) of the Act provides for avoidance of duplication between PPS in hierarchies. In practice the extent of assessment needed will often depend on the relationship between the PPS concerned. “Lower level” PPS are generally more detailed and location-specific than those at higher tiers, and an SEA may therefore be needed to assess effects not previously covered in the necessary detail. Avoidance of duplication is important but it is still important to make clear links to earlier Environmental Reports that contain relevant information. If re-using information the Responsible Authority should ensure that the information remains up to date and accurate. Figure 9.7 demonstrates that many PPS will have an inter-relationship and may offer opportunities to share assessment data.

9.6.2 Where a PPS includes proposals for individual projects, these need to be assessed at a sufficient level of detail to enable significant environmental effects to be broadly predicted. This is particularly helpful where the PPS sets the context for decision-making on whether to proceed with the proposal, or where alternatives are excluded or significantly reduced at that stage. The EIA Directive does not require consideration of alternatives, although if developers have considered alternatives they are required to report on this. Where EIA is needed later for a project, it is likely to be informed by the findings of the SEA, but it will not usually be appropriate to provide the level of detail needed for EIA in the context of the PPS³.

³ Circular 15/1999 The Environmental Impact Assessment (Scotland) Regulations 1999:

<http://www.scotland.gov.uk/Publications/1999/08/circular-15-1999/circular-15-1999>

Planning Advice Note 58 Environmental Impact Assessment: <http://194.247.95.101/Resource/Doc/927/0016387.pdf>

If an SEA has been done, is EIA still needed at a later stage?

9.6.3 The Act does not dis-apply EIA Regulations and therefore does not remove the need to carry out EIA. In practice an SEA will typically be concerned with the significant environmental effects of broad strategic proposals and alternatives. EIA is project-specific and will require detailed information on the effects of a particular proposal on the environment in a particular location. The Environmental Report produced through SEA may well help with the preparation of an EIA by providing valuable data and analysis but will not remove the need for one.

SEA OBJECTIVES AND INDICATORS



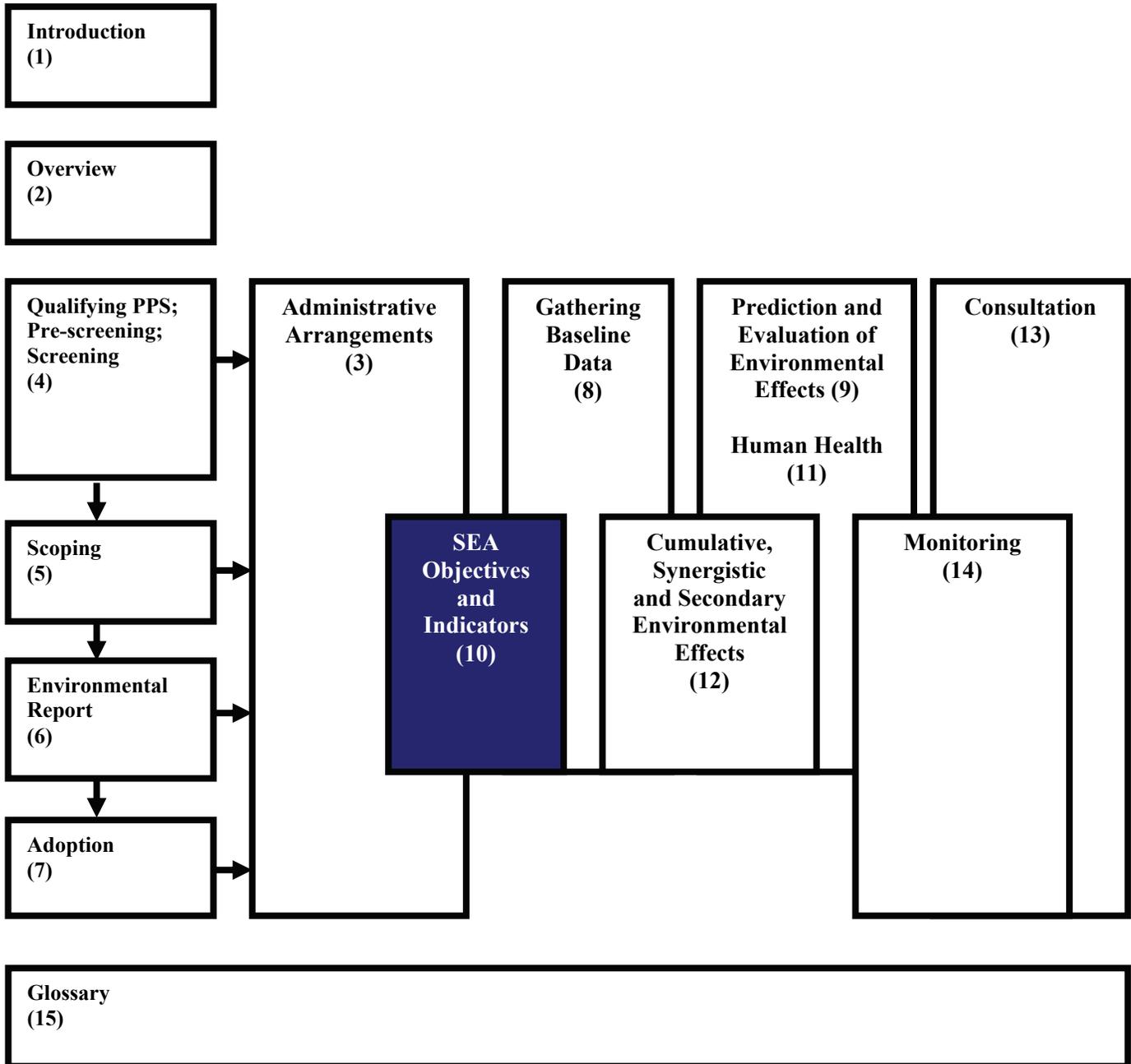
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**Strategic Environmental
Assessment Tool Kit
Chapter 10**

SEA Objectives and Indicators

**SCOTTISH EXECUTIVE
SEA TOOL KIT**
Chapter 10 - SEA Objectives and Indicators

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 - Introduction

- Introduction to SEA objectives

Part 2 – Legislative requirements

- The relevant statutory provisions

Part 3 - Devising SEA objectives and indicators

- What is an “SEA objective”? Why do we use SEA objectives?
- When should SEA objectives be devised?
- Issues in devising SEA objectives

Introduction to SEA objectives

- 10.1.1 An important consideration for Responsible Authorities in undertaking their environmental assessment is to decide what methods and techniques should be used to undertake the assessment. The Responsible Authority is required to assess and report the significant effects of the plan, programme or strategy (PPS) on the 12 environmental parameters identified in Schedule 3 of the Environmental Assessment (Scotland) Act 2005 (the Act').
- 10.1.2 At the strategic level it can be difficult to assess the impact of a strategic action within a PPS on an environmental resource (e.g. in terms of hectares of habitat lost, calculated noise levels, etc). Accordingly, an appropriate set of assessment criteria covering the 12 environmental parameters is needed. Experience has shown the value of using so-called "SEA objectives" as one way to test the strategic action or proposal and thereby predict its impacts.
- 10.1.3 The purpose of this chapter is to help Responsible Authorities and other interested parties to understand and apply the concept of SEA objectives. There are other assessment criteria that Responsible Authorities may wish to consider using (e.g. for high level policy analysis the Dutch e-test approach has proved to be useful)¹.

Part 2 – Legislative requirements

The relevant statutory provisions

- 10.2.1 Sections 14(1) and (2) of the Act require the Responsible Authority to assess the likely significant effects of a PPS on the environment and to provide the results in an Environmental Report. Section 19 of the Act requires the Responsible Authority to monitor the significant environmental effects of implementing the PPS.
- 10.2.2 The information to be provided in Environmental Reports is set out in Section 14(3) and Schedule 3, and includes a description of how the assessment was undertaken and of the monitoring measures. The indicators used in the environmental assessment are likely to also be used for monitoring.
- 10.2.3 While the Act requires a description of the methods used in the assessment, it does not require particular methods to be used. Accordingly, there is no requirement in the Act to use SEA objectives as a means of assessing environmental effects or identifying indicators.

¹ Veerheem, R.A.A and J.A.M.N. Tonk. 1998. Present status of SEA in the Netherlands. Background paper for the 1998 Japan international workshop on SEA.

What is an “SEA objective”? Why do we use SEA objectives?

10.3.1 The term “SEA objective” is a commonly used one in SEA. These objectives should not, however, be confused with other objectives which are also relevant to the PPS-making and SEA processes. The different types of objectives are explained below:

- **SEA objectives:** provide a yardstick against which the environmental effects of the PPS can be assessed. An SEA objective identifies an outcome, e.g. to protect biodiversity. The test would then be: do the strategic actions of the PPS help to achieve this objective, or work against it? SEA objectives are distinct from the PPS objectives. Examples of SEA objectives are set out in Figure 10.1.
- **PPS objectives:** are the objectives of the PPS itself, usually adopted through a process of expert consideration, public consultation and political approval. Some of these objectives will be environmental in nature (for example, one of the objectives of a transport policy or strategy might be to maintain and improve air quality), but these may also include social or economic issues relevant to the PPS.
- **Environmental protection objectives:** are goals for environmental protection set out in international and national legislation and policy. For example, the objective to protect and further biodiversity is contained at international level in the Convention on Biological Diversity, at the European level in the European Biodiversity Strategy and the Habitats and Birds Directives, and in Scotland by the Nature Conservation (Scotland) Act 2004, the Scottish Biodiversity Strategy and NPPG14.

10.3.2 SEA objectives are assessment tools. They are used to develop a systematic, rigorous, and consistent framework with which to assess environmental impacts. An SEA objective is a goal for a particular environmental parameter: the assessment asks whether the PPS furthers this goal or works against it. For example, an SEA objective may be “to protect and enhance waterbody status at good status”. The assessment would then consider whether the strategic actions of the PPS would move towards this objective by maintaining and enhancing water quality at “good status”, or whether it would not provide effective protection and therefore be likely to prevent or hinder realisation of this objective.

How is an SEA objective devised?

10.3.3 The key issues to consider when devising SEA objectives include:

- the SEA objectives should cover at least the 12 environmental parameters identified in Schedule 3 (i.e. biodiversity, flora and fauna; population; human health; soil; water; air and climatic factors; material assets; cultural heritage; and landscape), unless these are scoped out at the scoping stage (Chapter 5);
- the SEA objectives should integrate the requirements of the environmental protection objectives relevant to the PPS; and
- the SEA objectives should take into account the baseline environmental characteristics of the area, where relevant to the PPS. This should include any relevant environmental problems e.g. contaminated land.

10.3.4 SEA objectives should take account of local circumstances and concerns. They should be proportionate and relevant to the PPS in question. A PPS concerned with minerals, for example, could include more objectives for soil and water quality, maintenance of the hydrological regime, and mineral reserves. The Consultation Authorities may also have suggestions for SEA objectives.

10.3.5 The achievement of objectives can be measured by using indicators. Accordingly, SEA objectives can be expressed so that they are measurable (e.g. an objective to "reduce greenhouse gas emissions", could be expressed as "reduce CO2 emissions by 12.5% by 2010"). This kind of ‘SMART’ objective is preferable but not always possible.

10.3.6 Figure 10.1 suggests some SEA objectives and indicators. Examples of the application of SEA indicators are provided in Chapter 9.

When should SEA objectives be devised?

10.3.7 SEA methods should be devised early in the SEA process. The guidance on scoping (Chapter 5) suggests that, as a matter of good practice, the Responsible Authorities should devise the SEA objectives at the scoping stage and consult with the Consultation Authorities for their views as part of the wider scoping consultation on assessment methods. If the Responsible Authorities intend to use an alternative assessment method, consultation on these during scoping is recommended.

Figure 10.1 (Source: the SEA Practical Guide (ODPM et al, September 2005))

SEA topics	Possible SEA objectives (to be adapted to regional/local circumstances)	Possible SEA indicators (to be adapted to regional/local circumstances)
Biodiversity, fauna and flora	<ul style="list-style-type: none"> • to conserve and enhance the integrity of ecosystems • prevent damage to designated wildlife and geological sites and protected species • maintain biodiversity, avoiding irreversible losses • reverse the long term decline in farmland birds • ensure the sustainable management of key wildlife sites and the ecological processes on which they depend • provide appropriate opportunities for people to come into contact with and appreciate wildlife and wild places 	<ul style="list-style-type: none"> • reported levels of damage to designated sites/species • achievement of Biodiversity Action Plan targets • reported condition of nationally important wildlife sites, Sites of Special Scientific Interest (SSSI) etc. • number/area of Local Nature Reserves
Population and human health	<ul style="list-style-type: none"> • create conditions to improve health • protect and enhance human health • decrease noise and vibration • maintain and improve opportunities to access public open space • conserve and enhance the quality of the built environment • improve and promote appropriate access to the natural and historic environment 	<ul style="list-style-type: none"> • number of transport/pedestrian/cyclist road accidents • number of people affected by ambient noise levels • proportion of population within 200m of parks and open spaces

SEA topics	Possible SEA objectives (to be adapted to regional/local circumstances)	Possible SEA indicators (to be adapted to regional/local circumstances)
Water	<ul style="list-style-type: none"> • limit water pollution to levels that do not damage natural systems • maintain water abstraction, run-off and recharge within carrying capacity (including future capacity) • maintain and restore key ecological processes (e.g. hydrology, water quality, coastal processes) • protect and, where necessary, enhance waterbody status • reduce / manage flood risk 	<ul style="list-style-type: none"> • quality (biology and chemistry) of rivers, canals and freshwater bodies • quality and quantity of groundwater • water use (by sector, including leakage), availability and proportions recycled • water availability for water-dependent habitats, especially designated wetlands • extent of use of Sustainable Urban Drainage solutions in new development
Soil	<ul style="list-style-type: none"> • safeguard soil quality, quantity and function • reduce levels of brownfield, derelict and contaminated land in the plan area 	<ul style="list-style-type: none"> • amount/loss of greenfield / brownfield land and proportion available for reuse • number of houses affected by subsidence, instability, etc. • land identified on Scottish Vacant and Derelict Land Survey (number of hectares) • hectares of contaminated land in plan area
Air	<ul style="list-style-type: none"> • to maintain and improve air quality • limit air pollution to levels that do not damage natural systems • limit air emissions to comply with air quality standards 	<ul style="list-style-type: none"> • number of days air quality limits exceeded annually • levels of key air pollutants / by sector and per capita • achievement of Emission Limit Values • population living in Air Quality Management Area • distances travelled per person per year by mode of transport (proxy indicator) • modal split (proxy indicator) • traffic volumes (proxy indicator)
Climatic factors	<ul style="list-style-type: none"> • to reduce the cause and effects of climate change • reduce greenhouse gas emissions • reduce vulnerability to the effects of climate change e.g. flooding, disruption to travel by extreme weather, etc. 	<ul style="list-style-type: none"> • electricity and gas use (proxy indicator) • electricity generated from renewable energy sources and CHP located in the area (proxy indicator) • energy consumption per building and per occupant (proxy indicator) • carbon dioxide (CO₂) emissions by sector/ per capita • amount of development in the floodplain • flood risk

SEA topics	Possible SEA objectives (to be adapted to regional/local circumstances)	Possible SEA indicators (to be adapted to regional/local circumstances)
Cultural heritage	<ul style="list-style-type: none"> • protect and, where appropriate, enhance or restore the historic environment • preserve historic buildings, archaeological sites and other culturally important features • promote access to the historic environment • improve the enjoyment and understanding of the historic environment 	<ul style="list-style-type: none"> • number and outcome of Listed Building Consent applications received • number and outcome of applications received for Listed Building demolition • number and outcome of applications for Scheduled Monument Consent received • number of planning applications rejected for not complying with Development Plan policy relating to historic environment • condition (as affected by strategic action of PPS) • number and outcomes of planning applications that affect gardens and designed landscapes
Landscape	<ul style="list-style-type: none"> • to conserve and enhance landscape character and scenic value of the area • protect and enhance the landscape everywhere and particularly in designated areas • value and protect diversity and local distinctiveness • improve the quantity and quality of publicly accessible open space 	<ul style="list-style-type: none"> • number and area of designated landscape areas • percentage of land designated for particular quality or amenity value, including publicly accessible land and greenways
Material assets	<ul style="list-style-type: none"> • to promote sustainable use of natural resources and material assets • minimise waste, then re-use or recover it through recycling, composting or energy recovery • to promote effective use of existing infrastructure 	<ul style="list-style-type: none"> • amount of waste generated • waste disposed of in landfill • percent of waste recycled or reused

Issues in defining SEA objectives

10.3.8 It is good practice for SEA objectives to focus on outcomes (or ends), not how the outcomes will be achieved ("inputs" or means). For example, they might focus on improved biodiversity, rather than protection of individual wildlife sites.

10.3.9 SEA objectives can be supported by a list of more detailed criteria or questions. For example, an SEA objective to protect the aquatic environment could be supported by questions about water quality, watercourses, aquifers and marine and coastal waters, water abstraction and flooding. Impacts affecting the features which make up the historic environment (e.g. scheduled ancient monuments, listed buildings, designed landscapes, setting) can be identified through these supporting criteria.

- 10.3.10 The development of SEA objectives and indicators and the collection of baseline information should inform each other. As the SEA objectives become clearer, they should help to focus (and where necessary restrict) the collection of baseline information, whilst the baseline information should help to identify which SEA objectives are of most concern for a particular PPS (baseline environmental data are discussed in more detail in Chapter 8).
- 10.3.11 Each SEA objective should be genuinely needed and should not duplicate or overlap with other objectives. Experience suggests that between 8 and 16 objectives are normally enough to cover the range of topics needed for SEA and to keep the process efficient and manageable.
- 10.3.12 SEA objectives should be linked to indicators which measure progress or otherwise towards or away from them.

PREDICTION AND EVALUATION OF ENVIRONMENTAL EFFECTS – HUMAN HEALTH



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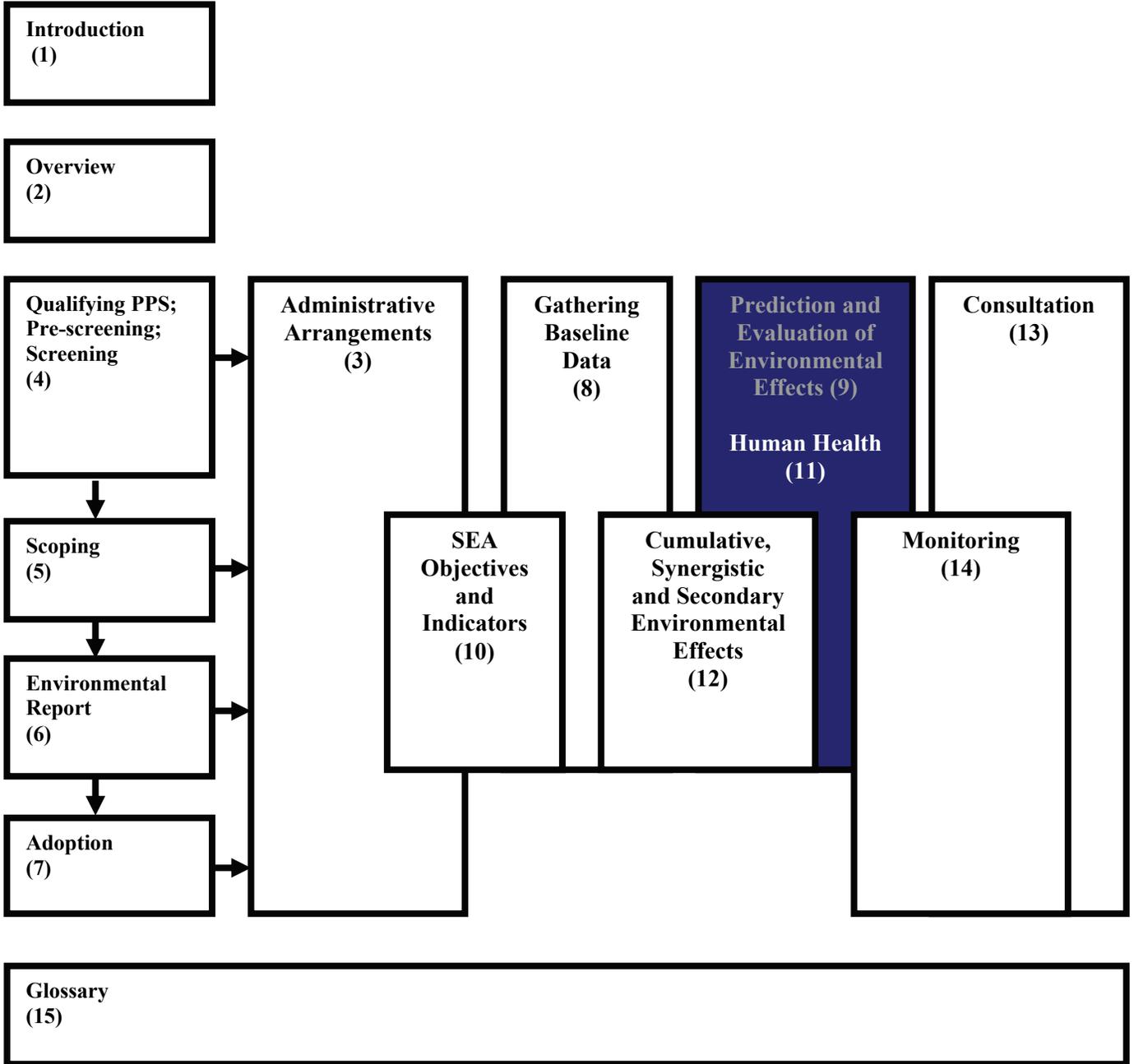
Chapter 11

Prediction and Evaluation of Environmental Effects - Human Health

SCOTTISH EXECUTIVE
SEA TOOL KIT

Chapter 11 - Prediction and Evaluation of Environmental Effects - Human Health

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 - Introduction

- The definition of “health” in the context of SEA

Part 2 – Legislative requirements

- The relevant statutory provisions

Part 3 – Prediction and evaluation of effects on human health

- Establishing a suitable level of detail
- Existing assessment methods
- Health at the screening and scoping stages
- Health assessment for the Environmental Report
- Examples of how PPS can affect human health
- Presenting human health issues in the Environmental Report

Part 4 – Useful information sources

- Data and advice on Health issues

Part 1 - Introduction

The definition of “health” in the context of SEA

- 11.1.1 The Environmental Assessment (Scotland) Act 2005 (‘the Act’) identifies human health as an environmental component to be assessed during an environmental assessment of a plan, programme or strategy (PPS).
- 11.1.2 During the Act’s passage through the Scottish Parliament, the Scottish Ministers made a commitment to include ‘human health’ within SEA guidance. This was not a reflection that human health issues had greater importance than other environmental issues, but that most Responsible Authorities had little or no experience of assessing human health in an environmental context. In time, as experience of assessing human health grows, the SEA Gateway team would expect to revisit this Chapter and reflect this experience in the subsequent version.
- 11.1.3 The definition of “health” in the context of environmental assessment generally, and SEA in particular, is evolving and changing with experience. The advice offered by the Scottish Executive is that the definition of health in the context of SEA should:
- be relevant and proportionate to the type of PPS being prepared; and
 - be considered in the context of the other issues outlined in Schedule 3(6) of the Act, thereby focusing on environmentally-related health issues such as significant health effects arising from the quality of air, water or soil.

Part 2 – Legislative requirements

The relevant statutory provisions

- 11.2.1 A PPS subject to screening should include risks to human health as one of the criteria used to determine whether a significant environmental effect is likely to arise.
- 11.2.2 All qualifying PPS are subject to scoping. This is the stage at which the Responsible Authority sets out the scope and level of detail of information proposed for the Environmental Report. Scoping documentation needs to outline the level of detail proposed for the assessment of likely significant effects on the environment on a number of issues, including human health (Chapter 5).

Screening

Section 8(1) - The responsible authority shall determine whether or not ... a plan or programme ... is likely to have significant environmental effects.

Section 8(3) - In making a determination under subsection (1), the responsible authority shall apply the criteria specified in schedule 2.

Schedule 2 (2) - Characteristics of the effects and of the area likely to be affected, having regard, in particular, to (d) the risks to human health or the environment (for example, due to accidents)

Scoping

Section 15(1) - Before deciding on (a) the scope and level of detail of the information to be included in the environmental report ... the responsible authority shall send to each consultation authority such sufficient details of the qualifying plan or programme as will enable the consultation authority to form a view on those matters.

11.2.3 Schedule 3 of the Act sets out the information required to be included in Environmental Reports (Chapter 6).

This information includes the likely significant effects on a number of environmental issues, including human health

(Paragraph 6), and the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment, including adverse effects on human health where relevant (Paragraph 7). (Chapter 6).

Environmental Report

Section 14(3) - The [environmental] report shall include such of the information specified in schedule 3 as may reasonably be required ...

Schedule 3(6) - The likely significant effects on the environment, including

(a) on issues such as ... (iii) human health ... and (xiii) the inter-relationship between the issues referred to in heads (i) to (xii).

11.2.4 The monitoring required by this section of the Act shall include significant effects on human health, where these have been identified in the environmental assessment (Chapter 14). Accordingly, indicators for monitoring health should be identified as part of the assessment process.

Monitoring

Section 19(1) the responsible authority shall monitor the significant environmental effects of the implementation of every qualifying plan or programme for which it has carried out an environmental assessment.

Part 3 – Prediction and evaluation of effects on Human Health

Establishing a suitable level of detail

11.3.1 The level of detail of information about health to be included cannot be prescribed and will depend upon the:

- nature and complexity of the PPS;
- the geographic and temporal coverage of the PPS;
- the existing state of the environment in respect of health; and
- the amount of information that is available.

The level of detail should be proportionate to the nature of the PPS and to the significance and nature of any health effects. The European Commission guidance (paragraph 5.26) suggests that human health should be considered in the context of the other issues mentioned (i.e. biodiversity, fauna, flora etc.), thus environmentally related health issues such as exposure to traffic noise or air pollutants are obvious aspects to study. The processes described in the following sections may assist in deciding on the appropriate level of detail.

Existing assessment methods

11.3.2 Responsible Authorities are not required to carry out a Health Impact Assessment (HIA) as part of an SEA. However, the two processes have elements in common i.e. screening, scoping, impact assessment, and mitigation. The World Health Organisation has suggested that the approach developed for an HIA could provide a practical way of considering health issues within SEA:

http://www.euro.who.int/healthimpact/MainActs/20030120_1.

11.3.3 HIA is a systematic method to assess the effects of a PPS on health. The most commonly used definition of HIA is taken from the World Health Organisation Gothenburg consensus paper on HIA (WHO, 1999):

“[HIA is] a combination of procedures, methods and tools by which a policy, programme or project may be judged as to its potential effects on the health of a population, and the distribution of those effects within the population. HIA tries to minimise the likelihood of negative health outcomes, maximise positive health impacts ... It tries to identify all potential health impacts: intended and unintended, positive and negative.”

It may be useful for Responsible Authorities to utilise some of the HIA methods and approaches.

Health at the screening and scoping stages

11.3.4 If the PPS is subject to screening then human health, amongst other issues, must be included in the screening considerations.

11.3.5 At the scoping stage, the Responsible Authority has to determine the scope and level of detail that is appropriate for the assessment of the PPS likely significant effects on human health. The Responsible Authority can include an outline of the assessment methods that it proposes to utilise, including those proposed for assessing the impact on human health.

11.3.6 Key issues to consider are:

- what the PPS entails e.g. policies, locational proposals, etc;
- how these could give rise to significant impacts on health and the types of impact; and
- the key population groups affected.

11.3.7 The NHS Lothian HIA checklist ([NHS Lothian HIA Screening check list](#)) may assist in offering a structure for the assessment of impacts on health. The checklist includes:

- identification of the population groups potentially affected by a PPS;
- identification of a range of potential health effects, both positive and negative, including changes to the physical environment;
- the need to highlight areas of uncertainty and research required; and
- the potential to identify measures to prevent, reduce and offset as fully as possible any significant health effects.

Note that certain aspects of the checklist go beyond the advice offered in Paragraph 11.1.2 on the definition of health. Responsible Authorities should use their own judgement about the application of the checklist to the PPS they are taking forward.

11.3.8 In practical terms scoping preparation may be undertaken as a group exercise, e.g. steering groups, or through discussions with key stakeholders. A Responsible Authority could also contact experts in other organisations who can support this process e.g. local authorities, NHS in Scotland. There are 14 area NHS Boards throughout Scotland and public health departments at each Board which are a good point of contact for advice about health issues relating to the general population.

Health assessment for the Environmental Report

11.3.9 The approach adopted by a Responsible Authority is determined to a certain extent by the nature of the PPS and its potential, among other things, for its effects on human health.

11.3.10 The bullet points below can aid a Responsible Authority with its approach to the assessment of the significant effects on human health:

- seek advice from health professionals and health organisations;
- the key to an effective assessment is the consideration of actions arising from the PPS as well as consideration of the health of potentially affected populations.
- It is important to scope the assessment properly before going out to gather lots of environmental baseline data that will not assist with the assessment.
- ensure that conclusions on effects and measures envisaged to prevent, reduce and offset as fully as possible any significant adverse effects are evidence-based.

Examples of how PPS can affect human health

11.3.11 Transport policy can effect reductions or increases in pollutant emission levels. For human health, pollutants such as particulates and nitrogen dioxide have been demonstrated to have effects on human health (which is reflected in the standards).

When assessing this type of PPS the following issues could be considered:

- the result of the policy would be increased or decreased emissions;
- the receptor would be human beings in general and those with respiratory problems in particular. The latter necessitates identifying whether there are any health “hotspots” in the area e.g. ex-miners; and
- the effects would be increased or decreased incidence of health problems²⁷ and increased or decreased quality of life e.g. increases in numbers of non-fatal asthma attacks.

11.3.12 The assessment of noise effects in terms of health is less straightforward than the assessment of air quality. Noise effects are more often in the realm of “nuisance” or “quality of life” than in that of health. Noise can affect health but this involves high-decibel prolonged exposure. Noise is normally associated with transport and/or industry; the former is currently subject to assessment. Examples of the latter have yet to be assessed.

11.3.13 Other issues which can be assessed as part of “population and human health” include:

- access to services (particularly health and recreation);
- opportunities for recreation; and
- opportunities for cycling/walking (e.g. as alternatives to car transport).

²⁷ a strategic-level assessment is unlikely to predict numbers of deaths, GP/hospital visits etc

Presenting human health issues in the Environmental Report

- 11.3.14 There is a summary of a possible approach along with two tables to help Responsible Authorities to prepare and present an assessment of significant environmental effects in terms of human health issues at the end of this Chapter. Please note that neither the summary nor the tables are mandatory and Responsible Authorities may adopt a different approach or adapt them to meet their own needs.

Part 4 – Useful sources at this stage

Data and advice on health issues

- 11.4.1 At the screening and scoping stages a Responsible Authority has to consult the Consultation Authorities, who will endeavour to offer advice and opinions in the usual way. Section 14(3) and Schedule 3 place a duty on the Responsible Authority to collect relevant baseline data, although Section 14(3) recognises that there may be a limit to the information in Schedule 3 that can reasonably be collated (Chapter 8). In terms of human health issues, this could mean liaising with specialist health groups to find the appropriate health data and advice. A number of useful sources are listed in Chapter 8.

SUMMARY OVERVIEW OF ONE POSSIBLE APPROACH

SCREENING

Taking care to avoid making assumptions, gain an understanding of the population groups who may be affected by the PPS, including those groups who may be excluded from the benefits of the PPS.

Consider if there are any likely significant environmental effects, in terms of health issues, of the PPS on the population groups identified and indicate whether negative or positive.

SCOPING

Set out the scope and level of detail intended for the Environmental Report regarding the assessment of likely significant effects on health. Key issues to consider are:

- what the PPS entails e.g. policies, location proposals, etc;
- how these could give rise to significant impacts on health and the types of impact; and
- the key population groups affected.

ENVIRONMENTAL REPORT

Carry out and present an assessment of the significant effects on health.

If there are any gaps, uncertainties or unknown factors, note these.

Consider measures to prevent, reduce and offset as fully as possible any significant adverse effects.

Put the assessment of significant effects on health into the context of the other environmental issues that have been assessed for the SEA.

POST ADOPTION AND MONITORING

Ensure that significant effects on health are monitored in accordance with the requirements of the Act.

TABLE A

ASSESSMENT OF LIKELY SIGNIFICANT ENVIRONMENTAL EFFECTS (HUMAN HEALTH)

(Notes for completion of this table – 1. This table is offered as a suggested approach – it is not mandatory. 2. The size of the boxes is not an indicator of the length or level of detail – that will depend on the PPS and its effects on human health. 3. It is good practice to add further explanatory text after the table including an outline of the assessment methods/data sources used and any gaps or uncertainties in data/information and the reason for the gaps)

HEALTH DETERMINANTS (note – this list is neither prescriptive nor exhaustive)	WHICH POPULATION GROUPS ARE LIKELY TO BE AFFECTED	LIKELY SIGNIFICANT EFFECTS (POSITIVE) (note – remember to consider cumulative, synergistic and secondary effects)	LIKELY SIGNIFICANT EFFECTS (NEGATIVE) (note – remember to consider cumulative, synergistic and secondary effects)	NATURE OF EFFECT (e.g. long term, medium term, short term, permanent, temporary)	MEASURES ENVISAGED TO PREVENT, REDUCE AND OFFSET SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS
PHYSICAL ENVIRONMENT Air, water, waste and soil must be considered (Schedule 3 of the Act)					
ACCESS TO SERVICES e.g. transport and leisure & recreation.					

**TABLE B
SUMMARY ASSESSMENT
OF LIKELY SIGNIFICANT ENVIRONMENTAL EFFECTS
(HEALTH ISSUES)**

(Please note that this table is offered as a suggested approach – it is not mandatory. Also note that the size of the boxes is not an indicator of the length or level of detail – that will depend on the PPS and its effects on health)

Table B may be useful to summarise your assessment of likely environmental effects in terms of health. It may be used in conjunction with, or as an alternative to, table A, depending on the level of detail in your assessment. Tables A and B present a practical working medium for a Responsible Authority.

**ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS ON HEALTH
(SUMMARY)**

Title of PPS:-

Likely significant effects on human health

Positive Effects **(include groups affected; the source of the effect such as air quality; type of effect such as an effect on people with respiratory disorders; nature of the likely significant effects e.g. permanent or temporary)**

Likely significant effects on human health

Negative **(include groups affected; the source of the effect such as air quality; type of effect such as an effect on people with respiratory disorders; nature of the likely significant effects e.g. permanent or temporary)**

Gaps in data/information

Measures envisaged to prevent, reduce and, as fully as possible, offset any significant adverse environmental effects

CUMULATIVE, SYNERGISTIC
AND SECONDARY
ENVIRONMENTAL EFFECTS



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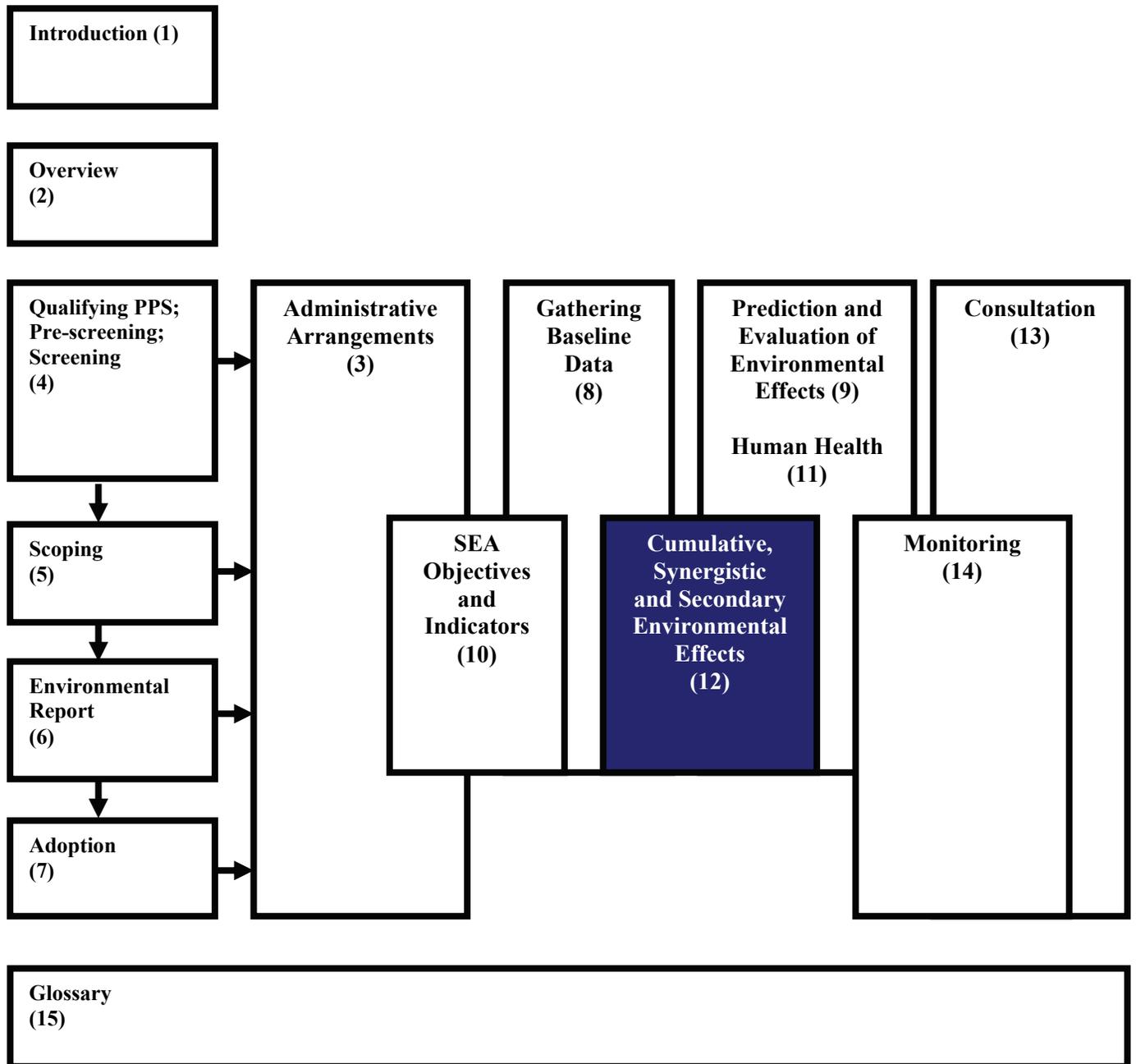
Chapter 12

Cumulative, Synergistic and Secondary Environmental Effects

SCOTTISH EXECUTIVE
SEA TOOL KIT

Chapter 12 - Cumulative, Synergistic and Secondary Environmental Effects

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 - Introduction

Part 2 – Legislative requirements

- The relevant statutory provisions

Part 3 - Cumulative, synergistic and secondary environmental effects

- Defining cumulative, synergistic and secondary environmental effects
- Methods for assessing cumulative, synergistic and secondary environmental effects
- Further guidance on cumulative, synergistic and secondary effects

Part 1 - Introduction

Introduction

- 12.1.1 Many environmental problems result from the accumulation of multiple, small, often indirect, effects. Examples include climate change, reduction in air quality, changes in the landscape and loss of habitat. These cumulative effects are difficult to assess at the project level, but may be more effectively captured at the strategic assessment level.
- 12.1.1 The purpose of this chapter of the Tool Kit is to provide an introduction to the key requirements and methods relating to the assessment of cumulative, secondary and synergistic effects. A list of additional, more detailed guidance is provided at the end of this chapter and it is recommended that practitioners refer to these documents when considering cumulative, synergistic and secondary effects.

Part 2 – Legislative requirements

The relevant statutory provisions

- 12.2.1 A plan, programme or strategy (PPS) subject to screening (and/or pre-screening) should include the cumulative nature of the effects as one of the criteria used to determine whether a significant environmental effect is likely to arise (see Chapter 4, Parts 2 and 3).
- 12.2.2 Schedule 3 of the Environmental Assessment (Scotland) Act 2005 ('the Act') sets out the information to be included in Environmental Reports (Chapter 6). This information includes the likely significant effects on a number of environmental issues, including secondary, cumulative and synergistic effects.

Screening

Section 8(1) - The responsible authority shall determine whether or not ... a plan or programme ... is likely to have significant environmental effects.

Section 8(3) - In making a determination under subsection (1), the responsible authority shall apply the criteria specified in schedule 2.

Schedule 2 (2) - Characteristics of the effects and of the area likely to be affected, having regard, in particular, to (b) the cumulative nature of the effects.

Environmental Report

Section 14(3) - The [environmental] report shall include such of the information specified in schedule 3 as may reasonably be required ...

Schedule 3(6) - The likely significant effects on the environment, including
(e) secondary, cumulative and synergistic effects.

Defining cumulative, synergistic and secondary environmental effects

12.3.1 Schedule 3 of the Act refers to secondary, cumulative and synergistic effects. These terms are not mutually exclusive: often the term “cumulative effects” is taken to include secondary and synergistic effects. They are defined as follows:

- **Secondary effects** are effects that are not a direct result of the PPS, but occur away from the original effect or as a result of a complex pathway. An example of secondary effects is a development that changes a water table and thus affects the ecology of a nearby wetland.
- **Cumulative effects** arise, for instance, where several developments each have insignificant effects but together have a significant effect, or where several individual effects of the PPS have a combined effect. An example is the gradual loss of natural areas such as woodlands or Green Belt through discrete developments.
- **Synergistic effects** interact to produce a total effect greater than the sum of the individual effects, so that the nature of the final impact is different to the nature of the individual impacts. An example is the combination of SO_x and NO_x to produce smog.

12.3.2 Cumulative effects can arise from the combined effects of more than one PPS. They can also result from the interaction of individual policies within one PPS, e.g. a policy designed to improve transport flow and a housing policy may, when taken together, result in significant effects on noise levels and on landscape. Cumulative effects can result from a combination of past, present or (foreseeable) future actions which, although not necessarily significant in themselves, may together result in significant environmental effects. They can often happen as habitats, resources or human communities reach capacity. For instance, a wildlife habitat can become progressively fragmented with perhaps only limited effects on a species until the last fragmentation makes the area too small to support the species at all.

Methods for assessing cumulative, synergistic and secondary environmental effects

12.2.3 Methods and techniques are still developing for assessing cumulative, synergistic and secondary effects. The SEA Practical Guide (ODPM et al, September 2005) lists a number of key principles underpinning the assessment of cumulative, synergistic and secondary effects:

- Consideration of cumulative/synergistic/secondary effects as an integral part of the SEA and PPS preparation process, rather than a separate stage.
- Focussing on identifying the total effect of both direct and indirect effects on receptors. These may include natural or historic resources (e.g. air, water, soil, landscape, monuments), sections of the population or ecosystems and species.
- Consideration of the nature, extent and sensitivity of the receptors, such as ecosystems and communities, avoiding restricting the assessment to administrative boundaries.
- Consideration of effects that may arise from interaction with proposals within the PPS as well as those within other PPS.
- Take account of whether any effects will bring receptors such as a wildlife habitat close to their capacity or threshold to remain productive or sustainable.
- Being aware of the level of uncertainty in identifying cumulative, secondary or synergistic effects and ensuring that, where uncertainty exists, this is documented.

12.3.3 There are various tools available for the assessment of cumulative, secondary and synergistic effects; note that many of these are also used generally in SEA. A list of these is provided in Figure 12.1.

Figure 12.1. Examples of assessment tools (from Cooper, 2004)

Tools	Application
Impact models, networks or systems models (includes network diagrams and causal chains)	Detailed assessment of cause-effect relationships between actions and valued resource and impact interactions
Trends analysis	Assesses the status of a resource and changes in the occurrence or intensity of stresses over time.
Indicators of change	Select indicators of environmental quality for an area and establish an allowable target or threshold for this indicator, which is then used to evaluate the cumulative effects of existing and future PPS.
Carrying capacity	Measures cumulative effects against threshold
Scenario analysis	Predicting outcomes of various scenarios
Computer modelling	Quantifies cause-effect relationships leading to cumulative effects (e.g. air, hydrological, water quality, noise, transport)
Spatial analysis using Geographic Information System (GIS) or overlay mapping	Can analyse biodiversity, landscape and historic environment parameters and identify where effects are worse. It can quantify results of actions (e.g. area of land cleared) and changes to landscape features (e.g. loss of woodland)
Tables and matrices	Evaluation and comparison of variables
Checklists	Can show whether the PPS has an impact and impact type; ensures coverage of topics

12.3.4 It may be helpful to present the assessment in tabular format. Several example tables are provided overleaf. Note that, when assigning overall impact, negative and positive effects should not be automatically offset against each other. The conclusions regarding overall impact are likely to be based on expert opinion and professional judgment. It is good practice to set out how professional judgment is used for assigning impact, to ensure that the method is entirely transparent.

Figure 12.2 Example of a table for recording cumulative effects and their causes
(Figure 23 from the SEA Practical Guide (OPDM et al, September 2005))

Cumulative Effect	Affected Receptor	Causes
Habitat fragmentation	Wildlife habitats	Use of land for flood management, transport infrastructure and new development
Climate change	Worldwide	Greenhouse gas emissions (e.g. from industrial development, increases in traffic volumes)
Loss of tranquillity	Countryside	New development and associated increases in traffic volumes

Figure 12.3 (Source: Levett-Therivel Sustainability Consultants)

The following approach may be helpful for identifying the cumulative effects of the PPS across the SEA issues/topics:

SEA topic	Part of PPS / Alternative (e.g. policy 1-7)							Potential cumulative impact of PPS
	1	2	3	4	5	6	7	
Biodiversity etc.	+	-	+	+	0	...		no effect
Population	++		0	++		...		
Human health	0	?	0	?	?			more study needed
Soil	+	?	-	?	?			
Water	+		0	++				
Air	+	+	0	++				
Climatic factors	-	--	-	0	--			Potential adverse effect Suggest appropriate mitigation measures here
Material assets								
Cultural heritage	cumulative effects on SEA topic can be identified by 'reading across'							
Landscape								
Interrelationship						

In the example above, each part of the PPS has a neutral or positive overall impact (reading 'down'), but the policies cumulatively have a significant adverse effect on climatic factors (reading 'across'). In such a case, it is good practice to review to see whether they cannot be changed so as to reduce their joint effect. Negative and positive effects should *not* be assumed to cancel each other out.
 + = positive, - = negative and 0 = neutral effect.

12.3.5 Figure 12.4 is similar to Table 7 in the interim Environmental Report produced for the Midlothian and Shawfair Local Plans¹ The table provides a useful overview of negative effects and where they are concentrated. It summarises the environmental assessment of individual land allocations. A commentary would also be required on how these concentrations of negative effects may lead to significant cumulative, synergistic and secondary effects.

¹ Midlothian Council, in conjunction with David Tyldesley and Associates. Review of the Midlothian and Shawfair Local Plans – Interim Environmental Assessment Report for the Consultation on the Preferred Development Strategy – Policy Changes and Development Sites.

Figure 12.4 Check List for Cumulative and Synergistic Effects
(examples are illustrative– the criteria used in will depend on the PPS)

SEA topic	SEA Objectives/Criteria (examples)	Areas/sites with negative assessments
biodiversity/flora/fauna	avoid all designated nature conservation sites	
population	avoid land in the green belt	
human health	avoid land take from open green space and recreational areas	
soil	avoid prime agricultural land	
water	avoid pollution of bathing waters and shellfish waters in accordance with legislation	
air	avoid inappropriate/unlawful emissions	
climatic factors	avoids inefficient energy consumption	
cultural heritage	avoid inappropriate development in designated areas/sites	
material assets	make full and appropriate use of urban brownfield land or other urban refill	
landscape	avoid inappropriate development in designated landscapes	

Further guidance on cumulative, synergistic and secondary effects

A Practical Guide to the Strategic Environmental Assessment Directive (Office of the Deputy Prime Minister, Department of the Environment in Northern Ireland, Scottish Executive, Welsh Assembly Government)

<http://www.communities.gov.uk/index.asp?id=1501988>

Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (European Commission Europa website)

<http://europa.eu.int/comm/environment/eia/eia-studies-and-reports/guidel.htm>

Study on the Assessment of Indirect and Cumulative Impacts ... Research Study and Findings (European Commission – Europa website)

<http://europa.eu.int/comm/environment/eia/eia-studies-and-reports/volume2.htm>

Cooper, L. M. (2004) Guidelines for Cumulative Effects Assessment in SEA of Plans, EPMG Occasional Paper 04/LMC/CEA, Imperial College London

<http://www.env.ic.ac.uk/research/epmg/CooperCEAGuidelinesJuly04FINAL.pdf>

Environment Agency web pages on assessing cumulative effects. These web pages include links to other sites and a Literature Review/Scoping Study on Cumulative Effects Assessment and the SEA Directive produced for EA by TRL Ltd.

<http://www.environment-agency.gov.uk/aboutus/512398/830672/831980/832006/?version=1&lang=e>



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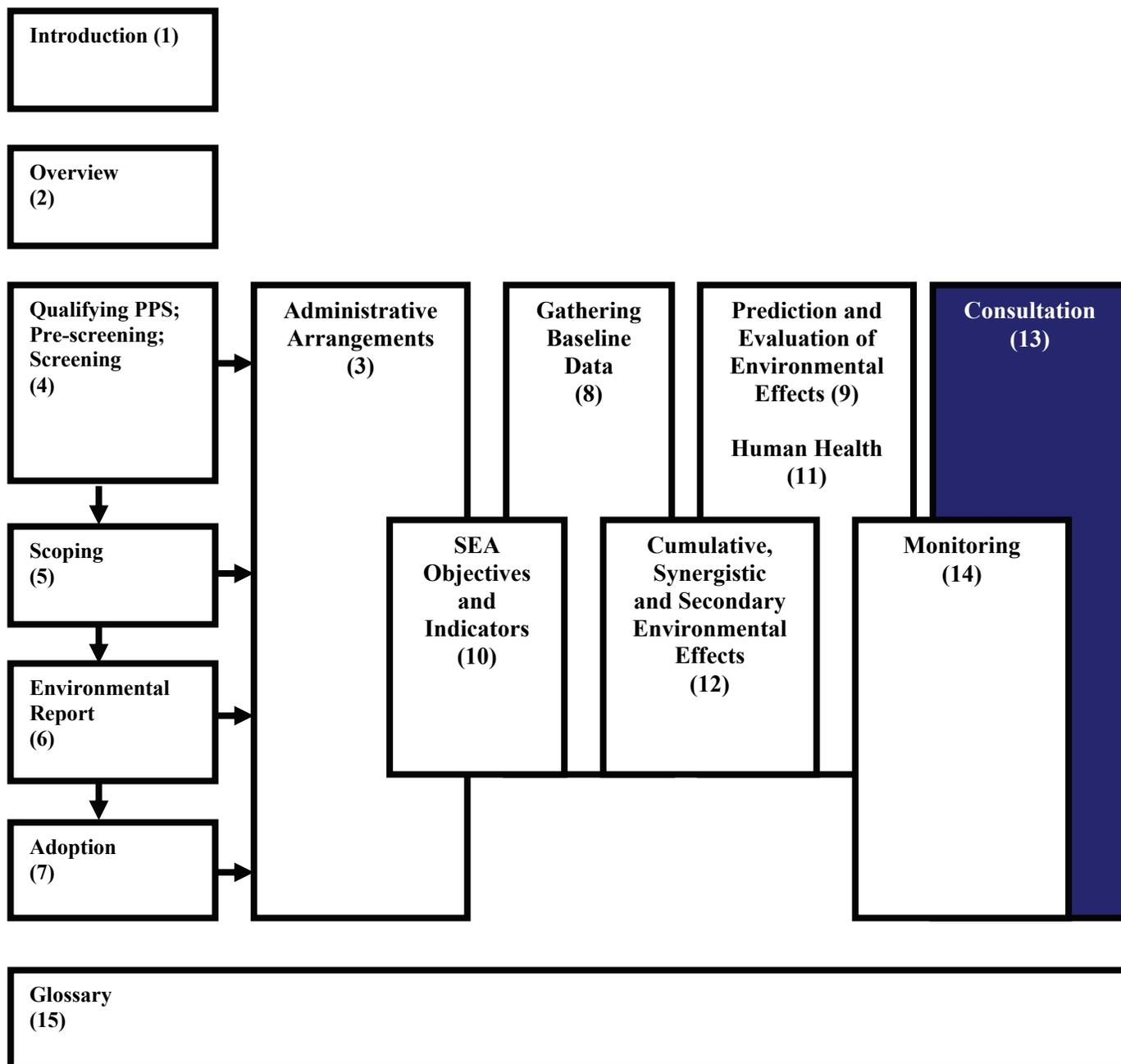
Strategic Environmental Assessment Tool Kit

Chapter 13

Consultation

**SCOTTISH EXECUTIVE
SEA TOOL KIT
Chapter 13: Consultation**

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 - Introduction

Part 2 – Legislative requirements

- The relevant statutory provisions

Part 3 - Consultation

- The Consultation Authorities
- Explanation of the term “the public”
- Consulting other EU Member States
- Consultation period for the Environmental Report
- Consulting on the Environmental Report
- Requirement to take consultation responses into account
- Other statutory requirements

Part 4 – Additional guidance

- Web links to additional guidance

Part 1 - Introduction

13.1.1 One of the objectives of SEA is to facilitate transparency in the decision-making process. Consultation is therefore an integral component of SEA and is included at key stages of the process. The Environmental Assessment (Scotland) Act 2005 ('the Act') requires consultation with the Consultation Authorities and members of the public. In addition, Responsible Authorities will normally consult a range of other bodies in the course of preparing their plan, programme or strategy (PPS), and information from these may be useful in the SEA.

Part 2 – Legislative requirements

The relevant statutory provisions

13.2.1 **Screening** - The Consultation Authorities must be consulted in the course of the screening process on whether SEA is required for certain PPS. Sections 8, 9 and 10 of the Act set out procedures for consulting the Consultation Authorities at this stage (Chapter 4).

13.2.2 **Scoping** - The Consultation Authorities must be consulted on the scope and level of detail of the information to be included in the Environmental Report, as well as the period proposed for consultation. Section 15 of the Act sets out procedures for consulting the Consultation Authorities at this stage (Chapter 5).

13.2.3 **Environmental Report** - The public and the Consultation Authorities must be consulted on the draft PPS and the Environmental Report, and must be given an early and effective opportunity within appropriate time frames to express their opinions. Section 16 of the Act sets out the key consultation procedures relating to the Environmental Report (Chapter 6).

13.2.4 **Transboundary Consultations** - Where potential transboundary effects on another EU Member State are identified, Section 17(c) of the Act requires the Responsible Authority to take account of the outcome of any relevant consultations with other EU Member States under Regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (UK Regulations).

13.2.5 The requirements of the Act with respect to consultation are summarised in Figure 13.1.

Figure 13.1

Overview of SEA consultation requirements

(NB – To ease administration, Responsible Authorities are asked to consult the Consultation Authorities via the SEA Gateway)

SCREENING	SCOPING	ENVIRONMENTAL REPORT
<p>WHO TO CONSULT Only certain PPS are required to go through screening. If screening is required, the Responsible Authority must consult the Consultation Authorities, then inform the public and Consultation Authorities of the determination (Sections 8, 9 and 10 of the Act).</p>	<p>WHO TO CONSULT Responsible Authorities must consult the Consultation Authorities (Section 15 of the Act).</p>	<p>WHO TO CONSULT Responsible Authorities must consult:-</p> <ul style="list-style-type: none"> • Consultation Authorities • The public (Section 16 of the Act); and, if necessary, • EU Member States - if the PPS is likely to have significant transboundary effects (Regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (The UK Regulations)). <p>Responsible Authorities with such a case are advised to contact the SEA Gateway for advice in the first instance.</p>
<p>WHEN TO CONSULT Before making a determination as to whether a PPS has significant environmental effects, the Responsible Authority must consult the Consultation Authorities, who shall respond within 28 days.</p>	<p>WHEN TO CONSULT</p> <ul style="list-style-type: none"> • Responsible Authorities must consult Consultation Authorities before deciding on the scope/level of detail to be included in the Environmental Report and on consultation period proposed for it. • Consultation Authorities shall respond within 5 weeks of receipt of the scoping details. 	<p>WHEN AND HOW TO CONSULT The consultation period must give Consultation Authorities and the public an early and effective opportunity to express opinions. (Section 16(3) of the Act).</p> <p>Within 14 days of preparation of the Environmental Report, the Responsible Authority must:</p> <ul style="list-style-type: none"> • send PPS and Environmental Report to the Consultation Authorities; • make relevant documents available on the website and at their principal office; and • publish a notice in accordance with Section 16(2) and (4) of the Act.
<p>HOW TO CONSULT</p> <ul style="list-style-type: none"> • Responsible Authority sends a screening summary to the Consultation Authorities setting out their views as to whether the PPS has likely significant environmental effects (SEA templates). On receipt of views, the Responsible Authority makes a determination. If the Responsible Authority and Consultation Authorities cannot agree, Scottish Ministers make the determination. • Within 14 days, the Responsible Authority brings to public attention (including 1 newspaper notice) the PPS title, determination, and address at which the determination and any statement of reasons may be inspected/obtained. • Within 28 days, Responsible Authority sends determination and any statement of reasons to Consultation Authorities and makes these available on website and at principal office. 	<p>HOW TO CONSULT</p> <ul style="list-style-type: none"> • Responsible Authority sends Consultation Authorities sufficient details to enable them to form a view on the consultation period and scope/ level of detail for the Environmental Report (SEA Templates). • After receipt of the Consultation Authorities' views, the Responsible Authority must take account of those views and also inform the Scottish Ministers of the proposed consultation period. Scottish Ministers shall notify the Responsible Authority within 7 days if they consider the period does not give an early and effective opportunity to the Consultation Authorities and public to express their opinions. 	

The Consultation Authorities

- 13.3.1 The Consultation Authorities are those authorities which, because of their environmental responsibilities, are likely to be concerned by the effects of implementing a PPS. They are identified in Section 3 of the Act: The Scottish Ministers, the Scottish Environment Protection Agency and Scottish Natural Heritage. The Scottish Ministers have designated Historic Scotland to act on their behalf on matters affecting the historic environment.
- 13.3.2 The Act requires Responsible Authorities to consult the Consultation Authorities at the screening, scoping and Environmental Report stages. In practice, Responsible Authorities are asked to do so via the Scottish Executive SEA Gateway (see Chapter 3):

Address SEA Gateway,
 Area 1-H (Bridge),
 Victoria Quay,
 Edinburgh,
 EH6 6QQ

email - SEA.Gateway@scotland.gsi.gov.uk

Telephone 0131 244 5094

- 13.3.3 The Consultation Authorities have produced information for Responsible Authorities on “*Procedures for Consultation with the Scottish Consultation Authorities*”. This document is available on the SEPA, SNH and Historic Scotland websites.

- 13.3.4 Contact details for the Consultation Authorities are as follows:

The Scottish Ministers (Historic Scotland)

hssea.gateway@scotland.gsi.gov.uk or

SEA Secretariat, Longmore House, Salisbury Place, Edinburgh EH9 1SH. Telephone number: 0131 668 8898

Scottish Environment Protection Agency

General enquiries should be sent to sea.gateway@sepa.org.uk

Enquiries in respect of PPS covering Scotland or the UK should be directed to: SEA Gateway, Environmental Strategy, SEPA Corporate Office, Erskine Court, The Castle Business Park, Stirling FK9 4TR. Tel: 01786 452431

Enquiries in respect of PPS covering local or regional areas of Scotland should be directed to the following as appropriate:

- **South West Scotland (Glasgow and the Clyde Valley, Ayrshire and Dumfries and Galloway)**

South West Planning Unit Manager, SEPA East Kilbride, Redwood Crescent, Peel Park, East Kilbride G74 5PP. Telephone: 01355 574200

- **South East Scotland (the Lothians, Scottish Borders, Stirling, Falkirk, Fife, Tayside and Clackmannanshire)**

South East Planning Unit Manager; SEPA Edinburgh, Clearwater House, Heriot Watt Research Park, Avenue North, Riccarton, Edinburgh. EH14 4AP. Telephone 0131 449 7296

- **North of Scotland (Aberdeen and Aberdeenshire, Moray, Highlands, the Islands and Argyll and Bute)**

North Planning Unit Manager, SEPA Dingwall, Graesser House, Fodderty Way, Dingwall Business Park, Dingwall IV15 9XB. Telephone 01349 862021

Scottish Natural Heritage

sea.gateway@snh.gov.uk or

SEA Gateway, Secretariat, Scottish Natural Heritage, 12 Hope Terrace, Edinburgh EH9 2AS. Telephone 0131 446 2290

Explanation of the term “the public”

13.3.5 Section 16 of the Act sets out Environmental Report consultation procedures relating to “the public”.

13.3.6 Article 2(d) of Directive 2001/42/EC (the SEA Directive) states that “‘the public’ shall mean one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organisations or groups”. This is likely to include individuals, non-governmental organisations, relevant government departments and Agencies, specialist groups, the NHS, citizens’ organisations/groups, and all stakeholders.

13.3.7 The public to be consulted includes, but is not limited to, “the public affected or likely to be affected by, or having an interest in [a PPS] including relevant non-governmental organisations” (Article 6(4)). It is therefore good practice to give the term “the public” a broad interpretation embracing the principles of diversity, equality and accessibility.

Consulting other EU Member States

13.3.8 A PPS may have significant effects on the environment of another EU Member State; these are known as transboundary effects. Responsible Authorities who consider that their PPS may have significant environmental effects on another EU Member State are required by the UK Regulations to consult with the affected Member State. Paragraphs 13.3.9 – 13.3.11 outline the statutory provisions. Responsible Authorities are asked to contact the Scottish Executive SEA Gateway in the first instance. The Gateway will provide guidance on how to proceed.

13.3.9 SEA consultations with other EU Member States are provided for in Regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (the UK Regulations).

- 13.3.10 As soon as reasonably practicable after forming the opinion that there are likely significant effects on another EU Member State, the Responsible Authority must notify the Secretary of State (UK Government) and supply a copy of the PPS plus the Environmental Report (the “relevant documents”). This should be undertaken through the SEA Gateway.
- 13.3.11 In transboundary cases the Secretary of State forwards the relevant documents to the Member State/s and, if they wish to respond, the Secretary of State (UK Government) will agree consultation arrangements, including timescales. The Secretary of State (UK Government) will notify the Consultation Authorities and the Responsible Authority of the outcome of consultation, via the SEA Gateway.
- 13.3.12 Responsible Authorities may not adopt the PPS until the consultation with EU Member States has been concluded.

Consultation period for the Environmental Report

- 13.3.13 Section 15(4) of the Act requires that the Consultation Authorities and the public are given an early and effective opportunity to express their opinion on the PPS and the accompanying Environmental Report. The European Commission Guidance on EC Directive 2001/42/EC (the SEA Directive) provides guidance on the term “early and effective”. It advises that different time frames may be appropriate but care should be taken to allow sufficient time for opinions to be properly developed on complex, contentious issues and for the Responsible Authority to take views into account before deciding on the final PPS.
- 13.3.14 The Responsible Authority must consider both the timing of the consultation, i.e. when it occurs in the PPS preparation process, and its length, so that the consultation is both early and effective.
- 13.3.15 At the scoping stage, Responsible Authorities are required (Section 15(3)(a)) to take account of the Consultation Authorities’ views on the proposed consultation period. Following the scoping stage, Section 15(3)(b) of the Act requires Responsible Authorities to advise the Scottish Ministers of the consultation period on which they have decided. Responsible Authorities are asked to inform the Scottish Ministers via the SEA Gateway. If the Scottish Ministers consider that the consultation period does not provide an early and effective opportunity for the Consultation Authorities and the public to express their opinions, they will specify an alternative period and will do so within 7 days (Sections 15 (4) and (5)).

Consulting on the Environmental Report

- 13.3.16 Section 15(4) of the Act provides that the Responsible Authority must ensure that the following have an early and effective opportunity to express their opinions:
- the Consultation Authorities;
 - the public affected or likely to be affected; and
 - the public having an interest in the PPS.

- 13.3.17 Section 16 of the Act sets out the consultation procedures relating to the Environmental Report. As soon as reasonably practicable, and in any event, within 14 days of the preparation of the Environmental Report, the Responsible Authority must:
- Send a copy of the Environmental Report and the PPS (together known as the “relevant documents”) to the Consultation Authorities and invite opinions by the closing date. In practice, Responsible Authorities are asked to send the relevant documents via the Scottish Executive SEA Gateway;
 - Secure the publication of a notice:
 - stating the title of the PPS;
 - stating the address (which may include a website) at which it may be inspected or a copy obtained;
 - inviting opinions, the address to which they should be sent and the closing date.Publication of the notice must be by such means as to ensure that its contents are likely to come to the attention of the public affected by, or likely to be affected by, or having an interest in the PPS. The notice must be published in at least one newspaper circulating in the area to which the PPS relates.
 - The Responsible Authority must make a copy of the relevant documents available on its website and at its principal office for inspection by the public at all reasonable times and free of charge. The Responsible Authority may make a reasonable charge for copies of documents.

Requirement to take consultation responses into account

- 13.3.18 In the preparation of the PPS, following the consultation, the Responsible Authority must take account of:
- the Environmental Report;
 - every opinion expressed in response to their invitation to comment;
 - the outcome of any relevant consultations with other EU Member States (Regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004. (the UK Regulations)

This is discussed further in Chapter 7.

Other statutory requirements

- 13.3.19 In SEA consultations, Responsible Authorities must have due regard to all other relevant legislation including, but not limited to:
- Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000)
 - Disability Discrimination Act 1995
 - Disability Discrimination Act 2005
 - Sex Discrimination Act 1975
 - Freedom of Information (Scotland) Act 2002
 - Environmental Information (Scotland) Regulations 2004
 - Data Protection Act 1998

Web links to additional guidance

- Guidelines on Participation in Environmental Decision Making (Institute of Environmental Management and Assessment)
http://www.iema.net/shop/default.php?cpath=27_26
- National Consumer Council and Scottish Consumer Council
<http://www.ncc.org.uk/involvingconsumers/index.htm>
and <http://www.scotconsumer.org.uk/involvingconsumers/index.htm>
- Practical Approaches to Participation - The Macaulay Institute -
<http://www.macaulay.ac.uk/serp/research/serppb1.pdf>
- Scottish Executive Equality Strategy
<http://www.scotland.gov.uk/library3/social/wtem-00.asp>
- The Scottish Compact Good Practice Guides (advice on how the Scottish Executive engages with the voluntary sector):-
www.scotland.gov.uk/library2/doc16/cgpg-00.asp
- International Association for Public Participation
www.iap2.org/associations/4748/files/toolbox.pdf
- Royal Town Planning Institute
www.rtpi.org.uk/resources/publications/ConsultationGuidelines_web.pdf
- United Nations Economic Commission for Europe
www.unece.org/env/eia/publicpart.html
- Involve
www.involving.org/index.cfm?fuseaction=main.viewSection&intSectionID=400

MONITORING



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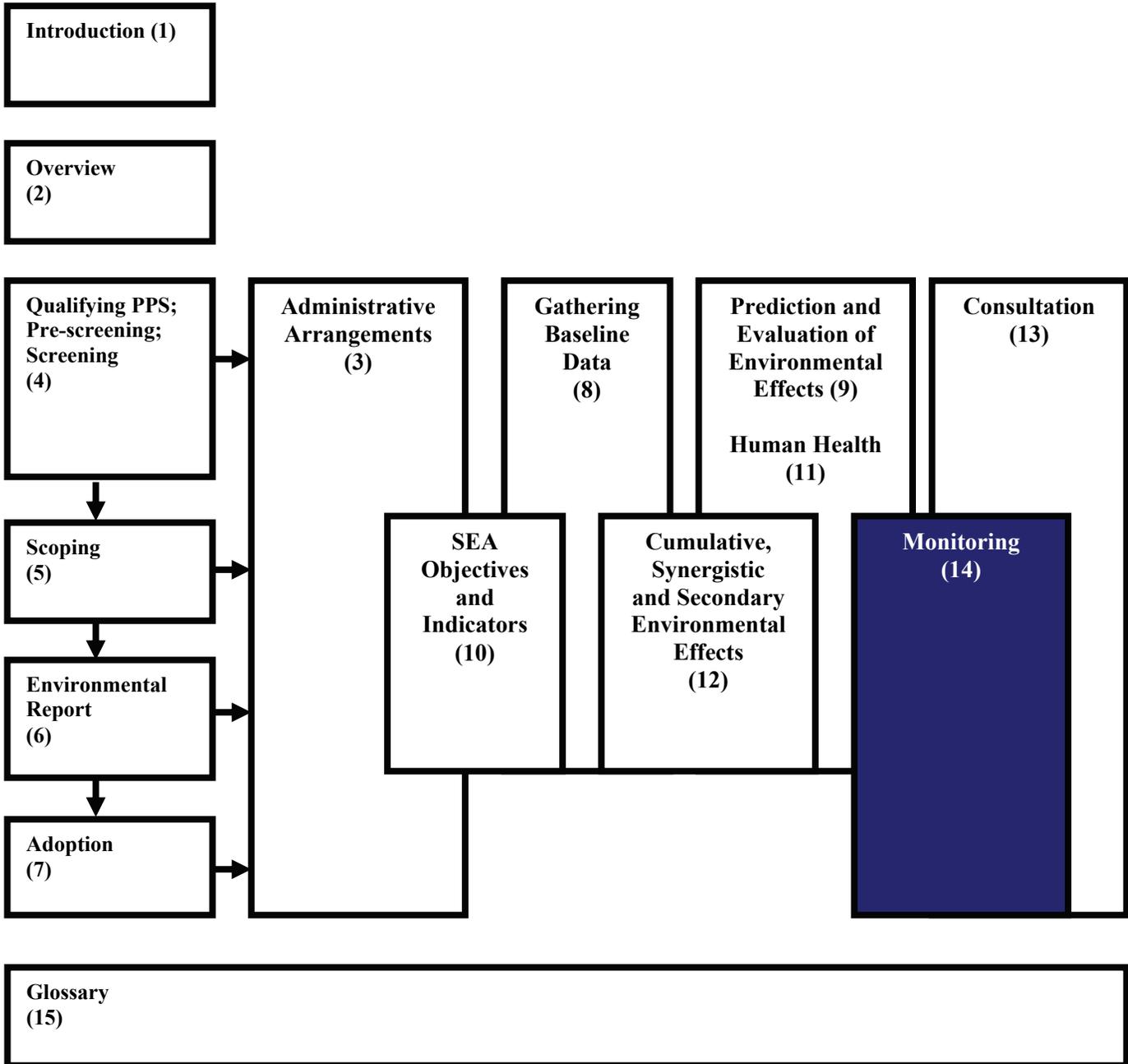
Strategic Environmental Assessment Tool Kit

Chapter 14

Monitoring

SCOTTISH EXECUTIVE
SEA TOOL KIT
Chapter 14 - Monitoring

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



CONTENTS

Part 1 - Introduction

Part 2 – Legislative Requirements

- The relevant statutory provisions

Part 3 - Monitoring

- Proposed monitoring framework
- Timescales for monitoring
- Recording of monitoring activities and results
- Unforeseen adverse effects
- Provision of monitoring information
- Further reading

Part 1 - Introduction

- 14.1.1 Monitoring the environmental effects of the plan, programme or strategy (PPS) is a key stage in the SEA process. The information gathered as a result of monitoring enables the Responsible Authority to track the environmental effects of the PPS, gauge the effectiveness of any mitigation measures employed, identify unforeseen effects and manage any uncertainty encountered in the assessment process e.g. in the prediction of certain environmental effects.
- 14.1.2 The purpose of this Chapter is to set out the requirements of the Environmental Assessment (Scotland) Act 2005 ('the Act') for monitoring and provide guidance on the steps involved.

Part 2 – Legislative requirements

The relevant statutory provisions

14.2.1 Sections 14(1) and (2) of the Act require the Responsible Authority to assess the likely significant effects of a PPS on the environment and to provide the results in an Environmental Report. The information to be provided in Environmental Reports is set out in Section 14(3) and Schedule 3, and includes a description of the envisaged monitoring measures.

Environmental Report

Section 14(3) - The [environmental] report shall include such of the information specified in schedule 3 as may reasonably be required ...

Schedule 3(9) – A description of the measures envisaged concerning monitoring in accordance with section 19.

14.2.2 Section 18 of the Act provides that, as soon as is reasonably practicable after adoption of the PPS, the Responsible Authority must provide specified information in certain ways. That information includes the monitoring measures.

Adoption

Section 18(1) As soon as reasonably practicable after the adoption of a qualifying plan or programme, the responsible authority shall make available a copy of a statement containing the particulars specified in subsection (3) ...

(3) The particulars referred to ... are: (f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

14.2.3 Section 19 of the Act requires the Responsible Authority to monitor the significant environmental effects of the implementation. Monitoring should be undertaken in a manner which *inter alia* enables the Authority to identify any unforeseen adverse effects at an early stage and undertake appropriate action.

Monitoring

Section 19(1) The responsible authority shall monitor the significant environmental effects of the implementation of every qualifying plan or programme for which it has carried out an environmental assessment.

Section 19(2) The responsible authority shall do so in a manner ... which enables the authority to (a) identify any unforeseen adverse effects at an early stage; and (b) undertake appropriate remedial action.

Part 3 – Monitoring

14.3.1 The Act requires the Responsible Authority to monitor the significant environmental effects of the PPS implementation. This needs to be done in a way that enables the Responsible Authority to identify unforeseen adverse effects.

14.3.2 Monitoring can be used to answer such questions as:

- Were the assessment's predictions of environmental effects accurate?
- Are mitigation measures performing as well as expected?
- Are there any adverse environmental effects?

Proposed monitoring framework

14.3.3 The Responsible Authority may find it useful to work through these steps when developing a monitoring system for SEA:

Step 1: identify the scope of the monitoring i.e. what needs to be monitored

14.3.4 The Environmental Report sets the framework for monitoring by identifying the likely significant environmental effects of the PPS. The monitoring should therefore focus on environmental effects which result from implementation of the PPS. The possible need for remedial action should also be considered when developing the monitoring framework.

14.3.5 Monitoring measures should therefore be clearly linked to the SEA process, for example:

- the SEA objectives and indicators;
- the features of the environmental baseline that will indicate the effects of the PPS;
- the likely significant effects identified during the SEA; and
- mitigation measures.

14.3.6 Monitoring may also involve updating the environmental baseline information used in the environmental assessment, or filling in any of the gaps identified during the SEA.

Step 2: consider level of detail required and data sources

- 14.3.7 The type (e.g. quantitative or qualitative) and the level of detail of monitoring required will depend on:
- the characteristics and level of detail of the PPS; and
 - the type and nature of the effects being monitored.
- 14.3.8 The Responsible Authority should be aware of the potential difficulties of establishing a clear link between implementation of the PPS and identified changes in the environment; these could prove an obstacle to monitoring or to interpreting the results of monitoring. The Responsible Authority may be able to monitor the effects of the PPS directly, through monitoring changes in the environment (i.e. impacts of the PPS). Alternatively, where direct monitoring is not possible or cannot be clearly linked to the PPS, monitoring may need to be indirect. Indirect monitoring focuses on the causes of change, so could consider the implementation of mitigation measures or “environmental pressure factors” such as emissions, amounts of waste, etc.

Step 3: set out monitoring framework/approach

- 14.3.9 Many Responsible Authorities will already have a monitoring system in place. As a starting point, the existing monitoring framework should be examined and built on, if appropriate, to meet the SEA monitoring requirements.
- 14.3.10 The SEA monitoring approach should cover the information at step 1, and provide the level of detail at step 2.
- 14.3.11 Monitoring is often undertaken using indicators which may be associated with SEA objectives. When selecting indicators, it is good practice to consider how they might be analysed. Analysis of indicators may include:
- Baselines and predicted effects: changes in the direction of indicators can be measured against the baseline position and predicted effects documented in the Environmental Report (e.g. decreasing/increasing areas of habitat).
 - Benchmarking: Changes in the direction of indicators can also be measured against other comparable locations or receptors to establish whether similar effects are occurring. Benchmarking may help in the assessment of relative performance by identifying external forces of change.
 - Use of qualitative and quantitative information: Monitoring of most indicators is likely to be based on both types of information.
 - Interpretative commentaries: The main task of analysis is providing a considered interpretation of the results.

Timescales for monitoring

- 14.3.12 The Act does not prescribe a timescale for SEA monitoring activities. In some cases timescales may be set out in other statutory requirements or administrative procedures. The European Commission Guidance on European Directive 2001/42/EC suggests that monitoring and reporting activities may be integrated into the planning cycle or that it may coincide with “the regular revision of a plan or programme depending on which effects are to be monitored and upon the length of intervals between revisions” (paragraph 8.5). Where there are no such regular revisions, “time and frequency for monitoring...should be laid down, either in a general rule or in the context of each ... Environmental Report”.

Recording of monitoring activities and results

14.3.13 The Act does not prescribe how monitoring activities and results should be recorded. However, Responsible Authorities may wish to consider the following principles when recording monitoring:

- be transparent and accessible;
- set out details of the PPS (e.g. title, area etc) and web link to the relevant PPS;
- describe the monitoring approach;
- set out who is responsible for monitoring tasks (e.g. collection, processing and evaluation of environmental information);
- set out monitoring timescales, frequency and geographical extent;
- set out indicators to be used for monitoring;
- set out monitoring methods;
- record monitoring activities and results;
- record data sources, gaps in data sources/uncertainties;
- record action taken to address gaps in data;
- record unforeseen significant effects identified; and
- record if appropriate remedial action taken and effectiveness; record any difficulties encountered and any changes to the monitoring framework/strategy/indicators.

Unforeseen adverse effects

14.3.14 SEA monitoring activities must enable the Responsible Authority to identify any unforeseen adverse effects at an early stage, and to take appropriate remedial action (Section 19). The Act does not require a PPS to be modified if monitoring reveals adverse effects on the environment. However, monitoring is intended to enable mitigation activities to be taken, and action may be required either by the Responsible Authority or other bodies. The Responsible Authority may find it useful to establish, in advance, a mechanism or framework to identify if and when remedial action is needed in response to adverse effects, including:

- specific criteria or thresholds which trigger remedial action e.g. in order to comply with statutory requirements or administrative provisions;
- potential remedial actions that could be taken if a significant environmental effect was identified; and
- those responsible for taking the remedial action.

14.3.15 Remedial action will vary and could include:

- modification of the PPS (note that some modifications may require an SEA should they have likely significant environmental effects);
- measures to prevent, reduce and as fully as possible offset any significant adverse effects; and
- consultation/collaboration with other bodies and the public where appropriate (e.g. where the remedial action is the responsibility of another body and/or the proposed action is of public interest).

Provision of monitoring information

14.3.16 The Act does not prescribe how or when to make SEA monitoring information available.

14.3.17 However, in the spirit of SEA and, in order to comply with the legislation listed below, Responsible Authorities are expected to make available the results of their SEA monitoring.

14.3.18 There are two key pieces of legislation which relate to information provision:

- The Freedom of Information (Scotland) Act 2002; and
- The Environmental Information (Scotland) Regulations 2004.

Further reading

The Practical Guide to the Strategic Environmental Assessment Directive:

http://www.communities.gov.uk/pub/290/APracticalGuidetotheStrategicEnvironmentalAssessmentDirective_id1143290.pdf

Guidance is also available on the Europa website:

http://europa.eu.int/comm/environment/eia/030923_sea_guidance.pdf



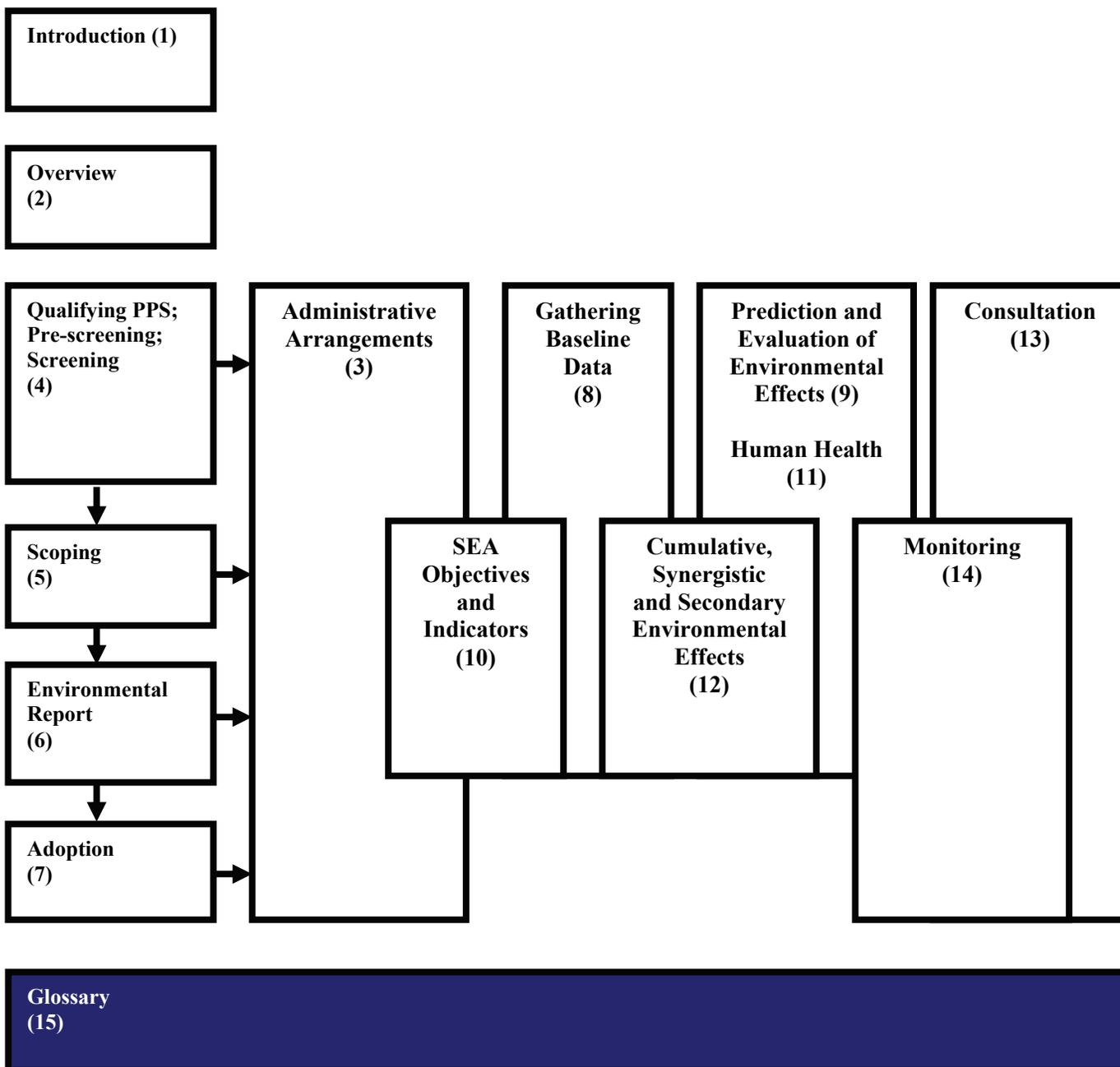
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**Strategic Environmental
Assessment Tool Kit
Chapter 15**

Glossary

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SEA TOOL KIT
Chapter 15 - Glossary

This flow chart sets out the key topics covered by this Tool Kit. The chapter you are now reading is highlighted.



GLOSSARY

“Administrative provisions” – PPS required by “administrative provisions”

Typical characteristics of "administrative provisions" are that they are publicly available, prepared in a formal way, probably involving consultation with interested parties. The administrative provision must have sufficient formality such that it counts as a "provision" and it must also use language that plainly requires rather than just encourages a PPS to be prepared.

Consultation Authorities

Authorities which because of their environmental responsibilities are likely to be concerned by the effects of implementing PPS and must be consulted at specified stages of the SEA. The Consultation Authorities, designated in the Act, are:

- Scottish Ministers (Historic Scotland),
- Scottish Natural Heritage (SNH), and
- The Scottish Environment Protection Agency (SEPA).

EIA:

Environmental Impact Assessment – A project level assessment

Environmental Appraisal

A form of environmental assessment used in the UK (primarily for Development Plans) since the early 1990s, supported by "Environmental Appraisal of Development Plans: A Good Practice Guide" (DoE, 1993); more recently superseded by sustainability appraisal. Some aspects of environmental appraisal foreshadow the requirements of the SEA Directive.

Environmental Assessment

A method or procedure for predicting the effects on the environment of a proposal, either for an individual project or a higher-level “strategy” (a PPS), with the aim of taking account of these effects in decision-making. The term “Environmental Impact Assessment” (EIA) is used, as in European Directive 337/85/EEC, for assessments of projects. In the SEA Directive, an environmental assessment means "the preparation of an environmental report, the carrying out of consultations, the taking into account of the environmental report and the results of the consultations in decision-making and the provision of information on the decision", in accordance with the Directive’s requirements.

Environmental Report

Document required by the SEA Directive [Directive 2001/42/EEC on the assessment of the effects of certain plans and programmes on the environment] as part of an environmental assessment, which identifies, describes and evaluates the likely significant effects on the environment of implementing a PPS and its reasonable alternatives. Section 14 and Schedule 3 of the Act set out the information required in an Environmental Report.

Hierarchies of plans, programmes, strategies (PPS) and projects

A high level or “parent” PPS may have plans or programmes at lower tiers or later stages.

Indicator

A measure of variables over time often used to measure achievement of objectives.

- **Output Indicator:** An indicator that measures the direct output of the PPS. These indicators measure progress in achieving PPS objectives, targets and policies.
- **Significant Effects Indicator:** An indicator that measures the significant effects of the PPS.
- **Contextual Indicator:** An indicator used in monitoring, that measures changes in the context within which a PPS is being implemented.

Minimal Effect on the environment: Minimal takes its normal meaning

Whether environmental effects are considered “minimal” should be seen as a difficult test to meet and should always be assessed in the context of each individual PPS. If the Responsible Authority sees any indication at all that a PPS may have more than minimal environmental affects then the pre-screening provisions will not apply (Chapter 4).

Mitigation

Used in this Tool Kit to refer to measures to prevent, reduce or offset, as fully as possible, adverse effects on the environment. Mitigation in SEA also includes enhancement and compensating measures.

Objective

A statement of what is intended, specifying the desired direction and outcome

PPS

A plan, programme or strategy.

Plan or Programme

For the purposes of the Tool Kit, the term "plan or programme" covers any plans or programmes to which the Act applies and includes strategies.

Pre-Screening

Where a plan as described in Section 5(4) of the Act is considered, in the opinion of the Responsible Authority, to have no or minimal effect on the environment the plan is exempt from SEA. To reach such a decision the Responsible Authority shall apply criteria set out in Schedule 2. Pre-screening should be considered a hard test to meet and, if any doubt exists, then it should not be applied. Instead, the screening process should be used to establish the likelihood of any significant effects on the environment. Under Section 7 of the Act, Responsible Authorities have a statutory obligation to notify the Scottish Ministers of their pre-screening decisions and a register of decisions will be made available by the Scottish Ministers for public inspection.

Responsible Authority

Any person, body or office holder exercising functions of a public character. If such an authority prepares a PPS which requires an SEA then that authority is responsible for the SEA. Where more than one authority is responsible for a PPS they should reach an agreement as to who is responsible for the SEA. Where an agreement cannot be reached, the Scottish Ministers shall make the determination.

Scoping

The process of deciding the scope and level of detail to be included in an Environmental Report along with requirements regarding consultation periods (section 15(1)(b)).

Screening

The process of determining the likely significance of effects on the environment of a PPS. Schedule 2 of the Act sets out criteria for determining the likely significant effects on the environment.

Strategic Environmental Assessment (SEA)

Term used to describe environmental assessment as applied to PPS. In this Tool Kit, “SEA” is used to refer to the type of environmental assessment required under the Environmental Assessment (Scotland) Act 2005.

SEA Directive

European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

SEA Regulations

In the UK the SEA Directive is transposed into the following Regulations:-

- *The Environmental Assessment of Plans and Programmes Regulations 2004;*
- *The Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004;* and
- *The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004)*

In Scotland SEA is provided for by the Environmental Assessment (Scotland) Act 2005 and is the transposing legislation for the SEA Directive. The Act repealed the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004 (SSI 2004/258).

Set the framework for future development consent

The words would normally mean that the PPS contains criteria or conditions which guide the way the consenting authority decides an application for development consent (EC 2003).

Significant environmental effects

A degree of professional judgement is required in assessing significance of environmental effects but to help ensure that determinations are consistent and appropriate Schedule 2 of the Act sets out specific criteria for determining the likely significance of effects on the environment of a PPS.

Sustainability appraisal

A form of assessment that considers social and economic effects as well as environmental ones, and appraises them in relation to the aims of sustainable development.



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Strategic Environmental Assessment Tool Kit

**SEA Templates (with integrated
guidance notes)**

CONTENTS

Part 1 - Introduction

- Acknowledgements
- Purpose of the SEA Tool Kit
- List of key guidance sources
- Explanation of terms used in the templates

Part 2 – SEA Templates

- Screening template
- Scoping template
- Environmental Report template
- Post-adoption SEA statement template

SCOTTISH EXECUTIVE SEA TOOL KIT

Part 1 - Introduction

Acknowledgements

- 1.1 The Scottish Executive is grateful to the wide variety of organisations and individuals who have helped to develop these templates including - Levett-Therivel (Sustainability Consultants), SEPA, Historic Scotland, SNH and CoSLA.

Purpose of the SEA Tool Kit

- 1.2 The Scottish Executive SEA Tool Kit provides comprehensive coverage and supports the commitment made by the Scottish Ministers to provide guidance on the Act.
- 1.3 The Tool Kit is designed to be comprehensive, but can only be considered as guidance and is not a substitute for the Act. Responsible Authorities who are any doubt about compliance should refer to the Act or seek their own legal advice.
- 1.4 Specific guidance has been developed for certain types of plans, programmes and strategies (PPS), particularly land use and spatial planning and transport planning. Users should refer primarily to the relevant specific guidance when preparing those PPS.
- 1.5 These templates are **not mandatory** and may be adapted to suit individual circumstances. When using these templates, it is up to the Responsible Authority to ensure that their SEA activities comply with the statutory requirements.

List of key guidance sources

- 1.6 Before using the templates, it is advisable for Responsible Authorities to read the Environmental Assessment (Scotland) Act 2005. Guidance on the Act can be found in Chapters 1 to 15 of the Tool Kit.
- 1.7 The practical guide to the Strategic Environmental Assessment Directive (ODPM et al, September 2005), is relevant for those plans and programmes which geographically cover more than one part of the UK
<http://www.communities.gov.uk/index.asp?id=1501988>
- 1.8 EU guidance - Directive 2001/42 on 'the assessment of the effects of certain plans and programmes on the environment'
http://europa.eu.int/comm/environment/eia/030923_sea_guidance.pdf

Explanation of terms used in the templates

- 1.9 The term “signature” includes electronic signatures. Electronic signatures are acceptable throughout the templates.
- 1.10 References to the “practical guide” relate to the practical guide to the Strategic Environmental Assessment Directive (ODPM et al, September 2005) (see paragraph 1.7).
- 1.11 References to “the Act” refer to the Environmental Assessment (Scotland) Act 2005. Where words like “shall” “must” or “should” are used, this indicates a statutory requirement. Where “may” or “could” are used, this indicates a good practice recommendation.
- 1.12 The term “plans and programmes” includes strategies.
- 1.13 The “Consultation Authorities” are the Scottish Environment Protection Agency, Scottish Natural Heritage (SNH), and the Scottish Ministers. (The Scottish Ministers have designated Historic Scotland to advise on their behalf on matters concerning the historic environment).
- 1.14 The Scottish Executive SEA Gateway is the central administrative unit dealing with SEA matters. SEA Gateway contact details are provided in the appendix to these templates.
- 1.15 The term “transboundary effects” means the effects of a plan, programme or strategy (PPS) on another EU Member State. The term “cross-border” effects” means the effects of a PPS on another UK country.

Contact details

SCOTTISH EXECUTIVE SEA GATEWAY

SEA.gateway@scotland.gsi.gov.uk

or

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Scottish Executive
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Victoria Quay
Edinburgh
EH6 6QQ

Telephone: 0131 244 5094

**SCOTTISH EXECUTIVE
SEA TEMPLATES**

**TEMPLATE 1
SCREENING
(with integrated guidance notes)**

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SCOTTISH EXECUTIVE SEA TOOL KIT

SEA TEMPLATE 1 – SCREENING

Introductory guidance notes

- 2.1 SEA is targeted at plans, programmes and strategies (PPS) with significant environmental effects. The purpose of screening is to determine whether a qualifying PPS has likely significant environmental effects (Sections 8, 9 and 10 of the Environmental Assessment (Scotland) Act 2005).
- 2.2 **Screening is not required for the following qualifying PPS and the Responsible Authority should move directly to the scoping stage:**
- A PPS described at Section 5(3)(a)(i)&(ii) (unless it relates to a small/local area or is a minor modification of an existing PPS in which case screening is required)
 - A PPS described at Section 5(3)(b) which is determined to require an assessment pursuant to Article 6 or 7 of Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna as last amended by Council Directive 97/62/EC (unless it only relates to a small/local area or is a minor modification of an existing PPS in which case screening is required).
- 2.3 **Screening is required for:**
- A PPS which is required by a legislative, regulatory or administrative provision and is described in Section 5(3) of the Act but only determines the use of small areas at local levels or is a minor modification of such a PPS (Section 8(1)(a) & (b) of the Act).
 - A PPS described in Section 5(3)(c) of the Act which is required by legislative, regulatory or administrative provision and which sets the framework for development consent of projects. This can be a PPS prepared for any purpose, apart from those to which the Act does not apply, such as financial plans. The PPS does not have to be prepared for one of the subjects described at Section 5(3)(a)(i).
 - A PPS which is described in Section 5(4) of the Act and has not been exempted through the pre-screening procedure. This applies to PPS of any type (apart from those to which the Act does not apply such as financial plans) which are owned by one of the Responsible Authorities listed at Section 2(4) of the Act.
 - Guidance on Screening and Pre-screening is available in Chapter 4 of the Tool Kit.

How to submit screening summaries

- 2.4 If a PPS is subject to the screening provisions, Responsible Authorities are required to forward to the Consultation Authorities, a summary of their views, as to whether or not the PPS is likely to have significant environmental effects (Section 9(1)&(2) of the Act). In practice, Responsible Authorities are asked to send screening documentation via the Scottish Executive SEA Gateway, preferably by email. The Gateway then forwards documentation to the Consultation Authorities for their views regarding whether or not the PPS is likely to have significant environmental effects.

SEA Template 1 - screening

- 2.5 Template 1 provides a framework for the screening summary described at Section 9 of the Act. This summary is referred to as the “Screening Report” in the Scottish Executive SEA Tool Kit.

Length and level of detail

- 2.6 As a basic guide to ensure Screening Reports are concise, Responsible Authorities should try not to exceed 5-8 pages in length. The size of the sections and boxes in the template is not a guide to the level of detail required because that will depend on the PPS and its likely effects. It is good practice to include a map and PPS objectives, when available, in the Screening Report.

Length of time for Consultation Authority’s response

- 2.7 Within 28 days of receipt of the Screening Report, the Consultation Authorities shall respond with their opinions and views (Section 9(3) of the Act). In practice, the Consultation Authorities response will be issued via the Scottish Executive SEA Gateway.

Determination procedure - Section 9(4)-(7) of the Act

- 2.8 If the Responsible Authorities and the Consultation Authorities agree that the PPS is unlikely to have significant environmental effects, the Responsible Authority shall make a determination to that effect.
- 2.9 If the Responsible Authority and the Consultation Authorities agree that the PPS is likely to have significant environmental effects, then the Responsible Authority shall make a determination to that effect.
- 2.10 If the Responsible Authority and Consultation Authorities do not reach an agreement as to whether or not the PPS is likely to have significant environmental effects, the Responsible Authority shall refer the matter to the Scottish Ministers for their determination.

Screening - publicity for determinations (Section 10 of the Act)

- 2.11 Within 28 days of a determination having been made the Responsible Authority shall send the Consultation Authorities the following documents (in practice, the Responsible Authority is asked to send the relevant documents via the Scottish Executive SEA Gateway):
- a copy of the determination; and
 - a statement of reasons for that determination (only required in those cases where the Responsible Authority determines the PPS is unlikely to have significant environmental effects).

2.12 The Responsible Authority is also required to:

- keep a copy of the determination and any related statement of reasons, available at its principal office for inspection by the public at all reasonable times and free of charge; and
- display a copy of the determination and any related statement of reasons on the authority's website; and
- within 14 days of making the determination, take such steps as it considers appropriate (including publication in at least one newspaper circulating in the area to which the PPS relates) to bring to the attention of the public:
 - title of PPS;
 - that a determination has been made and whether an SEA is required;
 - the address (which may include a website) at which a copy of the determination and any related statement of reasons may be inspected or from which a copy may be obtained.

2.13 The Responsible Authority is not required to provide a copy of the determination or statement of reasons free of charge. Where a charge is made, it has to be reasonable.

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SEA SCREENING REPORT (COVER NOTE)

PART 1

To: SEA.gateway@scotland.gsi.gov.uk
or
SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

An SEA Screening Report is attached for the plan, programme or strategy (PPS) entitled:

The Responsible Authority is:

COMPLETE PART 3 or 4 or 5

PART 3

Screening is required by the Environmental Assessment (Scotland) Act 2005. Our view is that:

- an SEA is required** because the PPS falls under the scope of Section 5(3) of the Act and is likely to have significant environmental effects ***or***
- an SEA is required** because the PPS falls under the scope of Section 5(4) of the Act and is likely to have significant environmental effects ***or***
- an SEA is not required** because the PPS is unlikely to have significant environmental effects

PART 4

- The PPS does not require an SEA under the Act. However, we wish to carry out an SEA on a voluntary basis. We accept that, because this SEA is voluntary, the statutory 28 day timescale for views from the Consultation Authorities cannot be guaranteed.

PART 5

- None of the above apply. We have prepared this screening report because:
.....
.....
.....

SEA SCREENING REPORT (COVER NOTE)

PART 6

Contact name

Job Title

Contact address

Contact tel no

Contact email

PART 7

Signature
(electronic
signature
is acceptable)

Date

SEA SCREENING REPORT - KEY FACTS

Responsible Authority

Title of PPS

Purpose of PPS

What prompted the PPS

(e.g. a legislative, regulatory or administrative provision)

Subject

(e.g. transport)

Period covered by PPS

Frequency of updates

Area covered by PPS

(e.g. geographical area – it is good practice to attach a map)

**Summary of nature/
content of PPS**

Are there any proposed PPS objectives?

YES

NO

Copy of objectives attached

YES

NO

Date

SCREENING TEMPLATE - GUIDANCE NOTE 1

- 1 The Responsible Authority should present its determinations regarding whether there are any likely significant environmental effects (both positive and negative).
- 2 Criteria for determining the likely significant effects on the environment are provided in Schedule 2 of the Act.
- 3 You may find it helpful to present your assessment of significant environmental effects using Table 1 which is the format preferred by the Consultation Authorities. An example is given below of how the first two rows of this table may be completed. A blank version of the whole table is given overleaf.

TABLE 1 – EXAMPLE

<p>Criteria for determining the likely significance of effects on the environment</p> <p>(Schedule 2 of the Environmental Assessment (Scotland) Act 2005)</p>	<p>Likely to have significant environmental effect?</p>	<p>Summary of likely significant environmental effects (negative and positive)</p>
<p>(a) the degree to which the strategy, plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;</p>	<p>YES</p>	<p>The [<i>insert name of PPS</i>] sets the framework for future development consents and contains policies and proposals for the location, nature, size etc. of new development that is likely to have significant environmental effects.</p>
<p>(b) the degree to which the strategy, plan or programme influences other plans and programmes including those in a hierarchy;</p>	<p>YES</p>	<p>The [<i>insert name of plan</i>] will have a significant influence on other plans such as Subject Plans and Environmental Action Plans. Those influences are</p>

SEA SCREENING REPORT

Our determinations regarding the likely significance of effects on the environment of [insert PPS title] is set out in Table 1.

TABLE 1 – LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

TITLE OF PPS		
RESPONSIBLE AUTHORITY		
Criteria for determining the likely significance of effects on the environment (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	Likely to have significant environmental effects? YES/NO	Summary of significant environmental effects (negative and positive)
1(a) the degree to which the PPS sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources		
1(b) the degree to which the PPS influences other PPS including those in a hierarchy		
1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development		

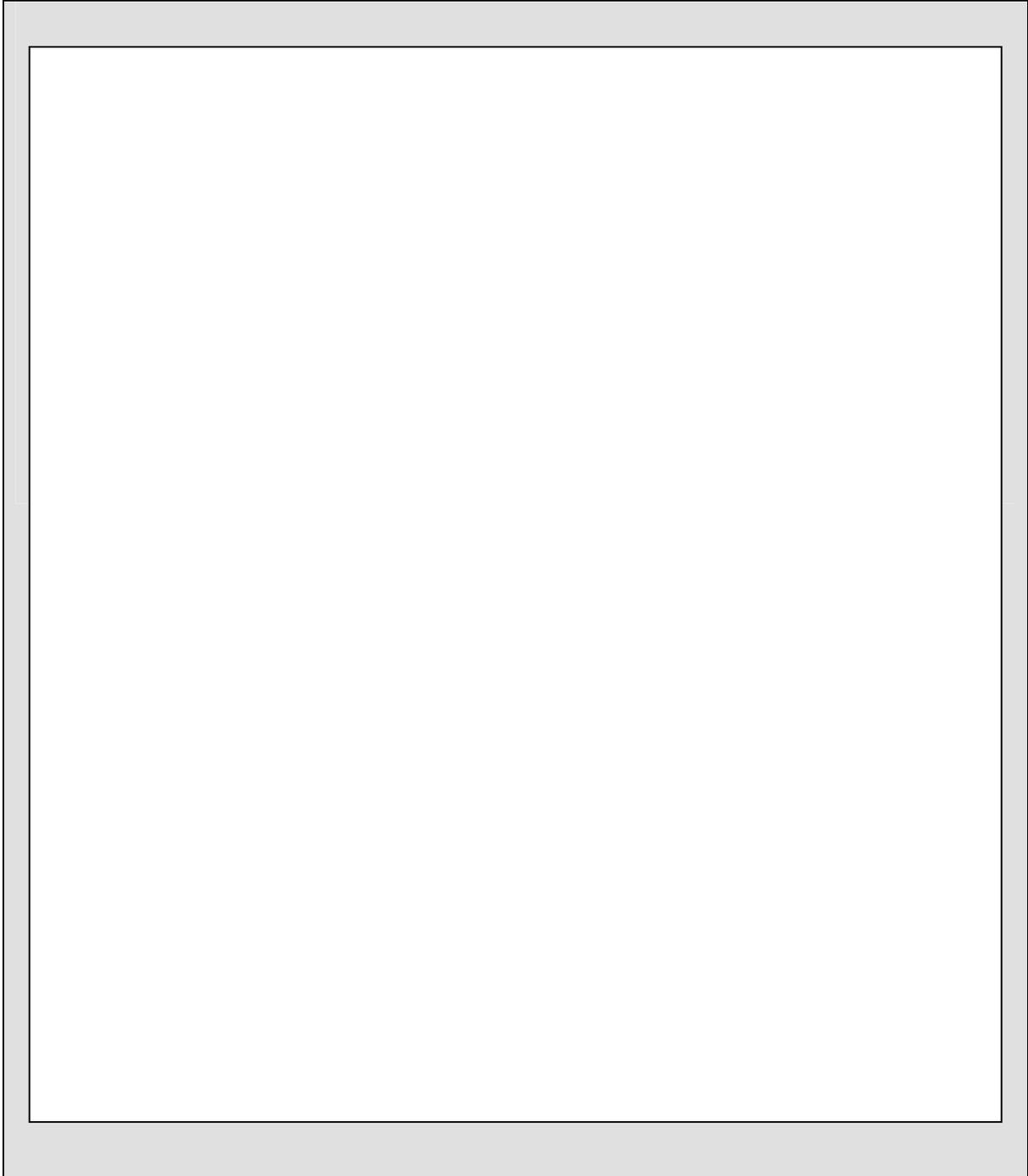
<p>Criteria for determining the likely significance of effects on the environment</p> <p>(1(d) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)</p>	<p>Likely to have significant environmental effects?</p> <p>YES/NO</p>	<p>Summary of significant environmental effects (negative and positive)</p>
<p>1(d) environmental problems relevant to the PPS</p>		
<p>1(e) the relevance of the PPS for the implementation of Community legislation on the environment (for example, PPS linked to waste management or water protection)</p>		
<p>2 (a) the probability, duration, frequency and reversibility of the effects</p>		
<p>2 (b) the cumulative nature of the effects</p> <p>(See Chapter 12 of Tool Kit)</p>		
<p>2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)</p>		
<p>2 (d) the risks to human health or the environment (for example, due to accidents)</p> <p>(See Chapter 11 of Tool Kit)</p>		

<p>Criteria for determining the likely significance of effects on the environment (2(e), 2(f) etc refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)</p>	<p>Likely to have significant environmental effects? YES/NO</p>	<p>Summary of significant environmental effects (negative and positive)</p>
<p>2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>		
<p>2 (f) the value and vulnerability of the area likely to be affected due to- (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use.</p>		
<p>2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status</p>		

SEA SCREENING REPORT

A summary of our considerations of the significant environmental effects of [name of PPS] is given below.

TABLE 2 – SUMMARY OF ENVIRONMENTAL EFFECTS



SEA SCREENING REPORT

**TABLE 3
SUMMARY RECORD OF COMMENTS FROM CONSULTATION AUTHORITIES**

SCREENING TEMPLATE - GUIDANCE NOTE 2

It is not a statutory requirement to include this section in the screening report. However, the Responsible Authority may find it useful for record purposes.

TITLE OF PLAN, PROGRAMME OR STRATEGY

RESPONSIBLE AUTHORITY

DATE COMMENTS RECEIVED FROM CONSULTATION AUTHORITIES

Consultation Authority	Views (if known at this stage)
Scottish Environment Protection Agency	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. soil and water)
Scottish Natural Heritage	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. flora, fauna and biodiversity)
The Scottish Ministers (Historic Scotland)	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. landscape and cultural heritage)

SEA SCREENING REPORT

TABLE 4 – RECORD OF POST SCREENING ACTION

SCREENING TEMPLATE - GUIDANCE NOTE 3

It is not a requirement to include this section in the screening report. However, the Responsible Authority may find it useful for record purposes.

TITLE OF PLAN, PROGRAMME OR STRATEGY (PPS)

RESPONSIBLE AUTHORITY

1 Responsible Authority and Consultation Authorities in agreement – PPS <u>is</u> likely to have significant environmental effects	<input style="width: 95%; height: 25px;" type="text"/>
Date of determination	<input style="width: 95%; height: 25px;" type="text"/>
2 Responsible Authority and Consultation Authorities in agreement – PPS <u>is not</u> likely to have significant environmental effects	<input style="width: 95%; height: 25px;" type="text"/>
Date of determination	<input style="width: 95%; height: 25px;" type="text"/>
3 Responsible Authority and Consultation Authorities cannot reach agreement – referred to the Scottish Ministers for their determination	<input style="width: 95%; height: 25px;" type="text"/>
Date referred to the Scottish Ministers	<input style="width: 95%; height: 25px;" type="text"/>
4 Scottish Ministers' determination	<input style="width: 95%; height: 25px;" type="text"/>
Date of determination	<input style="width: 95%; height: 25px;" type="text"/>
5 Publicity requirements met	<div style="display: flex; justify-content: space-around;"> <input style="width: 40%; height: 25px;" type="text" value="YES"/> <input style="width: 40%; height: 25px;" type="text" value="NO"/> </div>
6 Signature	<input style="width: 95%; height: 25px;" type="text"/>
Date	<input style="width: 95%; height: 25px;" type="text"/>

**SCOTTISH EXECUTIVE
SEA TEMPLATES**

TEMPLATE 2

SCOPING

(with integrated guidance notes)

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SCOTTISH EXECUTIVE SEA TOOL KIT

SEA template 2 – Scoping

Introductory guidance notes

Purpose of scoping

2.14 Section 14(1) of the Environmental Assessment (Scotland) Act 2005 requires the Responsible Authority to secure the preparation of an Environmental Report. Section 15 of the Act requires a scoping exercise to be performed in advance of the preparation of such reports. At the scoping stage, the Responsible Authority must consider, in discussion with the statutory Consultation Authorities, the period of consultation and the scope and level of detail of the Environmental Report.

Background

2.15 Before deciding on the consultation period and the scope and level of detail of the Environmental Report, the Responsible Authority must send the Consultation Authorities sufficient details of the qualifying PPS to enable them to form a view (Section 15(1) of the Act). Note that, in practice, the Responsible Authority is asked to send their scoping information to the Scottish Executive SEA Gateway (see appendix for contact details). This information is referred to as a ‘Scoping Report’ in the Scottish Executive SEA Tool Kit.

2.16 The Responsible Authority may wish to consult the public and other specialist bodies or interest groups at this stage, in which case this template may need to be amended to meet that particular need.

Length and level of detail of scoping information

2.17 The length of a Scoping Report cannot be prescribed and will to a large extent depend on the:

- nature and complexity of the PPS;
- stage in the planning process at which scoping is carried out; and
- amount of information available at the scoping stage.

2.18 As a basic guide to ensure Scoping Reports remain concise, Responsible Authorities should try not to exceed 25 pages in length. Additional information may be provided in Appendices, although these too should be kept concise and summarise information. It is not necessary, for example, to include long lists of the data intended to be used in the assessment in the Scoping Report, but rather a summary of the kinds of data that will be used.

2.19 Two useful guiding principles as to length and level of detail are that the scoping report:

- will be proportionate to the size/level of detail in the PPS; and
- must provide the Consultation Authorities with sufficient information to form a view.

2.20 The size of the sections and boxes in this template are not a guide to the length or amount of detail required. This will depend on the nature of the PPS.

2.21 Given the variations in Scoping Reports, it is anticipated that Responsible Authorities will adapt this scoping template to suit their own needs.

Where to send the Scoping Report

- 2.22 Responsible Authorities are required to send scoping information to the Consultation Authorities (Section 15(1) of the Act). In practice, Responsible Authorities are asked to send SEA documentation to the Scottish Executive SEA Gateway, preferably by email. The Gateway will then forward the information to the Consultation Authorities for their views.
- 2.23 The Responsible Authority may wish to send scoping documentation to additional bodies for views. For example, PPS which may have significant environmental effects in terms of health or population may benefit from additional advice from organisations with expertise in these fields.

Timescale for Consultation Authorities to offer views

- 2.24 The Consultation Authorities are required to respond within 5 weeks of receipt of the scoping details (Section 15(2)(a) of the Act).

What to do on receipt of Consultation Authority views

- 2.25 Responsible Authorities must take account of the Consultation Authorities' views on the scope and level of detail in the Environmental Report (Section 15(3) of the Act).

Advising the Scottish Ministers of proposed consultation period

- 2.26 Following receipt of the Consultation Authorities' views, the Responsible Authority must advise the Scottish Ministers of the period it intends to specify for the consultation with the Consultation Authorities and the public on the Environmental Report (Section 15(3)(b) of the Act).
- 2.27 In practice, the Responsible Authority is asked to advise the Scottish Ministers via the SEA Gateway. If the Scottish Ministers consider that a proposed consultation period is not likely to give the Consultation Authorities and the public an early and effective opportunity to express their opinions, the Ministers are empowered to specify the period, in which case the Responsible Authority will be notified within 7 days, from date of receipt, of the Ministers' decision (Section 15(4) of the Act).

SEA SCOPING TEMPLATE – COVER NOTE

PART 1

To: SEA.gateway@scotland.gsi.gov.uk
or
SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

An SEA Scoping Report is attached for the plan, programme or strategy (PPS) entitled:

The Responsible Authority is:

PART 3

Please tick the appropriate box

- The PPS falls under the scope of Section 5(3) of the Act and requires an SEA under the Environmental Assessment (Scotland) Act 2005. ***or***
- The PPS falls under the scope of Section 5(4) of the Act and requires an SEA under the Environmental Assessment (Scotland) Act 2005. ***or***
- The PPS does not require an SEA under the Environmental Assessment (Scotland) Act 2005. However, we wish to carry out an SEA on a voluntary basis. We accept that, as this SEA is voluntary, the statutory 5 week timescale for views from the Consultation Authorities cannot be guaranteed.

TEMPLATE – COVER NOTE

PART 4

Contact name

Job Title

Contact address

Contact tel. no

Contact email

PART 5

Signature
(electronic
signature
is acceptable)

Date

Contents of Scoping Report

Introduction

Key facts about [*name of plan, programme or strategy (PPS)*]

Description of PPS contents

Context of [PPS]

- Relationship with other PPS
- Relevant aspects of the current state of the environment (baseline)
- Environmental problems

Scope and level of detail proposed for strategic environmental assessment

- Alternatives (if known)
- Scoping in/out of SEA issues
- Methodology for assessing environmental effects

Next steps

- Proposed consultation timescales
- Anticipated milestones

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INTRODUCTION

The purpose of this Strategic Environmental Assessment Scoping Report is to set out sufficient information on the **[insert PPS name]** to enable the Consultation Authorities to form a view on the consultation period and scope/level of detail that will be appropriate for the Environmental Report.

This report has been prepared in accordance with the Environmental Assessment (Scotland) Act 2005.

KEY FACTS

The key facts relating to this PPS are set out below:

- **Name of Responsible Authority**
- **Title of PPS**
- **What prompted the PPS (e.g. legislative, regulatory or administrative provision)**
- **Subject (e.g. transport)**
- **Period covered by PPS**
- **Frequency of updates**
- **Area covered by PPS**
- **Purpose and/or objectives of PPS**
- **Contact point**

Relationship with other PPS and environmental objectives

SCOPING TEMPLATE - GUIDANCE NOTE 1

- 1 At the scoping stage the Responsible Authority must provide sufficient information to allow the Consultation Authorities to form a view on relationships with other relevant plans, programmes and Strategies (PPS) and environmental protection objectives and how they inform the level and scope of the Environmental Report (Section 15 and Schedule 3 of the Act).
- 2 The discussion of environmental protection objectives must consider objectives established at International, Community or Member State level that are relevant to the PPS. This could include details regarding where an authority has international-level environmental designations (e.g. SAC, SPA, Ramsar).
- 3 A list such as table 1 below will usually suffice at this stage. However, it is helpful if further information can be provided as in table 2 below or table 3 from the Environmental Report template.
- 4 The practical guide to the SEA Directive (ODPM et al, September 2005) provides useful information on relationships with other PPS and environmental protection objectives

Table 1. Plans, programmes, strategies and environmental objectives to be analysed in the Environmental Report for their relationship with [name of PPS]

Name of PPS/ environmental protection objective	Legislation giving rise to environmental protection objective	Explanatory notes on any environmental protection objectives listed
<i>NOTE- list PPS to be analysed</i>		

Table 2. Framework of analysis proposed for relationship with other PPS and environmental objectives listed in Table 1

Name of PPS objective	Title of legislation and main requirements of PPS objective	How it affects, or is affected by [name of PPS] in terms of SEA issues referred to in Schedule 3 of the Act

Relevant aspects of the current state of the environment

SCOPING TEMPLATE - GUIDANCE NOTE 2

- 1 At the scoping stage, the Responsible Authority should send the Consultation Authorities sufficient information to form a view on the scope and level of detail of the data that the Responsible Authority has or intend to gather in respect of the relevant aspects of the current state of the environment (Schedule 3 para. 2 and Section 15 of the Act), i.e. the environmental baseline.
- 2 A description of the following will be required for the Environmental Report stage and it will therefore be useful to describe in the Scoping Report how these will be addressed in the Environmental Report (Schedule 3 paragraphs 3&4 of the Act):
 - ✓ relevant aspects of the current state of the environment;
 - ✓ the likely evolution of the environmental baseline without implementation of the PPS;
 - ✓ where available, environmental characteristics of those areas that are likely to be significantly affected (e.g. likely sites for mineral workings, new housing, transport infrastructure).
- 3 It may also be useful to consider targets, trends and status of resource at this point as these will feature later in the Environmental Report and monitoring stages of SEA.
- 4 A simple, but comprehensive list of the data sources and data that the Responsible Authority intends to gather in relation to the environmental issues listed at Schedule 3 of the Act would suffice. For instance, in relation to the historic environment, Historic Scotland may expect to see a stated intention to collect and analyse data on: Scheduled monuments; listed buildings; gardens and designed landscapes; conservation areas; protected wrecks and underwater archaeology; historic landscapes/townscapes and archeological sites, where this information will be used in the assessment.

Environmental problems

SCOPING TEMPLATE - GUIDANCE NOTE 3

- 1 At the scoping stage, the Responsible Authority is required to provide sufficient information to allow the Consultation Authorities to form a view on the scope and level of detail to be included in the Environmental Report.
- 2 Where information on environmental problems is available at the scoping stage, the Responsible Authority may wish to include it in the Scoping Report
- 3 The Responsible Authority may find it useful to prepare this section of the scoping template in discussion with other stakeholders.
- 4 The SEA Practical Guide gives advice on how problems can be identified.
- 5 A tabular format, which may be used for this section, is offered below at table 3.

Environmental problems that affect the PPS were identified through discussions with *[name organisations with whom discussions were had]* and an analysis of the baseline data from. Relevant environmental problems are summarised at Table 3.

Table 3. Environmental problems relevant to *[name of PPS]*

Problem	Supporting data (where available at this stage)	Implications for PPS
NOTE <i>e.g. large numbers of cars on school run</i>	<i>School journey mode in district X 45% foot, 32% car, 12% public transport; compared with 40%, 30%, 17% nationally (source: X local residents survey, 2005). One-third of peak time traffic is school related (Local Residents' Survey, 2004).</i>	<i>Increase emphasis on school travel plans, Safe Routes to School and other ways of reducing car journeys to school.</i>

SCOPE AND LEVEL OF DETAIL PROPOSED FOR THE ENVIRONMENTAL ASSESSMENT

Alternatives

Alternatives to this PPS have been considered [are under consideration]. Alternatives are outlined here in order to set the context for the following two sections of this report, i.e. scoping of SEA issues and consideration of a framework for the assessment of environmental effects of the alternatives.

SCOPING TEMPLATE - GUIDANCE NOTE 4

- 1** Section 14(2) of the Act provides that the Environmental Report shall identify, describe and evaluate the likely significant effects on the environment of the PPS and its reasonable alternatives. Therefore, where this information is available it is useful to set out the proposed alternatives to be considered. This will also help to set the context for scoping (i.e. scoping of SEA issues and framework for assessment of environmental effects).

- 2** Further guidance on alternatives is available in:
 - The SEA Practical Guide;
 - Chapter 9 of the Tool Kit;
 - The European Commission (2003) Implementation of Directive 2001/42 on the assessment of the effects of certain plans and programmes on the environment also provides guidance.

Scoping in/out of SEA issues

SCOPING TEMPLATE - GUIDANCE NOTE 5

- 1 It may be possible at this stage to scope out certain SEA issues if it can be demonstrated that there are no likely significant environmental effects. It should be noted, however, that it may not be possible to include this section in the scoping report as it may be too early in the PPS making process to meaningfully scope SEA issues in or out.
- 2 If it is possible for the Responsible Authority to scope certain SEA issues out, they must provide sufficient information for the Consultation Authorities to form a view on this matter.
- 3 The criteria at Schedule 2 of the Act must be applied when determining significance and the issues in Schedule 3 must be addressed.
- 4 Posing questions can be a useful aid to considering the likely significance of environmental effects. For example: will the PPS protect, enhance, minimise, improve, reduce, harm, maintain various aspects of the SEA topics such as endangered species (flora/fauna/biodiversity); emissions of pollutants harmful to human health.
- 5 The Responsible Authority may find Table 4 a useful way of presenting this section of their scoping report if they decide to include it.

In accordance with Schedule 2 of the Environmental Assessment (Scotland) Act 2005 [*name of RA*] has considered whether the environmental effects (positive and negative) of [*PPS name*] are likely to be significant. A summary of our conclusions is given in **Table 4**.

Table 4. Scoping of SEA issues

SEA issues	Scoped in	Scoped out	If scoped out, why
biodiversity, flora, fauna			
population			
human health			
soil			
water			
air			
climatic factors			
material assets			
cultural heritage (inc architectural and archaeological heritage)			
landscape			

Framework for assessing environmental effects and measures envisaged for preventing, reducing and offsetting significant adverse effects

SCOPING TEMPLATE - GUIDANCE NOTE 6

- 1** The Responsible Authority is requested to provide sufficient information on the proposed methods for the assessment of environmental effects to allow the Consultation Authorities to form a view on this matter.
- 2** The method of assessment must include an analysis of short, medium and long-term effects; permanent and temporary effects; positive and negative effects; and secondary, cumulative and synergistic effects (Schedule 3 of the Act). Further guidance is available in the Scottish Executive SEA Tool Kit (Chapter 5 of the Tool Kit).
- 3** There is a range of assessment methods and typically the Responsible Authority will select the one which best suits the nature of their PPS. For instance, SEA objectives may be used as a means by which the environmental effects of the PPS can be assessed. Alternatively the assessment might be performed by assessing the PPS proposals (and alternatives) against the issues in Schedule 3(6) of the Act.
- 4** Some examples of tables that might assist with the presentation of the latter assessment method are given in Appendix A to these templates.

NEXT STEPS

Proposed consultation timescales and methods

SCOPING TEMPLATE - GUIDANCE NOTE 7

- 1 At the scoping stage the Responsible Authority must provide sufficient information to allow the Consultation Authorities to form a view on the consultation periods proposed for the Consultation Authorities and the public (Section 15(1)(b) of the Act).
- 2 Consultation periods must give the Consultation Authorities and the public an early and effective opportunity to express their opinions on the PPS and the accompanying Environmental Report (Section 15(4) of the Act).
- 3 Note that, if the PPS is likely to have significant environmental effects on another EU Member State then consultation may be required under Regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (the UK Regulations). Responsible Authorities who believe they have such a case are advised to contact the Scottish Executive SEA Gateway for advice before proceeding.
- 4 The Responsible Authority may also find it useful to set out its proposed consultation methods and activities in the scoping report.

Anticipated milestones in the SEA and planning processes related to this PPS

SCOPING TEMPLATE - GUIDANCE NOTE 8

1. While it is not a statutory requirement, it may be useful to include here a simple list of milestone activities and dates, for example:
 - Proposed publication date for the Environmental Report
 - Proposed consultation periods and PPS milestones (e.g. anticipated adoption date)

Summary record of scoping outcomes

SCOPING TEMPLATE - GUIDANCE NOTE 9

- 1 It is not a statutory requirement, however, on receipt of comments arising from scoping, the Responsible Authority may find it useful to prepare a summary record of the outcome and any associated action. This will help to ensure transparency and provide a comprehensive record.
- 2 A summary record of the scoping outcomes may include comments from the Consultation Authorities and others and any action that arose, along with specific changes that were made (e.g. to the consultation period).

**SEA Template 2 – Scoping - Appendix A. Four options for assessment framework
(including measures envisaged to prevent, reduce and offset significant adverse effects)
Tables 1-3 were sourced by Levett-Therivel (Sustainability Consultants)**

SCOPING TEMPLATE - GUIDANCE NOTE 10

- 1** A key purpose of scoping is to set out sufficient details about the proposed methodological framework for assessment of environmental effects to allow the Consultation Authorities to form a view on this matter. The Responsible Authority should provide an explanation of the method/sources of expertise.
- 2** If the Responsible Authority selects the assessment method whereby the plan policies/proposals and alternatives are assessed against the SEA issues at Schedule 3 of the Act, they may find one of the following tables to be a useful presentation method.
- 3** See Chapter 11 of the Tool Kit for an example of an assessment framework for effects on human health.

SCOPING TEMPLATE - GUIDANCE NOTE 11 Table 5 Option 1.

This table is completed using the symbols in the key below. This approach gives a quick overview of the PPS, and is thus good for non-technical summaries. However it does not comprehensively cover short, medium, long term; permanent, temporary; secondary, cumulative, synergistic effects and to cover these additional notes are required in the comments box.

SEA TOPIC /ISSUE												
Part of PPS / Alternative	biodiversity, fauna, flora	population	human health	soil	water	air	climatic factors	material assets	cultural heritage	landscape	interrelationships	Comments (including information on short, medium, long term; permanent, temporary; secondary, cumulative, synergistic effects) and proposed changes to the PPS
Key:												
Significant positive impact	No or minimal positive impact		Neutral or unknown impact			No or minimal negative impact		Significant negative impact				
++	+		?			-						
Notes: [insert any brief additional notes here]												

SCOPING TEMPLATE - GUIDANCE NOTE 12 **Table 5 Option 2.**

This approach is effective in clarifying why some alternatives are not being considered. However it has the same limitations as Option 1.

Constraints on the choice of alternatives: (e.g. higher-level decisions that limit the options available at this PPS level, the limited remit/ competence of the Responsible Authority, or the need for action by stakeholders outside the authority):

SEA topic (if not scoped out earlier)	Alternative 1 Business as usual	Alternative 2 [name alternative]	Alternative 3 [name alternative]	Alternative 4 [name alternative]
	<i>Explanation of effects of alternative, including short, medium, long term; permanent, temporary; and secondary, cumulative, synergistic effects.</i>			
biodiversity, flora, fauna				
population				
human health				
soil				
water				
air				
climatic factors				
material assets				
cultural heritage				
landscape				
interrelationships				
Conclusions: (e.g. why one alternative was chosen over the others)				

SCOPING TEMPLATE - GUIDANCE NOTE 13

Table 5 Option 3.

This approach provides more detail regarding characteristics of environmental effects (Schedule 2 of the Act). Because it is more comprehensive it necessarily takes longer to complete and lengthens the scoping report. The cells could be filled in with symbols or text.

Alternative: [use one table for each alternative]	Magnitude/ extent/ health				Timescale		synergistic or secondary impacts	Commentary, assumptions, measures envisaged for the prevention, reduction and offsetting of adverse effects etc (for Environment Report).
	Size of area affected		Nature of area affected		Risk to human health			
	Size population affected				Permanent/temporary	Long/medium/short term		
SEA topic								
biodiversity, fauna, flora								
population								
human health								
soil								
water								
air								
climatic factors								
material assets								
cultural heritage								
landscape								
interrelationships								

KEY: The cells could include symbols (as in options 1 and 4) or text (as in option 2)

SCOPING TEMPLATE - GUIDANCE NOTE 14

Table 5 option 4.

This option is very comprehensive. You may need to fit more than one symbol in a box, e.g. ✓LT = significant positive environmental effects, long term

OBJECTIVE/ COMPONENT OF PPS (all of the feasible alternatives under consideration should be considered here)	ASSESSMENT CRITERIA											
	1	2	3	4	5	6	7	8	9	10	11	12

KEY TO ASSESSMENT CRITERIA

1. biodiversity/flora/fauna
2. population
3. risk to human health
4. soil
5. water
6. air
7. climatic factors
8. material assets
9. cultural heritage (inc archaeological and architectural)
10. landscape
11. secondary, cumulative and/or synergistic effects of criteria 1-10
12. effect on existing environmental problems relating to any areas of a particular environmental importance such as areas designated pursuant to Council Directive 92/43/EEC (habitats) or 79/409/EEC (birds) http://europa.eu.int/eur-lex/en/consleg/pdf/1992/en_1992l0043_do_001.pdf

KEY TO SYMBOLS

- ✓ = significant positive environmental effects,
 - # = significant negative environmental effects,
 - = no significant environmental effects
 - ? = Don't know
- Duration of effect = LT (long term), MT (medium term), ST (short term), perm (permanent), temp (temporary)

**SCOTTISH EXECUTIVE
SEA TEMPLATES**

**TEMPLATE 3
ENVIRONMENTAL REPORT
(with integrated guidance notes)**

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Introductory guidance notes

Purpose of the Environmental Report

- 2.27 The purpose of the Environmental Report is to identify, describe and evaluate the likely significant effects on the environment of implementing the PPS and its reasonable alternatives (Section 14(2) of the Act). The Environmental Report is the key consultation document in the SEA process because it provides an explanation of the environmental effects along with an opportunity to comment.

Length and level of detail for the Environmental Report

- 2.28 Template 3 provides a framework for the Environmental Report. You may find that much of the work done at the scoping stage (template 2) can be transferred to template 3.
- 2.29 Section 14(3) and Schedule 3 of the Act make provision for the purpose and content of the Environmental Report. The guiding principle to length and level of detail is that, typically, it is proportionate to the PPS. Typically, an Environmental Report will comprise up to 50 pages. Additional information may be provided in Appendices, although these too should be kept concise and summarise information, while remaining comprehensible to the general public.
- 2.30 In deciding the style, length and the level of detail to be provided in an Environmental Report, the Responsible Authority should bear in mind its ultimate purpose as a consultation tool. It has to be comprehensible to members of the general public.
- 2.31 The Environmental Report can be a separate stand-alone document, or it may form part of another document, e.g. it may be an appendix to the Plan, Programme or Strategy (PPS) consultation document. If the Environmental Report is presented as part of another document, it must be quite clear and distinct to ensure that the Consultation Authorities and the public are able to access it readily.
- 2.32 It is considered good practice to include maps in Environmental Reports to assist understanding of the size and nature of the area covered.

Consulting on and publicising the Environmental Report

- 2.33 Chapter 13 of the Tool Kit provides guidance on SEA consultation procedures.

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SEA ENVIRONMENTAL REPORT – COVER NOTE

PART 1

To:

SEA.gateway@scotland.gsi.gov.uk

or

SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh
EH6 6QQ

PART 2

An Environmental Report is attached for [name of PPS]:

The Responsible Authority is:

PART 3

Contact name

Job Title

Contact address

Contact tel no

Contact email

PART 4

Signature
(electronic
signature
is acceptable)

Date

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Contents of the Environmental Report

Non-technical summary

(Including timescale and address for comments)

Introduction

- Purpose of this Environmental Report and key facts about the PPS
- SEA activities to date

Context

- Outline and objectives of [name of PPS]
- Relationship with other PPS and environmental objectives
- Relevant aspects of the current state of the environment
- Environmental problems
- Likely future of the area without the PPS
- SEA Objectives

Assessment of environmental effects and measures envisaged for the preventions, reduction and offsetting of significant adverse effects

- Alternatives considered
- Assessment methods
- Assessment of PPS and alternatives
- Measures envisaged for the prevention, reduction and offsetting of any significant adverse effects

Monitoring

Next steps

Appendix A. Links to other PPS and environmental objectives

Appendix B. Full assessment results

NOTE - There are likely to be additional appendices such as maps

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ENVIRONMENTAL REPORT TEMPLATE- GUIDANCE NOTE 1

- 1** Section 14(3) and Schedule 3 of the Act set out the information required for Environmental Reports and this includes a non-technical summary (Schedule 3 paragraph 10 of the Act).
- 2** It is good practice for the non-technical summary to cover the whole of the Environmental Report. In particular, it must cover the information specified at Schedule 3 paragraphs 1-9 of the Act.
- 3** Typically, a non-technical summary may be between 1-3 pages long.
- 4** It is good practice to set out the consultation period and the address for comments at the start of the non-technical summary.

NON-TECHNICAL SUMMARY

INTRODUCTION

Purpose of this Environmental Report and key facts

As part of the preparation of [name of PPS] [name of Responsible Authority] is carrying out a Strategic Environmental Assessment (SEA). SEA is a systematic method for considering the likely environmental effects of certain PPS. SEA aims to:

- integrate environmental factors into PPS preparation and decision-making;
- improve PPS and enhance environmental protection;
- increase public participation in decision making; and
- facilitate openness and transparency of decision-making.

SEA is required by the Environmental Assessment (Scotland) Act 2005. The key SEA stages are:

Screening	determining whether the PPS is likely to have significant environmental effects and whether an SEA is required
Scoping	deciding on the scope and level of detail of the Environmental Report, and the consultation period for the report – this is done in consultation with Scottish Natural Heritage, The Scottish Ministers (Historic Scotland) and the Scottish Environment Protection Agency
Environmental Report	publishing an Environmental Report on the PPS and its environmental effects, and consulting on that report
Adoption	providing information on: the adopted PPS; how consultation comments have been taken into account; and methods for monitoring the significant environmental effects of the implementation of the PPS
Monitoring	monitoring significant environmental effects in such a manner so as to also enable the Responsible Authority to identify any unforeseen adverse effects at an early stage and undertake appropriate remedial action.

The purpose of this Environmental Report is to:

- provide information on [name of PPS];
- identify, describe and evaluate the likely significant effects of the PPS and its reasonable alternatives;
- provide an early and effective opportunity for the Consultation Authorities and the public to offer views on any aspect of this Environmental Report.

INTRODUCTION (cont)

The key facts relating to [PPS] are set out in Table 1 below.

Table 1. Key facts relating to [name of PPS]

- **Name of Responsible Authority**
- **Title of PPS**
- **What prompted the PPS** (e.g. legislative, regulatory or administrative provision)
- **Subject** (e.g. transport)
- **Period covered by PPS**
- **Frequency of updates**
- **Area covered by PPS** [note - a map may be useful]
- **Purpose and/or objectives of PPS**
- **Contact point**

SEA activities to date

ENVIRONMENTAL REPORT TEMPLATE- GUIDANCE NOTE 2

- 1 It is good practice to include a section on SEA activities to date as it helps to ensure transparency and sets the Environmental Report in context. It can also help to demonstrate compliance with a number of requirements including the requirement to take into account Consultation Authority views provided at the scoping stage.
- 2 A brief paragraph and bullet points, or a table like Table 2, would suffice. This may be presented as an annex supported by a brief paragraph in the main body of the report.

Table 2 summarises the SEA activities to date in relation to [name of plan]

Table 2. SEA activities to date

SEA Action/Activity	When carried out	Notes (e.g. comment on data availability, particular issues or any advice from the Consultation Authorities that has now been taken into account)
screening to determine whether the PPS is likely to have significant environmental effects		
scoping the consultation periods and the level of detail to be included in the Environmental Report		
Outline and objectives of the PPS		
relationship with other PPS and environmental objectives		
environmental baseline established		
environmental problems identified		
assessment of future of area without the PPS		
alternatives considered		
environmental assessment methods established		
selection of PPS alternatives to be included in the environmental assessment		
identification of environmental problems that may persist after implementation and measures envisaged to prevent, reduce and offset any significant adverse effects		
monitoring methods proposed		
consultation timescales <ul style="list-style-type: none"> • Timescale for Consultation Authorities • Timescale for public 		
notification/publicity action		

Outline and objectives of [name of PPS]

Schedule 3 of the Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes “*an outline of the contents and main objectives of the plan or programme*”. The purpose of this section is to explain the nature, contents, objectives and timescale of the PPS.

ENVIRONMENTAL REPORT TEMPLATE- GUIDANCE NOTE 3

- 1** This section would typically be 1-3 pages long.
- 2** This section expands on the information in Table 1 and may be supported by geographical information/maps along with a web link to the PPS. It should set out clearly the strategic actions of the PPS and identify those to be assessed in the SEA.

Relationship with other PPS and environmental protection objectives

Schedule 3 of the Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes an outline of the PPS relationships with other relevant PPS, and how environmental protection objectives have been taken into account in the PPS preparation. This section covers these issues and describes the policy context within which the PPS operates, and the constraints and targets that this context imposes on the PPS.

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 4

1 The list of other PPS and environmental protection objectives to be analysed will have been considered as part of the scoping process. Therefore, much of this information may be available from the Scoping Report.

2 Typically, this section may be 2-4 pages long, supported by more detailed analysis in an appendix.

Table 3 summarises how [name of plan] affects, and is affected by, other relevant PPS and environmental objectives. **Appendix A** shows a more detailed analysis.

Table 3. Relevant plans, programmes and strategies (PPS) and environmental protective objectives, and their relationship with [name of PPS]

Name of PPS / Environmental protection objective	Title of legislation and main requirements of PPS / Environmental protection objective	How it affects, or is affected by [name of PPS] in terms of SEA issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005
<i>EXAMPLE UK Climate Change Programme, 2000</i>		<i>Air, climatic factors Sets CO2 reduction targets that Plan X needs to take into account</i>
<i>Air Quality Strategy for England and Scotland, Wales and Northern Ireland, 2000 amended 2003</i>		<i>Air, human health Aims to protect people's health and the environment; sets objectives for air pollutants specified</i>

* Biodiversity, flora, fauna, population, human health, soil, water, air, climatic factors, material assets, cultural heritage (including architectural and archaeological heritage), landscape, inter-relationship between these issues; secondary and cumulative effects.

Key points arising from this analysis are _____

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 5

- 1** List key messages from the PPS and environmental protection objectives, for instance the need to provide adequate open space, protect the historic environment, or further biodiversity.

Relevant aspects of the current state of the environment

Schedule 3 of the Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes a description of “the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme”, and “the environmental characteristics of areas likely to be significantly affected”. This section aims to describe the environmental context within which the PPS operates and the constraints and targets that this context imposes on the PPS.

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 6

- 1 The purpose of this section is to provide enough environmental baseline data to:
 - support the identification of environmental problems;
 - support the process of assessing the environmental effects;
 - provide a baseline against which future monitoring data can be compared.
- 2 Both quantitative and qualitative data are acceptable. The relevance of each will depend on the issue, e.g. qualitative data is likely to be more appropriate in terms of landscape issues.
- 3 It is good practice to explain in this section the extent to which it has been possible to provide the necessary baseline data, and to document and explain any data gaps or inadequacies.
- 4 The Responsible Authority may find it useful to prepare this section in discussion with the Consultation Authorities. Typically, it may be 2-6 pages long and it may be useful to present the more detailed analysis in an appendix.

The table below summarises the data collected and the source.

ENVIRONMENTAL REPORT TEMPLATE- GUIDANCE NOTE 7

- 1 List/summarise data collected and the data sources.

The following paragraphs describe the area of **[name of plan]**:

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 8

- 1 A good place to start may be to describe the PPS area in terms of the issues/topics listed at Schedule 3 of the Act: population; human health; biodiversity; flora; fauna; soil; water; air; climatic factors; material assets; cultural heritage; landscape; and interrelations between them. If any of these are not covered, it is good practice to explain why. Also, include a description of designated areas such as SSSIs or area pursuant to Council Directive 92/43/EC (Habitats) and Council Directive 79/409/EEC (Birds) http://europa.eu.int/eur-lex/en/consleg/pdf/1992/en_1992L0043_do_001.pdf

ENVIRONMENTAL REPORT TEMPLATE- GUIDANCE NOTE 9

1 Data can be presented as:

- text, e.g. *“Biodiversity: [plan name] has a high quality environment with 8 Sites of Special Scientific Interest, which are nationally important for nature conservation and geology; one Special Protection Area, designated for the conservation of a bird habitat; and 1 RAMSAR site which is an internationally important bird habitat...”*
- maps/GIS, e.g. for designated sites, areas at risk of flooding
- graphs, e.g. for trends in traffic levels, air quality
- tables (see example below)
- or as a combinations of these approaches.

2 The use of maps and diagrams is encouraged to help ensure clarity.

3 It may also be worthwhile looking at how the baseline data has been described in other Responsible Authorities’ Scoping Reports and Environmental Reports.

4 Different approaches for presenting the data may be appropriate for this appendix and for the summary in the main text.

Example of table for presenting of baseline data: This example shows that inclusion of trends, targets and comparators (in this case, the region) are useful in helping to determine whether a problem exists or not. Citing the data source helps to show that the data are robust, and makes updating the SEA easier.

Indicators	Data		Trends	Target	Status	Source
	local	Regional				
Climatic Factors & Air						
Number of Air Quality Management Areas (AQMAS) (Nov 04)	5 in district	13 in region	No data - designation of AQMAS started in 2004	Limit values as set out in Air Quality Daughter Directive	Not a problem	Website ...
No of days air quality objectives were exceeded	15 (2001) 35 (2003)	44 (2001) 112 (2003)	Increasing	To reduce	Problem	Local Monitoring Report ...

The following summarises the likely gaps and/or unreliability of the SEA baseline data, and how they were minimised:

ENVIRONMENTAL REPORT TEMPLATE- GUIDANCE NOTE 10

1 It is suggested that it would be useful to include a brief analysis regarding the reliability and completeness of data the collected - this may be in tabular, bullet point or text format.

2 It is considered good practice to include a description of gaps or risks associated with the data and how these gaps and risks were addressed in order to improve the baseline used.

3 Chapter 8 of the Tool Kit provides further guidance on gathering baseline data.

Environmental problems

Schedule 3 paragraph 4 of the Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes a description of existing environmental problems, in particular those relating to any areas of particular environmental importance. The purpose of this section is to explain how existing environmental problems will affect or be affected by [name of plan], and whether the PPS is likely to aggravate, reduce or otherwise affect existing environmental problems.

ENVIRONMENTAL REPORT TEMPLATE- GUIDANCE NOTE 11

- 1 The Responsible Authority must include any existing environmental problems which are relevant to the PPS, in particular, those relating to any areas of particular environmental importance such as areas pursuant to Council Directive 79/409/EEC (wild birds) and 92/43/EEC (habitats).
http://europa.eu.int/eurlex/en/consleg/pdf/1992/en_1992L0043_do_001.pdf
- 2 The Responsible Authority may find it useful to prepare this section in discussion with other stakeholders and possibly the public. It may be about 1-3 pages long.

Environmental problems were identified through discussions with [name organisations with whom discussions were had] and an analysis of the baseline data. Relevant environmental problems are summarised at **Table 4**.

Table 4. Environmental problems relevant to [name of PPS]

Problem	Supporting data	Implications
<i>e.g. reduction in air quality due to large numbers of cars on school run</i>	<i>School journey mode in district X 45% foot, 32% car, 12% public transport; compared with 40%, 30%, 17% nationally (source: X local residents survey, 2005). One-third of peak time traffic is school related (Local Residents' Survey, 2004).</i>	<i>Increase emphasis on school travel plans, Safe Routes to School and other ways of reducing car journeys to school.</i>
<i>e.g. hotspots of air pollution</i>	<i>Map Y shows AQMA locations. Declared Air Quality Management Areas .</i>	<i>Reducing the need to travel and improving non-car alternatives should reduce the (increase in) traffic levels and help to improve air quality.</i>

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 12

- 1 The example at Table 4 above shows that:-
 - some problems can be identified from the baseline, e.g. where the current status is already problematic, trends are negative, targets are not being achieved
 - supporting data can come from sources other than published sources
 - maps can be helpful, e.g. AQMAs, flood risk

Likely evolution of the environment without [name of PPS]

Without [name of plan] it is considered that the likely future changes to the area will be

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 13

- 1 Schedule 3 of the Act requires that the likely evolution of the state of the environment without implementation of the PPS must be included in the Environmental Report.
- 2 One way to approach this is to list the likely changes against the issues you used in the earlier section. This can be informed by data on past trends and on likely future developments in the absence of the PPS (e.g. increasing traffic levels or water abstraction).
- 3 Typically, this section may be 1-2 pages long.

SEA Objectives

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 14

- 1 The Responsible Authority may wish to include any SEA objectives at this point.
- 2 SEA objectives may be defined as measures by which the environmental impacts of the PPS may be assessed. For further guidance please refer to the Chapter 9 of the Tool Kit.

Assessment of environmental effects and measures envisaged for prevention, reduction and offset of any significant adverse effects

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 15

- 1** The purpose of this section is to predict and evaluate as far as possible the environmental effects of this PPS and its reasonable alternatives (Section 14 of the Act) and to set out measures envisaged to prevent, reduce, and as fully as possible offset any significant adverse effects on the environment (Schedule 3 paragraph 7 of the Act).
- 2** The baseline information from the previous sections is applied to consider whether the PPS and its alternatives are likely to have significant environmental effects (positive and negative).

Alternatives to which SEA was applied

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 16

- 1** Schedule 3 para 8 of the Act requires “an outline of the reasons for selecting the alternatives dealt with”.
- 2** Section 14 of the Act requires the likely significant environmental effects of the PPS and its reasonable alternatives to be identified, described and evaluated.

The following methods were used to determine the alternatives considered as part of this Strategic Environmental Assessment _____

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 17

- 1** It is suggested that you include an explanation of how and why these alternatives were considered “reasonable” and why and how they were selected for inclusion in the SEA.

Assessment methods

The reasonable alternatives described above have been assessed against the range of environmental issues set out in Schedule 3 of the Environmental Assessment (Scotland) Act 2005. Comments from the Consultation Authorities (SNH, SEPA and The Scottish Ministers (Historic Scotland) have been taken into account regarding the methods, scope and level of detail in this Environmental Report.

ENVIRONMENTAL REPORT TEMPLATE- GUIDANCE NOTE 18

- 1 It may be useful to give further explanation of the environmental assessment methods, any problems encountered in carrying out the assessment; and how those problems were addressed.
- 2 Typically, this section would be 1-2 pages long.

Table 5. Framework used to assess [name of PPS]

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 19

- 1 Insert the assessment framework established during the scoping process, amended and augmented as appropriate. Please refer to SEA Template 2 (scoping) for examples of assessment frameworks.

Assessment of PPS and its alternatives - summary

The PPS and its alternatives were assessed using the framework shown earlier. A summary of the assessment findings is shown in **Table 6**, and the full findings are shown in **Appendix B**.

Table 6. Summary of assessment findings

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 20

- 1 Insert summary of the environmental assessment of the PPS and its alternatives using the framework and methods agreed at the scoping stage. Include a full analysis in an appendix.
- 2 Please refer to the scoping template for examples of how to present the assessment framework.

Assessment of alternatives - cumulative effects

ENVIRONMENTAL REPORT TEMPLATE - GUIDANCE NOTE 21

Background

1 The Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report shall include such of the information in Schedule 3 as may reasonably be required, taking account of:-

- current knowledge and methods of assessment;
- the contents and level of detail in the PPS;
- the stage of the PPS in the decision-making process;
- the extent to which certain matters are more appropriately assessed at different levels in the decision-making process in order to avoid duplication of the assessment.

2 The Environmental Assessment (Scotland) Act 2005 requires that the assessment must include an analysis of short, medium and long-term effects; permanent and temporary effects; positive and negative effects; and secondary, cumulative and synergistic effects. Positive and negative effects must not be assumed to cancel each other out.

Cumulative, synergistic and secondary effects

3 Because assessing and presenting cumulative, synergistic and secondary effects can be complex, the Responsible Authority may find it useful to present their assessment and conclusions in a distinct section of their Environmental Report (Chapter 6 of the Tool Kit).

4 This section may typically be 2-5 pages long, supported with an appendix containing the detailed analysis. It is not considered sufficient to provide a summary table on its own and it is good practice to explain any conclusions.

Sources of Guidance

5 A variety of tables are offered overleaf. You may also find it useful to cross refer to Chapter 12 of the Tool Kit which provides further guidance.

Assessment of alternatives - cumulative and synergistic effects

Table 7

ENVIRONMENTAL REPORT TEMPLATE – GUIDANCE NOTE 22									
The following approach may be helpful for identifying the cumulative effects of the PPS across the SEA issues/topics:									
SEA topic	Part of PPS / Alternative (e.g. policy 1-7)							Potential cumulative impact of PPS	
	1	2	3	4	5	6	7		
Biodiversity etc.	+	-	+	+	0	...		no effect	
Population	++		0	++		...			
Human health	0	?	0	?	?			more study needed	
Soil	+	?	-	?	?				
Water	+		0	++					
Air	+	+	0	++					
Climatic factors	-	--	-	0	--			Potential adverse effect Suggest appropriate mitigation measures here	
Material assets									
Cultural heritage	cumulative effects on SEA topic can be identified by 'reading across'								
Landscape									
Interrelationship							

In the example above, each part of the PPS has a neutral or positive overall impact (reading 'down'), but the policies cumulatively have a significant adverse effect on climatic factors (reading 'across'). In such a case, it is good practice to review to see whether they cannot be changed so as to reduce their joint effect. Negative and positive effects should *not* be assumed to cancel each other out.

+ = positive, - = negative and 0 = neutral effect.

Table 7 was sourced by Levett-Therivel (Sustainability Consultants).

Assessment of alternatives, compatibility with other PPS

TABLE 8

ENVIRONMENTAL REPORT TEMPLATE – GUIDANCE NOTE 23											
<p>Where <i>different parts of a PPS seem to pull in opposite directions</i>, it may be appropriate to also carry out a compatibility assessment of the PPS, as shown in the example below:</p> <ul style="list-style-type: none"> • Accessibility: Y Council will enable all Y residents to access employment, education and key services • Demand Management: Y Council will influence and manage the demand for transport within and through Y • Keep Y Moving: Y Council will manage/maintain local highway network to maximise safe/efficient use of road space and provide reliable journey times • Sustainable Regeneration: Y Council will promote development that reduces need to travel while supporting local economy • Connections: Y Council will press for more efficient transport links with the rest of Scotland 											
	A. Accessibility	B. Demand Mgmt.	C. Keep Y Moving	D. Sust. Regenerate.							
					<table border="1"> <tr> <td>√</td> <td>Mutually compatible themes</td> </tr> <tr> <td>x</td> <td>Mutually incompatible themes</td> </tr> <tr> <td>?</td> <td>No clear link</td> </tr> </table>	√	Mutually compatible themes	x	Mutually incompatible themes	?	No clear link
√	Mutually compatible themes										
x	Mutually incompatible themes										
?	No clear link										
B. Demand management	?										
C. Keep Y moving	?	x									
D. Sustainable regeneration	√	√	x								
E. Connections	?	x	√	X							
<p>In the example, there is a clear tension between policies B and D, which aim to reduce the need to travel, and policies C and E, which aim to increase mobility. B/D and C/E would lead to virtually opposite environmental effects: the compatibility assessment helps to explain why this is the case.</p>											

Table 8 was sourced by Levett-Therivel (Sustainability Consultants)

Measures envisaged for the prevention, reduction and offsetting of significant adverse effects

Schedule 3 paragraph 7 of the Environmental Assessment (Scotland) Act 2005 requires an explanation of “the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme.” **Table 9** sets out any environmental problems that are likely to remain on implementation of the PPS and summarises proposed measures for the prevention, reduction and offset of significant adverse effects.

ENVIRONMENTAL REPORT TEMPLATE – GUIDANCE NOTE 24

- 1 Ways to prevent, reduce or offset negative impacts – must be considered for *all* significant adverse effects. The practical guide to the SEA Directive describes the links between impact assessment and measures for the prevention, reduction and offsetting of significant adverse effects.
- 2 It may also be useful to include a table which sets out how positive environmental effects may be enhanced.

Table 9. Measures envisaged for the prevention, reduction and offsetting of any significant adverse effects

SEA issue	Existing problem?	Impact of PPS	Proposed measures for the reduction/prevention and offset of significant adverse effects
<i>e.g. water</i>	<i>future development proposed in local plan to 2016 is likely to worsen this.</i>	<i>Largely neutral impact. Main issue is rain runoff from existing and new proposed roads, and impact of the winter salting regime.</i>	<i>Ensure design of new roads minimises impact. Legal requirement to deal with icy roads limits ability to mitigate this. Linked plans: National controls on building in areas with limited water resources should be considered by central government but this is outside the remit of this plan</i>
<i>e.g. biodiversity</i>	<i>Yes: decline of habitats and species, fragmentation</i>	<i>Largely positive impact by strategies</i>	<i>New developments must avoid SSSIs & other sensitive sites. Design/implementation of the schemes themselves should mitigate or improve biodiversity (e.g. better connection of green corridors) as well as wildlife protection measures</i>

Monitoring

ENVIRONMENTAL REPORT TEMPLATE – GUIDANCE NOTE 25

1 Section 19 of the Environmental Assessment (Scotland) Act 2005 requires the Responsible Authority to monitor significant environmental effects of the implementation of the PPS. This must be done in such a way as to also identify unforeseen adverse effects and to take appropriate remedial action.

Appendix B. Monitoring measures need to be linked to any targets, objectives or indicators used in the SEA. Monitoring may involve updating the baseline data using the same indicators. It may also be useful to monitor:

- SEA objectives
- Effectiveness of measures proposed for prevention, reduction and offsetting of significant adverse effects

3 Good practice associated with SEA monitoring includes ensuring it:

- fits a pre-defined purpose, helps to solve problems, and addresses key issues
- is practical and is customised to the PPS;
- is transparent and readily accessible to the public;
- is seen as a learning process and a cyclical process relating closely to the collation of the environmental baseline.

(source:TRL – Practical SEA for Local Transport Plans Advanced Course)

Appendix C. Further guidance on monitoring is available in Chapter 14 of the Tool Kit

The following activities were undertaken to establish the monitoring approach _____

The proposed SEA monitoring activities are set out in **Table 10**

Table 10. Proposed SEA monitoring programme

What is being monitored	Data source, frequency of monitoring	Summary of proposed remedial action (if information is available)	Timescale and responsibility

Next steps

ENVIRONMENTAL REPORT TEMPLATE – GUIDANCE NOTE 26

- 1 It is suggested that it would be helpful to inform the public of key dates such as the closing date for comments, period during which comments will be scrutinised; any further planning/SEA activities, adoption and post-adoption SEA activities such as notification and monitoring.

Table 11 lists future milestones in the development of the PPS and its SEA, and the dates when these are expected to be completed.

Table 11. Anticipated plan-making and SEA milestones

Expected date	Milestone

Appendix A – Links to other PPS and environmental objectives

ENVIRONMENTAL REPORT TEMPLATE – GUIDANCE NOTE 27		
Option 1. This is a simple approach and that used most widely to date		
PPS environmental protection objective	Objectives or requirements of the PPS environmental protection objectives	How objectives and requirements might be taken on board in PPS X

ENVIRONMENTAL REPORT TEMPLATE – GUIDANCE NOTE 28	
Option 2. This approach provides more information, but takes longer to compile	
PPS/environmental protection objective ...(name)	
body responsible for PPS:	
status (e.g. statutory, non-statutory):	
date produced:	
why is it relevant to the PPS	
opportunities / synergies:	constraints / challenges:
how could the PPS respond?	Implications for the SEA
internet link:	
useful cross-references	

Appendix B. Full assessment results

ENVIRONMENTAL REPORT TEMPLATE – GUIDANCE NOTE 29
The assessment results would be structured according to the framework established at Table 6.

**SCOTTISH EXECUTIVE
SEA TEMPLATES**

**TEMPLATE 4
POST-ADOPTION
SEA STATEMENT
(with integrated guidance notes)**

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Introductory guidance notes on post-adoption procedures

2.34 When to take post-adoption action

- As soon as is reasonably practicable after adoption of the PPS, the Responsible Authority must provide specified information.

2.35 Provide information to Consultation Authorities

- The Responsible Authority must inform the Consultation Authorities of the adoption of the PPS and send a copy, as adopted, along with a statement setting out the particulars referred to in Section 18(3) of the Environmental Assessment (Scotland) Act 2005. (In the Scottish Executive SEA tool kit, this statement is referred to as the post-adoption SEA Statement).
- It is not a statutory requirement. However, to ease administration, the Responsible Authority is asked to send this information via the Scottish Executive SEA Gateway.

2.36 Display information on Responsible Authority web-site

- Title and copy of the PPS as adopted and date of adoption.
- PPS, Environmental Report and post-adoption SEA Statement (see overleaf).
- Address and times at which these documents may be inspected (or copy obtained).
- That inspection is free of charge.

2.37 Make information available at Responsible Authority principal office

- PPS as adopted, Environmental Report and the post-adoption SEA Statement. These to be available for inspection, at the authority's principal office free of charge at all reasonable times. (Responsible Authorities are not required to provide copies free of charge and may charge a reasonable amount for copies).

2.38 Bring information to the attention of the public

- The Responsible Authority must take, or secure the taking of, such steps as it considers appropriate to bring the following to the attention of the public (steps must include publication in at least one newspaper circulating in the area affected by the PPS).
- Title of the PPS and date adopted.
- Website and office address at which the PPS, Environmental Report and the post-adoption SEA Statement may be inspected or from which a copy may be obtained.
- Times at which these documents may be inspected and that inspection is free of charge.

2.39 Length and level of detail of the post-adoption SEA statement

- Template 4 provides a framework for the post-adoption SEA Statement.
- The length of the post-adoption SEA Statement will depend very much on the nature of the PPS, the complexity of the Environmental Report and the number of consultation responses received.
- The size of the sections and boxes in this template is not a guide to the amount of detail required as that will depend on the nature of the PPS.

POST-ADOPTION SEA STATEMENT – COVER NOTE

PART 1

To: SEA.gateway@scotland.gsi.gov.uk
or
SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

A post-adoption SEA statement is attached for the PPS entitled:

The Responsible Authority is:

PART 3

Contact name

Job Title

Contact address

Contact tel no

Contact email

Signature & date

Blank page

POST - ADOPTION SEA STATEMENT

Post-adoption SEA statement for:

Adopted on:

Responsible Authority:

POST-ADOPTION SEA STATEMENT INTRODUCTION

This document (referred to here as the post-adoption SEA statement) has been prepared in accordance with Section 18 of the Environmental Assessment (Scotland) Act 2005.

POST-ADOPTION SEA STATEMENT AVAILABILITY OF DOCUMENTS

WEBSITE

The full PPS as adopted, along with the Environmental Report and post-adoption SEA Statement are available on the Responsible Authority's website at:

OFFICE ADDRESS

The PPS, as adopted, along with the Environmental Report and post-adoption SEA Statement may also be inspected free of charge (or a copy obtained for a reasonable charge) at the principal office of the Responsible Authority:

Contact name, address and telephone number

Times at which the documents may be inspected or a copy obtained:

**POST-ADOPTION SEA STATEMENT
KEY FACTS**

Name of Responsible Authority	<input type="text"/>
Title of PPS	<input type="text"/>
Purpose of PPS	<input type="text"/>
What prompted the PPS (e.g. a legislative, regulatory or administrative provision)	<input type="text"/>
Subject (e.g. transport)	<input type="text"/>
Period covered	<input type="text"/>
Frequency of updates	<input type="text"/>
Area of PPS (e.g. geographical area)	<input type="text"/>
Summary of nature/content of PPS	<input type="text"/>
Date adopted	<input type="text"/>
Contact name & job title Address, email, telephone number	<input type="text"/>
Date	<input type="text"/>

POST-ADOPTION SEA STATEMENT STRATEGIC ENVIRONMENTAL ASSESSMENT PROCESS

[insert title of PPS] has been subject to a process of Strategic Environmental Assessment (SEA), as required under the Environmental Assessment (Scotland) Act 2005. This has included the following activities:

- Taking into account the views of the Scottish Environment Protection Agency, Scottish Natural Heritage and the Scottish Ministers (Historic Scotland) regarding the scope and level of detail that was appropriate for the Environmental Report
- Preparing an Environmental Report on the likely significant effects on the environment of the draft PPS which included consideration of:
 - the baseline data relating to the current state of the environment;
 - links between the PPS and other relevant strategies, policies, plans, programmes and environmental protection objectives;
 - existing environmental problems affecting the PPS;
 - the plan's likely significant effects on the environment (positive and negative);
 - measures envisaged for the prevention, reduction and offsetting of any significant adverse effects;
 - an outline of the reasons for selecting the alternatives chosen;
 - monitoring measures to ensure that any unforeseen environmental effects will be identified allowing for appropriate remedial action to be taken.
- Consulting on the Environmental Report
- Taking into account the Environmental Report and the results of consultation in making final decisions regarding the PPS
- Committing to monitoring the significant environmental effects of the implementation of the PPS. This will also identify any unforeseen adverse significant environmental effects and to enable taking appropriate remedial action.

**POST-ADOPTION SEA STATEMENT
HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN
INTEGRATED INTO [THE PPS] AND HOW THE ENVIRONMENTAL
REPORT HAS BEEN TAKEN INTO ACCOUNT**

POST-ADOPTION SEA STATEMENT TEMPLATE - GUIDANCE NOTE 1

1 The format and contents of this section will vary depending on the PPS. You may find it useful to include:

- list environmental problems identified in the Environmental Report and explain how these have been taken into account in the PPS;
- list negative effects identified in the Environmental Report and whether / how these have been dealt with in the PPS;
- list measures for prevention, reduction and offsetting of significant adverse effects identified in the Environmental Report plus any revised measures considered later and explain how these have been integrated into the PPS;
- list positive effects identified in the Environment Report and whether/how these have been integrated into the PPS.
- Table 1 overleaf may be a useful format for presenting this section of the post-adoption SEA statement.

POST-ADOPTION SEA STATEMENT (cont)
HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN
INTEGRATED INTO [THE PPS] AND HOW THE ENVIRONMENTAL
REPORT HAS BEEN TAKEN INTO ACCOUNT

Table 1 may be a useful format for presenting this section of the post-adoption SEA statement.

TABLE 1

ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT	INTEGRATED INTO PLAN (YES/NO)	HOW INTEGRATED/TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT
<p>note: -</p> <p>list key environmental considerations allocate a row of the table to each consideration</p>		
<p>note: -</p> <p>list key findings including measures to prevent, reduce and offset significant adverse effects etc. Allocate a row of the table to each finding.</p>		

Post-Adoption Sea Statement
How opinions expressed during the consultation have been taken into account (including any consultation required with other EU member states)

- POST-ADOPTION SEA STATEMENT TEMPLATE - GUIDANCE NOTE 2**
- 1** The Responsible Authority must set out how the opinions expressed during the consultation procedures at Section 16 of the Act have been taken into account. All consultation responses must be covered.
 - 2** The Responsible Authority must also set out how the results of any relevant consultations under Regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (The UK Regulations) i.e. consultations with other EU Member States.
 - 3** Before disclosing consultees’ details or opinions remember to ensure that you have complied with relevant legislation such as The Data Protection Act, The Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.

TABLE 2 –LISTS CONSULTATION RESPONSES AND SETS OUT HOW THEY HAVE BEEN TAKEN INTO ACCOUNT

CONSULTEE / RESPONDENT (ALPHA ORDER BEGINNING WITH THE CONSULTATION AUTHORITIES)	SUMMARY OF COMMENTS	HOW THE COMMENT WAS TAKEN INTO ACCOUNT IN MAKING THE DECISION TO ADOPT THE FINAL PPS
Scottish Environment Protection Agency		
The Scottish Ministers (Historic Scotland)		
Scottish Natural Heritage		
remaining comments can be entered in rows below		

**POST-ADOPTION SEA STATEMENT
REASONS FOR CHOOSING THE [PPS] AS ADOPTED, IN THE LIGHT
OF OTHER REASONABLE ALTERNATIVES**

POST-ADOPTION SEA STATEMENT TEMPLATE - GUIDANCE NOTE 3

- 1** A clear explanation should be given of why particular alternatives/approaches were adopted for the PPS.
- 2** The length of this section will depend on the PPS. Typically it may be 1-2 pages long.

Post-Adoption Sea Statement
Measures that are to be taken to monitor significant environmental effects of the implementation of the PPS

POST-ADOPTION SEA STATEMENT TEMPLATE - GUIDANCE NOTE 4

- 1 Section 19 of the Environmental Assessment (Scotland) Act 2005 requires the Responsible Authority to monitor significant environmental effects of the implementation of the PPS in a manner which enables them to also identify unforeseen adverse effects at an early stage and to enable them to take appropriate remedial action.
- 2 Section 18(3)(f) require the Responsible Authority to set out monitoring measures in the post-adoption SEA statement.
- 3 Good practice associated with SEA monitoring includes ensuring it:
 - fits a pre-defined purpose/is practical/is customised to the PPS;
 - is oriented towards problem solving and addresses key issues;
 - is transparent and readily accessible to the public;
 - is seen as a learning process relating to the collation of the environmental baseline; (*source:TRL - Practical SEA for Local Transport Plans Advanced Course*)
- 4 In this section of your post-adoption SEA statement you may wish to cover:
 - what is to be monitored
 - how it will be monitored (e.g. which data sources will you use)
 - frequency of monitoring
 - anticipated appropriate remedial action for any unforeseen adverse effects
 - how your monitoring will may inform the environmental baseline
- 5 Further guidance on monitoring is available in Chapter 14 of the Tool Kit.

POST-ADOPTION SEA STATEMENT
NOTE - IT MAY BE USEFUL TO INCLUDE A CONCLUDING PARAGRAPH
HERE



natural
scotland
SCOTTISH EXECUTIVE

Strategic Environmental Assessment Tool Kit

**SEA Templates (without integrated
guidance notes)**

CONTENTS

Part 1 - Introduction

- Acknowledgements
- Purpose of the SEA Tool Kit
- List of key guidance sources
- Explanation of terms used in the templates

Part 2 – SEA Templates

- Screening template
- Scoping template
- Environmental Report template
- Post-adoption SEA Statement template

SCOTTISH EXECUTIVE SEA TOOL KIT

Part 1 - Introduction

Acknowledgements

- 1.1 The Scottish Executive is grateful to the wide variety of organisations and individuals who have helped to develop these templates including - Levett-Therivel (Sustainability Consultants), SEPA, Historic Scotland, SNH and CoSLA.

Purpose of the SEA Tool Kit

- 1.2 The Scottish Executive SEA Tool Kit provides comprehensive coverage and supports the commitment made by the Scottish Ministers to provide guidance on the Environmental Assessment (Scotland) Act 2005 ('the Act').
- 1.3 The Tool Kit is designed to be comprehensive, but can only be considered as guidance and is not a substitute for the Act. Responsible Authorities who are in any doubt about compliance should refer to the Act or seek their own legal advice.
- 1.4 Specific guidance has been developed for certain types of plans, programmes and strategies (PPS), to date land use¹ and spatial planning and transport planning². Users should refer primarily to the relevant specific guidance when preparing those PPS.
- 1.5 Use of these templates is not mandatory and may be adapted to suit individual circumstances. When using these templates, it is for the Responsible Authority to ensure that their SEA activities comply with the statutory requirements.

List of key guidance sources

- 1.6 Before using the templates, the Responsible Authorities are advised to read the Act. Guidance on the Act is available in Chapters 1 to 15 of the Tool Kit.
 - 1.7 The SEA Practical Guide³ (ODPM et al, September 2005), is relevant for those plans and programmes which geographically cover more than one part of the UK
- <http://www.communities.gov.uk/index.asp?id=1501988>
- 1.8 The European Commission has provided guidance on the interpretation of the SEA Directive: "implementation of - Directive 2001/42 on the assessment of the effects of certain plans and programmes on the environment" available at:

http://europa.eu.int/comm/environment/eia/030923_sea_guidance.pdf

¹ www.scotland.gov.uk/publications/2003/08/18048/25556

² www.scot-tag.org.uk

³ copy available at: <http://www.communities.gov.uk/index.asp?id=1501988>

Explanation of terms used in the templates

- 1.9 The term “signature” includes electronic signatures. Electronic signatures are acceptable.
- 1.10 References to the “SEA Practical Guide” relate to the Practical Guide to the Strategic Environmental Assessment Directive (ODPM et al, September 2005) (see paragraph 1.7).
- 1.11 References to “the Act” refer to the Environmental Assessment (Scotland) Act 2005. Where words like “shall”, “must” or “should” are used, this indicates a statutory requirement. Where “may” or “could” are used, this indicates a good practice recommendation.
- 1.12 The term “plans and programmes” includes strategies.
- 1.13 The “Consultation Authorities” are the Scottish Environment Protection Agency, Scottish Natural Heritage (SNH), and the Scottish Ministers. (The Scottish Ministers have designated Historic Scotland to advise on their behalf on matters concerning the historic environment.)
- 1.14 The Scottish Executive SEA Gateway is the central administrative unit dealing with SEA matters. SEA Gateway contact details are provided below.
- 1.15 The term “transboundary effects” means the effects of a plan, programme or strategy (PPS) on another EU Member State. The term “cross-border” effects” means the effects of a PPS on another UK country. i.e. England, Wales or Northern Ireland

Contact details

SCOTTISH EXECUTIVE SEA GATEWAY

SEA.gateway@scotland.gsi.gov.uk

or

SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh
EH6 6QQ

Telephone: 0131 244 5094

**SCOTTISH EXECUTIVE
SEA TEMPLATES**

**TEMPLATE 1
SCREENING
(without integrated guidance notes)**

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SEA SCREENING REPORT (COVER NOTE)

PART 1

To: SEA.gateway@scotland.gsi.gov.uk
or
SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

An SEA Screening Report is attached for the plan, programme or strategy (PPS) entitled:

The Responsible Authority is:

COMPLETE PART 3 or 4 or 5

PART 3

Screening is required by the Environmental Assessment (Scotland) Act 2005. Our view is that:

- an SEA is required** because the PPS falls under the scope of Section 5(3) of the Act and is likely to have significant environmental effects ***or***
- an SEA is required** because the PPS falls under the scope of Section 5(4) of the Act and is likely to have significant environmental effects ***or***
- an SEA is not required** because the PPS is unlikely to have significant environmental effects

PART 4

- The PPS does not require an SEA under the Act. However, we wish to carry out an SEA on a voluntary basis. We accept that, because this SEA is voluntary, the statutory 28 day timescale for views from the Consultation Authorities cannot be guaranteed.

PART 5

- None of the above apply. We have prepared this screening report because:
.....
.....
.....

SEA SCREENING REPORT (COVER NOTE)

PART 6

Contact name

Job Title

Contact address

Contact tel no

Contact email

PART 7

Signature
(electronic
signature
is acceptable)

Date

SEA SCREENING REPORT - KEY FACTS

Responsible Authority

Title of PPS

Purpose of PPS

What prompted the PPS
(e.g. a legislative,
regulatory or
administrative
provision)

Subject
(e.g. transport)

Period covered by PPS

Frequency of updates

Area covered by PPS
(e.g. geographical area – it is
good practice to attach a map)

**Summary of nature/
content of PPS**

**Are there any proposed
PPS objectives?**

YES

NO

Copy of objectives attached

YES

NO

Date

SEA SCREENING REPORT

Our determinations regarding the likely significance of effects on the environment of [insert PPS title] is set out in Table 1.

TABLE 1 – LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

TITLE OF PPS		
RESPONSIBLE AUTHORITY		
Criteria for determining the likely significance of effects on the environment (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	Likely to have significant environmental effects? YES/NO	Summary of significant environmental effects (negative and positive)
1(a) the degree to which the PPS sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources		
1(b) the degree to which the PPS influences other PPS including those in a hierarchy		
1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development		

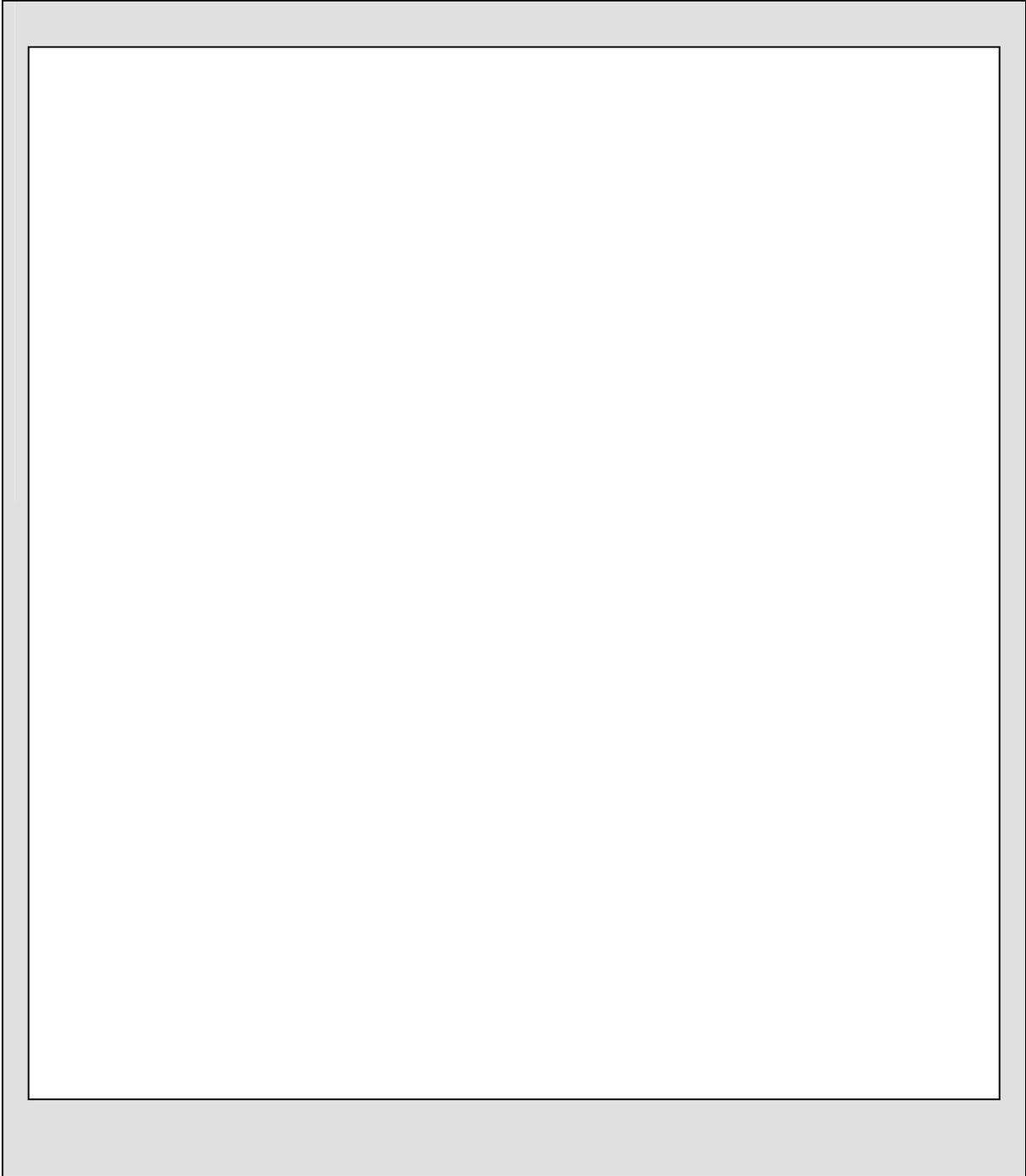
Criteria for determining the likely significance of effects on the environment (1(d) etc. refer to paras in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	Likely to have significant environmental effects? YES/NO	Summary of significant environmental effects (negative and positive)
1(d) environmental problems relevant to the PPS		
1(e) the relevance of the PPS for the implementation of Community legislation on the environment (for example, PPS linked to waste management or water protection)		
2 (a) the probability, duration, frequency and reversibility of the effects		
2 (b) the cumulative nature of the effects		
2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)		
2 (d) the risks to human health or the environment (for example, due to accidents)		

<p>Criteria for determining the likely significance of effects on the environment (2(e), 2(f) etc refer to paras in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)</p>	<p>Likely to have significant environmental effects? YES/NO</p>	<p>Summary of significant environmental effects (negative and positive)</p>
<p>2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>		
<p>2 (f) the value and vulnerability of the area likely to be affected due to-</p> <ul style="list-style-type: none"> (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use. 		
<p>2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status</p>		

SEA SCREENING REPORT

A summary of our considerations of the significant environmental effects of [name of PPS] is given below.

TABLE 2 – SUMMARY OF ENVIRONMENTAL EFFECTS

A large empty rectangular box with a double border, intended for the content of Table 2. The box is currently blank, with only the inner and outer outlines visible.

SEA SCREENING REPORT

**TABLE 3
SUMMARY RECORD OF COMMENTS FROM CONSULTATION AUTHORITIES**

GUIDANCE NOTE

It is not a statutory requirement to include this section in the screening report. However, the Responsible Authority may find it useful for record purposes.

TITLE OF PLAN, PROGRAMME OR STRATEGY

RESPONSIBLE AUTHORITY

DATE COMMENTS RECEIVED FROM CONSULTATION AUTHORITIES

Consultation Authority	Views (if known at this stage)
Scottish Environment Protection Agency	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. soil and water)
Scottish Natural Heritage	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. flora, fauna and biodiversity)
The Scottish Ministers (Historic Scotland)	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. landscape and cultural heritage)

SEA SCREENING REPORT

TABLE 4 – RECORD OF POST SCREENING ACTION

<p>GUIDANCE NOTE</p> <p>It is not a requirement to include this section in the screening report. However, the Responsible Authority may find it useful for record purposes.</p> <p>TITLE OF PLAN, PROGRAMME OR STRATEGY (PPS)</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> <p>RESPONSIBLE AUTHORITY</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	
<p>1 Responsible Authority and Consultation Authorities in agreement – PPS <u>is</u> likely to have significant environmental effects</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>Date of determination</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>2 Responsible Authority and Consultation Authorities in agreement – PPS <u>is not</u> likely to have significant environmental effects</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>Date of determination</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>3 Responsible Authority and Consultation Authorities cannot reach agreement – referred to the Scottish Ministers for their determination</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>Date referred to the Scottish Ministers</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>4 Scottish Ministers' determination</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>Date of determination</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>5 Publicity requirements met</p>	<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 5px; width: 40%;">YES</div> <div style="border: 1px solid black; padding: 5px; width: 40%;">NO</div> </div>
<p>6 Signature</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>
<p>Date</p>	<div style="border: 1px solid black; height: 30px; width: 100%;"></div>

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**SCOTTISH EXECUTIVE
SEA TEMPLATES**

TEMPLATE 2

SCOPING

(without integrated guidance notes)

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SEA SCOPING TEMPLATE – COVER NOTE

PART 1

To: SEA.gateway@scotland.gsi.gov.uk
or
SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

An SEA Scoping Report is attached for the plan, programme or strategy (PPS) entitled:

The Responsible Authority is:

PART 3

Please tick the appropriate box

- The PPS falls under the scope of Section 5(3) of the Act and requires an SEA under the Environmental Assessment (Scotland) Act 2005. ***or***
- The PPS falls under the scope of Section 5(4) of the Act and requires an SEA under the Environmental Assessment (Scotland) Act 2005. ***or***
- The PPS does not require an SEA under the Environmental Assessment (Scotland) Act 2005. However, we wish to carry out an SEA on a voluntary basis. We accept that, as this SEA is voluntary, the statutory 5 week timescale for views from the Consultation Authorities cannot be guaranteed.

PART 4

Contact name

Job Title

Contact address

Contact tel no

Contact email

PART 5

Signature
(electronic
signature
is acceptable)

Date

Contents of Scoping Report

Introduction

Key facts about [*name of plan, programme or strategy (PPS)*]

Description of PPS contents

Context of [PPS]

- Relationship with other PPS
- Relevant aspects of the current state of the environment (baseline)
- Environmental problems

Scope and level of detail proposed for strategic environmental assessment

- Alternatives (if known)
- Scoping in/out of SEA issues
- Methodology for assessing environmental effects

Next steps

- Proposed consultation timescales
- Anticipated milestones

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INTRODUCTION

The purpose of this Strategic Environmental Assessment Scoping Report is to set out sufficient information on the *[insert PPS name]* to enable the Consultation Authorities to form a view on the consultation period and scope/level of detail that will be appropriate for the Environmental Report.

This report has been prepared in accordance with the Environmental Assessment (Scotland) Act 2005.

KEY FACTS

The key facts relating to this PPS are set out below:

- **Name of Responsible Authority**
- **Title of PPS**
- **What prompted the PPS (e.g. legislative, regulatory or administrative provision)**
- **Subject (e.g. transport)**
- **Period covered by PPS**
- **Frequency of updates**
- **Area covered by PPS**
- **Purpose and/or objectives of PPS**
- **Contact point**

DESCRIPTION OF PPS CONTENT

Provide information, where available , on:

- Aims and objectives
- Policies
- Proposals
- Measures

PLAN, PROGRAMME OR STRATEGY CONTEXT

Relationship with other plans, programmes or strategies (PPS) and environmental objectives

Table 1 lists the plans, programmes, strategies and environmental objectives that we propose to analyse for their relationship with [*name of PPS*].

Table 1. Plans, programmes, strategies and environmental objectives to be analysed in the Environmental Report for their relationship with [*name of PPS*]

Name of PPS/ environmental protection objective	Legislation giving rise to environmental protection objective	Explanatory notes on any environmental protection objectives listed
<i>NOTE- list PPS to be analysed</i>		

Table 2. Framework of analysis proposed for relationship with other PPS and environmental objectives listed in Table 1

Name of PPS objective	Title of legislation and main requirements of PPS objective	How it affects, or is affected by [<i>name of PPS</i>] in terms of SEA issues referred to in Schedule 3 of the Act

Relevant aspects of the current state of the environment

Environmental problems

Environmental problems that affect the PPS were identified through discussions with [*name organisations with whom discussions were had*] and an analysis of the baseline data. Relevant environmental problems are summarised at **Table 3**.

Table 3. Environmental problems relevant to [*name of PPS*]

Problem	Supporting data (where available at this stage)	Implications for PPS
NOTE <i>e.g. large numbers of cars on school run</i>	<i>School journey mode in district X 45% foot, 32% car, 12% public transport; compared with 40%, 30%, 17% nationally (source: X local residents survey, 2005). One-third of peak time traffic is school related (Local Residents' Survey, 2004).</i>	<i>Increase emphasis on school travel plans, Safe Routes to School and other ways of reducing car journeys to school.</i>

SCOPE AND LEVEL OF DETAIL PROPOSED FOR THE ENVIRONMENTAL ASSESSMENT

Alternatives

Alternatives to this PPS have been considered [are under consideration]. Alternatives are outlined here in order to set the context for the following two sections of this report, i.e. scoping of SEA issues and consideration of a framework for the assessment of environmental effects of the alternatives.

Scoping in/out of SEA issues

In accordance with Schedule 2 of the Environmental Assessment (Scotland) Act 2005 [*name of RA*] has considered whether the environmental effects (positive and negative) of [*PPS name*] are likely to be significant. A summary of our conclusions is given in **Table 4**.

Table 4. Scoping of SEA issues

SEA issues	Scoped in	Scoped out	If scoped out, why
biodiversity, flora, fauna			
population			
human health			
soil			
water			
air			
climatic factors			
material assets			
cultural heritage (including architectural and archaeological heritage)			
landscape			

Framework for assessing environmental effects

Guidance note: see Appendix A to this template which offers examples

NEXT STEPS

Proposed consultation timescales and methods

Anticipated milestones in the SEA and planning processes related to this PPS

POST SCOPING - Summary record of scoping outcomes

GUIDANCE NOTE

1 This section of the scoping template is not a statutory requirement. However, on receipt of comments arising from scoping, the Responsible Authority may find it useful to prepare a summary record of the outcome and any associated action. This will help to ensure transparency and provide a comprehensive record.

SEA Template 2 – Scoping - Appendix A
Four options for assessment framework
 (Tables 1-3 were sourced by Levett-Therivel (Sustainability Consultants))

GUIDANCE NOTE

- 1 A key purpose of scoping is to set out sufficient details about the proposed methodological framework for assessment of environmental effects to allow the Consultation Authorities to form a view. The Responsible Authority should provide an explanation of the method/sources of expertise that will be used to reach each assessment decision.
- 2 If the Responsible Authority selects an assessment method whereby the PPS (i.e. policies/proposals and alternatives) is assessed against the SEA issues at Schedule 3 of the Act, they may find one of the following tables to be a useful presentation method.
- 3 Other methods and presentation frameworks are equally acceptable.
- 4 See Chapter 11 of the Tool Kit for an example of an assessment framework for effects on human health.

GUIDANCE NOTE - Table 5 Option 1

This table is completed using the symbols in the key below. This approach gives a quick overview of the PPS, and is thus good for non-technical summaries. However it does not comprehensively cover short, medium, long term; permanent, temporary; secondary, cumulative, or synergistic effects and to cover these additional notes are required in the comments box.

SEA TOPIC /ISSUE												
Part of PPS / Alternative	biodiversity, fauna, flora	population	human health	soil	water	air	climatic factors	material assets	cultural heritage	landscape	interrelationships	
												Comments (including information on short, medium, long term; permanent, temporary; secondary, cumulative, synergistic effects) and proposed changes to the PPS
Key:												
Significant positive impact	No or minimal positive impact		Neutral or unknown impact				No or minimal negative impact		Significant negative impact			
++	+		?				-		-			
Notes: [insert any brief additional notes here]												

GUIDANCE NOTE - Table 5 Option 2.

This approach is effective in clarifying why some alternatives are not being considered. However it has the same limitations as Option 1.

Constraints on the choice of alternatives: (e.g. higher-level decisions that limit the options available at this PPS level, the limited remit/ competence of the Responsible Authority, or the need for action by stakeholders outside the authority):

SEA topic (if not scoped out earlier)	Alternative 1 Business as usual	Alternative 2 [name alternative]	Alternative 3 [name alternative]	Alternative 4 [name alternative]
	<i>Explanation of effects of alternative, including short, medium, long term; permanent, temporary; and secondary, cumulative, synergistic effects.</i>			
biodiversity, flora, fauna				
population				
human health				
soil				
water				
air				
climatic factors				
material assets				
cultural heritage				
landscape				
interrelationships				
Conclusions: (e.g. why one alternative was chosen over the others)				

GUIDANCE NOTE Table 5 Option 3.

This approach provides more detail regarding characteristics of environmental effects (Schedule 2 of the Act). As it is more comprehensive, it necessarily takes longer to complete and lengthens the Scoping Report. The cells could be filled in with symbols or text.

Alternative: [use one table for each alternative]	Magnitude/ extent/ health			Timescale		Cumulative effects	synergistic or secondary impacts	Commentary, assumptions, measures envisaged for the prevention, reduction and offsetting of adverse effects etc (for Environment Report).
	Size population affected	Size of area affected	Nature of area affected	Risk to human health	Permanent/temporary			
SEA topic								
biodiversity, fauna, flora								
population								
human health								
soil								
water								
air								
climatic factors								
material assets								
cultural heritage								
landscape								
interrelationships								

GUIDANCE NOTE Table 5 Option 4

This option is very comprehensive. You may need to fit more than one symbol in a box, e.g.

✓LT = significant positive environmental effects, long term

OBJECTIVE/ COMPONENT OF PPS (all of the feasible alternatives under consideration should be considered here)	ASSESSMENT CRITERIA											
	1	2	3	4	5	6	7	8	9	10	11	12

KEY TO ASSESSMENT CRITERIA

1. biodiversity/flora/fauna
2. population
3. risk to human health
4. soil
5. water
6. air
7. climatic factors
8. material assets
9. cultural heritage (inc archaeological archaeological' and architectural)
10. landscape
11. secondary, cumulative and/or synergistic effects of criteria 1-10
12. effect on existing environmental problems relating to any areas of a particular environmental importance such as areas designated pursuant to Council Directive 92/43/EEC (habitats) or 79/409/EEC (birds) http://europa.eu.int/eur-lex/en/consleg/pdf/1992/en_1992L0043_do_001.pdf

KEY TO SYMBOLS

✓ = significant positive environmental effects,

= significant negative environmental effects,

□ = no significant environmental effects

? = Don't know

Duration of effect =

LT (long term), MT (medium term), ST (short term), perm (permanent), temp (temporary)

**SCOTTISH EXECUTIVE
SEA TEMPLATES**

**TEMPLATE 3
ENVIRONMENTAL REPORT
(without integrated guidance notes)**

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**SEA ENVIRONMENTAL REPORT – COVER NOTE
PART 1**

To:

SEA.gateway@scotland.gsi.gov.uk

or

SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh
EH6 6QQ

PART 2

An Environmental Report is attached for [name of PPS]:

The Responsible Authority is:

PART 3

Contact name

Job Title

Contact address

Contact tel no

Contact email

PART 4

Signature

(electronic
signature
is acceptable)

Date

Blank page

Contents of the Environmental Report

Non-technical summary

(Including timescale and address for comments)

Introduction

- Purpose of this Environmental Report and key facts about the PPS
- SEA activities to date

Context

- Outline and objectives of [name of PPS]
- Relationship with other PPS and environmental objectives
- Relevant aspects of the current state of the environment
- Environmental problems
- Likely future of the area without the PPS
- SEA Objectives

Assessment of environmental effects and measures envisaged for the preventions, reduction and offsetting of significant adverse effects

- Alternatives considered
- Assessment methods
- Assessment of PPS and alternatives
- Measures envisaged for the prevention, reduction and offsetting of any significant adverse effects

Monitoring

Next steps

Appendix A. Links to other PPS and environmental objectives

Appendix B. Full assessment results

NOTE - There are likely to be additional appendices such as maps

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NON-TECHNICAL SUMMARY

INTRODUCTION

Purpose of this Environmental Report and key facts

As part of the preparation of [name of PPS] [name of Responsible Authority] is carrying out a Strategic Environmental Assessment (SEA). SEA is a systematic method for considering the likely environmental effects of certain PPS. SEA aims to:

- integrate environmental factors into PPS preparation and decision-making;
- improve PPS and enhance environmental protection;
- increase public participation in decision making; and
- facilitate openness and transparency of decision-making.

SEA is required by the Environmental Assessment (Scotland) Act 2005. The key SEA stages are:

Screening	determining whether the PPS is likely to have significant environmental effects and whether an SEA is required
Scoping	deciding on the scope and level of detail of the Environmental Report, and the consultation period for the report – this is done in consultation with Scottish Natural Heritage, The Scottish Ministers (Historic Scotland) and the Scottish Environment Protection Agency
Environmental Report	publishing an Environmental Report on the PPS and its environmental effects, and consulting on that report
Adoption	providing information on: the adopted PPS; how consultation comments have been taken into account; and methods for monitoring the significant environmental effects of the implementation of the PPS
Monitoring	monitoring significant environmental effects in such a manner so as to also enable the Responsible Authority to identify any unforeseen adverse effects at an early stage and undertake appropriate remedial action.

The purpose of this Environmental Report is to:

- provide information on [name of PPS];
- identify, describe and evaluate the likely significant effects of the PPS and its reasonable alternatives;
- provide an early and effective opportunity for the Consultation Authorities and the public to offer views on any aspect of this Environmental Report.

INTRODUCTION (cont)

The key facts relating to [PPS] are set out in Table 1 below.

Table 1. Key facts relating to [name of PPS]

- **Name of Responsible Authority**
- **Title of PPS**
- **What prompted the PPS** (e.g. legislative, regulatory or administrative provision)
- **Subject (e.g. transport)**
- **Period covered by PPS**
- **Frequency of updates**
- **Area covered by PPS [note - a map may be useful]**
- **Purpose and/or objectives of PPS**
- **Contact point**

SEA activities to date

Table 2 summarises the SEA activities to date in relation to [name of PPS]

Table 2. SEA activities to date

SEA Action/Activity	When carried out	Notes (e.g. comment on data availability, particular issues or any advice from the Consultation Authorities that has now been taken into account)
screening to determine whether the PPS is likely to have significant environmental effects		
scoping the consultation periods and the level of detail to be included in the Environmental Report		
Outline and objectives of the PPS		
relationship with other PPS and environmental objectives		
environmental baseline established		
environmental problems identified		
assessment of future of area without the PPS		
alternatives considered		
environmental assessment methods established		
selection of PPS alternatives to be included in the environmental assessment		
identification of environmental problems that may persist after implementation and measures envisaged to prevent, reduce and offset any significant adverse effects		
monitoring methods proposed		
consultation timescales <ul style="list-style-type: none"> • Timescale for Consultation Authorities • Timescale for public 		
notification/publicity action		

Outline and objectives of [name of PPS]

The Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes “an outline of the contents and main objectives of the plan or programme”. The purpose of this section is to explain the nature, contents, objectives and timescale of the [PPS].

Relationship with other PPS and environmental objectives

The Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes an outline of the PPS relationships with other relevant PPS and how environmental protection objectives have been taken into account in the PPS preparation. This section covers these issues and describes the policy context within which the PPS operates, and the constraints and targets that this context imposes on the PPS.

Table 3 summarises how [name of PPS] affects, and is affected by, other relevant PPS and environmental protection objectives. **Appendix A** shows a more detailed analysis.

Table 3. Relevant plans, programmes and strategies (PPS) and environmental protective objectives, and their relationship with [name of PPS]

Name of PPS / Environmental protection objective	Title of legislation and main requirements of PPS / Environmental protection objective	How it affects, or is affected by [name of PPS] in terms of SEA issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005
<i>EXAMPLE UK Climate Change Programme, 2000</i>		<i>Air, climatic factors Sets CO2 reduction targets that Plan X needs to take into account</i>
<i>Air Quality Strategy for England and Scotland, Wales and Northern Ireland, 2000 amended 2003</i>		<i>Air, human health Aims to protect people’s health and the environment; sets objectives for air pollutants specified</i>

* Biodiversity, flora, fauna, population, human health, soil, water, air, climatic factors, material assets, cultural heritage (including architectural and archaeological heritage), landscape, inter-relationship between these issues; secondary and cumulative effects.

Key points arising from this analysis are

Relevant aspects of the current state of the environment

The Environmental Assessment (Scotland) Act 2005 Schedule 3 requires that the Environmental Report includes a description of the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the PPS, and “the environmental characteristics of areas likely to be significantly affected”. This section aims to describe the environmental context within which the PPS operates and the constraints and targets that this context imposes on the PPS.

The table below summarises the data collected and the source.

The following paragraphs describe the area of [name of PPS]:

The following summarises the likely gaps and/or unreliability of the SEA baseline data, and how they were minimised:

Environmental problems

The Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes a description of existing environmental problems, in particular those relating to any areas of particular environmental importance. The purpose of this section is to explain how existing environmental problems will affect or be affected by [name of PPS], and whether the PPS is likely to aggravate, reduce or otherwise affect existing environmental problems.

Environmental problems were identified through discussions with [name organisations with whom discussions were had] and an analysis of the baseline data. Relevant environmental problems are summarised at **Table 4**.

Table 4. Environmental problems relevant to [name of PPS]

Problem	Supporting data	Implications
<i>e.g. reduction in air quality due to large numbers of cars on school run</i>	<i>School journey mode in district X 45% foot, 32% car, 12% public transport; compared with 40%, 30%, 17% nationally (source: X local residents survey, 2005). One-third of peak time traffic is school related (Local Residents' Survey, 2004).</i>	<i>Increase emphasis on school travel plans, Safe Routes to School and other ways of reducing car journeys to school.</i>
<i>e.g. hotspots of air pollution</i>	<i>Map Y shows AQMA locations. Declared Air Quality Management Areas .</i>	<i>Reducing the need to travel and improving non-car alternatives should reduce the (increase in) traffic levels and help to improve air quality.</i>

Likely evolution of the environment without [name of PPS]

Without [name of PPS] it is considered that the likely future changes to the area will be:

SEA Objectives

ASSESSMENT OF ENVIRONMENTAL EFFECTS AND MEASURES ENVISAGED FOR PREVENTION, REDUCTION AND OFFSETTING OF ANY SIGNIFICANT ADVERSE EFFECTS

Alternatives to which SEA was applied

The following alternatives were considered as part of this strategic environmental assessment:

Assessment methods

The PPS and its alternatives, described earlier, have been assessed against the list of environmental issues set out in Schedule 3 of the Environmental Assessment (Scotland) Act 2005. Comments from the Consultation Authorities (SNH, SEPA and The Scottish Ministers (Historic Scotland)) have been taken into account regarding the methods, scope and level of detail in this Environmental Report.

Table 5. Framework used to assess [name of PPS]

Assessment of alternatives - summary

The PPS and its alternatives were assessed using the framework shown above. A summary of the assessment findings is shown in **Table 6**, and the full findings are shown in **Appendix B**.

Table 6. Summary of assessment findings

Assessment of alternatives - cumulative and synergistic effects

Guidance note – Chapter 12 of the Tool Kit provides further guidance

GUIDANCE NOTE

Background

1 The Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report shall include such of the information in Schedule 3 as may reasonably be required, taking account of:

- current knowledge and methods of assessment;
- the contents and level of detail in the PPS;
- the stage of the PPS in the decision-making process;
- the extent to which certain matters are more appropriately assessed at different levels in the decision-making process in order to avoid duplication of the assessment.

2 The Environmental Assessment (Scotland) Act 2005 requires that the assessment must include an analysis of short, medium and long-term effects; permanent and temporary effects; positive and negative effects; and secondary, cumulative and synergistic effects. Positive and negative effects must not be assumed to cancel each other out.

Cumulative, synergistic and secondary effects

3 Because assessing and presenting cumulative, synergistic and secondary effects can be complex, the Responsible Authority may find it useful to present their assessment and conclusions in a distinct section of their Environmental Report. (Chapter 6 of Tool Kit provides further guidance).

4 This section may typically be 2-5 pages long, supported with an appendix containing the detailed analysis. It is not considered sufficient to provide a summary table on its own and it is good practice to explain any conclusions.

Sources of Guidance

5 A variety of tables are offered overleaf. You may also find it useful to cross refer to Chapter 9 of the Tool Kit, which provides further guidance.

Assessment of alternatives - cumulative and synergistic effects

Table 7

The following approach may be helpful for identifying the cumulative effects of the PPS across the SEA issues/topics:

SEA topic	Part of PPS / Alternative (e.g. policy 1-7)							Potential cumulative impact of PPS
	1	2	3	4	5	6	7	
Biodiversity etc.	+	-	+	+	0	...		no effect
Population	++		0	++		...		
Human health	0	?	0	?	?			more study needed
Soil	+	?	-	?	?			
Water	+		0	++				
Air	+	+	0	++				
Climatic factors	-	--	-	0	--			Potential adverse effect Suggest appropriate mitigation measures here
Material assets								
Cultural heritage	cumulative effects on SEA topic can be identified by 'reading across'							
Landscape								
Interrelationship						

In the example above, each part of the PPS has a neutral or positive overall impact (reading 'down'), but the policies cumulatively have a significant adverse effect on climatic factors (reading 'across'). In such a case, it is good practice to review to see whether they cannot be changed so as to reduce their joint effect. Negative and positive effects should *not* be assumed to cancel each other out.

+ = positive, - = negative and 0 = neutral effect.

Table 7 was sourced by Levett-Therivel (Sustainability Consultants)

Assessment of alternatives, compatibility with other PPS

Table 8

GUIDANCE NOTE

Where *different parts of a PPS seem to pull in opposite directions*, it may be appropriate to also carry out a compatibility assessment of the PPS, as shown in the example below:

- Accessibility: Y Council will enable all Y residents to access employment, education and key services
- Demand Management: Y Council will influence and manage the demand for transport within and through Y
- Keep Y Moving: Y Council will manage/maintain local highway network to maximise safe/efficient use of road space and provide reliable journey times
- Sustainable Regeneration: Y Council will promote development that reduces need to travel while supporting local economy
- Connections: Y Council will press for more efficient transport links with the rest of Scotland

	A. Accessibility	B. Demand Mgmt.	C. Keep Y Moving	D. Sust. Regenerate.							
					<table border="1"> <tr> <td>√</td> <td>Mutually compatible themes</td> </tr> <tr> <td>x</td> <td>Mutually incompatible themes</td> </tr> <tr> <td>?</td> <td>No clear link</td> </tr> </table>	√	Mutually compatible themes	x	Mutually incompatible themes	?	No clear link
√	Mutually compatible themes										
x	Mutually incompatible themes										
?	No clear link										
B. Demand management	?										
C. Keep Y moving	?	x									
D. Sustainable regeneration	√	√	x								
E. Connections	?	x	√	X							

In the example, there is a clear tension between policies B and D, which aim to reduce the need to travel, and policies C and E, which aim to increase mobility. B/D and C/E would lead to virtually opposite environmental effects: the compatibility assessment helps to explain why this is the case.

Table 8 was sourced by Levett-Therivel (Sustainability Consultants)

Measures envisaged for the prevention, reduction and offsetting of significant adverse effects

Schedule 3 para. 7 of the Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the PPS. Table 9 sets out any environmental problems that are likely to remain on implementation of the PPS and summarises measures envisaged for the prevention, reduction and offsetting of any significant adverse effects.

Table 9 Measures envisaged for the prevention, reduction and offsetting of any significant adverse effects

SEA issue	Existing problem?	Impact of PPS	Measures envisaged for the prevention, reduction and offsetting of any significant adverse effects

GUIDANCE NOTE – It may also be useful to include a table which sets out how positive environmental effects may be enhanced

MONITORING

Section 19 of the Environmental Assessment (Scotland) Act 2005 requires the Responsible Authority to monitor significant environmental effects of the implementation of the PPS. This needs to be done in such a way as to also enable them to identify any unforeseen adverse effects at an early stage and to enable them to take appropriate remedial action.

The following activities were undertaken to establish the monitoring approach. *[insert details]*

The proposed SEA monitoring activities are set out in Table 10.

Table 10 Proposed SEA monitoring programme

What is being monitored	Data source, frequency of monitoring	Summary of proposed remedial action (if information is available)	Timescale and responsibility

NEXT STEPS

Table 11 lists future milestones in the development of the PPS and its SEA, and the dates when these are expected to be completed.

Table 11 Anticipated PPS-making and SEA milestones

Expected date	Milestone

Appendix A - Links to other plans, programmes and strategies and environmental protection objectives

GUIDANCE NOTE		
Option 1. This is a simple approach which has been used widely.		
Policy, PPS, environmental protection objective	Objectives or requirements of the policy/PPS/environmental protection objectives	How objectives and requirements might be taken on board in PPS X

GUIDANCE NOTE	
Option 2. This approach provides more information, but takes longer to compile.	
PPS environmental objective ...(name)	
body responsible for PPS:	
status (e.g. statutory, non-statutory):	
date produced:	
why is it relevant to the PPS	
opportunities / synergies:	constraints / challenges:
how could the PPS respond?	implications for the SEA:
internet link:	
useful cross-references	

Appendix B. Full assessment results

These would be structured according to the framework established at Table 6

**SCOTTISH EXECUTIVE
SEA TEMPLATES**

**TEMPLATE 4
POST-ADOPTION
SEA STATEMENT
(without integrated guidance notes)**

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POST-ADOPTION SEA STATEMENT – COVER NOTE

PART 1

To: SEA.gateway@scotland.gsi.gov.uk

or

SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

A post-adoption SEA statement is attached for the PPS entitled:

The Responsible Authority is:

PART 3

Contact name

Job Title

Contact address

Contact tel no

Contact email

Signature & date

Blank page

POST - ADOPTION SEA STATEMENT

Post-adoption SEA statement for:

Adopted on:

Responsible Authority:

POST-ADOPTION SEA STATEMENT INTRODUCTION

This document (referred to here as the post-adoption SEA statement) has been prepared in accordance with Section 18 of the Environmental Assessment (Scotland) Act 2005.

POST-ADOPTION SEA STATEMENT AVAILABILITY OF DOCUMENTS

WEBSITE

The full PPS as adopted, along with the Environmental Report and post-adoption SEA Statement are available on the Responsible Authority's website at:

OFFICE ADDRESS

The PPS, as adopted, along with the Environmental Report and post-adoption SEA Statement may also be inspected free of charge (or a copy obtained for a reasonable charge) at the principal office of the Responsible Authority:

Contact name, address and telephone number

Times at which the documents may be inspected or a copy obtained:

**POST-ADOPTION SEA STATEMENT
KEY FACTS**

Name of Responsible Authority	<input type="text"/>
Title of PPS	<input type="text"/>
Purpose of PPS	<input type="text"/>
What prompted the PPS (e.g. a legislative, regulatory or administrative provision)	<input type="text"/>
Subject (e.g. transport)	<input type="text"/>
Period covered	<input type="text"/>
Frequency of updates	<input type="text"/>
Area of PPS (e.g. geographical area)	<input type="text"/>
Summary of nature/content of PPS	<input type="text"/>
Date adopted	<input type="text"/>
Contact name & job title Address, email, telephone number	<input type="text"/>
Date	<input type="text"/>

POST-ADOPTION SEA STATEMENT STRATEGIC ENVIRONMENTAL ASSESSMENT PROCESS

[insert title of PPS] has been subject to a process of Strategic Environmental Assessment (SEA), as required under the Environmental Assessment (Scotland) Act 2005. This has included the following activities:

- Taking into account the views of the Scottish Environment Protection Agency, Scottish Natural Heritage and the Scottish Ministers (Historic Scotland) regarding the scope and level of detail that was appropriate for the Environmental Report
- Preparing an Environmental Report on the likely significant effects on the environment of the draft PPS which included consideration of:
 - the baseline data relating to the current state of the environment;
 - links between the PPS and other relevant strategies, policies, plans, programmes and environmental protection objectives;
 - existing environmental problems affecting the PPS;
 - the plan's likely significant effects on the environment (positive and negative);
 - measures envisaged for the prevention, reduction and offsetting of any significant adverse effects;
 - an outline of the reasons for selecting the alternatives chosen;
 - monitoring measures to ensure that any unforeseen environmental effects will be identified allowing for appropriate remedial action to be taken.
- Consulting on the Environmental Report
- Taking into account the Environmental Report and the results of consultation in making final decisions regarding the PPS
- Committing to monitoring the significant environmental effects of the implementation of the PPS. This will also identify any unforeseen adverse significant environmental effects and to enable taking appropriate remedial action.

**POST ADOPTION SEA STATEMENT
HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN INTEGRATED
INTO [THE PPS] AND HOW THE ENVIRONMENTAL REPORT HAS BEEN
TAKEN INTO ACCOUNT**

TABLE 1

ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT	INTEGRATED INTO PPS (YES/NO)	HOW INTEGRATED/ TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT

**POST ADOPTION SEA STATEMENT
HOW OPINIONS EXPRESSED DURING CONSULTATION HAVE BEEN
TAKEN INTO ACCOUNT (INCLUDING ANY CONSULTATION REQUIRED
WITH OTHER EU MEMBER STATES)**

**TABLE 2 –LISTS CONSULTATION RESPONSES AND SETS OUT HOW THEY
HAVE BEEN TAKEN INTO ACCOUNT**

CONSULTEE / RESPONDENT	SUMMARY OF COMMENTS	HOW THE COMMENT WAS TAKEN INTO ACCOUNT IN MAKING THE DECISION TO ADOPT THE FINAL PPS

**POST-ADOPTION SEA STATEMENT
REASONS FOR CHOOSING THE [PPS] AS ADOPTED, IN THE LIGHT OF
OTHER REASONABLE ALTERNATIVES**

**POST-ADOPTION SEA STATEMENT
MEASURES THAT ARE TO BE TAKEN TO MONITOR SIGNIFICANT
ENVIRONMENTAL EFFECTS OF THE IMPLEMENTATION OF THE PPS**

**POST-ADOPTION SEA STATEMENT
NOTE - IT MAY BE USEFUL TO INCLUDE A CONCLUDING PARAGRAPH
HERE**

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Edinburgh
EH1 1YS

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